



**Te Whare Wānanga
o Awanuiārangi**

EDUCATIONAL SOVEREIGNTY

NĀ LEI NA`AUAO HAWAIIANFOCUSED CHARTER SCHOOLS EDUCATION WITH ALOHA (EA)

TAFFI U`ILEI WISE
2025

*A thesis presented to Te Whare Wānanga o Awanuiārangi in fulfilment of
the requirements for the degree of Doctor of Indigenous Development and
Advancement, Te Whare Wānanga o Awanuiārangi*

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Taffi U`ilei Wise

Signature: *Taffi U`ilei Wise*

Date: 1 September 2024

Abstract

This dissertation critically examines the concept of educational sovereignty within the Native Hawaiian context by focusing on Nā Lei Na`auao, a coalition of Hawai`ian-focused charter schools committed to "Education with Aloha" (EA). Grounded in Indigenous epistemologies, these schools seek to liberate Hawaiian education from colonial impositions, emphasizing cultural preservation, self-determination, and community-driven learning models. This research is situated within a broader critique of the U.S. government's fiduciary trust responsibility to Kānaka Maoli/*Native* children following the illegal occupation and denationalization of Hawai`i. Utilizing Hawaiian Studies Methodology, the "Ropes of Resistance" metaphor, and an activism framework, this study offers a comprehensive examination of the systemic challenges and ideological struggles faced by these schools in their pursuit of educational equity and self-governance.

Through an emergent research design that includes participant observations, ethnographic group kūkā/kūkā/interviews, and document analysis, the study investigates the inadequacies of the current educational framework, where policy constraints and insufficient funding continue to undermine Indigenous educational quality and autonomy. The findings highlight a significant gap in existing academic and policy discourses regarding organizational structures that facilitate Indigenous educational sovereignty in the U.S. and Hawai`i, underscoring the urgency for a recalibrated or new vehicle that respects Native Hawaiian rights as outlined in the Coolangatta Statement on Indigenous Peoples' Rights in Education.

The study also presents the Mo`olelo of Struggle and Persistence, which narrates the journey of the Nā Lei Na`auao schools and the broader movement towards educational

sovereignty. These narratives underscore the depth of commitment and resilience in the face of systemic oppression, providing a foundation for future advocacy and research. By challenging the existing educational paradigm, this dissertation contributes to the discourse on Indigenous education, offering a transformative model that reclaims Hawaiian identity, economic independence, and cultural strength through education.

Acknowledgments

First and foremost, I extend my deepest gratitude to my ancestors, whose wisdom and resilience have guided me throughout this journey. Your strength is the foundation upon which this work stands, and your stories of persistence inspire me daily.

To my supervisor Dr. Mera Penchira at Te Whare Wānanga o Awanuiārangi and my sisters at KALO, thank you for your unwavering support, insightful guidance, and belief in my vision. Your encouragement allowed me to explore new paths and challenge the status quo in Indigenous education.

A special mahalo to the leaders, educators, and haumāna of Nā Lei Na`auao Hawaiian Focused Charter Schools. Your commitment to "Education with Aloha" and to fostering spaces where our culture, language, and values thrive has been the heart of this research. Mahalo piha for sharing this journey with me. I hope this work honors your efforts and contributes to our shared journey toward educational sovereignty.

To `Anakē Malia Craver and the Kūpuna lunch crew, you have been spiritual and intellectual anchors in my life, your teachings have profoundly shaped this research. Your presence during critical moments of my life has provided the strength and clarity to navigate this journey personally and professionally. I dedicate this work to you, knowing that your legacy lives on in the paths we continue to carve for future generations.

I am deeply grateful to my family and friends, especially my husband, Darryl, and my boys, for their unwavering support, patience, and love. You have endured countless late nights, sacrificed precious time, and provided endless encouragement that kept me grounded and focused. Your belief in the importance of this work kept me going even when the road was challenging.

Rooted in both Māori and Hawaiian lineage, I am deeply aware of the profound significance of carrying out this work from my grandfather's family lands. It is a hō`ailona—a sacred sign and affirmation—that my journey is guided by the ancestral wisdom that flows through my veins. As the punahele of my grandparents, this endeavor is both a tribute to them and a promise to my grandchildren and future generations. This work is my way of honoring the legacies of those who came before me, ensuring that their knowledge, resilience, and spirit continue to thrive in the hearts of those who will come after.

To the broader Native Hawaiian and Indigenous communities, this research is also for you. Your struggles and triumphs are woven into the fabric of this work. I hope this dissertation serves as a beacon of hope, a call to action, and a testament to our enduring spirit and commitment to sovereignty and self-determination.

To the State of Hawai`i and the federal government of the United States, shame on you for your continued failure to honor your fiduciary trust responsibilities to the Kānaka Maoli people. Your historical and ongoing actions/inactions have perpetuated systemic inequities and injustices that this research seeks to address. It is time to acknowledge the harm done and make meaningful amends to support appropriate educational options that honor the whole child: mind, body and spirit in appropriate educational settings that embrace the rights of our people and Article X of the Hawai`i State Constitution.

Lastly, I want to acknowledge the scholars and thinkers whose work has influenced and enriched this study. I also want to thank Te Whare Wānanga o Awanuiārangi for being truly empowering and Indigenous. From the Indigenous standpoint theories to the Hawaiian Studies methodologies that have provided a foundation for this research, your contributions have been

invaluable in framing this research product within a broader context of decolonization and educational justice.

With gratitude and humility, I offer this work as a continuation of the collective effort to reclaim and redefine our educational futures, grounded in aloha, kuleana, and pono.

Taffi U'ilei Wise

September 2024

Special Appreciation

To my incredible **KALO Sisters**,

This journey through the madness of pursuing a PhD, on top of the endless work already overflowing on our platters, has been nothing short of extraordinary. I am deeply grateful for each of you. This movement would not be as powerful, as vibrant, or as robust without your unwavering presence and dedication.

Your work ethic is unmatched, your commitment to our shared cause is outstanding, and you embody the values we hold dear every single day. You are more than colleagues; you are my sisters of choice. I am so thankful and humbled to have you in my life, walking this path together, striving for a better future for our people.

To stand alongside such remarkable women who are unafraid to push boundaries, challenge norms, and drive forward the mission of Native education is a privilege I do not take lightly. Together, we are unstoppable!

E onipa`a kākou a kau i ka nu`u! Let us remain steadfast as we reach for the highest summits!

You have my deepest aloha and gratitude!

Dedication

To my boys:

David Kalamamakamae (Kawika) – my precious guiding light, whose brilliance and presence illuminate my path and inspire me to continue this work with love and determination.

Zachary Pōmaika`imaikalani – a blessing of good fortune and prosperity sent from the heavens, whose spirit reminds me of the divine gifts and abundance life holds for us.

Noah Keolauluikaikaloamekekumupa`a – the breath of life that grows ever strong, with steadfast purpose and unwavering resolve, a reminder of the strength that flows through our lineage.

You are the embodiment of all that is sacred and cherished in our family, the fulfillment of ancestral hopes, and the promise of future generations. This work is dedicated to you and to your future children, so that they may walk with pride in their heritage, grounded in the wisdom and love of those who came before them. May they carry forward our stories, our strength, and our spirit, knowing they are forever surrounded by the aloha of our ancestors.

You are loved, happy, healthy, wealthy and Wise!

Nā piko ‘ekolu o ke kanaka.

The three piko of a person.

This ‘ōlelo no‘eau reflects on the interconnectedness of generations, honoring the ancestors, living in the present, and paving the way for future generations (Pukui, 1983)..

To my kane: **Darryl Kalama Wise,**

You are my rock, my steadfast foundation in this journey through the complexities and, at times, the insanity of Native Hawaiian education. Your unwavering support has given me the freedom to explore, challenge, and push the boundaries of what is possible in our pursuit of educational sovereignty for our people.

At every step, you have stood by me and the movement with strength, patience, and love. Your belief in this work and in me has been a source of immense strength and inspiration. You have been my partner not only in life but also in this shared commitment to creating a better future for our keiki and generations to come.

Thank you for your dedication, for holding space for my dreams, and for being a constant pillar of support. Together, we continue this path, grounded in love, purpose, and the unyielding belief that we can and will make a difference.

He piko `ī, he piko `ō, he piko `ā.

There is a crown piko, a navel piko, and a genital piko.

This ‘ōlelo no‘eau symbolizes the past, present, and future, emphasizing the importance of understanding one's place in the lineage and the continuity of life (Pukui, 1983).

To my beloved kūpuna: **Sophie Kauhi`akaokalani Waiwaiole** and **William Michael Patrick Sheather**

Kūpuna ‘ike, the wisdom of the elders, holds an esteemed place in the hearts of our Kānaka Maoli people. It is more than knowledge—it is the heartbeat of identity, the voice of the land, the breath of our ancestors.

To my grandmother, Sophie—your grace, resilience, and unwavering aloha laid the foundation for generations to rise in strength and purpose. Your prayers were silent scaffolds to my dreams.

To my grandfather, Bill—your towering presence, your leadership, and your deep and complicated identity guided me, even after your passing. You never quite fit in, you were magnetic and you led with dignity and mana. You looked different, you moved different, and you were other worldly, from another place.

I now know that place—Aotearoa. When I first arrived, I recognized *you* in the faces, voices, and wairua of the people. Though I do not yet know our iwi name, I know this: you guided me to your people. I wish you could have known this culture, walked these lands, and spoken your own language with pride.

This work is for you both. You were instrumental in shaping me and have guided my work for the movement, and your legacy lives on in every child who learns their name, their story, and their worth.

I ulu nō ka lālā i ke kumu.
The branches grow because of the trunk.

Our strength, our values, and our very lives are rooted in you. You are the foundation from which we all blossom (Pukui, 1983).

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CHAPTER ONE: INTRODUCTION

Introduction

The chapter begins with a heartfelt letter to `Anakē Malia Craver, setting a deeply personal and cultural tone that underpins the broader narrative. This introduction serves to acknowledge the invaluable contributions of `Anakē and the profound impact of her teachings on myself and the broader community. It highlights the transformative journey that began with embracing the Hawaiian language and cultural practices, specifically ho`oponopono, a traditional Hawaiian method of conflict resolution. The letter weaves together personal reflections, cultural revival, and the challenges of navigating educational systems grounded in western ideologies, which often conflicted with my upbringing and professional experiences.

This introductory section lays the foundation for the subsequent exploration of the establishment and evolution of Nā Lei Na`auao schools, a network of educational institutions rooted in Native Hawaiian culture and values. The narrative progresses from personal experiences to the broader movement that these schools represent, emphasizing the importance of education as a vehicle for cultural preservation and self-determination. The letter not only honors `Anakē's legacy but also sets the stage for the reader to understand the cultural, historical, and educational context within which these schools were created and continue to thrive.

Letter to `Ānakē

Date: November 28, 2023

Aloha mai `Anakē Malia Craver,

Mahalo piha for your invaluable presence during those transformative years at our tiny schoolhouse, where 18 haumana, all under the tender age of 5, embarked on a journey of

learning and discovery with their `ohana. The period after Christmas marked a significant pivot in our approach, as we wholeheartedly embraced `ōlelo Hawai`i wale nō. While this was challenging for mākua, it was surprisingly intuitive for our keiki. Your visits, each accompanied by Millie's unwavering support, were a beacon of enlightenment, introducing us to the sacred practices of ho`oponopono. Despite the hustle of everyday responsibilities, those moments allowed me to bask in the nurturing energy of Kūpuna—calm, wise, and transcendent. This rekindled a deep yearning for the guidance of my own Kūpuna, who had passed years prior.

As mākua at Punana Leo o Waimea, we were encouraged to immerse ourselves in `ōlelo and `ike Hawai`i classes and to seek the profound wisdom you shared about our heritage and traditions. The principles of ho`oponopono, though new and somewhat daunting against my upbringing steeped in western methodologies of conflict resolution, offered a fresh perspective. Coming from a lineage of law enforcement and having served as a customs officer myself, the concept of addressing discord through forgiveness rather than confrontation was a revelation. Being colonized into western law, it was a concept I was not sure I could embrace, but I knew it was better for society.

I listened intently, loving being with you and other mākua as we talked about the possibility of starting our own school. Darryl and I had three boys and planned to put them in private schools. We had both been products of the traditional public school system in Hawai`i and did not want our boys to endure what we had. We wanted them to love education, not despise it because of prejudiced institutions that villainized, labeled, and categorized us. We decided education was the way to true individual sovereignty. You asked us to go to other Queen Liliuokalani Children Center locations on other islands and talk to the communities about the potential of the charter school vehicle and how it could allow community-driven Native

education. We met wonderful, like-minded people all wanting Indigenous education guided by Kūpuna values and `ike/knowledge.

Our meetings, initially focused on ho`oponopono, evolved into forums of hope, where the dream of establishing our schools began to materialize. Influenced by initiatives like WIPC-E and the writing of the Coolangatta Statement, and driven by our personal experiences within the HIDEOE system, we envisioned a future where our children could pursue education passionately, free from the limitations of conventional institutions. Your support in exploring the charter school vehicle helped us connect with individuals across the islands who shared our vision for an education grounded in kūpuna wisdom.

Amidst this journey, the occasional discord among us mākua was met with your insightful leadership, guiding us through discussions not with the intent of ho`oponopono but as opportunities for open, judgment-free kūākūkā/conversation. The conclusion of one such meeting gifted me with an unforgettable honi—a poignant connection to my grandmother's legacy of love, expressed through her distinctive "smoosh face kisses," a simple yet profound act that bridged generations. My whole life, the cousins would tease each other as grandma, Sophie Kauhiakaokalani Waiwai Sheather, would "smoosh face kiss" us all, one by one. She never spoke `olelo Hawai`i to us, her first language, never shared her culture except when she cooked and kanikapila/played music, and never explained a "smooshed face kiss." My heart was so heavy in that moment, just beginning to realize how much pain she must have endured and how she wanted to protect us yet couldn't help herself when it came to sharing her aloha. The weight of her silent struggles became apparent to me only then.

