

**FIRST AMENDMENT TO THE KE KULA NIIHAU O KEKAHA LEARNING CENTER JULY 01, 2017 3.0
CHARTER CONTRACT**

I. Background

This Amendment to the July 01, 2017 3.0 Charter Contract (the "Amendment") dated as of July 01, 2021 (the "Effective Date"), is by and between the State Public Charter School Commission previously located at 1111 Bishop Street, Suite 516, Honolulu, Hawaii, 96813 (the "Commission"), and Ke Kula Niihau O Kekaha Learning Center, whose mailing address is 8135 Kekaha Road, Kekaha, Hawaii 96752 , (the "School"), (collectively the "Parties").

WHEREAS, the Parties entered into a 3.0 Charter Contract effective July 01, 2017 (the "Charter Contract") for the purposes of authorizing Ke Kula Niihau O Kekaha Learning Center as a public charter school in the state of Hawaii; under its terms, the Charter Contract expires on June 30, 2021; and

WHEREAS, the Commission has not reviewed the Charter Contract for renewal which, if granted, would award a new contract to begin on July 01, 2021 (the "New Charter Contract"); and

WHEREAS, for reasons including closures due to COVID-19, the Commission and the School need additional time to implement and participate in the renewal process possibly resulting in the award of a New Charter Contract; and

WHEREAS, the Commission on October 08, 2020, unanimously passed a Motion to Extend the current Charter Contract for one year to allow both the Commission and the School time to implement and participate in the renewal process; and

WHEREAS, the Commission has relocated from its former address, at 1111 Bishop Street, Suite 516, Honolulu, Hawaii, 96813, to its current address at 1164 Bishop Street, Suite 1100, Honolulu, Hawaii, 96813; and

WHEREAS, effective July 01, 2021, the parties agree to extend the July 1, 2017 Charter Contract and to the following changes set forth in this Amendment, it is hereby understood and agreed as follows,

II. Amendments

Address Changes:

All reference in the July 01, 2017 Charter Contract, including the preamble and in any exhibits thereto of the principal place of business and mailing address of the State Public Charter School Commission shall be amended in their entirety and replaced with "1164 Bishop Street, Suite 1100, Honolulu, Hawaii, 96813."

Terms:

The following amendments are agreed to by the parties and added to the July 01, 2017 Charter Contract, in replacement of the corresponding portion of each section or exhibit referenced below:

Section 2.3 Term: A one year extension of the July 01, 2017 Charter Contract signed by the parties June 30, 2017 and attached hereto, **shall commence on July 01, 2021 and will terminate on June 30, 2022.**

Exhibit B Academic Performance Framework: All of the targets for academic proficiency, academic growth, college and career readiness, and achievement gap set forth for Ke Kula Niihau O Kekaha Learning Center for school year 2020-2021 shall apply to school year 2021-2022, and are as follows:

I. Student Academic Outcomes

1. Academic Proficiency

Ke Kula Niihau O Kekaha Learning Center (KKNOK) will strive for improved student academic proficiency each year of the contract in language arts and math. Specific targets for achievement will be set when sufficient baseline data is available.

In SY 2017-2018 the school's proficiency rates will be based on Kaiapuni Assessment of Educational Outcomes (KĀEO) results for the 3rd and 4th graders and Smarter Balance Assessment (SBA) results for 8th and 11th graders.

In SY 2018-2019 the school's proficiency rates will be based on KĀEO results for 3rd through 5th graders and SBA results for 8th and 11th graders.

In SY 2019-2020 the school's proficiency rates will be based on KĀEO results for 3rd through 6th graders (pending development of KĀEO) and SBAC results for 8th and 11th graders.

In SY 2020-2021, the school's proficiency rates will be based on KĀEO results for 3rd through 7th graders

(pending development of KĀEO) and SBAC results for 8th and 11th graders.

| Subject | GRADES TESTED | | | | |
|--------------|---------------|--------------|--------------|--------------|--------------|
| | SY 17-18 | SY 18-19 | SY 19-20 | SY 20-21 | SY 21-22 |
| KĀEO Math | 3rd and 4th | 3rd - 5th | 3rd - 6th | 3rd - 7th | 3rd - 7th |
| KĀEO HLA | 3rd and 4th | 3rd - 5th | 3rd - 6th | 3rd - 7th | 3rd - 7th |
| SBA Math | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH |
| SBA ELA | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH | 8TH AND 11TH |

2. Academic Growth

SGP = Student Growth Percentile

| Subject | TARGETS | | | | |
|---------|------------|------------|------------|------------|------------|
| | Median SGP | Median SGP | Median SGP | Median SGP | Median SGP |
| | SY17- 18 | SY 18-19 | SY 19-20 | SY 20-21 | SY 21-22 |
| Math | 56% - 62% | 56% - 62% | 56% - 62% | 56% - 62% | 56% - 62% |
| ELA | 55% - 58% | 55% - 58% | 55% - 58% | 55% - 58% | 55% -58% |

3. College and Career Readiness

Chronic Absenteeism: Elementary and Middle

| TARGETS | | | | |
|---|---|---|---|---|
| % Chronically Absent Combined Elementary & Middle | % Chronically Absent Combined Elementary & Middle | % Chronically Absent Combined Elementary & Middle | % Chronically Absent Combined Elementary & Middle | % Chronically Absent Combined Elementary & Middle |
| SY17-18 | SY18-19 | SY 19-20 | SY 20-21 | SY21-22 |
| 37% - 28% | 34% - 25% | 31% - 22% | 19% - 16% | 19% - 16% |

11th Grade ACT

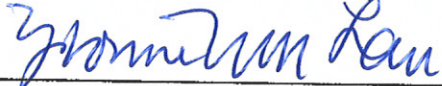
| TARGETS | | | | |
|---------------|---------------|---------------|---------------|---------------|
| % Scoring 19+ | % Scoring 19+ | % Scoring 19+ | % Scoring 19+ | % Scoring 19+ |
| SY 17-18 | SY 18-19 | SY 19-20 | SY 20-21 | SY 21-22 |
| 75% - 84% | 75% - 84% | 75% - 84% | 75% - 84% | 75% - 84% |

Graduation Rate: High School

| TARGETS | | | | |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| % Graduating in 4 years | % Graduating in 4 years | % Graduating in 4 years | % Graduating in 4 years | % Graduating in 4 years |
| SY 17-18 | SY 18-19 | SY 19-20 | SY 20-21 | SY 21-22 |
| 85% - 100% | 85% - 100% | 85% - 100% | 85% - 100% | 85% - 100% |

This First Amendment to the Ke Kula Niihau O Kekaha Learning Center July 01, 2017 Charter Contract, along with the attached original Charter Contract forms the entire agreement between the Parties. Except as otherwise expressly provided in this Amendment, all of the terms or conditions of the July 01, 2017 Charter Contract remain unchanged and in full force and effect.

State Public Charter School Commission



Signature

Yvonne W.M. Lau

Interim Executive Director

1/26/2022

Date

APPROVED AS TO FORM



Deputy Attorney General

Stuart N. Fujioka
June 2, 2021

Ke Kula Niihau O Kekaha Learning Center



Signature

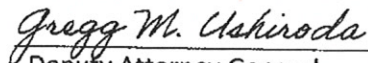
KEILEY PHILLIPS (Print Name)

Governing Board Chairperson

1/6/22

Date

APPROVED AS TO FORM



Deputy Attorney General

Gregg M. Ushiroda
January 5, 2022