

## ACT 111

H.B. NO. 832

A Bill for an Act Relating to Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 302D-34, Hawaii Revised Statutes, is amended to read as follows:

**“§302D-34 Enrollment.** (a) A public charter school shall not discriminate against any student or limit admission based on race, color, ethnicity, national origin, religion, gender, sexual orientation, income level, disability, level of proficiency in the English language, need for special education services, or academic or athletic ability.

(b) A start-up charter school:

- (1) Shall be open to any student residing in the State who is entitled to attend a department school;
- (2) Shall enroll all students who submit an application, unless the number of students who submit an application exceeds the capacity of a program, class, grade level, or building;
- (3) Shall select students through a public lottery if, as described in paragraph (2), capacity is insufficient to enroll all students who have submitted a timely application;
- (4) May give an enrollment preference to students within a given age group or grade level and may be organized around a special emphasis, theme, or concept as stated in the charter school’s application and as approved by the charter school’s authorizer;
- (5) May give an enrollment preference to students enrolled in the charter school during the previous school year and to siblings of students already enrolled at the charter school; and
- (6) May give any other enrollment preference permitted by the charter school’s authorizer, on an individual charter school basis, if consistent with law;

provided that nothing in this subsection shall preclude the formation of a start-up charter school whose mission is focused on serving students with disabilities, who are of the same gender, who pose such severe disciplinary problems

that they warrant a specific educational program, or who are at a risk of academic failure.

(c) A conversion charter school shall:

- (1) Enroll any student who resides within the school's former geographic service area pursuant to section 302A-1143, for the grades that were in place when the department school converted to a charter school; provided that the department may consult with a conversion charter school every three years to determine whether realignment of the charter school's service area is appropriate given population shifts and the department's overall service area reviews;
- (2) Follow the department's procedures regarding enrollment, including but not limited to geographic exceptions and enrollment preferences; and
- (3) Be subject to subsection (b) for grades that were not in place when the school converted to a public charter school.

(d) Any law to the contrary notwithstanding, the university laboratory school may conform its student enrollment profile to the standard prescribed by the University of Hawaii college of education in order to meet the University of Hawaii college of education's research requirements."

SECTION 2. No later than twenty days prior to the convening of the regular sessions of 2016, 2017, 2018, 2019, and 2020, the state public charter school commission shall submit a report to the legislature that contains a review of the university laboratory school's actual admissions data to ensure that the school conforms to its admissions policy. The report shall include but not be limited to:

- (1) An explanation of the admissions policy and practices applied;
- (2) An explanation of the research requirements underlying the admissions policy and practices;
- (3) The goals and targeted enrollment results that the admissions policy and practices are designed to achieve;
- (4) The actual enrollment numbers based on the demographic categories used;
- (5) Any significant variances between actual enrollment numbers versus the goals and targeted enrollment results;
- (6) An evaluation of the reasons behind any such variances; and
- (7) Any actions that the university laboratory school will take to lessen or eliminate any such variances.

SECTION 3. (a) The university laboratory school shall conduct a study regarding whether the school should be a private school instead of a public charter school to determine whether an exemption from chapter 302D, Hawaii Revised Statutes, is necessary.

(b) Based on the study in subsection (a), the university laboratory school shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2016.

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2015; provided that this Act shall be repealed on July 1, 2020.

(Approved June 12, 2015.)