The narrative of our collective journey took a significant turn during a ho`oponopono session, against a backdrop of a cultural and linguistic renaissance that stirred deep-seated

emotions within our community. The challenges we faced, amplified by landmark legal battles such as Rice vs. Cayatano (OHA vote challenge), underscored the critical importance of your teachings. Your calm demeanor in the face of potential conflict, particularly during the tense encounter with Rice, highlighted the transformative power of understanding and compassion. It was February 23, 2000; the court decision was released to the public, and Rice prevailed. As we just finished our pule to eat at a potluck, Rice walked into the school with a young haole wahine, no food in hand to contribute, no greeting. He went straight to the front of the line, in front of the keiki. He made a plate, took a few bites, put his plate down, and began to walk out. I thought he was going to be mauled; the energy was so intense, and it was absolutely quiet. The kane/men began to move toward him, and you stepped in. I then understood the significance of your work with us.

The following meetings were filled with anger, prejudice, and frustration. Out of those conversations, you proposed a challenge: “Unite the islands through education and raise the lāhui,” focus your energy on the positive and make change. These schools shall be a collective across the pae `āina, and you provided the gift name “Nā Lei Na`auao.” As we navigated through these trials, your unwavering faith in the potential of education to unite and uplift our people inspired us to embrace the challenge of establishing a network of schools that embody the essence of our aspirations. Today, with 14 start-up schools across four islands and three more conversion charters joining later, we serve the pae `āina; we are the living testament to your vision and dedication.

`Anakē, we have done it. We helped change the laws to bring the charter school vehicle to Hawai`i. It is with great pride that I introduce to you the distinguished Nā Lei Na`auao schools across our beloved islands. These institutions, embedded in rich Hawaiian culture and tradition,

are nurturing grounds for the future leaders of Hawai'i. They are not merely schools; they are the bearers of our heritage and the architects of an enlightened future.

On the Garden Isle of Kaua'i, we find schools that are steadfast in their mission to integrate culture with education:

- *Kula Aupuni Niihau A Kahalelani Aloha provides a bilingual education in Niihau and English, enhancing linguistic proficiency while honoring Native tongues.*
- *Ke Kula Niihau O Kekaha lays a culturally Hawaiian foundation, urging students to honor ancestors, sustain family through knowledge, and nurture the Niihau language and culture.*
- *Kawaikini envisions a community enriched by the language, beliefs, and practices of Hawai'i's Indigenous people, fostering a culture of health and thoughtfulness.*
- *Kanuikapono seeks to develop lifelong learners who are in touch with the wisdom of ancestors yet adept at navigating the modern world with respect and aloha.*

On the vibrant island of O'ahu:

- *Mālama Honua cultivates the caring, compassionate, and astute "mind of the navigator" in students and teachers alike by the appropriate application of Indigenous Hawaiian values, inclusive of 21st-century skills.*
- *Hālau Kū Māna embraces its roots through ancestral knowledge, empowering students with academic skills and a profound connection to their land and communities.*
- *Ka Waihona o ka Na'auao fosters resilience and social responsibility, preparing young individuals to be adept in both academic pursuits and cultural understanding.*
- *Ke Kula `o Samuel M Kamakau honors its namesake by nurturing a spirit of learning and cultural pride that spans generations, echoing the legacy of a revered Hawaiian scholar.*

- *Hakipu`u Academy prepares life-long learners (haumāna) who cultivate integrity (pono), a sense of place (piko), and stewardship (kuleana) through a commitment to experiential education shaped by the world around us (`āina), inspiring them to become innovative, reflective, and passionate problem-solvers through critical thinking and exhibition (hō`ike). In the nurturing lands of Hawai`i:*
- *Kua o ka Lā teaches the principles of living "ke ala pono" through place-based educational opportunities that embed Hawaiian values at their core.*
- *Ke Ana La`ahana focuses on recognizing and nurturing cultural identity within a context that connects students to their historical and lineal roots.*
- *Kanu o Ka `Āina provides students of Hawaiian ancestry, and all who honor the ways of our Hawaiian kūpuna, with an equal opportunity to quality education that addresses their distinctive cultural learning styles.*
- *Ka `Umeke Kā`eo, as a K-12 Hawaiian Language Immersion School, promotes a curriculum steeped in Hawaiian ways of knowing, preparing students to contribute meaningfully to their communities.*
- *Ke Kula `o Nāwahīokalaniopu`u curriculum is built upon a culturally Hawaiian foundation that instructs students to honor their ancestors, sustain their families through knowledge, and contribute to the flourishing of Hawaiian language and culture.*

Additionally, several conversion charter schools with large populations of Hawaiian students are making significant strides: Waimea Middle School, Kualapuu Public Conversion Charter School, and Kamaile Academy.

Hakipuu Academy (5-12)
Enrollment: 49 Hawaiian: 69% Title I: 52.45%
45-720 Kaahala Road, Kaneohe, Hawaii 96744
Mailing: P.O. Box 1159, Kaneohe, Hawaii 96744
808.235.9155 / Fax: 808.235.9160
Interim Po'o: Kanoa Kahalewal
kkahalewal@hakipuu.org
hakipuu.org

Hālau Kū Māna (5-12)
Enrollment: 122 Hawaiian: 79% Title I: n/a
2101 Makiki Heights Dr. Honolulu, HI 96839
808.945.1600 / Fax: 808.945.1604
Po'o: Lori Pereira
lori@halaukumana.org
halaukumana.org

Ka 'Umeke Kā'eo (M-12)
Enrollment: 263 Hawaiian: 96% Title I: 76.66%
1500 Kalanianaʻole Ave. Hilo, HI 96720
808.961.0470 / Fax: 808.933.3488
Po'o: Michelle Nohea Nahale-a
nohea@kaumeke.net
kaumeke.org

Ka Waihoia o ka Na'auao (K-8)
Enrollment: 611 Hawaiian: 96% Title I: 68.1%
85-195 Farrington Hwy. Waianae, HI 96792
808.620.9030 / Fax: 808.620.9036
Po'o: Kalehua Krug
pookumu@kawaihonapcs.org
kawaihonapcs.org

Kamaile Academy (PK-12)
Enrollment: 949 Hawaiian 61% Title I: 100%
85-180 Ala Akau St. Waianae, HI 96792
808.697.7110 / Fax: 808.697.7115
Po'o: Paul Kepka
pkkepka@kamaile.org
kamaile-academy.org



Kanu o ka 'Āina Learning 'Ōhana - NĀN School Directory, April 2024

Kanu o ka 'Āina (PK-12)
Enrollment: 612 Hawaiian: 63% Title I: 55.49%
54-1043 Hialeka St. Kamuela, HI 96743
Mailing: PO Box 398, Kamuela, HI 96743
808.890.8144 / Fax: 808.890.8146
Po'o-alem: Keomallani Case keomallani@kalo.org
Po'o-upper school: Kanoa Castro kanoa@kalo.org
Po'o-Kā 'Ōhā: Nicole Ryan nicoler@kalo.org
kanuokaaina.org

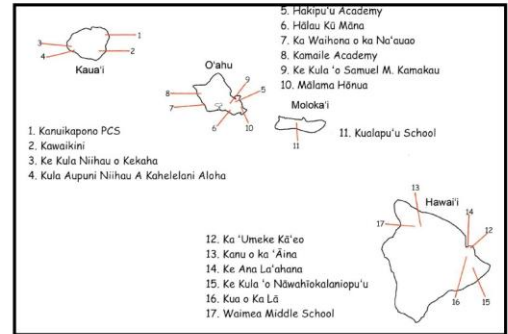
Kanuikapono PCS (K-12)
Enrollment: 203 Hawaiian: 57% Title I: 54.86%
4333 Kukuihale Rd. Anahola, HI 96703
Mailing: PO Box 12, Anahola, HI 96703
808.823.9160 / Fax: 808.482.3055
Po'o: Kanoa Ahuna
kanoeahuna@kanuikapono.k12.hi.us
kanuikapono.org

Kawaikini (K-12)
Enrollment: 151 Hawaiian: 93% Title I: 59.35%
3-182-J Kaumuali'i Hwy. Lihue, HI 96766
808.632.2032 / Fax: 808.246.4835
Po'o: Chadley Kaleponi Schimmelfennig
pookulaschimmelfennig@kawaikini.com
kawaikini.com

Ke Ana La'ahana (7-12)
Enrollment: 34 Hawaiian: 95% Title I: 97.56%
160 Baker Ave. Hilo, HI 96720
Mailing: PO Box 4997, Hilo, HI 96720
808.961.6228 / Fax: 808.961.6229
Po'o: Mapuana Waipa
mwaipa@kalpcs.com
kalpcs.com

Ke Kula Niihau o Kekaha (K-12)
Enrollment: 50 Hawaiian: 98% Title I: 75.63%
8135 Kekaha Rd. Kekaha, HI 96752
Mailing: PO Box 129, Kekaha, HI 96752
808.337.0481 / Fax: 808.337.1289
Po'o: Tia Koerte
tia.koerte@kekulaniihau.org
knok.org

Ke Kula 'o Nāwahōkalanipuu (K-12)
Enrollment: 460 Hawaiian: 93% Title I: 62.06%
16-120 'Opukaha'a St. Keaau, HI 96749
808.982.4260 / Fax: 808.966.7821
Po'o: Kauano Kamanā
kauano@navahi.org
navahi.org



Kula Aupuni Niihau A Kahalelani Aloha KANAKA (K-12)
Enrollment: 46 Hawaiian: 89% Title I: 68.88%
8315 Kekaha Rd. Kekaha, HI 96752
Mailing: PO Box 610, Kekaha, HI 96752
808.337.2022 / Fax: 808.337.2033
Po'o: Hedy Sullivan
hedy_kanaka_pcs@hawaii.rr.com
kanakapcs.org

Mālama Honua (K-8)
Enrollment: 165 Hawaiian: 80% Title I: 48.55%
41-064 Ehuakai St. Waimanalo, HI 96795
808.259.5522 / Fax: 808.259.5525
Po'o: Denise Espania
despania@malamahonuaapcs.org
malamahonuaapcs.org

Waimea Middle School (6-8)
Enrollment: 194 Hawaiian: 62% Title I: 98.57%
97-1229 Māmalahoa Hwy. Kamuela, HI 96743
808.887.5090 / Fax: 808.887.6087
Po'o: Janice English
janice_english@wmpccs.org
www.waimeamiddleschool.org

Ke Kula 'o Samuel M. Kamakau (PK-12)
Enrollment: 121 Hawaiian: 96% Title I: 48%
46-500 Kunekei St. Kaneohe, HI 96744
808.235.9175 / Fax: 808.235.9173
Po'o: Meahilahlia Keiling
meahilahlia@kamakau.com
kamakau.com

Kua o Ka Lā (PK-8)
Enrollment: 164 Hawaiian: 90% Title I: 92.97%
345 Makaliika St. Hilo, HI 96720
808.981.5866 / Fax: 808.981.5860
Po'o: Vanessa Dilcher
vanessa@kualakala.org
kualakala.org

Kualapu'u School (PK-8)
Enrollment: 319 Hawaiian: 90% Title I: 88.78%
260 Farrington Hwy. Kualapu'u, HI 96757
Mailing: PO Box 260, Kualapu'u, HI 96757
808.567.6900 / Fax: 808.567.6906
Po'o: Lydia Trinidad
lydia_trinidad@kualapu.k12.hi.us
kualapuucharterschool.org

Each of these schools is a testament to our community's dedication to providing an education that is not only academically rigorous but also culturally enriching. They represent a commitment to preserving our Hawaiian heritage and ensuring our students grow into responsible, knowledgeable adults who respect and cherish their culture. `Anakē, Nā Lei Na`auao lives and commits collectively to a movement we coin Education with Aloha/EA...

Your legacy endures through the lives you've touched and the paths you've illuminated. As we continue to address the prophecy you brought to life with the gift name Nā Lei Na`auao, our kuleana remains strong and unwavering. We are committed to nurturing the seeds of knowledge and aloha for the benefit of our keiki and future generations. Yet, we recognize that this journey will not be without challenges, and we are prepared to fight to uphold and honor the vision of Education with Aloha.

Mahalo palena `ole, Taf

The cultural significance of kūpuna

Kūpuna ike, the wisdom of the elders, holds an esteemed place in the hearts of the Kānaka Maoli, the Native Hawaiian people. This wisdom is not merely an accumulation of knowledge but a profound understanding of life, culture, and the natural world, passed down through generations. Kūpuna, the elders, are revered as the living repositories of this ancestral wisdom, embodying the values, traditions, and experiences that have shaped Hawaiian identity over centuries.

To the Kānaka Maoli, kūpuna `ike is a sacred trust, a guiding light that illuminates the path of cultural continuity and resilience. It encompasses the wisdom of living in harmony with nature, the knowledge of healing practices, the art of storytelling, and the profound spiritual insights that connect the community to their ancestors and the land, or `āina. This wisdom is often shared through mele/*chants*, hula/*dance*, and mo`olelo/*stories*, each a vibrant thread in the rich tapestry of Hawaiian heritage.

The kūpuna are honored not just for their age but for their roles as mentors, educators, and cultural stewards. They nurture the younger generations, imparting life lessons and cultural practices with patience, discipline and love. Their teachings foster a deep sense of respect for the past, an understanding of one's place in the present, and a vision for the future that honors the legacy of those who came before. In essence, kūpuna `ike to the Kānaka Maoli is the lifeblood of cultural heritage, a source of strength and continuity that binds the community together. It is a testament to the enduring spirit of the Hawaiian people and their unwavering commitment to preserving the wisdom and traditions that define Hawaiian identity.

