

## **FIRST AMENDMENT TO THE KIHEI CHARTER SCHOOL 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 Kihei Charter School, whose mailing address is P.O. Box 1098, Kihei, Hawaii 96753, (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 Kihei Charter School 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 Kihei Charter School for school year 2020-2021 shall apply to school year 2021-2022, and are as follows:

**I. Student Academic Outcomes**

**1. Academic Proficiency**

Subject	TARGETS				
	% Proficient	% Proficient	% Proficient	% Proficient	% Proficient
	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22
<b>Math</b>	50% - 59%	53% - 62%	56% - 65%	59% - 68%	59% - 68%
<b>ELA</b>	70% - 79%	73% - 82%	76% - 85%	79% - 88%	79% - 88%
<b>Science</b>	45% - 54%	48% - 57%	51% - 60%	54% - 63%	54% - 63%

**2. Academic Growth**

**SGP = Student Growth Percentile**

Subject	TARGET S				
	Median SGP	Median SGP	Median SGP	Median SGP	Median SGP
	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22
<b>Math</b>	55 - 59	57 - 61	60 - 64	62 - 65	62 - 65
<b>ELA</b>	50 - 54	52 - 56	54 - 58	56 - 60	56 - 60

### 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	SY 21-22
12% - 15%	11% or less	11% or less	11% or less	11% or less

#### 11<sup>th</sup> 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	SY21-22
70% - 74%	72% - 76%	74% - 78%	76% - 80%	76% - 80%

#### 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
82% - 86%	84% - 88%	86% - 90%	88% - 92%	88% - 92%

#### College-going Rate: High School

TARGETS				
% College-going	% College-going	% College-going	% College-going	% College-going
SY17- 18	SY 18-19	SY 19-20	SY 20-21	SY21-22
75% - 81%	78% - 84%	81% - 87%	84% - 90%	84% - 90%

**4. Achievement Gap**

***Targets for increasing the proficiency of high needs students in order to close the achievement gap***

TARGETS					
Subject	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs
	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22
<b>Math</b>	33% - 42%	35% - 44%	37% - 46%	39% - 48%	39% - 48%
<b>ELA</b>	54% - 63%	56% - 65%	58% - 67%	60% - 69%	60% - 69%

This First Amendment to the Kihei Charter School 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

8/10/2021

Date


APPROVED AS TO FORM



Deputy Attorney General

Stuart N. Fujioka  
June 2, 2021

Kihei Charter School



Signature

Mike Sweeney (Print Name)

Governing Board Chairperson

8/16/2021

Date

APPROVED AS TO FORM

Deputy Attorney General