

STAND. COM. REP. NO. **1483** -24

Honolulu, Hawaii

MAR 28 , 2024

RE: H.C.R. No. 166
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.C.R. No. 166 entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE STATE PUBLIC CHARTER SCHOOL COMMISSION TO WORK WITH STAKEHOLDERS TO DEVELOP AND ADOPT ADMINISTRATIVE RULES GOVERNING THE NEGOTIATION PROCESS BETWEEN THE COMMISSION AND PUBLIC CHARTER SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to urge the State Public Charter School Commission to work with stakeholders to develop and adopt administrative rules governing the negotiation process between the Commission and public charter schools.

Your Committee received testimony in support of this measure from the Governing Board of Kanu O Ka 'Aina New Century Public Charter School; Hawaii Academy of Arts & Science Public Charter School; Kualapuu Public Charter School; and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the State Public Charter School Commission.

Your Committee finds that existing state law allows the State Public Charter School Commission (Commission) to adopt rules to administer and implement state laws regarding public charter schools and negotiate and execute sound charter contracts with

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each approved charter applicant and with existing public charter schools. Your Committee further finds that although existing state law provides the Board of Education with the power to decide appeals of decisions by the Commission to deny the approval of a charter application, deny renewal of a charter contract, or revoke a charter school's charter contract, there is no appeals process for a complaint regarding unfair negotiating practices by the Commission. Your Committee believes that a more defined system of negotiation between public charter schools and the Commission is needed to allow charter schools to run their own individual operations effectively and efficiently.

Your Committee has amended this measure by:

- (1) Clarifying that the State Public Charter School Commission only consider providing an appeals process before the Board of Education for addressing complaints regarding the Commission's execution of administrative rules in developing administrative rules as requested by this measure;
- (2) Deleting certain findings made in this measure;
- (3) Amending its title; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 166, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Education,

for Justin Le Chick
JUSTIN H. WOODSON, Chair



Record of Votes of the Committee on Education

Bill/Resolution No.: <u>HCR 1146</u>	Committee Referral: <u>EDN, FIN</u>	Date: <u>3/21/2024</u>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	/			
2. LA CHICA, Trish (VC)	/			
3. KAPELA, Jeanne	/			
4. MARTEN, Lisa	/			
5. MARTINEZ, Rose				/
6. MATAYOSHI, Scot Z.				/
7. MIZUNO, May Besario	/			
8. PERRUSO, Amy A.	/			
9. QUINLAN, Sean	/			
10. TODD, Chris				/
11. GARCIA, Diamond	/			
TOTAL (11)	8			3

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: _____

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