Nā Lei Na’auao Education with Aloha/EA reignites Hawaiian identity and joyful pride in being a part of the lāhui/*nation/tribe/people* of Hawai‘i. EA is a way of being and an assertion of deep aloha ‘āina/*patriotism* that will continue to reverberate in our na‘au/*gut/hearts* for generations. Aloha ‘Āina is multifaceted and deeply layered; it is the passion, the love people have for their homelands, birth lands, or lands to which they feel an ancestral or spiritual connection.

Esteemed patriot Joseph Kaho‘oluhi Nāwahīokalani‘ōpu‘u wrote the following article in the very first issue of his nūpepa, “Ke Aloha ‘Āina.” It ran on May 25, 1895, just two years after the overthrow of Queen Lili‘uokalani and a few months after she was imprisoned in ‘Iolani Palace under false charges of treason. At this time, tens of thousands of po‘e aloha ‘āina, Hawai‘i patriots, were seeking ways to restore monarchical governance under the Queen and resist the self-proclaimed Provisional Government’s attempts to have Hawai‘i annexed to the United States. Nāwahī writes: “That which we call Aloha ‘Āina is the magnetic pull in the heart of the patriot which compels the sovereign existence of the land of his birth. That is what the heart of a Hawaiian feels for his own Native land. His aloha cannot be seen, held, or felt; but it is widespread, and it points inevitably to the land of his ancestors, just like the needle of a compass.” (Kamehameha Schools Bishop Estate, 2021)

Kūpuna play a pivotal role in fostering community cohesion and guiding younger generations. Their influence is evident in the pursuit of Native Hawaiian self-governance and sovereignty, with legal structures designed to reflect and respect their wisdom and leadership.

Native Hawaiian Law

Native Hawaiian rights are rooted in their millennium-long cultural development and the political independence of the Hawaiian Kingdom before the illegal overthrow in 1893. Key legislative acts, such as the Hawaiian Homes Commission Act (United States Congress, 1920) and the fiduciary trust provisions of the Admissions Act, acknowledge a special relationship between Native Hawaiians and their traditional lands, recognizing legal and political connections with federal and state governments. The 1978 amendments to the State Constitution established the Office of Hawaiian Affairs to address historical injustices and promote Hawaiian self-governance and self-determination. The 1993 Apology Resolution (United States Congress, 1993) by the U.S. Congress acknowledged the ongoing claims of Kānaka Maoli to their inherent sovereignty and national lands (MacKenzie, Serrano, & Sproat, 2015).

Federal Legislation Impacting Native Hawaiians

Several federal laws have been enacted to support Native Hawaiian rights and well-being. The Native American Languages Act of 1990 aims to preserve, protect, and promote the rights of Native Americans, including Native Hawaiians, to use their languages (United States Congress, 1990). The Native Hawaiian Health Care Improvement Act provides funding and programs to improve the health status of Native Hawaiians (United States Congress, 1988). The Hawaiian Homelands Recovery Act addresses issues related to land use and housing for Native Hawaiians (United States Congress, 1995).

Native Hawaiian Rights and Aboriginal Status

The recognition of Native Hawaiians as an aboriginal people with inherent rights is crucial to understanding their legal status. As the original inhabitants of Hawaiʻi, Native

Hawaiians have unique cultural, historical, and spiritual ties to the land (Sai D. K., 2011). This aboriginal status is recognized by various legal frameworks, including the United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2007) which emphasizes the rights of Indigenous peoples to self-determination, cultural preservation, and traditional lands.

Impact on Native Hawaiian Education

These historical and legal contexts significantly impact Native Hawaiian education today by shaping policies that honor and integrate Native Hawaiian culture, history, and rights. Recognition of Native Hawaiian rights and sovereignty fosters a sense of identity and self-determination, which is crucial for the educational development of Native Hawaiian students. The inclusion of Native Hawaiian language, health, and housing support within federal laws ensures that the cultural and socio-economic needs of Native Hawaiian communities are addressed, thereby promoting a more holistic and culturally relevant educational experience.

Research Issue

Educational Oppression: Native students in Hawai`i have the worst educational outcomes in the state (Hawai`i State Department of Business, Economic Development and Tourism, 2016). Statutory restrictions, attitudes, interpretations, and obstructive behaviors on the part of the State of Hawai`i have resulted in Kānaka Maoli keiki /*Hawaiian children* continually being denied equity. The system has failed to provide educational services that nurture the whole Hawaiian person, inclusive of scholarship, culture, and spirituality.

These issues are a direct result of the United States of America's belligerent occupation of the Hawaiian Kingdom and sovereign state in 1893 (Sai D. K., 2022). Denationalization of Hawai`i's children through the single unified public education system was the easiest and fastest

way to oppress the Natives. We know that “education is considered a gateway to full participation in society, and both Kānaka and Native Americans' language and culture struggles to maintain are deeply connected to the land, dispossession from those lands, and the resulting loss of cultural identity” (MacKenzie, Serrano, & Sproat, 2015).

Nā Lei Na`auao is a Native Hawaiian alliance of communities that, in the year 2000, created a new type of Education with Aloha based on Indigenous epistemology through the charter school vehicle. This would be the first time in modern history that Natives would create, control, and operate public schools outside of Indian reservations, and that remains the situation today. The mission of this grassroots alliance is to establish, implement, and continuously strengthen models of education throughout the Hawaiian Islands and beyond, which are community-designed and -controlled and reflect, respect, and embrace `ōlelo Hawai`i/*Hawaiian language*, `ike Hawai`i/*Hawaiian knowledge and intelligence*, and Hawaiian cultural values, philosophies, and practices.

Currently, NLN survives in a hostile regulatory environment fraught with prejudice. There are 17 Hawaiian schools that serve approximately 4,200 students on four islands, the majority of whom are of Hawaiian ancestry, and the state limits schools' enrollments through charter contract enrollment caps. NLN utilizes the charter school movement and taxpayer dollars to deliver culture and language-based public education to haumāna/*students*. It has been the only independent public education agenda that has had positive outcomes for Kānaka since the Hawaiian language was outlawed in 1896.

This research examines, engages in, and memorializes contemporary Hawaiian educational politics and its structural concerns related to ideology, suppression, and power to obligate change for our keiki. It focuses on memorializing, validating, and resolving the social

injustices our haumāna experience by directly challenging the fiduciary trust responsibility of the United States and the State of Hawai`i to Kānaka Maoli children.

Purpose of the Study

The potential outcomes of this research project will be multifaceted:

- To document the mo`okuauhau and mo`olelo of NLN and the EA movement from the authentic Native practitioner's lens. With the goal of liberating our youth through education, NLN was created, the schools have thrived, the communities have flourished, and the Hawaiian language, culture, and collective civic engagement have been reignited in our people. However, the road has been difficult, and institutional racism is rampant with gross inequities.
- To expose the decades of inequities and existing prejudice that remains as a result of the U.S.'s belligerent occupation and denationalization and validate the struggles and sacrifices of the Po`okula/school leaders that still exist today.
- To prove that even with the challenges and oppression, NLN has had a worthy impact on our keiki and has been resiliently successful.
- To stop the struggle and oppression by amending the current education system or creating a new Education with Aloha sector that exists in a thriving structure, celebrating Native Hawaiian epistemology, allowing innovative ideology that results in thriving haumāna, and honoring the spirituality of the Kānaka Maoli with appropriate resources and educational freedoms.

- To directly challenge the current relationship between the Lāhui Hawai`i and the United States as it questions the fiduciary trust responsibility of the United States Government and the State of Hawai`i to Kānaka Maoli children.

- To realize, breathe life and mana for our keiki into the ‘Ōpio Youth Declaration. The video below is of the KALO 2014 Annual Nā Lei Na`auao Ku`i ka Lono Youth Conference in conjunction with WIPC-E, and it shares our worldwide Native `Ōpio Indigenous Youth Declaration (WiPCE, 2014). (Note: There is no way to express the mana (spirit, life force) felt during that day. Please watch this video to experience it yourself: [WIPC-E Youth Declaration](#).)

Research Question

What organizational structure will facilitate Nā Lei Na`auao - Education with Aloha epistemology, ideology and spirituality; and what opportunities remain to achieve full educational sovereignty and self-determination?

Significance of the Study

The EA movement's overarching mission is to prepare our children to be modern, empowered Hawaiians who will give back to and lead our communities. This research project will provide new knowledge to achieve that mission, including:

1. A historical political recap of the first 24 years of the NLN movement, documenting its successes and impact despite systemic prejudice and inequity from a Native practitioner's perspective. Currently, there is limited research or literature on NLN or EA that shares our story from our perspective.

The research will challenge the current relationship between the lāhui Hawai`i and the United States as it questions the fiduciary trust responsibility of the U.S. government and the State of Hawai`i to the Kānaka Maoli children because of federal denationalization crimes. Forced assimilation, a result of belligerent occupation, continues to oppress Kānaka Maoli today in the Hawai`i unified public school system, putting the preservation of our language, culture, and authentic history at stake. The evidence provided justifies further investigation into a new or recalibrated vehicle for NLN schools.

2. An assessment of what was expected of the EA movement upon creation, the reality now, and what is needed to allow EA to thrive as a sovereign education sector.

This research is vital to the development, advancement, and sustainability of the NLN EA educational movement and all the families and students we serve. Hawaiian studies methodologies are essential to negotiate discrepant relations of power and authority embedded within different ways of defining and mobilizing Hawaiian identity (Goodyear-Ka`ōpua, 2015).

This examination and resulting products will be valuable to Nā Lei Na`auao, Charter Schools, The Office of Hawaiian Affairs, Hawaiian policy analysts, philanthropy, practitioners, and educators, contributing to improving collective well-being. The Native Hawaiian population in the U.S. is projected to exceed 1.2 million by 2060, with most of the population being school-age children (Kamehameha Schools, 2021), highlighting the critical need for appropriate educational opportunities and options that are place-based. Education can serve as a vehicle of economic mobility and security, with higher levels of educational attainment in Native Hawaiians linked to increased earnings and livable income rates. Continued investments in education and postsecondary options for Native Hawaiians will be a crucial driver in Kānaka

Maoli material and economic existence and quality of life (Kamehameha Schools, 1983; United States Congress, 1983).

Indigenous methodologies allow for a more complex picture than seeing Kānaka as either victims or agents, either authentic or assimilated. They call on us instead to consider the political stakes, such as the material effects on Hawaiian lands and bodies, of different ways of understanding and living our Hawai`ianness (Goodyear-Ka`ōpua, 2015).

My kuleana is to formally acknowledge and document the mo`olelo that already exist at various levels of government to empower EA. Utilizing our Indigenous voice, intergenerational experiences, and connection to land, we will design our own tools to address contemporary Hawaiian issues. Our haumāna are demanding that “we affirm the right to learn and perpetuate our culture, to have control over how those things are taught, and to provide education through Native language and a cultural lens” (WiPCE).

Background: Educational Oppression in Native Hawaiian Education

The comprehensive legal framework established to protect Native Hawaiian rights and cultural identity highlights significant strides; however, the persistent challenges in Hawaiian education, as underscored by several reports, reveal that legal recognition alone has not fully addressed educational disparities.

The historical and ongoing educational oppression faced by Native Hawaiian students has been thoroughly validated through several pivotal studies. These studies have significantly influenced educational policies and programs by emphasizing the importance of cultural relevance in education and highlighting systemic disparities.

Native Hawaiian Educational Assessment

In the early 1980s, the Native Hawaiian Educational Assessment (NHEA) provided a comprehensive evaluation of the educational needs and challenges of Native Hawaiian students. The study highlighted significant educational disparities, including high dropout rates, low test scores, and a lack of culturally relevant materials. These findings led to increased federal funding and support for programs specifically targeting Native Hawaiian education, further emphasizing the necessity of culturally tailored educational approaches (Kamehameha Schools, 1983).

Native American Meridian Report

Although produced in 1991, the “Indian Nations at Risk: An Educational Strategy for Action” (Meridian Report) remains relevant due to its parallels with Native Hawaiian educational issues. This report identified educational disparities faced by Native American students, including low academic achievement and high dropout rates. It emphasized the importance of culturally relevant education and provided comprehensive recommendations for improving educational outcomes. The report's focus on cultural respect and integration into education closely aligns with the findings and recommendations from studies on Native Hawaiian education (United States Department of Education, 1991).

Native Hawaiian Study Commission Report

Completed in 1983, the Native Hawaiian Study Commission's report examined the unique cultural, social, and economic conditions of Native Hawaiians. It highlighted the importance of preserving cultural heritage, addressing socioeconomic challenges, and improving educational outcomes. The report's findings underscored the systemic inequalities faced by Native Hawaiians and provided recommendations for culturally relevant educational programs, increased support, and community involvement (United States Congress, 1983).

Common Findings Across the Reports

All these reports consistently highlighted significant educational disparities between Native students and their peers, including lower academic achievement, higher dropout rates, and lower test scores. These disparities pointed to systemic issues within the mainstream education system that failed to adequately support these students.

Each study underscored the critical importance of culturally relevant education, finding that incorporating Native languages, traditions, and cultural values into the curriculum positively impacted student engagement and academic performance. Socioeconomic factors such as poverty, limited access to resources, and health disparities were identified as major contributors to the educational challenges faced by Native Hawaiian and Native American students.

A common recommendation across all reports was the need for increased federal and state funding to support educational programs specifically designed for Native students. This funding was essential for developing culturally relevant curricula, providing teacher training, and supporting community-based educational initiatives. The reports also emphasized the importance of involving Native communities in decision-making processes regarding their education, promoting self-determination and better educational outcomes.

