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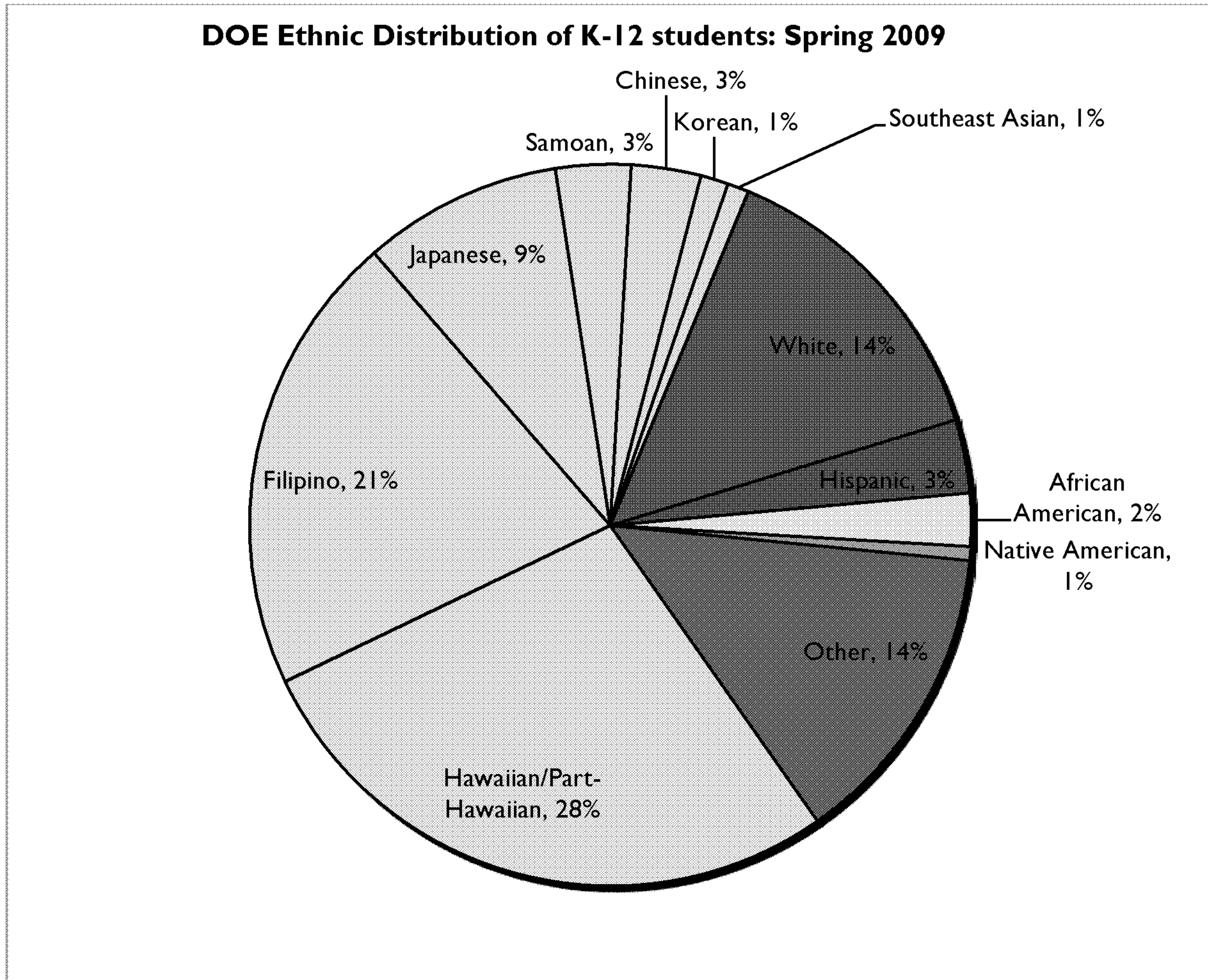
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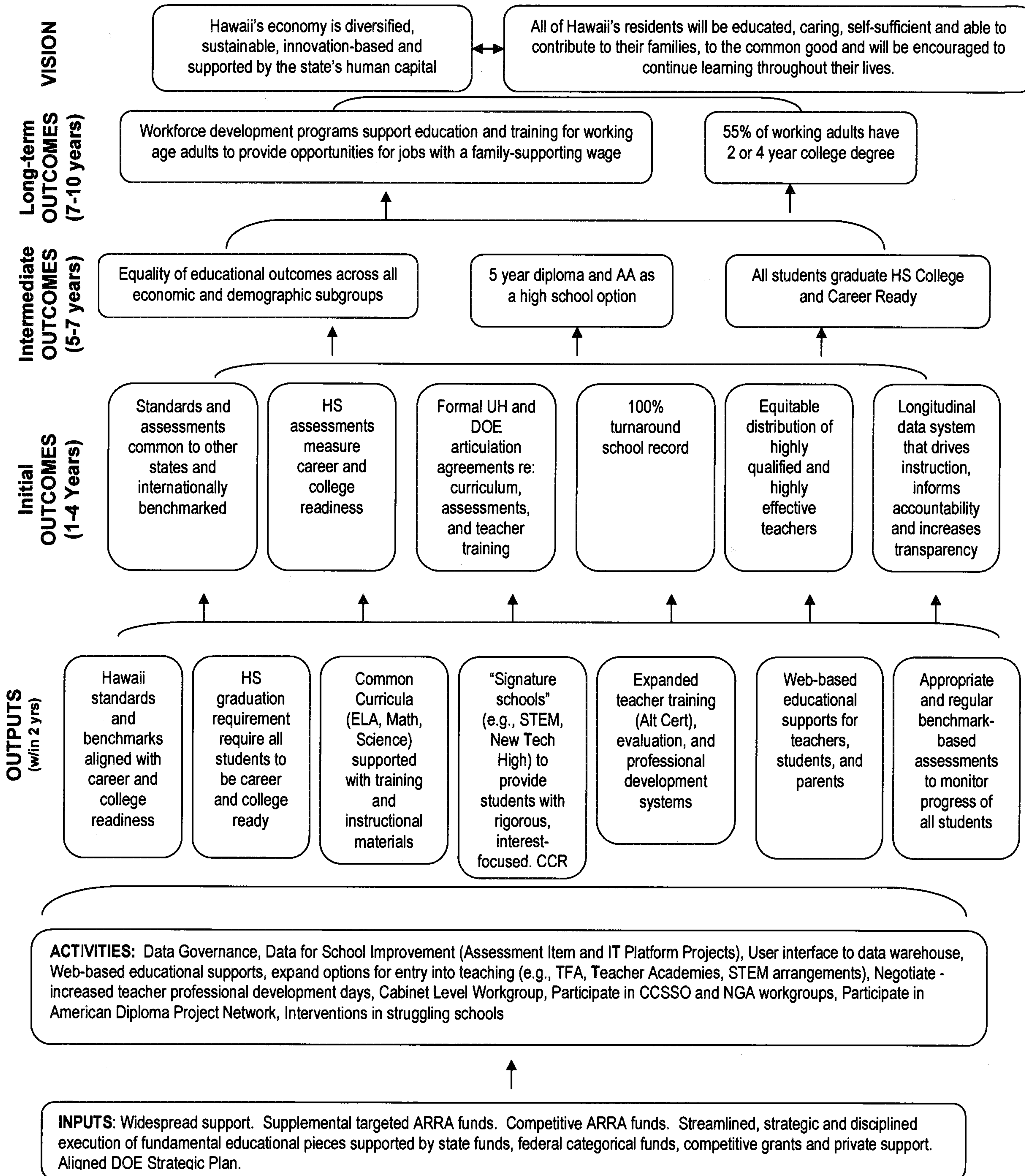
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Hawaii's Common Educational Agenda

