

SECOND AMENDMENT TO THE KIHEI CHARTER SCHOOL JULY 01, 2017 3.0 CHARTER CONTRACT

I. Background

This Second Amendment to Extend the July 01, 2017 3.0 Charter Contract (the “Amendment”) dated as of July 01, 2022 (the “Effective Date”), is by and between the State Public Charter School Commission located at 1140 Bishop Street, Suite 1100, 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 original terms, the Charter Contract expired on June 30, 2021; 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; and

WHEREAS, the Commission on October 08, 2020, unanimously passed a Motion to Extend the current Charter Contract for one year, ending on June 30, 2022; and

WHEREAS, the Commission has not reviewed the School for renewal which if granted would award a new contract to begin on July 01, 2022 (the “New Charter Contract”); and

WHEREAS, for reasons including the continued impact of COVID-19 on State assessments and the lack of reliable data to make high stakes decisions on renewal, the Commission and the School need additional time to implement and participate in the renewal process; and

WHEREAS, the Commission on October 28, 2021, unanimously passed a Motion to Extend the Current Charter Contract for one year, ending on June 30, 2023; and

WHEREAS, effective July 01, 2022, 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

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, 2022 and will terminate on June 30, 2023.**

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 school year 2022-2023, and are as follows:

I. Student Academic Outcomes

1. Academic Proficiency

Subject	TARGETS					
	% Proficient	% Proficient	% Proficient	% Proficient	% Proficient	% Proficient
	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
Math	50% - 59%	53% - 62%	56% - 65%	59% - 68%	59% - 68%	59% - 68%
ELA	70% - 79%	73% - 82%	76% - 85%	79% - 88%	79% - 88%	79% - 88%
Science	45% - 54%	48% - 57%	51% - 60%	54% - 63%	54% - 63%	54% - 63%

2. Academic Growth

SGP = Student Growth Percentile

TARGETS						
Subject	Median SGP	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	SY 22-23
Math	55- 59	57 - 61	60 - 64	62 - 65	62 - 65	62 - 65
ELA	50 - 54	52 - 56	54 - 58	56 - 60	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	% Chronically Absent Combined Elementary & Middle
SY17-18	SY18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
12% - 15%	11% or less	11% or less	11% or less	11% or less	11% or less

11th Grade ACT

TARGETS					
% Scoring 19+	% 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	SY 22-23
70% - 74%	72% - 76%	74% - 78%	76% - 80%	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	% Graduating in 4 years
SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
82% - 86%	84% - 88%	86% - 90%	88% - 92%	88% - 92%	88% - 92%

College-going Rate: High School

TARGETS					
% College-going	% College-going	% College-going	% College-going	% College-going	% College-going
SY17- 18	SY 18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
75% - 81%	78% - 84%	81% - 87%	84% - 90%	84% - 90%	84% - 90%

4. Achievement Gap

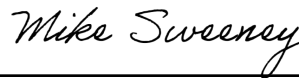
Targets for increasing the proficiency of high needs students in order to close the achievement gap

TARGETS						
Subject	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs	% Proficient High Needs
	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
Math	33% - 42%	35% - 44%	37% - 46%	39% - 48%	39% - 48%	39% - 48%
ELA	54%- 63%	56% - 65%	58% - 67%	60% - 69%	60% - 69%	60% - 69%

This Second Amendment to the Kihei Charter School July 01, 2017 Charter Contract, along with the attached original Charter Contract, and First Amendment, 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

Kihei Charter School

Signature

Signature

Yvonne W.M. Lau

Mike Sweeney (Print Name)

Interim Executive Director

Governing Board Chairperson

May 25, 2022

5/23/2022

Date

Date

APPROVED AS TO FORM

APPROVED AS TO FORM

Kunio Kuwabe 5/25/2022

Gregg M. Ushiroda May 23, 2022

Deputy Attorney General

Deputy Attorney General