These studies collectively validate the educational oppression faced by Native Hawaiians and underscore the critical need for culturally relevant education. The NHEA studies, along with the Native Hawaiian Study Commission's report and the Meridian Report, have significantly influenced educational policies and programs. They emphasize the importance of integrating cultural elements into the curriculum to improve educational outcomes for Native Hawaiian students, addressing disparities, and promoting cultural preservation and self-determination.

These common findings have been pivotal in shaping educational policies and programs aimed at reducing disparities and promoting equity in education.

Assumptions, Limitations and Context

This research delves into the intricate landscape of Indigenous education, focusing particularly on the Nā Lei Na`auao (NLN) movement and the implications of the Coolangatta Statement (1999) on educational practices and policies for Indigenous peoples of Hawai`i. Structured to guide readers through an interconnected journey, the study interweaves historical context, personal narratives, legislative analysis, *kūkākūkā/discussion/consultation*, *mo`olelo/history/stories*, and comparative studies to illuminate the profound challenges and triumphs within Hawaiian Indigenous education.

The introduction sets the stage by grounding the discussion in the historical significance of the Coolangatta Statement, which catalyzed a global movement towards recognizing and implementing Indigenous rights in education. This section introduces key concepts and underscores the importance of Indigenous epistemology in educational reform.

Following this, the focus shifts to the Nā Lei Na`auao: A Native Hawaiian Educational Movement. This section transitions from a global perspective to a detailed examination of the NLN movement in Hawai`i, illustrating how Indigenous values and epistemologies are crucial in developing educational models that are both empowering and culturally relevant. It highlights the innovation and resilience inherent in the establishment and growth of Native Hawaiian charter schools.

The research then explores the systemic barriers that these schools face in *Challenges and Inequities Faced by Native Hawaiian Charter Schools*. This part emphasizes the discrepancy in

resources and support between Indigenous-led charter schools and mainstream public education, drawing attention to broader issues of institutional racism and the struggle for self-determination.

Grounding the Research with the Importance of Indigenous Epistemology reflects on the philosophical and cultural foundations that inform this study, emphasizing the transformative potential of education rooted in Indigenous identity and values, while the boundaries of this research delineate the scope of the study, focusing on the legal challenges and legislative landscape affecting the funding and operational capacity of NLN schools. This sets the stage for a detailed exploration of policy analysis and legal frameworks.

Gaps in the Research identifies the academic and policy discourse needs, preparing the ground for a comprehensive examination of the issues at hand. *The Mo`olelo of Struggle and Persistence* then provides a narrative account of the journey toward educational sovereignty, offering personal stories and collective experiences that underscore the depth of commitment and passion driving the movement.

Comparative Insights: The Māori Immersion Schools' Journey broadens the perspective by drawing parallels with similar struggles and successes in international contexts, particularly the Māori educational movement in Aotearoa. This comparison provides valuable lessons and insights that enrich the understanding of Indigenous educational reform.

Legal and Policy Analysis of Charter School Inequities delves into the complex interplay of legal, policy, and financial obstacles that constrain the operational effectiveness and inequitable treatment of Indigenous charter schools, highlighting the need for systemic reform.

Research Purpose and Key Data Points consolidates the empirical basis for the study, presenting critical data and analysis that support the arguments made throughout the chapter. *Strategic Imperatives for Equity* outlines actionable strategies and recommendations to address

the identified challenges, proposing a roadmap for achieving equity and justice in Indigenous education.

This organizational structure not only facilitates a coherent and comprehensive exploration of the topics but also emphasizes the interconnectedness of historical legacies, personal narratives, and systemic challenges, guiding the reader through a journey of understanding that highlights the imperative for equity, respect, and recognition of Indigenous rights and epistemologies in education.

Overview of Thesis Chapters

This dissertation explores the cultural, legal, and educational contexts of Native Hawaiian education, emphasizing the significance of Kūpuna/*elders*, Indigenous rights, and educational sovereignty. The dissertation is organized into six chapters, each building on the previous to provide a comprehensive understanding of the issues and to propose pathways for the future of Native Hawaiian education. Below is an outline of the dissertation chapters.

Chapter One: Introduction

The introductory chapter provides the foundation for the entire dissertation. It begins by highlighting the cultural significance of kūpuna and the critical role they play in Native Hawaiian society. The chapter then examines Native Hawaiian law, federal legislation affecting Native Hawaiians, and the implications for Native Hawaiian rights and education. Following this, it introduces the research issue, purpose of the study, and research questions, emphasizing the significance of investigating educational oppression within Native Hawaiian education. The chapter concludes with a discussion on the assumptions, limitations, and context of the research, setting the stage for the methodology to be discussed in Chapter Two.

Chapter Two: Methodology and Methods

This chapter delves into the methodologies and methods employed in this research. It begins with a discussion of the significance of the chosen methodologies within the context of Hawaiian educational research, considering historical, cultural, and philosophical underpinnings. The chapter integrates Hawaiian and other Indigenous methodologies, focusing on the empowerment and cultural interface necessary for effective research in Native Hawaiian contexts. It includes a discussion on ethical considerations, particularly the Hawaiian concepts of *Lāhui/nation*, *Ea/sovereignty/leadership*, *Kuleana/responsibility*, and *Pono/morality/righteous*, and highlights the role of activism and intention in research. The chapter concludes by describing the specific data collection techniques, ensuring trustworthiness and credibility in the research findings.

Chapter Three: Literature Review Part I

The first part of the literature review chapter focuses on the historical context and the significance of the Coolangatta Statement. It offers a comprehensive overview of Indigenous educational movements, particularly the *Nā Lei Na`auao* movement, and discusses challenges faced by Native Hawaiian charter schools. The chapter aims to ground the research in Indigenous epistemology and identifies boundaries and gaps within the current literature. It also provides comparative insights from Māori immersion schools and examines legal and policy challenges, emphasizing the need for continued advocacy and equity in Native Hawaiian education.

Chapter Four: Literature Review Part II

The second part of the literature review expands on theoretical perspectives and methodologies relevant to Indigenous education. It explores Indigenous standpoint theory, legal and historical contexts, and epistemological considerations, emphasizing the relevance of these

strategies to the research. This chapter further compares different research methodologies and examines their applicability in advocating for Indigenous rights, particularly in Hawaiian education. The chapter concludes by identifying future directions for empowerment and asserting the authority of Indigenous knowledges.

Chapter Five: Data, Evidence, and Analysis

Chapter Five presents the data and evidence collected, followed by a thorough analysis. It begins with an overview of the gaps in current research and sets the scene for examining existing data. This chapter meticulously reviews various legislative reports, white papers, green papers, and other documents that provide evidence of the challenges and advocacy efforts in the realm of Hawaiian charter schools and Native Hawaiian education. It offers an in-depth examination of each piece of evidence, highlighting the background, purpose, relevant findings, and outcomes. The chapter underscores the importance of these findings for understanding the historical and contemporary challenges in Native Hawaiian education.

Chapter Six: The Final Chapter (Parts I & II)

The final chapter is presented in two parts. Part I offers personal reflections and an evaluation of the research findings, considering their implications for the Native Hawaiian charter school movement. It proposes future research directions and potential methodological approaches, aiming to foster long-term sustainability in Native Hawaiian education. Part II recapitulates the purpose and findings of the study, relates these to previous research, and discusses the limitations and anticipated criticisms of the study. It also offers recommendations for action, policy, and change, emphasizing the urgency of educational sovereignty and self-determination. The chapter concludes with a call to action, urging stakeholders to embrace educational sovereignty and advocate for meaningful change in Native Hawaiian education.

Each chapter builds on the previous one to form a cohesive argument for the need to address the systemic challenges facing Native Hawaiian education and to advocate for culturally relevant, sovereign educational practices. The dissertation ultimately aims to contribute to the body of knowledge in Indigenous education and support the movement toward educational justice and equity for Native Hawaiians.

Conclusion Chapter 1

As a Native Hawai`ian, I see the political economy of education in Hawai`i as deeply intertwined with our unique historical, cultural, political, and economic circumstances. The annexation of Hawai`i by the United States in 1898 and the subsequent efforts to Americanize our islands have left a lasting impact on our culture and language. The overthrow of the Kingdom of Hawai`i led to significant changes in land ownership and governance, which in turn affected educational policies and the representation of Native Hawaiian culture in the school system.

Since the 1970s, our community has experienced a powerful cultural revival, particularly in reclaiming our language and cultural practices. This movement has greatly influenced education, resulting in the establishment of Hawaiian language immersion schools and the development of curricula that incorporate our values and history. However, the education system for Native Hawaiians is still controlled and limited by both state policies and federal initiatives aimed at assimilation strategies in the name of western academic outcomes.

Economic disparities remain a significant issue, impacting educational opportunities for many Native Hawaiian families. Lower average incomes and higher living costs can make it challenging to access quality education and resources. Ensuring equitable funding for schools serving predominantly Native Hawaiian students is an ongoing concern.

Despite these challenges, there are many community-based initiatives aimed at supporting our students both within and outside the formal education system. *`Ohana/family* and community engagement are crucial for fostering educational success and cultural continuity. As a community, we are also deeply connected to the broader movements for Hawaiian sovereignty and self-determination. Education is a key area where we can exert our sovereignty, particularly through the control of our educational institutions and the development of curricula that reflect our perspectives and realities.

Navigating the balance between integrating within the broader American educational framework and preserving our distinct Native Hawaiian identity and cultural heritage is a continuous effort. We strive to adapt educational practices to be culturally relevant and empowering for our students while dealing with the complexities of political and economic constraints.

The creation of Nā Lei Na`auao Hawaiian charter schools represents a pivotal movement driven by a commitment to advocate for and empower Hawaiian identity through education. Rooted in the desire to reclaim and revitalize Hawaiian culture, these schools were established as a response to the broader historical and social challenges faced by the Hawaiian community. Their inception is deeply intertwined with efforts to foster a sense of pride, self-determination, and cultural continuity among Hawaiian students. As we transition into Chapter Two, the focus will shift to the methodologies and methods employed within Hawaiian studies. This chapter will explore how these educational strategies not only support academic achievement but also serve as vital tools for cultural advocacy, enabling students to engage deeply with their heritage and identity. By examining these approaches, we can gain a richer understanding of how Nā Lei

Na`auao schools fulfill their mission to empower the Hawaiian community through culturally resonant education.

CHAPTER TWO: METHODOLOGY AND METHODS

Introduction

Purpose and Scope

The purpose of this chapter is to outline the methodologies and methods considered and applied in this doctoral research. By focusing on culturally relevant and sensitive methodologies, this research aims to address the unique educational needs of Native Hawaiian students, providing a comprehensive framework for understanding and improving educational outcomes. Methodology is crucial in this research as it provides a culturally relevant, ethical, and effective framework for understanding and improving Hawaiian education. This significance is reflected in the research's ability to address historical inequities, enhance educational practices, inform policy, and empower the Kānaka Maoli community. The first section of this chapter considers the importance of Hawai`i's political history on the current educational outcomes of Kānaka Maoli haumāna/*Hawaiian students*. The next section deals with the methodological empowerments and the integration of other Indigenous methodologies. The research approach is outlined with assumptions and rationale as well as data collection methods and interpretation. Trustworthiness and credibility are addressed, as well as the ethical considerations, role of activism and its application, and impacts on the long-term goals and visions of the EA movement.

Importance of Methodology in Hawaiian Educational Research

Methodology in Hawaiian educational research holds significant importance due to its multifaceted role in shaping, understanding, and improving educational outcomes for Native Hawaiian students. *Cultural relevance and sensitivity* are critical when integrating Hawai`ian

worldviews into research methodologies. Utilizing approaches grounded in Hawaiian culture ensures that the research aligns with Hawaiian values and traditions, making the findings respectful and meaningful to the Hawaiian community (Goodyear-Ka`ōpua, 2015). Additionally, methodologies that consider the historical, social, and cultural contexts of Native Hawaiians provide a deeper understanding of the challenges and opportunities within Hawaiian education. This contextual sensitivity is essential for developing effective and culturally appropriate interventions and strategies (Goodyear-Ka`ōpua, 2015).

Addressing historical and systemic inequities involves recognizing the impacts of colonization and systemic injustices. Acknowledging the historical suppression of Hawaiian language, culture, and educational practices is vital for developing restorative educational policies and practices (Kamehameha Schools, 2021; MacKenzie, Serrano, & Sproat, 2015). Furthermore, *empowering Native Hawaiian identity* in methodologies focusing on Hawaiian perspectives contributes to empowering Native Hawaiian students by reinforcing their cultural identity, which is key to *improving educational practices and outcomes*, leading to better engagement and success (Goodyear-Ka`ōpua, 2015).

Improving educational practices and outcomes can be achieved through culturally informed methodological approaches that identify and implement teaching practices that resonate with Native Hawaiian students. This leads to enhanced educational engagement, retention, and achievement (Meyer M. , 2003). Research methodologies incorporating Hawaiian knowledge systems also aid in creating curricula that are relevant and inspiring for Native Hawaiian students, enhancing learning experiences and preserving Hawaiian culture and language (Goodyear-Ka`ōpua, 2015).

Informing policy and advocacy requires methodologically sound research to provide robust evidence that informs educational policies and initiatives aimed at supporting Native Hawaiian students. This is crucial for advocating for systemic changes that promote educational equity and inclusion (Office of Hawaiian Affairs, 2020). Participatory methodologies that involve Native Hawaiian communities in the research process empower these communities by ensuring that their voices and perspectives are considered in educational decision-making (Goodyear-Ka`ōpua, 2015).

Lastly, *ethical research practices* are fundamental in respecting Indigenous knowledge. Methodologies adhering to Hawaiian ethical principles ensure that research respects and honors Indigenous knowledge and practices, which is crucial for building trust and maintaining research integrity (Goodyear-Ka`ōpua, 2015). Ethical methodologies also prioritize the well-being of Native Hawaiian students and communities, ensuring that the research benefits those it is intended to serve and does not cause harm (Goodyear-Ka`ōpua, 2015).