DRAFT (1.10.10)

For Discussion Purposes Only

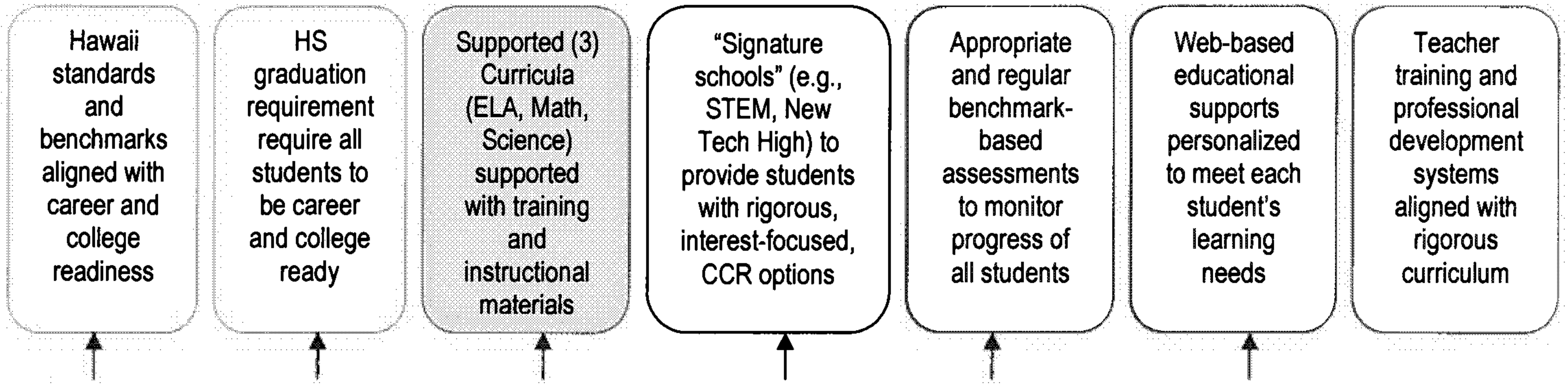


Hawaii's Common Educational Agenda

DRAFT (1.10.10)

