

**FIRST AMENDMENT TO THE KUA O KA LĀ NEW CENTURY PUBLIC CHARTER SCHOOL JULY 1, 2021  
PUBLIC CHARTER SCHOOL CONTRACT**

**I. Background**

This FIRST Amendment to the July 1, 2021 Public Charter School Contract (the “Amendment”) effective as of October 16, 2023 (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 **KUA O KA LĀ NEW CENTURY PUBLIC CHARTER SCHOOL** (“School”), whose mailing address is 345 Makalika Street, Hilo, HI 96720, (the “School”), (collectively the “Parties”).

**WHEREAS**, at the June 10, 2021 General Business Meeting, the Commission approved the Charter Contract (version 4.0) with **KUA O KA LĀ NEW CENTURY PUBLIC CHARTER SCHOOL** for a five-year term effective as of July 01, 2021 through June 30, 2026; and

**WHEREAS**, on August 29, 2022, the School requested a First Amendment to the Charter Contract to amend Article II to increase grade levels served to the virtual program gradually over the next three school years (Grade levels 9-10 in SY24-25, Grade level 11 in SY 2025-2026, and Grade level 12 in SY 2026-2027); and

**WHEREAS**, on October 16, 2023, the Commission passed a Motion to approve the School’s request to revise grade levels served in Article II of the State Public Charter School Contract; and

**WHEREAS**, effective October 16, 2023, the parties agree to amend the July 01, 2021 Public Charter School Contract and to the following changes set forth in this First Amendment, it is hereby understood and agreed as follows,

**II. Amendments**

The following amendments to increase grade levels served to the virtual program gradually over the next three school years (Grade levels 9-10 in SY24-25, Grade level 11 in SY 2025-2026, and Grade level 12 in SY 2026-2027), are agreed to by the parties and added to 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
Hawaii Island	345 Makalika Street, Hilo, Hawai'i 96720	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 Levels Served
Hawaii Island	345 Makalika Street, Hilo, Hawai'i 96720	4-8 SY24-25: Grades 9-10 SY25-26: Grade 11 SY26-27: Grade 12

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 **KUA O KA LĀ NEW CENTURY PUBLIC CHARTER SCHOOL** July 1, 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 1, 2021 Charter Contract remain unchanged and in full force and effect.

STATE PUBLIC CHARTER SCHOOL  
COMMISSION

*Ed H. Noh*

\_\_\_\_\_  
Signature  
Ed H. Noh  
\_\_\_\_\_  
Executive Director

05/30/2024

\_\_\_\_\_  
Date

APPROVED AS TO FORM

*Hsin-Gia Tribbey*  
\_\_\_\_\_  
Deputy Attorney General

KUA O KA LĀ NEW CENTURY PUBLIC  
CHARTER SCHOOL

*Kenneth Makuakane*

\_\_\_\_\_  
Signature  
Kenneth Makuakane (Print Name)

\_\_\_\_\_  
Governing Board Chairperson

05/30/2024

\_\_\_\_\_  
Date

APPROVED AS TO FORM

*Kevin Richardson*  
\_\_\_\_\_  
Deputy Attorney General