Significance in the Context of the Research

In the context of this research, the importance of culturally relevant and appropriate methodology is underscored by its role in achieving the following objectives:

- Providing a Culturally Relevant Framework (Goodyear-Ka`ōpua, 2015).
- Addressing Historical Disparities (MacKenzie, Serrano, & Sproat, 2015).
- Enhancing Educational Practices (Meyer M. A., 2013).
- Informing and Influencing Policy (Office of Hawaiian Affairs, 2020).
- Ensuring Ethical Integrity (Goodyear-Ka`ōpua, 2015).

Methodology is crucial in this research as it provides a culturally relevant, ethical, and effective framework for understanding and improving Hawaiian education. This significance is reflected

in the research's ability to address historical inequities, enhance educational practices, inform policy, and empower the Kānaka Maoli community.

Historical Context

Pre-Colonial and Colonial Impacts on Hawaiian Education

The following brief historical overview sets the stage for understanding current educational methodologies and the importance of Hawaiian research perspectives. This includes a discussion of the effects of colonization on Hawaiian education and culture.

As early as 1976, with the Alu Like Needs Assessment Survey, Kānaka Maoli asserted “parents have high aspirations for their children and feel it is important for them to finish high school...These parents also believed that schools are not sensitive to the needs of children with a culturally Hawaiian life-style and that Hawai`i children are in need of head-start preparations for the public schools as a way of integrating their cultural orientation with that of the vastly different orientation in the public elementary schools they will attend” (Smith L. T., 2021, p. 64).

This is evidence of the significant affirmation for Hawaiian pedagogies to be included in schooling in order for Kānaka Maoli to experience success in education. Similarly, this can be applied to research approaches. The Native Hawaiian Educational Assessment Project (Kamehameha Schools, 1983) asserts: “One of the major themes of this section of the Final Report is that many modern Hawaiians retain a sense of cultural loss, that events which led inexorably toward the suppression of Hawaiian values, lifestyles, language, and beliefs have left as their legacy a variety of stresses on the present population. Many have learned and are learning to cope effectively with these stresses. Many others, however, express bitterness and resentment over these events and what they perceive to be the negative social outcomes for

Native Hawaiians” (p. 8). By focusing on descriptive and interpretive approaches, the study provides a deep understanding of the socio-psychological impacts on this population, ensuring that the findings are valid, reliable, and ethically gathered. This analysis highlights the importance of cultural context and the need for tailored coping strategies and interventions to address the unique challenges faced by Native Hawaiians.

The Final Report also discusses the “feelings of powerlessness and despair which are held to be one of the outcomes of cultural loss. Also documented, however, is the positive force perceived in the resurgence of interest in traditional Hawaiian culture” (Kamehameha Schools, 1983, p. 8). These findings reinforce the notion that modern Hawaiian culture does have distinctive features which play a major role in the success or failure of students in the predominantly non-Hawaiian culture of the classroom.

Modern Challenges and Statistics

The Ka Huak`i report of 2021, also published by Kamehameha Schools, clarifies that Native Hawaiian students have shown gains in college enrollment in terms of educational attainment. Native Hawaiian students, however, also demonstrate the lowest rates of proficiency on standardized tests for language arts, mathematics, and science compared to their peers from other major ethnicities (Kamehameha Schools, 2021).

Hawaiian culture-based education and its diverse approaches and community involvement are slowly becoming more accessible across Hawaiian educational systems, showing positive effects for Indigenous youth. Momentum is also seen in the progress towards universal pre-kindergarten and `āina-based education striving to change mindsets and systems. `Aina-based education is an approach that integrates cultural, environmental, and place-based learning with a focus on the relationship between people and their land. Originating from

Hawaiian values, "āina" means land or earth, and this educational approach emphasizes sustainability, stewardship, and the interconnectedness of nature and community. It aims to cultivate a deeper understanding and respect for the environment through hands-on, experiential learning rooted in local culture and traditions. However, Kānaka Maoli still face challenging health, social, and economic conditions affecting their education progress and learning outcomes. High school completion rates remain a concern, with one in five Native Hawaiian high schoolers not graduating on time (Kamehameha Schools, 2021).

Critical issues for Native Hawaiian families stem directly from the economic challenges they face. Despite improvements in some areas, Native Hawaiians still have the lowest average family income compared to other major ethnicities in Hawai`i. They also have the highest rates of poverty, with 14% of Native Hawaiian individuals living in poverty, the highest rate among all major ethnicities. Additionally, Native Hawaiians are the least likely to have a livable income, particularly in regions like East Hawai`i and Leeward O`ahu where the majority of Native Hawaiian family households are economically disadvantaged (Kamehameha Schools, 2021).

To address these challenges, recommendations include normalizing Hawaiian culture-based education, establishing a universal early learning system, and advocating for high-quality distance learning programs. Additionally, increasing access to mental health services and strengthening social and emotional learning in schools could support Native Hawaiian students and families in overcoming these obstacles (Kamehameha Schools, 2021; Office of Hawaiian Affairs, 2020).

There is a call to cultivate, improve, and expand Hawaiian culture-based education as a viable learning system for all learners in Hawai`i. Embracing this system as a driver of broader systems change is essential for the well-being and success of Hawaiian communities. Kānaka

Maoli culture-based education ideology and epistemology are imperative in addressing existing disparities and empowering Indigenous youth in Hawai`i (Kamehameha Schools, 2021).

In summary, our people have not succeeded in the colonized unified public education system in Hawai`i, and there has been little impact despite all of the empowering language in modern times, including the Hawai`i State Constitution, Hawai`i Revised Statutes, Hawai`i Board of Education policy, and U.S. government investment, with the exception of Native Hawaiian charter schools which live on the outskirts of the public education sector (Kamehameha Schools, 2021; MacKenzie, Serrano, & Sproat, 2015).

Hawaiian Studies Methodologies

Overview

Hawaiian Studies Methodologies are discussed by Professor Noelani Goodyear-Ka`ōpua, a Kānaka Maoli Professor at the University of Hawai`i Manoa and one of the founding families of Hālau Kū Māna Charter School. She contemplates some of the methodological foundations that have been presented by modern Hawaiian scholars. Dr. Goodyear describes four concepts to illustrate Hawaiian Studies Methodology when conducting research:

- Lāhui (Collective Identity and Self-determination)
- Ea (Sovereignty and Leadership)
- Kuleana (Positionality and Obligations)
- Pono (Harmonious Relationships, Justice, and Healing)

These concepts are central commitments and lines of inquiry that are unique characteristics of Hawaiian Studies research. Ropes of Resistance is the metaphor used to describe this

methodology; each single cord, when braided together, forms a “rope of resistance” and connects the scholar to the scholarship.

I have adopted the Hawaiian Studies Methodology with an additional cordage of activism. The four research foundations are symbolic and overlay the four Hawaiian Akua/*Gods*, the four elements of wind, sun, fire, and water that are our mother earth, and four directions needed to increase the collective mana/*energy force* for Nā Lei Na`auao Hawaiian Focused Charter Schools Education with Aloha (EA) to become sustainable and thrive. Lāhui, ea, kuleana, and pono are absolutely reflective and align with methodologies and scholars that have influenced and helped me articulate this research purpose, its depth, community need, and ethical approach. I am so humbled and thankful for the work of past Hawaiian practitioners, intellects, and academics and hope to do them justice as I adopt their introspective profound methodology.

Additional Indigenous Scholars

There are additional Indigenous scholars that help bring more linear density to my cordage. Indigenous Standpoint Theory from Professor Martin Nakata’s *Disciplining the Savages: Savaging the Disciplines* (2008) is a model of the Indigenous lens. Native Hawaiian law and history from *Native Hawaiian Law: A Treatise* (2015) provides the legal pathways clarifying history, impact, and law; the book is a consummation of Native Hawaiian historical experts and attorneys who have provided a culmination of Native Hawaiian law and those laws’ historical context. Professor Manu Meyer’s *Holographic Epistemology: Native Common Sense* (2013) validates the spirituality that guides our work; Meyer is an educator, activist, and philosopher of education. Finally, the 2021 report “Ka Huaka`i: Native Hawaiian Educational Assessment” from the Kamehameha Schools validates EA with western data; this assessment provided the results of a longitudinal study on the well-being of modern-day Hawaiians.

Methodological Empowerments

Due to the illegal annexation of Hawai`i—who had a formal sophisticated government structure and monarchy (Sai D. K., 2014)—the United States is obligated via a fiduciary trust doctrine, which is a federal responsibility to Hawaiians, requiring the federal government to support the well-being and economic prosperity of Kānaka Maoli (United States Congress, 2015). Additionally, the Hawai‘i State Constitution requires the “Hawai‘i Education Program provide for the establishment, support, and control of a statewide system of public schools free from sectarian control...including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex, or ancestry. The State shall promote the study of Hawaiian culture, history, and language. The State shall provide for a Hawaiian education program consisting of language, culture, and history in the public schools. The use of community expertise shall be encouraged as a suitable and essential means in furtherance of the Hawaiian education program.”

The Hawai‘i State Constitution also includes a number of provisions specific to the Hawaiian language and its heritage, including Article X, Section 4 requiring that the study of the Hawaiian language be promoted in the public schools; Article XII, Section 7 reaffirming and protecting traditional and customary Hawaiian rights exercised for various purposes; and Article XV Section 4 recognizing Hawaiian as an official language of the state. Furthermore, the Hawai‘i State Legislature has enacted a number of Hawaiian language-specific provisions relating to P-12 education that impact charter schools, including HRS 346-152 (a)(4) and (b) in 1986, relating to programs for preschool-aged children through Hawai`ian; HRS 304A in 1996, mandating a Hawaiian language college with a laboratory school program; HRS 302H in 2004, establishing

Hawaiian language medium education; and HRS 346-181(a)(4) in 2013, relating to the use of Hawaiian as a medium of education for preschool.

Over the years, the Board of Education has also passed a number of policies relating to distinctive standards and programs using and teaching the Hawaiian language, including updated BOE policies 2104 and 2105 (Hawai'i State Board of Education, 2014). Along with the above noted state constitutional provisions, state laws, and BOE policies, schools using the Hawaiian language are subject to other state constitutional provisions and laws that protect those who use the Hawaiian language and/or one or more other languages affected by Hawaiian language. The State of Hawai'i and its Department of Education are subject to federal laws that relate to the Hawaiian language in education and to speakers of the Hawaiian language, with examples being the Native American Language Act of 1990 (United States Congress, 1990), various Native American language laws, the Limited English Proficient provisions of the Every Student Succeeds Act (United States Congress, 2015), and other federal laws.

Yet with all these laws, policies, provisions, and declarations, our youth are not having success in the traditional colonized unified public school system (Office of Hawaiian Affairs, 2017). NLN Charters, as the alternative, are seeing success (Kamehameha Schools, 2021; MacKenzie, Serrano, & Sproat, 2015) yet are suppressed, overregulated, and endure hostility while our students are treated inequitably, receiving no facilities, food, transportation, and half the funding of the traditional colonial system annually (Wise, 2013, 2019).

Kaupapa Māori Revolution

Hawai'i is mirroring the history of the Kaupapa Māori revolution. "The Māori way of thinking and doing things which feels culturally appropriate and which takes seriously Māori

aspirations” (Smith G. , 2015) is akin to Native Hawaiian *`ike/knowledge* and the epistemology on which we founded Nā Lei Na`auao. Māori have an array of P-20 immersion schools founded on this philosophy with the goal of liberating education, thus economies and ideological power. Professor Graham Smith is a prominent Māori educator who has helped lead the alternative Māori initiatives in education through his research and advocacy.

Smith’s article provides an overview of the struggle between subordinate Māori and dominant Pakeha/haole/*foreigner*, the political climate, and Waitangi Trust contractual responsibilities. He shares an overview of the educational revolution and the impetus for the creation of language schools, the process and dynamics, the education agenda, and structural concerns as related to ideology and power. The historical colonist assimilation techniques of the Pakeha and colonized Hawai`i, through overt policy and hidden monocultural curriculum, created socio-economic deficiencies and marginalized the Māori and Kānaka Maoli populations, effectively producing disproportionately disadvantaged outcomes and a dominant political, economic, and structural system (Smith G. , 2015).

Education with Aloha EA

Education with Aloha action research is my life’s work, and I have always been spiritually guided and directed by Kūpuna to hi`apo/*eldest child* my sibling school communities. I accepted the kuleana/*God and ancestors given responsibility*, positionality, and obligation. Ulukau defines *`ike* as to see, know, feel, greet, recognize, perceive, experience, be aware, receive revelations from the gods, knowledge, awareness, recognition, comprehension, and hence learning (Ulukau Hawaiian Electronic Library, n.d.). My *`ike* comes from an ancestral place. I am guided by spirit as a result of accepting my kuleana and thrive on the Kūpuna *`ike/Native knowledges* that is

provided as the politics of Hawai`i's oppressive public education system is a Hawaiian issue with a contemporary thesis that needs support from our Kūpuna of past, present, and future.

This research provides collective mana and individual tools of spirituality, common sense, laws, and data combined with my Indigenous perspective and our ancestors' guidance. I am very honored to be able to engage in such a purposeful endeavor that will provide solutions and empowerment for Nā Lei Na`auao and Hawai`i.