For Discussion Purposes Only

OUTPUTS
(w/in 2 yrs)



| High standards and assessments | College and Career Ready | Support to struggling students | Support to struggling schools | Use of information: Inform Instruction | Use of information: SLDS | Teacher equity and effectiveness |
|--------------------------------------|---|---|--|---|--|---|
| BOE adopted Common Core Standards | <i>Mandatory ADP by SY??</i> | <i>Designation of "supported" curriculum</i> | <i>Superintendent memo requiring all secondary schools in planning for restructuring to include required actions to become CCR</i> | Data Governance | <i>See Table on the next page for LDS</i> | <i>Renegotiated incentive pay</i> |
| Participant in Common Core Standards | <i>Incentives for % and % increase in BOE recognition diploma</i> | <i>RTI for struggling students</i> | <i>Expansion of joint CC and DOE classes</i> | Research agenda | <i>Reengineered data warehouse</i> | <i>Incentives for schools with highest percentage of HQT classes</i> |
| Streamlining HCPSIII | Expansion of on line learning | Aligned K-12 Math curriculum | <i>Enhanced and expanded AYP response team analysis to include CCR</i> | Data for school improvement project | <i>Development of web based secure user interface with data warehouse</i> | <i>State initiated NHQ targets</i> |
| Standards review process | HBOE recognition diploma | Framework for school improvement | Signature schools | State endorsed AIR quarterly assessment | <i>Development of web based student parent and teacher interface with data warehouse</i> | <i>Strategies to increase access to general curriculum (co teaching)</i> |
| | 24 credits for graduation | Extended learning opportunities for struggling students | STEM | Requirement for all schools to do quarterly assessments since SY05-06 | On line standards workbook | <i>PDE3 for school lists to better determine assignments</i> |
| | | | | | | <i>PDE3 for teacher qualification, assignment and qualifications Title II, Part A PD plan</i> |
| | | | | | | <i>Incentive pay for hard to fill</i> |

Memorandum of Agreement
Between
The Governor of the State of Hawaii
And
The Department of Education
And
The University of Hawaii
To
Significantly Improve Student Achievement in Hawaii by Using American Recovery and Reinvestment Act (“ARRA”) Resources to Advance Education Reform

I. Background

- A. Human skills, creativity, and the capacity to innovate are the sources of future growth for Hawaii’s economy.
- B. Therefore, our most important public investment is in a workforce that has the capacity to innovate and is globally competitive. In large part, this workforce will be prepared by Hawaii’s public education system.
- C. All of Hawaii’s residents deserve the opportunity to receive a world class education that prepares them for participation in a global economy.
- D. Our immediate challenge and focus, in this time of declining state resources, is to expand system-wide, the “pockets of excellence” that exist today in Hawaii’s single school district and higher education system. We are faced with the necessity of dramatically improving the outcomes of our education system in a very short period of time.
- E. We believe that our public policy choices impact student achievement significantly. Even in times of declining resources, we can make advances by following steps that have proven to be successful elsewhere:
 1. Upgrade Hawaii standards by adopting a common core of college-and career-ready standards and high quality, valid and reliable assessments, in math and language arts for grades K-12 for all students.
 2. Leverage the ability of Hawaii’s single school district structure to ensure that textbooks, digital media, curricula, and assessments are aligned to college-and career-ready standards.
 3. Revise Hawaii’s policies for recruiting, preparing, developing, and supporting, teachers and school leaders. Make improvements in teacher effectiveness and in the equitable distribution of highly qualified teachers for all students, particularly students who are most in need.
 4. Establish a pre-K to College and Career data system that tracks progress and fosters continuous improvement. Measure state-level education performance globally by examining student achievement and attainment using internationally benchmarked standards to ensure that over time, students are receiving the education they need to compete in the 21st century economy.
 5. Provide intensive support and effective interventions for the bottom ten percent (10%) of Hawaii’s public schools, as measured by federally approved criteria on

student achievement, such that we can document progress in closing the achievement gap between these schools and Hawaii's top 10% of public schools over the next eight years.

II. Purpose

The purpose of this Memorandum of Agreement ("MOA") is to:

- A. Better align education, workforce development, and economic development policies.
- B. Document for the public and the U.S. Department of Education, the reform actions agreed upon by the Governor, the President of the University of Hawaii, and the Superintendent of Education for the Hawaii Department of Education, upon acceptance, dispersal, and use of the Hawaii's share of the ARRA State Fiscal Stabilization Fund, Part A.
- C. Document progress, memorialize agreements, and create the framework for future cooperation between the undersigned parties on a common reform agenda that will result in dramatic improvement in student achievement and outcomes in Hawaii's public education systems over the next eight years.

III. Collaboration

Each party to this MOA has a role and responsibility in advancing this reform agenda:

- A. Together:
 1. Develop a common reform agenda that will drive student achievement and make Hawaii's students and workforce competitive internationally.
 2. Attract federal investment under ARRA Race to the Top and other competitive opportunities.
 3. Provide a framework to close identified "achievement gaps."
 4. Report publicly on progress.
 5. Be accountable for results under this MOA.
- B. Governor:
 1. Participate in public outreach campaigns to inform our communities and stakeholders about the importance of pursuing excellence in education.
 2. Ultimately be accountable to the federal government for progress under this MOA.
 3. Align workforce and economic policy development with this agreement.
- C. Department of Education ("DOE"):
 1. Develop and implement strategic and operational plans based on a common reform agenda to increase educational outcomes significantly and to close achievement gaps over the next eight years.
 2. Operate the Hawaii public school system efficiently.

