STAND. COM. REP. NO. 1482-24

Honolulu, Hawaii

MAR 28 , 2024

RE: H.R. No. 145 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.R. No. 145 entitled:

"HOUSE 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 Ke Kula 'O Nāwahīokalani'ōpu'u; Kualapuu Public Charter School; and three individuals. 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 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

2024-2628 HR145 HD1 HSCR HMSO

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.R. No. 145, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 145, H.D. 1.

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

BUSTIN H. WOODSON, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1482-24

Record of Votes of the Committee on Education

Bill/Resolution No.:	Committee Referral:	Date:		
H2 145	EDN: FIN 3/21/2024			
☐ 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		The state of the s		
6. MATAYOSHI, Scot Z.				
7 MIZINO May Page				
7. MIZUNO, May Besario				
8. PERRUSO, Amy A.				
o. TERRUSO, Amy A.		The South Control for the South		
9. QUINLAN, Sean				
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10. TODD, Chris				
11. GARCIA, Diamond				
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TOTAL (11)	8			3
The recommendation is: Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				