

FIRST AMENDMENT TO KA WAIHONA O KA NA’AUAO PUBLIC CHARTER SCHOOL JULY 01, 2021 PUBLIC CHARTER SCHOOL CONTRACT

I. Background

This First Amendment to the July 01, 2021 Public Charter School Contract (the “Amendment”) effective as of July 01, 2022 (the “Effective Date”), is by and between the **STATE PUBLIC CHARTER SCHOOL COMMISSION** located at 1164 Bishop Street, Suite 1100, Honolulu, Hawaii, 96813 (the “Commission”), and **KA WAIHONA O KA NA’AUAO PUBLIC CHARTER SCHOOL**, whose mailing address is 89-195 FARRINGTON HIGHWAY, WAI’ANAE, HAWAI’I 96792, (the “School”), (collectively “Parties”).

WHEREAS, the State Public Charter School Commission on January 10, 2020 approved a renewal for Ka Waihona o ka Na’auao Public Charter School with a five-year Public Charter School Contract with conditions for the period of July 01, 2020 through June 30, 2025;

WHEREAS, the conditions were that the School must have their own blended curriculum developed and approved by the Commission by March 15, 2021;

WHEREAS, on April 23, 2020, before executing the new five-year contract with the School, the State Public Charter School Commission, unanimously passed a Motion to Extend the pre-existing Public Charter School Contract dated July 01, 2017, for an additional year, covering the period of July 01, 2020 through June 30, 2021, to allow the School time to complete renewal conditions prior to the execution and commencement of the new Charter Contract;

WHEREAS, the State Public Charter School Commission and Ka Waihona o ka Na’auao Public charter School (the “Parties”) entered into a new five-year public Charter School Contract effective July 01, 2021 (the “Charter Contract”) for the purposes of authorizing Ka Waihona o ka Na’auao as a public charter school in the state of Hawaii;

WHEREAS, the new Public Charter School Contract term for the School is July 01, 2021 through June 30, 2026;

WHEREAS, on March 11, 2021 at the Commission’s General Business Meeting, the Commission voted to accept in concept the development of Ka Waihona o ka Na’auao’s Blended Learning Program moving forward and requested a September update from the School on the development process and coordination;

WHEREAS, at the September 09, 2021 General Business Meeting, the School presented an update to the Commission on their Blended Learning Program; the Commission took no action and instructed the School to continue working with the Commission staff;

WHEREAS, at the March 10, 2022 General Business Meeting, the School presented another update on their Blended Learning Program and the Commission voted to approve the Blended Learning Program for Ka Waihona o ka Na’auao Public charter School for grades K-5; but for

grades 6-8, the School will pause the Blended Learning Program until it can provide confirmation that the staffing for the secondary program meets state licensure requirements;

WHEREAS, on May 19, 2022, Ka Waihona o Ka Na’auao informed the Commission the school’s Governing Board voted to discontinue the Blended Learning Program;

WHEREAS, at the June 20, 2022 General Business Meeting, the Commission unanimously approved a Motion to approve Ka Waihona o Ka Na’auao’s request to discontinue the Blended Learning Program until such time the School requests the program again; and

WHEREAS, effective July 01, 2022, the parties agree to Amend the July 01, 2021 Public Charter School Contract and to the following change set forth in this First Amendment, it is hereby understood and agreed as follows,

II. Amendments

The following amendment to remove Ka Waihona o Ka Na’auao Public Charter School’s Blended Learning Program is agreed to by the parties and deleted from the July 01, 2021 Public Charter School Contract in the corresponding section referenced below:

Section 2.1 Charter

The School shall establish a public charter school in the State of Hawai’i on the island(s) listed in the table below. The School operates their Educational Program in the manner and at the facilities located at the address(es) indicated in the table below along with the grades served in accordance with this Charter Contract, the Hawai’i Revised Statutes, and other applicable federal, state, and county laws, ordinances, codes, rules and regulations. Enrollment in the School shall be open to all students of ages and grades as set forth in HRS Chapter 302D and Article IX of this Charter Contract, who are residents of the State of Hawai’i. This Charter Contract shall constitute the School’s charter and shall be binding on the School, the Governing Board, and the Commission.

Island	Brick and Mortar Address	Grade Levels Served
O’ahu	89-195 Farrington Highway Wai’anae, Hawai’i 96792	K-8

Island	Blended Learning Program Instructional Site	Grade Levels Served
Not Applicable	Not Applicable	Not Applicable

Island	Virtual Learning Program non-Instructional Site	Grade Level Served
Not Applicable	Not Applicable	Not Applicable

Education Service Provider (ESP)	Contact Information of ESP	Effective Dates of ESP
Not Applicable	Not Applicable	Not Applicable

Island	Non-Instructional Site/Use
Not Applicable	Not Applicable

This First Amendment to the Ka Waihona o ka Na’auao Public Charter School July 01, 2021 Public Charter School 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, 2021 Charter Contract remain unchanged and in full force and effect.

State Public Charter School Commission

Ka Waihona o ka Na’auao Public
Charter School



Signature
Yvonne W.M. Lau

Interim Executive Director

August 4, 2022

Date

APPROVED AS TO FORM



Stuart N. Fujioka 7/26/22

Deputy Attorney General



Signature
Angela T. Hoppe-Cruz (Print Name)

Governing Board Chairperson

08/04/2022

Date

APPROVED AS TO FORM



Gregg M. Ushiroda

Deputy Attorney General