

# HAWAII

(Law passed in 1994; 14th weakest of the nation's 43 charter laws)

Hawaii has one of the weaker charter laws in the country, and changes over the last few years have not had the improvements that were expected. Even with the addition of new authorizers, only one school opened in 2014. Issues have remained regarding teacher freedom and funding for operational and facilities expenses.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - YES

APPROVAL	The State Public Charter School Commission, which consists of members that are all appointed by the state board, and is not independent from state control. Accredited public and private colleges and universities, county and state agencies, and nonprofit organizations may all apply to the State Board of Education to serve as authorizers.
APPEAL	Denials issued by an authorizer may be appealed to the State Board of Education.

## OPERATIONAL AUTONOMY

STATE	Yes. There is a blanket waiver from most state rules and regulations that govern traditional public schools. Virtual schools are allowed. Management contracts with ESPs are unrestricted, however conflict of interest policies have been incorporated into the law for relationships between ESPs and charter school administrators or board members.
LOCAL	Limited. Charter schools do have a blanket waiver keeping them free from many local, traditional rules and regulations.
TEACHER FREEDOM	No. Teachers remain covered by the collective bargaining agreement unless the exclusive union representatives and the charter school board enter into supplemental agreements to facilitate decentralized decision-making. Charter schools must participate in state's retirement system.

## NUMBER OF SCHOOLS ALLOWED

CAP	There is no legal limit on number of schools that may be approved.
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## EQUITY

<p>STUDENT FUNDING</p>	<p>Funds pass through the charter’s authorizer. Charter funding requests are based on traditional non-facility school per-pupil funds and the line-item appropriations are determined annually in the state budget. Charters are eligible for all applicable federal funding.</p> <p>Charter schools may elect to use the traditional student funding formula, or propose an alternative formula to their authorizer. See Haw. Rev. Stat. § 302D-29 (West).          “Beginning with fiscal year 2012-2013, and each fiscal year thereafter, the non-facility general fund per-pupil funding request for charter school students shall be the same as the general fund per-pupil amount to the department in the most recently approved executive budget recommendation for the department and shall be based upon reasonable projected enrollment figures for all charter schools.” [HI § 302B-12(a)]</p>
<p>FACILITIES FUNDS</p>	<p>The law states that the commission could request facilities funding as part of its annual budget request, but so far has not done so. Haw. Rev. Stat. § 302D-29.5 (West).</p>

## IMPLEMENTATION POINTS

<p>- 2</p>	<p>Two points are deducted because while progress has been made to improve the charter school law, growth has still been almost nonexistent.</p>
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LINK TO THE  
HAWAII CHARTER  
SCHOOL LAW