What Kānaka Maoli can and cannot say is deeply influenced by the kuleana we are given, and in Hawaiian studies methodologies and our culture, there is nothing that requires more commitment than kuleana/responsibility, which always includes `ohana/family, the lāhui/community, and `āina/land as priorities. As practitioners who assert our own voices, we must always consider our positionality and our obligations (Goodyear-Ka`ōpua, 2015). While doing our research, we must be conscious of the political ramifications and retaliation. As a practitioner, I am an insider. I remain cognizant of the fact that many may dismiss my research for this reason alone. However, as an Indigenous person, “we incorporate the lived experiences of our people on our `āina into the way we frame, conduct, and present our research. Hawaiian studies methodologies support the revitalization of vessels that promote a vigorous flow of EA” (Goodyear-Ka`ōpua, 2015).

Integration of Hawaiian and Indigenous Methodologies

Contributions of Notable Scholars

Professor Martin Nakata's work *Disciplining the Savages: Savaging the Disciplines* (2008) introduces Indigenous Standpoint Theory, a model that provides an Indigenous lens for examining issues. Dr. Nakata, the first Torres Strait Islander to receive a PhD, emphasizes the

importance of understanding and integrating Indigenous perspectives within academic disciplines. He gives me permission to recognize that both of my perspectives, Kānaka and western, are assets. The act of acknowledging and understanding both perspectives is useful for communicating Kānaka Maoli needs to western policy makers.

Native Hawaiian Law: A Treatise (2015), edited by Melody Kapilialoha MacKenzie with Susan K. Serrano and D. Kapua`ala Sproat, offers comprehensive insights into Native Hawaiian law and history. This Treatise compiles the work of numerous Hawaiian historical experts and attorneys, outlining the legal frameworks and historical impacts that shape current Hawaiian law. It serves as a crucial resource for understanding the legal context and pathways relevant to Native Hawaiian issues. It eloquently validates the struggles and conflict experienced by the Nā Lei Na`auao charter school movement over the past 24 years, clarifying the patterns of an oppressive history that continues despite law and policy changes that are not being acknowledged or enforced.

Professor Manu Meyer, an educator, activist, and philosopher of education, contributes significantly to Hawaiian educational research through her book *Holographic Epistemology: Native Common Sense* (2003). Meyer's work validates the role of spirituality in education and underscores the importance of Indigenous knowledge systems. Her contributions help frame educational practices that are both culturally relevant and spiritually grounded.

The "Ka Huaka`i: Native Hawaiian Educational Assessment" provides empirical data to support Hawai`ian-focused education (Education with Aloha - EA) using western data methodologies. This assessment, conducted by Kamehameha Schools Bishop Estate (2021), a Native Hawaiian Trust established by the Hawaiian Monarch to educate the children, presents longitudinal data on the well-being of contemporary Hawaiians. It highlights educational

attainment and other key metrics, guiding improvements in Native Hawaiian education. This is critical as the Hawai'i Department of Education is negligent in providing the public or schools the ability to disaggregate Kānaka Maoli haumāna data, limiting everyone's ability to clarify the problem and address the issues.

These scholars validate the practices, ideology, and epistemology of Nā Lei Na`auao Education with Aloha, which have a significant place in the research approach of this doctoral study.

Cultural Interface and Redirection

Nakata used the "Cultural Interface" to structure the exchange between Indigenous and non-Indigenous systems as well as situating the lifeworlds of contemporary islanders in the dynamic space between ancestral and western realities and highlighting the tensions created within these dualities (McGinty & Yunkaporta, 2009). I believe in his strategy of "redirection and pivoting," as by playing the "us and them" game as we have in the Hawai'i charter school movement, we risk staying stagnant. We need to change our position because we have always lost when we play by their rules. I also agree with his argument that we must interface with both western and Indigenous agency and Indigenous Standpoints to redirect and pivot our priorities and intellectual interests to become political agents for ourselves.

Research Approach

Philosophical Assumptions and Rationale

Professor Goodyear asserts that "methodological" refers to the philosophical assumptions and rationale underlying lines of research and selection of methods; the theories, ethics, values, and principles that determine how methods are deployed; or how research is carried out. In short,

methodologies deal with “why” we do what we do as researchers. “Methods” refers to the specific approaches, tools, and techniques for gathering and interpreting data (Goodyear-Ka'ōpua, 2015). To add in a Hawaiian activist research framework includes multiple disciplines of educational research including anthropology, social movements, Hawai'i political history, law review, Kūpuna mo'olelo, and other social science research fields.

Methods of Data Collection and Interpretation

My method was an emergent design that gave me the ability to adapt to new ideas, concepts, or findings that arose while the research was being conducted. The categories were determined after the data was gathered through participant observations, historical ethnographic interviews, two major large group kūkā/kūkā/*discuss/converse/deliberate*, and document analysis. This dissertation reports on the following that are drawn from:

1. Qualitative observations – ongoing immersion in the school setting, political arena, and compliance environment, for 24 years in which I am a practitioner and the researcher-as-instrument.
2. Qualitative historical interviews – with NLN practitioners who are my coworkers and the sisters and brothers that founded and lead NLN schools, and those versed in federal and Hawaiian laws and legislative processes because they understand the vehicles that may be available to make change.
3. Document analysis of mo'olelo, reports, studies, and laws to strategize the responsibilities of different entities that may lead the way to solutions.
4. Kūkā/kūkā – the most important tool to collectively discuss and negotiate the original expectations of the movement, the current status, and solutions moving forward, as well as to temperature check how the current NLN leadership feels about changing direction.

Do we/they have the energy, community support, temperament, and thick enough skin to endure and thrive through the challenge? We will need to do it together or the perfect plan will not work.

Trustworthiness, Credibility, and Data Collection Techniques

The tools utilized aligned with Geoff Mills' (2000) data collection techniques as described in *Doing Educational Research* by Carol Mutch (2013). The instruments and items I used to collect data, through "experiencing, enquiring, and examining" (Mutch, 2013), included:

- 1) Historical interviews and recent kūkākūkā
- 2) Document review
- 3) Historical mo`olelo
- 4) Researcher-as-instrument

To ensure my community can trust the processes and believe the findings, I:

- A) Documented research decisions
- B) Explained the research design
- C) Specified the data-gathering processes
- D) Validated the data-analysis techniques
- E) Provided the evidence
- F) Ensured an ethical approach through Kūpuna and practitioner validation and kūkākūkā

Credibility was ensured by utilizing expert practitioners in the field, triangulation, and member checking. Data collection techniques included "experiencing" via practitioner observations; "enquiring" via conferences, running records, and formal kūkākūkā interviews; and "examining" of laws, regulations, records, mo`olelo, historical accounts, and case studies that may have relevant precedence. I used all combined to maintain a commitment to Indigenous

standpoint theory, cultural interface, and Indigenous worldviews with the use of qualitative empirical methodologies and data collection.

Interview Process

In the initial stages of my research, I planned to conduct one-on-one interviews, beginning with the Kūpuna and guided by a set of prescribed questions designed to capture their individual perspectives. However, it quickly became evident that this approach did not align with the preferences of the Kūpuna I was engaging with. These esteemed elders expressed a desire not to be individually named in the dissertation and instead advocated for a more collective and dynamic method of dialogue. In response to their wishes, I adapted my approach from the conventional interview format to a culturally resonant process of *kūkākūkā*—a Hawai`ian-style group discussion characterized by open and communal dialogue. Consequently, the individual interview sessions with the Kūpuna were not included as part of the formal data, at their request. Instead, their contribution lay in guiding me as a researcher and enriching this study with their wisdom.

Consequently, I organized two *kūkākūkā* sessions with the broader Nā Lei Na`auao leadership community, where each participant was invited to share their views in a collective setting. This method, marked by a fluid exchange of ideas and reflections, allowed for a richer, more layered understanding of the collective memory and aspirations within our movement. During these sessions, the Kūpuna and other leaders were prompted by the same foundational questions, but the conversation evolved organically, allowing participants to build on each other's insights in a creative and synergistic manner. This method not only respected the voices and preferences of the Kūpuna but also facilitated the emergence of a collective consciousness about the future directions of our movement.

By embracing this more organic, participatory method of data collection, I was able to

capture a more nuanced and holistic picture of the community's desires and perspectives. This

kūkākūkā process, which contrasts sharply with the linear feedback typically obtained from one-on-one interviews, offered a dynamic space where each participant had both the time and freedom to express their views while also interacting with the ideas of others. The richness of these interactions has deeply informed and shaped the direction of this research. A follow-up *kūkākūkā* is planned for October 2024 to discuss and validate the results of this study, ensuring that the findings resonate with the collective voice and wisdom of the community involved. I utilized the IGI Global Publisher of Timely Knowledge Semi-Structured Interview criteria:

1. A data collection method for a qualitative study that combined a formalized list of open questions to prompt discussion with the opportunity for the interviewer to explore particular themes or responses further at *kūkākūkā* sessions.
2. A combination of pre-established and spontaneous open-ended questions asked to the participants of a qualitative study.
3. An interviewing procedure that posed the same base set of questions to multiple interviewees and adapted additional questioning to the organic flow of the resultant conversation during *kūkākūkā*.
4. An interviewing strategy that was associated with interpretivist and constructionist research traditions. The strategy is designed to co-construct data, recognizing the active role of the researcher. Semi-structured interviews involve scripted questions, but the sequence of questions asked and wording are typically adapted to maintain rapport and feed off each other during *kūkākūkā* (IGI Global, 2022).

Researcher-as-instrument

Significant to this research study is the researcher-as-instrument aspect of the past 24 years. NLN, led by KALO and me, collectively engaged in educating, investigating, reporting,

and negotiating for equity, empowerment, and appropriate resources for decades. I will take you step by step into the significant initiatives that we have engaged in, some successful and some not. A histogram is provided in the table below to give you an overarching view of the scope of work and efforts. Following this chapter will be the data section, explaining in detail each large event or initiative as a method of researcher-as-instrument and the outcome with evidence, which has led us to where the Nā Lei Na`auao Education with Aloha movement is today.

KALO Histogram:

Histogram & Data Inventory			
<u>Year</u>	<u>Activity</u>	<u>Purpose</u>	
1999	KALO founded	nonprofit	
2000	Kanu founded (5/20/2000 BOE approval)	charter school	
2001	Na Lei Na'auao formed	grass roots education alliance	
2001	Halau Wanana founded	teacher education/SATEP	
2002	Ku'i ka Lono 1st Annual Conference	NLN share best practices	
2002	KSBE begins investing	philanthropic support	
2002	Malamapokii founded	preschool	
2002	Superintendent Liaison Committee through 2007	NLN	
2003	Kukulu Kumuhana Waipio	community program	
2004	Kauhale 'Ōiwi o Pu'ukapu Design Begins	Develop Kauhale	
2005	OHA begins investing	philanthropic & advocacy support	
2005	2005 Taskforce on Charter School Governance	advocacy	
2006	Kanu pilots WASC/HAIS Accreditation	NLN Accreditation	
2007	Pu'ukapu Lease from DHHL	land	
2008	Kauhale 'Ōiwi o Pu'ukapu Construction Begins	facilities	
2008	Bank of Hawaii Nonprofit of the Year	award	
2009	Phase 1 Kauhale Halau Ho'olako Building pau - Kanu moves highschool	facilities	
2009	Lei Ho'olaha Community Development Finance Institution Created	NLN Facilities	
2010	Legislative Equity Study	advocacy	
2010	Halau Wanana transitions to Kahoiwai		
2010	LEED certification award Phase 1 Kauhale	award	
2011	2011 Charter School Funding Legislative Task Force	advocacy	
2012	Phase II and II Kauhale Halau Pokii & Halau Puke pau - Kanu moves out of Lalamilo	facilities	
2012	Masters Program Cohorts Begin w/Chaminade	professional development	
2012	2012 Legislative Task Force on Charter Governance Accountability and Autho	advocacy	
2013	TEAC Accreditation for Kahoiwai	Kahoiwai Accreditation	
2013	Green Paper - Social Injustices....schools of choice	NLN	
2013	Class Action Lawsuit Feasibility Study	advocacy	
2014	Kanu state contract 2.0	charter school	
2014	Joint Powers Authority Proposal	NLN	
2015	Masters Program Cohort #2 w/Chaminade	professional development	
2015	White Paper - Nā Lei Na'auao, An Expression of Educational Dissent	NLN	
2015	Hawaiian Civic Club Resolution - Hawaiian Authorizer	NLN	
2016	BOE Passes Multiple Authorizer Administrative Rules	NLN	
2016	Kauhale Phase IV Halau Ho'okipa exterior pau	facilities	
2016	BOE Listening Tour Culminating Findings to impose PIG	NLN	
2016	Kanu accreditation renewal	accreditation	
2017	Campaign for the Governor to sign the BOE Authorizer Administrative Rules	NLN	
2017	Kanu state contract 3.0	charter school	
2017	Multiple Authorizer Administrative Rules Passed	NLN	
2018	WINHEC Accreditation for Kahoiwai	accreditation	
2019	Lei Ho'olaha Authorizer Application	authorizer	
2021	PhD Cohorts Begin Awanuiarangi	professional development	
2022	DEAC Accreditation for Kahoiwai	accreditation	
2023	Kanu state contract 4.0	charter school	
2023	Ahu Ili created	NMTC	
2023	Nā Lei Na'auao, OHA Trustee's Kukakuka	NLN	
2024	23rd Annual Ku'i ka Lono Na Lei Na'auao Leadership Summit Kukakuka	NLN	
2024	OHA Authorizer Strategic Plan Feasibility Study Request	NLN	
2024	OHA Draft Resolution	NLN	
10 Kahoiwai Cohorts completed			
4 Masters Cohorts completed			
23 Ku'i ka Lono's			
Managed \$156 million in funding (35% federal, 29% private, 36% state), procuring \$89.5 million for the Education with Aloha movement			

Ethical Considerations in Hawaiian Studies

The following four cornerstones of the foundation ensure appropriateness in the use of Hawaiian methodologies:

- *Lāhui*: Does this research help Kānaka Ma`oli assert who we are as a people on our own terms? Does it help us assess and understand our collective status? Does it propose ways to improve our collective well-being as a people? Does it critically examine what is at stake defining “Hawai`ianness?”
- *Ea*: How can the lived experiences of Kānaka on the `āina inform this research? How does this research support the ability of Kānaka to exercise ea? How does it support the revitalization of vessels (material, ideological, spiritual, linguistic) that promote a healthy and robust flow of ea?
- *Kuleana*: What is at stake in the research? How can I nurture reciprocal relationships? How can I share any benefits that may come to me because of this research? How can I use the momentum from this research to catalyze positive social change?
- *Pono*: How are the benefits of this research accruing? To whom? To what end? What emergent lines of research may affect/challenge structural relations of power and wealth that hinder Hawaiian survivance? Is research regenerating the ways of life that allow us to be in balance with this `āina? (Goodyear-Ka`ōpua, 2015, p. 8).