D. University of Hawaii (“UH”):

1. Cooperate with DOE on planning and implementing a common reform agenda (including, for example, curriculum development, teacher training and degree attainment).
2. Achieve UH Strategic Performance Goals related to increasing Hawaii’s educational capital.
3. Set goals for higher education, provide reports on progress, and cooperate with the DOE on strategies to achieve goals.

IV. Goals

We agree to the following goals:

- A. Hawaii’s expectations for its students should be benchmarked internationally so that graduates will be competitive in a global economy.
- B. Using multiple and rigorous methods, all students will be assessed regularly for progress in achieving the internationally benchmarked standards and informed of their progress toward career and college readiness.
- C. All students will graduate high school “college and career” ready by 2018 and be able to move on to the next step in their lives without the need to repeat classes or take remedial training.
- D. All students will be taught by highly qualified educators (K-12 and higher education) who are receiving support to continuously improve their effectiveness in facilitating student achievement.
- E. A statewide, inter-agency data system will be developed to track students longitudinally through Hawaii’s public educational systems and into the workforce in order to improve education, shape educational and workforce policy development, guide resource allocation decisions, and document program improvements.
- F. Hawaii’s educational attainment and achievement levels should meet or exceed the national average.
- G. Over the next six years, we will make dramatic progress to close the achievement gaps among Hawaii’s students with respect to race, ethnicity, geography or economic status as identified by the U.S. Department of Education.
- H. 55% of Hawaii’s working adults will have a 2 or 4 year degree by 2025 so that Hawaii, through its workforce, will be competitive in the global economy.

V. Common Core Standards and Related Assessment

The Governor and Superintendent of Education share a concern for improved educational outcomes. Thus, they signed the state’s initial application for ARRA Part A funds for education as well as the State’s agreement to participate in the National Governors’ Association and Council of Chief State School Officers’ Common Core State Standards Initiative.

The undersigned agree to:

- A. Participate in the development and review of the National Governors' Association and Council of Chief State School Officers' Common Core State Standards and related assessments, during the 2009-10 academic year, to establish expectations that Hawaii's graduates will be prepared for career and college success by meeting international benchmarks.
- B. Recommend, by June 30, 2010, to the Board of Education revision of Hawaii Content and Performance Standards in relation to Common Core State Standards.
- C. Adopt revisions to Hawaii State Assessment with respect to the Common Core State Standards, so long as the revised assessments continue to meet federal requirements of No Child Left Behind.
- D. Participate in a joint public information campaign to educate the public about the importance of career and college readiness for high school graduates and the value of Common Core State Standards and assessments.

VI. College and Career Ready Diploma

A Hawaii public high school diploma should certify to recipients, employers, parents and the community that the recipient is prepared for success in career or college after high school. In March 2008, the Board of Education ("BOE") revised its graduation policy (Board Policy 4540) to upgrade the BOE Recognition Diploma requirements to align the voluntary diploma with expectations for career and college readiness beginning with the graduating Class of 2013 (this year's ninth graders).

The DOE's Implementation Plan for Board Policy 4540 sets goals for 50% of the Class of 2013 and 80% of the Class of 2018 high school graduates earning the BOE Recognition Diploma aligned with career and college readiness expectations.

The DOE's Vision of a High School Graduate states:

All public high school graduates will realize their individual goals and aspirations, possess the attitudes, knowledge and skills necessary to contribute positively and compete in a global society, exercise the rights and responsibilities of citizenship, and pursue post-secondary education and/or careers without need for remediation.

Hawaii's economic growth depends on improved student achievement and outcomes. In addition, the U.S. Department of Education recognizes that college and career-ready high school graduates are necessary for individuals, the state and the country to be competitive in a global economy. Thus, it has become necessary to make explicit Hawaii's commitment to preparing its graduates.

The undersigned agree:

- A. The requirements of a Career and College Readiness (CCR) diploma are the same as the optional Board of Education (BOE) Recognition Diploma, as defined in BOE

Policy 4540, including: algebra I and II, and geometry or the equivalent; 3 credits of science including at least 2 credits of chemistry, biology and/or physics; 4 credits of English including .5 credits in expository writing or the equivalent; and demonstration of proficiency in these courses/subjects.

