General Comments. HEPC supports the ongoing efforts to update our education statutes. HEPC would respectfully raise an ongoing issue with this bill and others.

Frequently HRS 302A refers to “all public schools.” SB 302A was originally written before there were charter schools, and thus the distinction of HDOE acting as a State Education Agency (SEA) vs. a Local Education Agency (LEA) might not have been important.

However, with the advent of HRS 302B relating to charter schools, this distinction becomes more relevant. It may be useful, perhaps during the interim, to review HRS 302A and other sections of Hawaii law to determine whether the statute was indented to apply to all public schools, both HDOE and charters, or only HDOE schools. We note that often specific charter exemptions for the applications of law are becoming more common.

Acting as Hawaii’s SEA, HIDOE accepts federal funds which often require applicability to both department and charter public schools. The SEA vs. LEA roles overlap, but not entirely. When HIDOE acts as an SEA is often not clear. For SB 49, it may be helpful to review sections that appear to refer to “all” and change this to “department schools.”

Thank you for the opportunity to testify. HEPC stands ready to provide analysis and research for bills and issues before the Legislature.