The Role of Activism

Activism in Hawaiian Studies Methodology

The ethical approaches and inclusion of cultural mores are clear and very present in all the additional methodologies I coin as activism. They include Nakata’s commitment to serving the community, empowering Native learners, and his clear position that education is a crucial factor in fighting suppression. Ka Huaka`i’s ethical transparency started with the proverb “ka wā mamua ka wā mahope” (stand firmly in the present with your back to the future), expounding on

the ongoing journey of the Native Hawaiians towards defining a balanced strength-based understanding of Hawaiian needs and successes.

While the Treatise disclosed pono/*righteous* balance is the answer and Haumea/*mother earth* teaches us all things, Meyer shared that we communicate our worldview shaped within knowledge systems prioritized by the needs of the people and the lessons of place. Her purpose is to design a new understanding and philosophy of knowledge inclusive of all three aspects of nature: physical, mental, and spiritual. The Nā Lei Na`auao Education with Aloha movement are practitioners of these epistemologies.

I`ini/Intention and Ethical Approach

The clarity of intention and values throughout this research ensures we do not strangle ourselves with the ropes of resistance. The ethical approaches above combined ensure the research serves the lāhui to improve the collective well-being. That Education with Aloha will have the sovereign life flow of mana. That the kuleana achieved will create positive change for our children and appropriate educational opportunities will be available. That the power balance of Hawai`i society will be equalized when our children are educated properly with the base of Hawaiian epistemology to ensure Hawai`i's lands and our mother earth are protected for future generations.

The research approaches of this dissertation were validated as ethical and approved through the ethics review of this research process by the Te Whare Wānanga o Awanuiārangi ethical approval process in alignment with the Universities Code of Ethical Conduct for Research, Teaching and Evaluations on August 31, 2023 (Appendix A).

Application and Impact

Application of Methodologies in Educational Settings

Hawaiian Studies Methodologies frame my research in collective identity and self-determination, sovereignty and leadership, positionality and obligations, and justice and healing. Ka Huaka`i provided data for planning and strategy while validating Nā Lei Na`auao's work. The Native Hawaiian population in the U.S. is projected to exceed 1.2 million by 2060, with most of the population school-age children (Kamehameha Schools, 2021, p. 4). There is a critical need for appropriate educational opportunities and options that are `āina-based for our people. This will illuminate the fact that "access to homelands, traditional practices, and community is central to Native Hawaiian well-being regardless of place of residence" (Kamehameha Schools, 2021, p. 5).

Expected Impact on Hawaiian Education

Education in Hawai`i can act as a powerful catalyst for economic mobility and security. Higher educational attainment among Native Hawaiians is directly associated with increased earnings and the achievement of a livable income. Due to the high cost of living in Hawai`i, this may actually be the catalyst that allows the haumana to continue living in Hawai`i, connected to their birthlands, people and culture.

Continued investments in education and postsecondary options for Native Hawaiians will be a key driver in Kānaka Maoli material and economic well-being in addition to the grounding force that allows Kānaka to connect to generations past and future and assist in the preservation of our culture and language. We are developing best practices in culture-based education that can be shared with the world.

Long-term Goals and Visions

All the methodologies are useful and provide perspective, promising visions of future research and an Indigenous Standpoint theory. You can feel the experiences through the storytelling, the difficulties of the politics of Indigenous identity, the theory-making, and challenges for further solutions and research. The scholars envision, reframe, and produce tools for solutions, clarifying the beauty of Indigenous knowledges and systems that have worked successfully for Indigenous development. Nā Lei Na`auao leadership are key champions who have devoted their lives and `ohana to their school community missions and our collective vision. It is working; schools are the hubs of community, and children are revitalizing cultural traditions and language in their homes and creating a new norm.

The combination of aligned ontology (reality), axiology (values), and epistemology (knowledge) found in the methodologies, methods, and approaches of the sourced readings affirm my suspicions of contradictions and divergent knowledge systems that judge Nā Lei Na`auao EA success. We must define the future movement composition and discover a new or improved vehicle that will empower the Kānaka Maoli education agenda and structural concerns as related to ideology and power. Or perhaps the current charter school vehicle can be freed and empowered to allow EA as an educational epistemology to thrive as originally intended.

The Advisory Council on Historic Preservation is an independent federal agency that promotes the preservation, enhancement, and productive use of the United States' historic resources and advises the President and Congress on national historic preservation policy. Excerpts provided by Kua`aina Ulu Auamo (KUA) include the "Hawaiian view of natural resources: - Native species are ancestors to humans. This places familial responsibility on humans to respect and care for Native plants and animals. Native species are viewed as physical

manifestations of akua (gods) linking the natural and supernatural worlds, removing them from the mundane world and requiring attention devoted to sacred matters. Native species and ecosystems are further viewed as an inherent part of place and cannot be separated from the cultural sense of place. Nature requires an ongoing reciprocal relationship with people which demands dedication and effort to maintain. Hawaiian cultural identity, knowledge, and practice are rooted in this reciprocal relationship with land – and the health of one depends upon the health of the other” (United States Advisory Council on Historic Preservation, 2021, p. 7).

KUA further asserts that “Traditional Knowledge encompasses a broad scope, including knowledge of Native species diversity, knowledge of ecological processes and patterns, and knowledge of management of land and sea transmitted purely in an oral trans-generational manner and remains embodied in the names of species and places and in oli (chants), mo`olelo (stories), and `olelo noeau (proverbs)” (2021, p. 7). With these modern insights clarified, the lived experiences of NLN students are deeply enriched by their school's missions, visions, and ideology, as well as Kānaka epistemology. These elements embrace the school communities to collectively thrive on the strengths and unique blessings that come from the students' lived experiences of `āina/*place*.

This research memorializes the efforts and resiliency of the Nā Lei Na`auao EA movement. Utilizing our Indigenous voice, intergenerational experiences, and connection to `āina, we will design our own tools to address modern Hawaiian issues. As Professor Linda Smith advises, “Real power lies within those who design the tools...This power is ours...Contained within this imperative is a sense of being able to determine priorities to bring to the center those issues of our own choosing and to discuss them amongst ourselves” (Smith L. T. 1999 p. 40).

Historians have reminded us that Kānaka of the eighteenth and nineteenth centuries were active agents negotiating turbulent periods of cultural and political change, fighting to assert our humanity, our distinctiveness, and our independence. Kānaka celebrates the power of our ancestral lineages and `āina while also wrestling with the lived realities of dispossession, racism, militarization, and urbanization (Goodyear-Ka`ōpua, 2015, pp. 7-8).

Kanu o ka `Āina Learning `Ohana Action Research Instrument

Action research is a participatory and iterative methodology often used in social sciences, education, and organizational change to address practical problems through a cycle of reflection, planning, action, and evaluation. It is characterized by its collaborative nature, involving practitioners and researchers working together to improve practices and outcomes. Action research is a robust and adaptable methodology that bridges the gap between theory and practice. By involving stakeholders in a continuous cycle of planning, action, observation, and reflection, it not only addresses practical problems but also generates valuable insights and knowledge applicable to real-world contexts.

Characteristics and Purpose of the Kanu o ka `Āina Learning `Ohana (KALO)

KALO is a Native governed advocacy organization committed to sustaining lifelong learning through education in ways that advance Hawaiian culture for a sustainable Hawai`i. Since being founded in 2000, KALO has emerged as a leader in education with a focus on teacher education, strengthening and expanding the charter school movement in the state of Hawai`i, and promoting culturally-driven, family-oriented, and community-based education.

As a voice for evidence based reform, KALO has administered \$156 million dollars in funding to charter schools across Hawai`i, as of May 2024, and promotes policies and practices

that strengthen organizations — to create innovative educational models for perpetuating Hawaiian culture. The mission is to work with its partners to establish an autonomous, holistic, education environment for the children of Hawai`i—grounding every child and adult in the values that have shaped and empowered Hawaiians for generations, involving every member of the Hawaiian community in determining his/her educational path, and preparing every Hawaiian to thrive in the modern world, free from oppression and with pride for our heritage.

Serving and Perpetuating Sustainable Hawaiian Communities through Education with Aloha

This is achieved with perseverance, determination, and responsiveness:

- Preparing graduates for employment and career advancement (graduating ten cohorts of teachers and four cohorts of administrators);
- Advocating for Native Hawaiian issues in education;
- Liaising and networking for Native Hawaiian Focused Charter Schools (twenty-three annual Ku`i ka Lono Conferences and Leadership Summits);
- Supporting underserved Native communities and charter schools through financial opportunity (founding Lei Ho`olaha Community Development Finance Institution), and;
- Growing early childhood education (Mālamapōki`i).

Guiding Philosophy

We are inspired by the `Ōlelo Noeau/*guiding philosophy*, “E onipa`a kakou kau i ka nu`u” (literal – hand in hand we ascend the mountain together; philosophical – let us move together as one to reach the summit). KALO supports legislative activity protecting the Charter Schools and speaks for the Indigenous right of self-determination and community control over education. Specific concerns are social justice issues; hostile regulatory climate, manipulated and

inappropriate assessment, inequitable funding and access to services to include the basic human needs of food, transportation and appropriate facilities.

As a result of these initiatives, KALO is a resource to policy makers, funders, potential partners, and serves the educational interests of the Native population of Hawai`i. KALO promotes educational interests grounded in traditional practices that advocate cultural vitality, environmental stewardship, and community sustainability.

The mission of Nā Lei Na`auao Alliance for Native Hawaiian Education, a program of KALO, is to establish, implement, and continuously strengthen models of education throughout the Hawaiian Islands and beyond which are community-designed, controlled, and reflect respect and embrace `ōlelo Hawai`i and Hawaiian cultural values, philosophies, and its practices...Education with Aloha (Na Lei Na`auao Alliance for Native Hawaiian Education, 2016). This purpose is primarily to prepare our children to be modern, empowered Hawaiians that will give back to and lead our communities.

Professor Goodyear-Ka`ōpua, in *A Nation Rising: Hawaiian Movements for Life, Land and Sovereignty*, shares her experience: “The word “ea” has several meanings. As Hawaiian language and political scholar Leilani Basham argues, each utterance of the word carries all these meanings at once, even when one meaning may be emphasized. Ea refers to political independence and is often translated as “sovereignty.” It also carries the meanings “life,” “breath,” and “emergence” among other things. A shared characteristic in each of these translations is that ea is an active state of being. Like breathing, ea cannot be achieved or possessed; it requires constant action day after day, generation after generation” (2014, p. p.4). The leaders and students of Nā Lei Na`auao are active agents of EA.

Conclusion Chapter 2

Understanding ‘methodology’ as the procedure and justification for research and ‘theory’ as a belief, idea, or set of principles to explain something are key points. The investigative options and constraints by the choice of Indigenous theory must align with Indigenous methodology. The research approach is a plan, and the process includes detailed methods of data collection, analysis, and interpretation. Attaching activist research to the values and ethics of Hawaiian Studies Methodologies, I can assure a systematic multi-level collaboration combination of knowledge production and transformative action that challenges power (Jones D. , 2018) through intertwining ropes of resistance and the power of Education with Aloha (EA).

The following data section will provide details of each major initiative and method I engaged in over the past 24 years as researcher-as-instrument, to try and work with the State of Hawai`i. The data section outlines the issues, solutions attempted, and the current status. The results of all data collection and analysis are in Chapter 5. The goal is to define the future movement and discover a new or improved vehicle that will empower the Kānaka Maoli EA education agenda and address structural concerns related to ideology and power. It is imperative that we demand our rights as clarified in the Coolangatta Statement (1999), which states that these rights are “fundamental to positive human growth and development and serve as an empowering tool central to cultural survival and celebration as Indigenous peoples.”

CHAPTER THREE: LITERATURE REVIEW PART 1

Introduction

This chapter delves into the multifaceted landscape of Indigenous education, particularly focusing on the Nā Lei Na`auao (NLN) movement and the implications of the Coolangatta Statement on educational practices and policies for Indigenous peoples. It aims to guide the reader through a journey of literature that interweaves historical context, personal narratives, legislative analysis, and law review, shedding light on the profound challenges and triumphs in this field. By setting the context for the research, it highlights the significance of Hawaiian Indigenous education.

Historical Context and the Coolangatta Statement

The Coolangatta Statement (1999) marked a pivotal moment, catalyzing a global movement towards recognizing and implementing Indigenous rights in education. This section introduces key concepts and emphasizes the importance of Indigenous epistemology in educational reform. The Statement, a beacon of collective aspirations, embodies the pursuit of education that honors Kānaka Maoli/*Native Hawaiian* heritage while fostering empowerment and self-determination.

Wise Kūpuna from Native communities around the world came together and authored the following for us to hold on to as we created the Nā Lei Na`auao Education with Aloha – EA¹ movement:

The acquisition of knowledge and the development of skills derived from education are valued pursuits and aspirations for Indigenous peoples globally. The accrued skills and knowledge resulting from participating in schooling and post-

^{1 1} Sovereignty, Rule, Independence, Life, Air, Breath, Respiration, To Rise

schooling learning opportunities that are culturally affirming as well as intellectually enriching is viewed as fundamental to positive human growth and development and serve as an empowering tool central to cultural survival and celebration as Indigenous peoples.