- B. By December 31, 2009, to jointly propose a revision to the BOE policy for graduation requirements to make mandatory, beginning with the high school graduating class of 2018, the CCR diploma with an “opt-out” waiver to the CCR diploma. High school students may only “opt-out” if the student’s parent or legal guardian applies for the “opt-out” in writing, and the application may be approved by the complex area superintendent only upon written verification that the student and the student’s parent or legal guardian has reviewed and understands the CCR diploma and “opt-out”.
- C. By December 31, 2009, the DOE will adopt the following percentage targets for CCR diploma attainment:

| | | | | | | | | | |
|-----------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <i>Class of</i> | <i>2010</i> | <i>2011</i> | <i>2012</i> | <i>2013</i> | <i>2014</i> | <i>2015</i> | <i>2016</i> | <i>2017</i> | <i>2018</i> |
| CCR target | 5% | 10% | 25% | 50% | 60% | 70% | 80% | 85% | All |

- D. To support and participate in the “Step-Up” campaign to encourage students and parents to select the CCR diploma option (currently recommended but not required).
- E. By March 31, 2010, to report and publish annually the number of CCR diplomas awarded and other college and career readiness indicators by school on a public website.
- F. By June 30, 2011, to meet ARRA benchmarks for college and career standards and the alignment of high school expectations and requirements for college and career ready success, as identified by Achieve, Inc.’s *Closing the Expectation Gap* report (<http://www.achieve.org/ClosingtheExpectationsGap2008>).

VII. Defining the Achievement Gap in Hawaii

Educational achievement gaps refer to the disparity in academic performance between student groups. Gaps exist between educational achievement and attainment of Hawaii’s youth and other states and nations (“external”) as well as between different student groups in Hawaii defined by geography, race/ethnicity, income, special education status, and English language proficiency (“internal”). We must make significant progress in closing the achievement and attainment gaps in our public education systems to meet the three goals of:

1. 55% of working age adults having a two or four year degree;
2. all high school graduates being career and college ready; and
3. having a workforce that is competitive in the global economy.

The undersigned agree to:

- A. Review economic, business and educational information to define and present achievement gaps—external and internal—for community review via a work group, inclusive of DOE, UH, Hawaii P-20, and the Department of Business, Economic Development & Tourism (“DBEDT”) by December 31, 2009;
- B. Have the DOE incorporate goals and performance targets to close the achievement gaps within its strategic and operational plans;
- C. Participate in a joint public information campaign to educate the public about the existence and impact of achievement gaps and the importance and value of closing the gaps.

VIII. Data Sharing, Use and Governance

The ARRA requires that the Governor provide assurance of the state’s commitment to improving the collection and use of longitudinal student data. This assurance aligns with and will accelerate ongoing efforts of the Hawaii P-20 Partnership, State of Hawaii Department of Education, University of Hawaii, DBEDT, the Department of Labor, and others to complete a statewide longitudinal system. A statewide longitudinal data system is needed in order to: achieve informed decision making, particularly over governance and management matters; make data transparent, accessible and action-able for multiple stakeholders; evaluate the impact of policies, interventions and resource allocation; foster inter-agency cooperation and a shared unifying mission; improve instruction; and reduce the burden on educational agencies for ad hoc data requests. As a result, we expect improvements in learning leading to increased educational outcomes and educational attainment as well as an engaged citizens and a globally competitive workforce.

The undersigned agree:

- A. By mid-November 2009, to share longitudinal student and institutional data. By entering into an inter-departmental memorandum of understanding between departments, Hawaii P-20, at the UH in furtherance of these shared goals, and directing the Department of Business, Economic Development and Tourism, Department of Labor and Industrial Relations and Department of Human Services to participate in the statewide interagency longitudinal data system for education and workforce. The DOE shall also establish agreements with Hawaii P-20 to share longitudinal student and institutional data to improve instruction.
- B. To develop a sound data governance structure by June 30, 2010, encompassing data quality, data timeliness, and accuracy of the reports. The data governance structure will also clarify roles and responsibilities among the various institutions and stakeholders engaged in the Hawaii P-20 interagency system.
- C. To collaboratively seek resources to support development, use and maintenance of a statewide inter-agency longitudinal data system, including submission of a Statewide Longitudinal Data Systems grant proposal to the U.S. Department of Education and allocation of ARRA and state funds as appropriate.

- D. To use data to guide educational and workforce policy development, resource allocation and program improvement.

IX. Accountability and Reporting

The DOE and the University of Hawaii must certify to certain assurances in order to receive SFSF funds. In addition to the assurances below, the DOE must comply with the federal and state assurances that they certify on an annual basis.

A. The DOE will:

1. Administer and use State Fiscal Stabilization Fund (SFSF) program funds in accordance with all applicable statutes, regulations, and applications, including General Education Provisions Act (GEPA) section 442;
2. Control SFSF program funds provided to the DOE and shall not use the funds to acquire property or durable assets;
3. Use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to the DOE under the SFSF program. The DOE's administration and expenditure of SFSF program funds shall be in accordance with all applicable requirements of the Education Department General Administrative Regulations (EDGAR), the cost principles contained in 2 CFR 225 (OMB Circular A-87), OMB Circular A-102, and OMB Circular A-133;
4. Make any required SFSF reports readily available to members of the public;
5. Adopt effective procedures for acquiring and disseminating to teachers and administrators participating in each program funded through the SFSF significant information from educational research, demonstrations, and similar projects, adopt, where appropriate, promising educational practices developed through such projects;
6. Not use any of the funds received through the SFSF, to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;
7. Take steps to ensure equitable access to, and equitable participation in, the projects and activities to be conducted with assistance through the SFSF, by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age (GEPA 427);
8. Only use SFSF program funds for activities authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) (ESEA), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (IDEA), the Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.), or the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (the Perkins Act);

