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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 302D-13, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) Any community, department school, school community  
4 council, group of teachers, group of teachers and  
5 administrators, or nonprofit organization may submit a letter of  
6 intent to an authorizer to form a charter school and establish  
7 an applicant governing board. An applicant governing board may  
8 develop a charter application pursuant to this section; provided  
9 that:

10           (1) An applicant governing board established by a  
11           community may develop a charter application for a  
12           start-up charter school;

13           (2) An applicant governing board established by a  
14           department school or a school community council may  
15           develop a charter application for a conversion charter  
16           school;



- 1 (3) An applicant governing board established by a group of  
2 teachers or a group of administrators may develop a  
3 charter application for a start-up or conversion  
4 charter school; and
- 5 (4) A nonprofit organization may:
- 6 (A) Establish an applicant governing board [~~that is~~  
7 ~~separate from the nonprofit organization~~] and  
8 develop a charter application for a start-up or  
9 conversion charter school; [~~or~~] provided that:
- 10 (i) The governing board shall operate separately  
11 from the nonprofit organization; and
- 12 (ii) The governing board may include members of  
13 the nonprofit organization, but such members  
14 shall not constitute a majority of members  
15 of the governing board; or
- 16 (B) Establish an applicant governing board that shall  
17 be the board of directors of the nonprofit  
18 organization and may develop a charter  
19 application for a conversion charter school;  
20 provided that any nonprofit organization that



1 seeks to manage and operate a conversion charter  
2 school shall:  
3 (i) Submit to the authorizer at the time of the  
4 charter application bylaws or policies that  
5 describe the manner in which business is  
6 conducted and policies that relate to the  
7 management of potential conflict of interest  
8 situations;  
9 (ii) Have experience in the management and  
10 operation of public or private schools or,  
11 to the extent necessary, agree to obtain  
12 appropriate services from another entity or  
13 entities possessing such experience;  
14 (iii) Not interfere in the operations of the  
15 department school to be converted until  
16 otherwise authorized by the authorizer in  
17 consultation with the department; and  
18 (iv) Have the same protections that are afforded  
19 to all other governing boards in its role as  
20 the conversion charter school governing  
21 board."



# H.B. NO. 396

1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

4

INTRODUCED BY:



JAN 22 2021



# H.B. NO. 396

**Report Title:**

Charter School Applications; Nonprofit Organizations

**Description:**

Allows nonprofit organizations to establish an applicant governing board and develop a charter application for a start-up or conversion charter school; provided that (1) the governing board operates separately from the nonprofit organization and (2) the governing board may include members of the nonprofit organization, but such members shall not constitute a majority of the governing board's members.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

