

2007 Charter School Bill Summary
 SB603 SD2 HD2 CD1
 Updated June 1, 2007

	Act 115 [SB603 CD1]	Previous Law [HRS 302B]
Per-pupil funding	Basis: "the most recently-approved budget recommendations for the department; provided that in preparing the budget the executive director shall include an analysis of the proposed budget in relationship to the most recently published department consolidated annual financial report..."	302B-12 the most recently published department consolidated annual financial report;
Who can make adjustments to allocations and on what basis?	"...the panel may make adjustments in allocations based on noncompliance with office's administrative procedures and board-approved accountability requirements."	302B-12 the board may make adjustments in allocations based on noncompliance with office administrative procedures and board-approved accountability requirements
What changes are there to the per-pupil allotment schedule?	- Requires a charter school "have submitted" to the office enrollment information by specific deadlines before the allotments can be released. - Says "Retain the remaining 10% of a charter school's per-pupil allocation no later than January 1 of each year as a contingency balance to ensure fiscal accountability..."	302B-12 - Says "the charter school shall submit to the office..."
Who appoints the charter school review panel?	- "The board shall appoint the charter school review panel..." - There is no language in the bill calling for panel members to be nominated by a group of charters.	302B-3 - "The board shall appoint the charter school review panel..." - There is no language in the law calling for panel members to be nominated by a group of charters.
Who is the authorizer?	Changes 302A-1101 to say that the charter school review panel "...shall serve as the charter authorizer..."	302A-1101 "The board shall serve as the charter authorizer for charter schools, with the power and duty to issue charters, oversee and monitor charter schools, hold charter schools accountable for their performance, and revoke charters."
Who is the charter school review panel accountable to?	Changes 302B-3 "The panel shall be accountable to the charter schools and the board."	302B-3 "The panel shall be accountable to and report to the board."
Is the panel subject to chapter 92 (the Sunshine Law)?	Yes	N/A
What changes are made to the terms of the current charter school review panel members?	The terms of members that are set to expire on or before June 30, 2007 shall be extended until June 30, 2008.	N/A

<p>How will the charter school review panel's membership change?</p>	<p>The panel will have 12 members. The CSAO ED is removed from membership; the BOE chair or representative remains on the panel. Representatives of the following are added: one member with a background in business or accounting; one member with a background in the building trades or real estate; a representative from the Hawaii Independent Schools Association; and two reps of the UH. All of these additional panel members cannot be affiliated with charter schools.</p>	<p>302B-3 The panel has nine members.</p>
<p>What is the charter school review panel's role with respect to new charter applications?</p>	<ul style="list-style-type: none"> - Review, approve or deny - Determine the application process and schedule - Requires a majority vote to pass. NOTE: a quorum of 5 and concurrence of 5 or more panel members is required for the panel to take action until all 12 members are appointed. 	<p>302B-5</p> <ul style="list-style-type: none"> - Review application - Request revisions - Recommend to the BOE
<p>Who does a charter school applicant appeal to if it disagrees with the panel's decision on an application?</p>	<ul style="list-style-type: none"> - The board - The board may adopt rules for an appeals process. 	<p>302B-3 "In the case that the panel decides not to recommend the issuance of a new charter, or to recommend significant amendments to detailed implementation plans, the board shall adopt rules for an appeals process."</p>
<p>What is the charter school review panel's role with respect to significant DIP changes?</p>	<ul style="list-style-type: none"> - Review, approve or deny - Requires a majority vote to pass. NOTE: a quorum of 5 and concurrence of 5 or more panel members is required for the panel to take action until all 12 members are appointed. 	<p>302B-3</p> <ul style="list-style-type: none"> - Review - Recommend to the BOE

<p>Who does a charter school appeal to if it disagrees with the panel's decision on a DIP change?</p>	<ul style="list-style-type: none"> - The board - The board may adopt rules for an appeals process 	<p>302B-3 "In the case that the panel decides not to recommend the issuance of a new charter, or to recommend significant amendments to detailed implementation plans, the board shall adopt rules for an appeals process."</p>
<p>How have reporting requirements changed?</p>	<ul style="list-style-type: none"> - Panel adopts reporting requirements - Panel conducts multi-year reviews and takes appropriate action; administrative rules are no longer required for this evaluation 	<p>302B-3 The panel: "Review annual self-evaluation reports from charter schools and make recommendations to the board;"</p>
<p>How has the definition of "organizational viability" changed?</p>	<p>Changes to include that a charter school "complies with all panel directives, policies, and procedures."</p>	<p>302B-1 "Complies with all board directives, policies, and procedures."</p>
<p>What happens if the panel has concerns about a charter school?</p>	<p>The panel can "Evaluate any aspect of the charter school that the panel may have concerns with and take appropriate action, which may include probation or revocation..."</p>	<p>302B-3 The panel will "As directed by the board, evaluate any aspect of a charter school that the board may have concerns with and make recommendations to the board, which may include probation or revocation; provided that if the board does not take action on the recommendations within sixty calendar days, the recommendations shall automatically become effective;"</p>
<p>Who staffs the panel?</p>	<p>The CSAO (a.k.a. the office)</p>	<p>302B-3 "The board shall provide for the staff support and expenses of the panel. The board shall submit to the legislature annual appropriation requests to fund the operations of the panel."</p>
<p>How are the expenses related to the panel paid for?</p>	<p>"The office shall provide for the staff support and expenses of the panel."</p>	<p>302B-3 "The board shall provide for the staff support and expenses of the panel. The board shall submit to the legislature annual appropriation requests to fund the operations of the panel."</p>

<p>Who appoints the CSAO executive director?</p>	<p>The panel appoints and hires the executive director, without regard to chapters 76 and 89, and based on the recommendations of an organization of charter schools operating within the State or from a list of nominees submitted by the charter schools.</p>	<p>302B-8 "The office shall be administered by an executive director, who shall be appointed without regard to chapters 76 and 89 by the board based upon the recommendations of an organization of charter schools operating within the State or from a list of nominees submitted by the charter schools."</p>
<p>What are the parameters of the hiring contract for the executive director?</p>	<ul style="list-style-type: none"> - A written contract. - A term of up to four years. - May terminate the contract only for cause. 	<p>302B-8 "The board may hire the executive director on a multi-year contract."</p>
<p>Who does the executive director work for?</p>	<p>The executive director is under the direction of the panel and in consultation with the charter schools.</p>	<p>302B-8 The executive director works "under the direction of the board and in consultation with the charter schools,"</p>
<p>When is the executive director evaluated?</p>	<p>Annually by the panel. "The evaluation shall be conducted sufficiently in advance of the end of a term to provide the executive director the opportunity to respond to concerns and improve performance."</p>	<p>N/A</p>
<p>Who sets the salary for the executive director and CSAO staff?</p>	<p>"The salary of the executive director and staff shall be set by the panel based upon the recommendations of charter schools within the State; provided that the salaries and operational expenses of the office shall be paid from the annual charter school appropriation and shall not exceed two per cent of the total allocation in any fiscal year."</p>	<p>302B-8 "The salary of the executive director and staff shall be set by the board based upon the recommendations of charter schools within the State;"</p>
<p>How will dispute resolution and mediation change for charter schools?</p>	<p>Calls for the executive director to establish a process, not a panel.</p>	<p>302B-8 One of the duties of the CSAO executive director is "Establishing a dispute resolution and mediation panel"</p>