9. Not use SFSF program funds for:
 - a. payment of maintenance costs;
 - b. stadiums or other facilities used for athletic contests or exhibitions or other events for which admission is charged to the general public;
 - c. purchase or upgrade of vehicles;
 - d. improvement of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities;
 - e. any aquarium, zoo, golf course, or swimming pool; or
 - f. the provision of financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Act;
10. Comply, for any project funded through the SFSF, with Section 1605 of the American Recovery and Reinvestment Act of 2009 (requiring the use of American iron, steel, and manufactured goods) and Section 1606 of the American Recovery and Reinvestment Act of 2009 (requiring compliance with federal prevailing wage requirements);
11. Obligate all SFSF funds by no later than September 30, 2011;
12. Promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act (31 U.S.C. 3729–3733) or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving SFSF funds; and

B. The University of Hawaii assures that:

1. It will administer and use SFSF program funds in accordance with all applicable statutes, regulations, and applications, including the General Education Provisions Act (GEPA) section 442 [20 usc 1232e (b) (1)];
2. It will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to UH under the SFSF program [20 usc § 1232e (b)(3)];
3. It will make any application, evaluation, periodic program plan or report relating to each program readily available to members of the general public [920 usc § 1232e(b)(6)];
4. It will not use any of the funds received through the SFSF to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization [20 usc § 1232e (b)(9)], nor will it use any of the SFSF funds to acquire property or durable assets;

5. It will not use SFSF program funds for:
 - a. payment of maintenance costs [§ 14003 of the ARRA];
 - b. stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public [§ 14004(c) of the ARRA];
 - c. purchase or upgrade of vehicles [§ 14003 of the ARRA];
 - d. improvement of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities [§ 14003 of the ARRA];
 - e. casinos or other gaming establishments, aquarium, zoo, golf course, or swimming pool [§ 1604 of the ARRA]; or
 - f. the provision of financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Act [§ 14011 of the ARRA];
6. It understands that all SFSF funds must be obligated by no later than September 30, 2011; and
7. Promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act (31 U.S.C. 3729–3733) or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving SFSF funds.

For additional information on assurances and allowable uses for SFSF funds refer to pages 17 to 25 in the federal Guidance on the State Fiscal Stabilization Fund Program at <http://www.ed.gov/programs/statestabilization/guidance.pdf>.

X. Release of Funds

Given the need to demonstrate progress to the U.S. Department of Education, the undersigned agree to the following Schedule of Deliverables.

- A. By mid-November 2009:
 1. Deliverables for the DOE:
 - a. DOE, UH, and DLIR establish inter-agency agreement to share longitudinal student and institutional data.
 - b. DOE, with the support of UH, report on its analysis of Hawaii's competitiveness for the U.S. Department of Education's Race to the Top competition.
 2. Deliverables for the UH:
 - a. DOE, UH, and DLIR establish inter-agency agreement to share longitudinal student and institutional data.

D. By June 30, 2010:**1. Deliverables for the DOE:**

- a. DOE will recommend to the Board of Education revision of Hawaii Content and Performance Standards to incorporate the national Common Core State Standards.
- b. DOE, with UH, DBEDT and DLIR, will develop a sound data governance structure to fulfill the inter-agency agreement regarding data quality, data timeliness, and accuracy of reports, as well as clarify the respective roles of each entity.

2. Deliverables for UH:

UH, together with DOE, DLIR, and DBEDT, will develop a sound data governance structure to fulfill the inter-agency agreements regarding data quality, data timeliness, and accuracy of the reports.

XI. Description of the process for the release of funds

Each party, upon satisfaction of the deliverables listed above that are applicable to them, shall follow the following requirements for the release of funds:

A. Set up drawdown accounts:

1. The Governor shall establish a payee and bank account designated for SFSF funds and send the information to the U.S.DOE.
2. The Governor shall establish an account with DAGS Accounting to receive SFSF funds. B&F shall be responsible for managing the drawdowns of the SFSF Part A funds.
3. SFSF Part A funds shall be allotted on a quarterly basis.
4. Based on this MOA, DOE and UH will submit quarterly deliverables for review by the Governor's Office, provided however that upon signing of this MOA, the first quarterly allotment shall be made.
5. Upon receiving Governor's Office approval for the quarter, B&F will allot SFSF funds separately to DOE and UH. B&F, working with DOE and UH, shall be responsible for quarterly A-19 processing.

B. Semi-monthly disbursement of SFSF funds:

1. DOE and UH shall designate salaries of specified positions in selected programs for SFSF expenditures. Designated positions are to be the same for the fiscal year and can be charged on a fractional basis to meet Part A appropriation levels.
2. Following the semi-monthly payroll pay dates, DOE and UH shall request payroll reimbursements from B&F and provide detailed payroll reports as back-up for the request.
3. B&F shall promptly review each request and payroll report, and shall initiate the drawdown from the Federal account within 5 business days of receipt.
4. Upon receipt of the SFSF Part A funds, B&F shall immediately transfer the SFSF funds to the requesting party (DOE or UH).

