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# A BILL FOR AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS.

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

1           SECTION 1. The legislature finds that public charter  
2 schools and their authorizers play a vital role in Hawaii's  
3 public education system.

4           The purpose of this Act is to authorize public charter  
5 schools to appeal directly to the board of education on matters  
6 that materially affect the school's operation, governance, or  
7 funding.

8           SECTION 2. Section 302D-15, Hawaii Revised Statutes, is  
9 amended to read as follows:

10           "**§302D-15 Appeals; charter applications, renewals, or**  
11 **revocations.** (a) The board shall have the power to decide  
12 appeals of decisions by an authorizer to deny the approval of a  
13 charter application, deny renewal of a charter contract, or  
14 revoke a charter school's charter contract. An appeal shall be  
15 filed with the board within twenty-one calendar days of the  
16 receipt of the notification of denial or revocation. Only a  
17 party whose charter application has been denied, whose charter



1 contract renewal has been denied, or whose charter contract has  
2 been revoked may initiate an appeal under this section for  
3 cause. The board shall review an appeal and issue a final  
4 decision within sixty calendar days of the filing of the appeal.

5 (b) Any public charter school shall be entitled to  
6 initiate an administrative appeal directly to the board on  
7 matters regarding adverse action taken by a charter school  
8 authorizer or any decision within the jurisdiction of the board  
9 that affects the school's operation, governance, or funding;  
10 provided that a public charter school shall not be entitled to  
11 appeal to the board on matters regarding negative performance  
12 reviews, or non-renewal decisions except in cases where the  
13 authorizer alleges procedural errors, statutory violations, or  
14 lack of compliance with contractual obligations related to the  
15 non-renewal or revocation decision.

16 [~~(b)~~] (c) The board shall serve as the final arbitrator of  
17 appeals authorized by [~~subsection~~] subsections (a) [~~]~~ and (b).

18 [~~(e)~~] (d) [A] Except as otherwise provided in subsection  
19 (b), a party shall not be entitled to a hearing before the board  
20 under this section until it has exhausted all available  
21 administrative remedies.



1            [~~(d)~~] (e) The board shall adopt rules pursuant to chapter  
2 91 to implement this section."

3            SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5            SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Charter Schools; BOE; Appeals

**Description:**

Authorizes public charters schools to appeal directly to the Board of Education on matters regarding the schools' operations, governance, or funding, with certain exceptions. Effective 7/1/3000. (HD1)

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

