

# S.B. NO. 3092

JAN 24 2024

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## A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF EDUCATION  
FOR CHARTER SCHOOLS.

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

1           SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4           SECTION 2. In accordance with section 9 of article VII of  
5 the Hawaii State Constitution and sections 37-91 and 37-93,  
6 Hawaii Revised Statutes, the legislature has determined that the  
7 general fund expenditure ceiling for fiscal year 2023-2024 has  
8 already been exceeded by \$           or           per cent. The  
9 appropriations contained in this Act will cause the state  
10 general fund expenditure ceiling for fiscal year 2023-2024 to be  
11 further exceeded by \$           or           per cent. This declaration  
12 takes into account the additional general fund appropriation  
13 authorized for fiscal year 2023-2024 in this Act only. The  
14 reasons for exceeding the general fund expenditure ceiling are  
15 that:

16           (1) The appropriations made in this Act are necessary to  
17           serve the public interest; and

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1           (2) The appropriations made in this Act meet the needs  
2           addressed by this Act.

3           SECTION 3. The department of education is required to  
4 provide proportional funding to charter schools based on their  
5 student enrollment. Even though the overall enrollment for the  
6 department of education has gone up for the 2023 to 2024 school  
7 year, the growth rate for public charter schools has grown even  
8 faster at four per cent higher than projected. One factor that  
9 explains the sudden increased public charter school enrollment  
10 is the growing need for temporary school options in Lahaina as a  
11 result of the destruction incurred by the devastating wildfires.  
12 As a result of the increased charter school enrollment, the  
13 amount of funding for charter schools is less than what is  
14 required.

15           The purpose of this Act is to make an emergency  
16 appropriation to provide moneys for the department of education  
17 to cover its funding requirements for charter schools.

18           SECTION 4. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$6,600,000 or so much  
20 thereof as may be necessary for fiscal year 2023-2024 for the  
21 department of education to provide funding for charter schools.



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**Report Title:**

Emergency Appropriation; DOE

**Description:**

Makes an emergency appropriation to provide moneys for the Department of Education for charter schools.

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

JUSTIFICATION SHEET **SB. NO. 3092**

DEPARTMENT: Education

TITLE: MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR CHARTER SCHOOLS.

PURPOSE: To provide the Department with funding for charter schools.

MEANS: Make an emergency appropriation of general funds to the Department.

JUSTIFICATION: The Department is required to provide proportional funding to charter schools based on their student enrollment. Even though overall Department student enrollment is up for the 2023 to 2024 school year, the growth rate for public charter schools was even higher at four percent higher than projected.

The amount of funding provided by the Legislature in the 2023 legislative session for charter schools was less than required. For example, the Hawaii Tech Academy's increase in enrollment in the beginning of 2023-2024 school year was the stopgap measure to temporarily provide relief to students displaced by the wildfires in Lahaina.

Impact on the public: The funding in this bill will provide needed financial resources for charter schools to be able to provide services to the students they serve. Providing equally proportionate funding to charter schools ensures that each school has adequate resources to provide for student success.

Impact on the department and other agencies: The Department is responsible for providing a proportional share of funding to charter schools based upon their student enrollment numbers. Without adequate funding by the Legislature, the Department does not have

the funds to provide the required funds to the charter schools.

GENERAL FUND: \$6,600,000.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: EDN 100.

OTHER AFFECTED  
AGENCIES: Hawaii State Charter School Commission.

EFFECTIVE DATE: Upon approval.