- b. UH will support DOE's development of a report analyzing Hawaii's competitiveness for the U.S. Department of Education's Race to the Top competition.

B. By December 31, 2009:

1. Deliverables for the DOE:

- a. DOE will propose a revision to the BOE policy for graduation requirements to make mandatory a "college and career ready" (CCR) diploma for the class of 2018 with an "opt-out" waiver of CCR diploma. Under the proposed revision, the student's parent or legal guardian must apply for the "opt-out" in writing, and the application may be approved by the complex area superintendent only upon written verification that the student and the student's parent or legal guardian have reviewed and understands the CCR diploma and "opt-out".
- b. DOE will adopt percentage targets for CCR diploma attainment.
- c. DOE will collaborate with the UH to submit an application for U.S. Department of Education Statewide Longitudinal Data Systems grant competition for resources to support development, use, and maintenance of statewide inter-agency longitudinal data system.
- d. DOE will collaborate with UH, Hawaii P-20 and DBEDT to identify achievement gaps—internal and external—for community review and future incorporation within departmental strategic and operational plans.
- e. DOE will collaborate with UH, DBEDT, and the Governor's office in submission of the State's application to U.S. Department of Education for the first round of the Race to the Top grants.

2. Deliverables for UH:

- a. UH will submit, via DOE, an application for U.S. Department of Education Statewide Longitudinal Data Systems grant competition for resources to support development, use and maintenance of a statewide inter-agency longitudinal data system.
- b. UH will participate with DOE and DBEDT to identify achievement gaps—internal and external—for community review and future incorporation in departmental strategic and operational plans.

C. By March 31, 2010:

1. Deliverables for the DOE:

DOE will report and publish annually the number of CCR diplomas awarded and other college and career readiness indicators by school on a public website.

2. Deliverables for UH:

UH, together with DOE, will report and publish annually college and career readiness indicators by school on a public website.

The first release of funds shall be available upon signing of this MOA, and upon satisfaction of the process requirements listed in subsections A and B above.

XII. Charter Schools

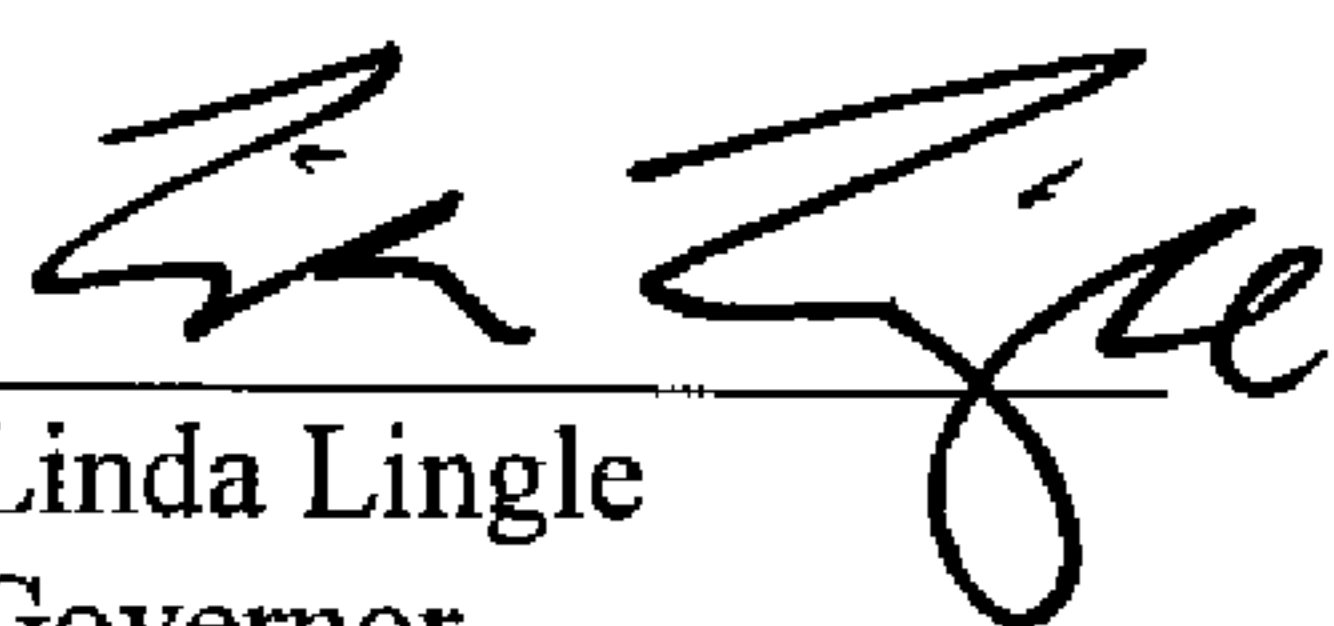
The parties acknowledge that charter schools in Hawaii (“Charter Schools”), through the Charter School Administration Office (“CSAO”), will enter into a separate agreement with the Governor with similar provisions and requirements as contained in this MOA, including federal requirements for accountability, reporting and progress under the American Recovery and Reinvestment Act (ARRA). The DOE and UH will not receive ARRA funds appropriated for use by the Charter Schools by the 2009 Hawaii State legislature. Rather those funds will be disbursed directly to the CSAO by the Governor after the CSAO and Governor sign their separate MOA, and the Governor shall have direct responsibility for compliance with all requirements of the ARRA by the Charter Schools and CSAO.

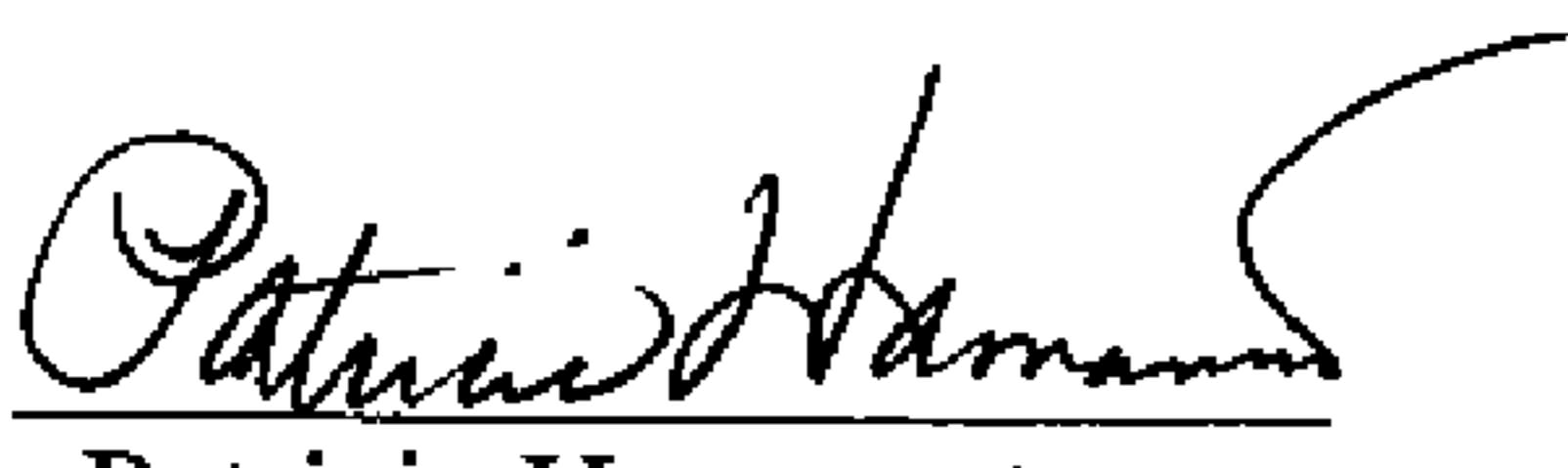
Nothing in this MOA shall be contingent upon the CSAO or Charter Schools entering into such an MOA with the Governor.

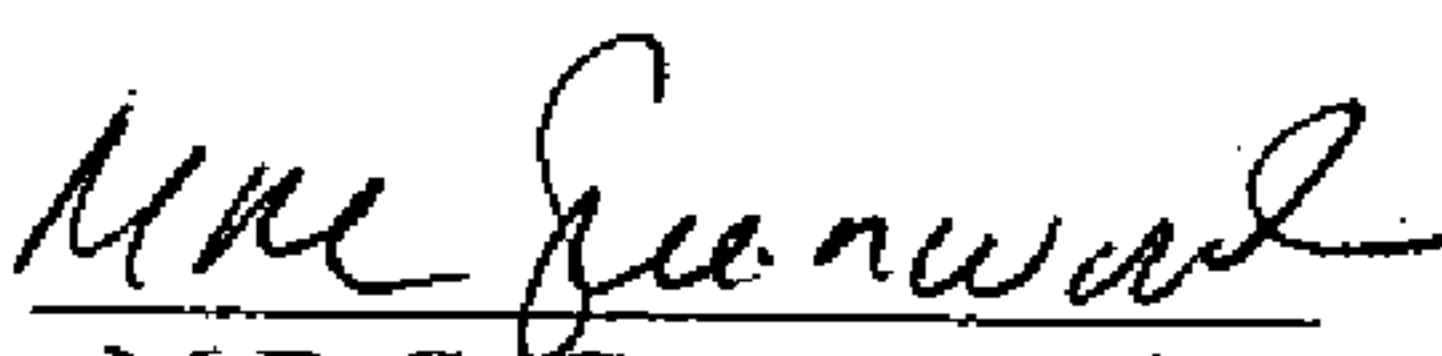
XII. Modification of this Agreement

- A. This MOA may be modified at any time by mutual agreement of the parties.
- B. In the event a deliverable is not met, the parties shall meet within five (5) business days to reach a mutually satisfactory resolution. Such resolution shall be incorporated into an amendment to this MOA.
- C. Additional areas of cooperation may also be incorporated into this MOA by amendment, including without limitation cooperation in applying for competitive ARRA funding.

Dated: October 06, 2009


 Linda Lingle
 Governor
 State of Hawaii


 Patricia Hamamoto
 Superintendent
 Department of Education


 M.R.C. Greenwood
 President
 University of Hawaii