Indigenous people globally have struggled to ensure that our cultures, traditions, and worldviews are embedded in teaching and learning practices and environments. It is perhaps only during the past two generations that Indigenous peoples have won the long-denied right and responsibility to be involved with, and in some cases control, the education that is delivered to Indigenous students. Various Indigenous peoples continue to struggle to exercise and enjoy this right, notwithstanding the emergence of instruments of the state and those framed by Indigenous peoples such as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Coolangatta Statement (1999).

Personal Journey and Community Inspiration

My journey into Indigenous education began with a profound sense of purpose, inspired by the efforts of Kūpuna/*elders* dedicated to preserving our language and culture. The World Indigenous Peoples Conference on Education (WiPCE) in Hilo, Hawai'i in 1999, where the Coolangatta Statement emerged, was a significant moment that shaped my academic and personal endeavors. This manifesto represents our inherent right to self-determination through education.

Challenges and Triumphs in Indigenous Education

Indigenous peoples globally have long struggled to embed their cultures, traditions, and worldviews in educational practices. Only in recent generations have Indigenous communities

gained the right to control education for their students. Despite advancements like the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Coolangatta Statement, challenges such as institutional racism and funding inequities persist.

Focus on Nā Lei Na`auao Movement

This chapter examines the specific challenges faced by Native Hawaiian charter schools within the Nā Lei Na`auao movement, including institutional racism, funding inequities, and the withholding of basic human needs. A critical analysis of legislative reports, national studies on charter schools, case law, and a feasibility study on legal options for addressing funding obstructions are included. Addressing these systemic barriers is crucial for developing a comprehensive strategy to support NLN schools.

The Importance of Indigenous Epistemology

Grounding this research in Indigenous epistemology is vital. Comparative insights from the Māori educational movement in Aotearoa highlight the significance of education rooted in Indigenous identity and values for liberation and self-determination. The interconnectedness of historical legacies, personal narratives, and systemic challenges underscores the imperative for equity, respect, and recognition of Indigenous rights in educational practices.

Having established the foundational concepts and historical context through the Coolangatta Statement, the chapter now turns to a specific case study that exemplifies these principles in action—the Nā Lei Na`auao movement. This exploration aims to provide a comprehensive understanding of the challenges and triumphs within Indigenous education,

emphasizing the need for a sustained commitment to equity and empowerment in educational practices.

Nā Lei Na`auao: A Native Hawaiian Educational Movement

The global perspective on Indigenous rights in education transitions to a focused examination of the NLN movement, illustrating how Indigenous values and epistemologies are vital to developing educational models that are both empowering and culturally relevant. This section underscores the innovation and resilience inherent in the establishment and growth of Native Hawaiian charter schools.

The inception of Nā Lei Na`auao marked a seminal moment in the history of Indigenous education, resonating with my deepest convictions about the transformative power of learning rooted in our own epistemologies. As we collectively created the mission of NLN, I saw a reflection of my own aspirations for our communities—a vision of education as a conduit for cultural revitalization and sovereignty. The establishment of Native Hawaiian charter schools was a testament to the resilience and ingenuity of our people, challenging the status quo and creating spaces where our keiki/*children* could thrive, imbued with the wisdom of our ancestors. This movement, to me, symbolizes a profound reclamation of our identity and a step towards the realization of our collective potential.

NLN helped pass legislation in Hawai`i that allowed a new public-school vehicle, charter schools. Having one unified school system centrally controlled since the annexation, this was a big deal. This new vehicle allowed “start-up” charter schools to begin in 2000. By 2002, Hawai`i had 15 start-up charter schools, of which twelve were Native Hawai`ian. This would be the first time in Hawai`i’s modern history that Kānaka Maoli would create, control, and operate public

schools. Through the vehicle of charter schools, we could focus on ideology and epistemology instead of the red tape of bureaucratic structure.

The mission of the grassroots NLN alliance is to establish, implement, and continuously strengthen models of education throughout the Hawaiian Islands and beyond, which are community-designed and -controlled and reflect, respect, and embrace `ōlelo Hawai`i/*Hawaiian language*, `ike Hawai`i/*Hawaiian knowledge and intelligence*, and Hawaiian cultural values, philosophies, and practices.

NLN has a different educational ideology based on Indigenous epistemology, one where “the learning concept rests on the reciprocal definition of teacher and learning” (Gugganig, 2009, p. 129). Dr. Manu Meyer described this educational reform in Hawai`i today as a political and cultural movement based on the fundamentals of Hawaiian epistemology that are teaching, learning, intellect, and rigor. She stressed the oppression embedded in the well-meant content and performance standards and highlighted the hidden curriculum of assimilation and the acultural assumptions that exist in Hawai`i colonial schools (HIDOE): “Like any definition of culture put forth by Indigenous practitioners and scholars, it pushes the envelope of what it means to think, exist, and struggle as a nonmainstream ‘other,’ and as it details the liberation found in identity, it must also inevitably outline the systems that deter its full blossoming” (Meyer M. A., 2001, p. 148). While the Nā Lei Na`auao movement represents a significant advancement in Indigenous education, it has not been without its challenges.

Challenges and Inequities Faced by Native Hawaiian Charter Schools

Challenges and inequities faced by NLN reveals the systemic barriers to equity and justice within the educational system, highlighting the discrepancy in resources and support

between Indigenous-led charter schools and mainstream public education. This section draws attention to the broader issues of institutional racism and the struggle for self-determination.

Reflecting on the myriad challenges faced by Hawaiian charter schools, my heart weighs heavy with the stories of struggle and perseverance that have become all too familiar. The road has been fraught with systemic barriers, from institutional racism to gross inequities in funding, resources, and capital. These challenges are not just abstract issues; they are lived experiences that have tested our resolve and fortitude. Yet, in every story of adversity, I find a wellspring of inspiration—a reminder of the relentless spirit of our educators, students, and communities who refuse to be silenced or sidelined. My engagement with these struggles is personal and profound, driving my commitment to advocate for justice and equity in education. Understanding the challenges is crucial, but to address them effectively, it is imperative to ground our approach in Indigenous epistemology.

Grounding the Research with the Importance of Indigenous Epistemology

Indigenous epistemology reflects on the philosophical and cultural foundations that inform this study. By centering on Indigenous ways of knowing, the research underscores the transformative potential of education that is rooted in Native identity and values (Meyer M. A., 2001). In approaching this research, I am deeply mindful of the sacredness of our Indigenous epistemologies and the pivotal role they play in shaping educational paradigms that truly serve our communities. This study is an ode to the wisdom of our ancestors and a critique of the systemic injustices that hinder our progress. It is a journey of exploration grounded in the belief that education, when anchored in our cultural values and knowledge systems, can be a powerful vehicle for liberation and self-determination. My exploration is fueled by a desire to not only document the barriers we face but to illuminate pathways toward a future where our educational

institutions embody the richness and diversity of our Kānaka Maoli heritage. With a clear epistemological framework in place, it is essential to delineate the scope of this research.

Boundaries and Gaps in the Research

Boundaries of the Research

This research delineates the scope of this dissertation, focusing on the legal challenges and legislative landscape affecting the funding and operational capacity of NLN schools. This section prepares the reader for a detailed exploration of policy analysis and legal frameworks. This study seeks to analyze the legal claims NLN has made against the State of Hawai`i as a result of inequities in funding, programs, and access to critical services provided to traditional public schools. The State has failed to offer or advocate effectively for the provision of funding and services to which charter school students are entitled by law. State actors, though directly participating in the charter school movement, have weakened, and in some cases completely eradicated, already limited programs, services, and funding that should be available to the students and their families (BLRH, 2013).

The overarching research project will be framed by many relevant elements that will honor the past 24 years, create a plan of action for the present, and create a future structure that will embrace NLN's epistemology and ideology and all the spirituality that guides it for the future. In the second edition of her book *Decolonizing Methodologies* (2021), Professor Linda Smith clarified that research should be healing, mobilizing, transformative, and decolonizing, taking into consideration survival, recovery, and the development through which Indigenous communities move with self-determination as the goal.

In this section, all legislative reports on charter schools in the State of Hawai`i from 2000 to 2024 will be analyzed. There will also be a review of significant national-level reports from the United States. This analysis will conclude with the findings of a feasibility study aimed at assessing the potential for charter schools to initiate a class action lawsuit. The study will evaluate the prospects and implications of such legal action; additionally, strategic options will be explored, including a thorough assessment to identify when it is more appropriate to appeal to the legislature as opposed to the judiciary. This will involve evaluating the possibility of amending current laws by educating legislators or determining the need to develop an entirely new strategy.

For this chapter, the focus will be limited to providing evidence of mistreatment and barriers, primarily economic and rooted in control, to stifle a movement. Following this chapter will be another literature review chapter that investigates four Indigenous elemental directions needed to increase the collective *mana/energy force* for Nā Lei Na`auao Hawaiian Focused Charter Schools Education with Aloha to become sustainable and thrive. Within these defined boundaries, a critical component of our research involves examining legal frameworks and their impact and identifying the gaps for further investigation.

Identifying Research Gaps

The gaps identify the need for this study within the broader academic and policy discourse, setting the stage for a comprehensive examination of the issues at hand. In the course of preparing this dissertation, a significant gap in the existing body of literature has been identified. Despite extensive searches, no current studies or publications directly addressing the specific focus on explorations of organizational structures to facilitate Nā Lei Na`auao Education with Aloha epistemology, ideology, and spirituality have been found. Literature describing

structural opportunities for Native people to achieve educational sovereignty and self-determination in U.S. or Hawai`i public schools is nonexistent.

This gap highlights the novelty and necessity of the present work. To address this void, this dissertation aims to offer a meticulously curated compilation of resources and evidence to compel the U.S. and Hawai`i state governments to accept their fiduciary trust responsibility to Kānaka Maoli, acknowledging the educational failures and providing appropriate resources for each Hawaiian child. The intention is to provide the reader with a comprehensive and unprecedented insight into the subject matter. By doing so, this dissertation not only contributes to filling a notable gap in the academic landscape but also establishes a foundational base for future research in this area.

The Mo`olelo of Struggle and Persistence

The mo`olelo/*stories/histories* provides a narrative account of the journey toward educational sovereignty, offering personal stories and collective experiences that illustrate the depth of commitment and passion driving the movement. The mo`olelo of our journey toward educational sovereignty are both heartrending and uplifting. They are tales of resilience in the face of systemic oppression, of communities rallying to protect and nurture their language and culture through education. These stories are personal to me; they echo my own experiences and those of countless others who have navigated the complexities of Indigenous education reform. Through these narratives, I seek to honor the legacy of those who have paved the way and to inspire continued advocacy and action. The mo`olelo are not just reflections of our past; they are beacons for our future, guiding us as we strive to create learning environments that are truly reflective of our values and aspirations.

In August 2013, at a Nā Lei Na`auao Native Hawaiian Charter School Alliance meeting, a school founder wept as he explained to his colleagues how frustrated he was – the final assault was when the State took the food right out of the mouths of his children by ceasing U.S. federal subsidized lunch service for his students. He is perplexed about this decision – how can this be good for kids? Most of his students live below the U.S. poverty line and are designated Title 1 students (economically disadvantaged). Though exhausted after years of educational community service in one of the most challenging educational districts in Hawai`i, he perseveres with a championing spirit, resolved to find a grant to feed his students.

There are obstacles preventing the Hawai`i charter school movement from fulfilling the fundamental right of students to receive a Free and Appropriate Public Education (FAPE) as mandated by federal law. Foremost is the inequity in federal funding distribution, no commitment to facilities funding, limited access to Individual with Disabilities Act and Special Education support and identification processes, and inconsistent access to federal reimbursements from the United States Department of Agriculture to provide food to the most impoverished student populations. Our journey is not unique; Indigenous communities worldwide share similar experiences. To enrich our understanding, we will now draw comparative insights from the Māori immersion schools' journey in Aotearoa.

Comparative Insights: The Māori Immersion Schools' Journey

The Māori education journey broadens the perspective by drawing parallels with similar struggles and successes in international contexts, particularly the Māori educational movement in Aotearoa. This comparison provides valuable lessons and insights that enrich the understanding of Indigenous educational reform.

The parallels between the journey of Māori immersion schools and our own efforts in Hawai`i are striking and instructive. As I delve into our histories, I am reminded of the shared struggles and triumphs that unite Indigenous communities across the globe in our quest for educational sovereignty. In their work on Indigenous emancipation, Grace O'Brien, Pey-Chun Pan, Mustapha Sheikh, and Simon Prideaux highlight the critical role of education in addressing the marginalization and oppression of Indigenous peoples. They argue that educational advancements are essential for protecting Indigenous rights and fostering economic empowerment, which in turn supports the maintenance of cultural identity and ideological resilience (2023).

The successes and challenges of the Māori educational movement offer valuable lessons and a source of solidarity for us in Hawai`i. This comparative analysis is more than an academic exercise; it is a personal exploration of the ways in which we, as Native Kānaka Maoli/Māori peoples, can learn from one another, drawing strength and inspiration from our shared experiences to forge a brighter future for our keiki (Pacific Policy Research Center, 2010).

Therefore, I assess the journey of Aotearoa immersion schools that paved the way for language nests as a language and cultural preservation strategy years prior to Hawai`i. The Māori have an array of P-20 immersion schools founded on Kaupapa Māori, "the Māori way of thinking and doing things which feels culturally appropriate, and which takes seriously Māori aspirations" (Smith G. , 2015, p. 19). The Māori movement is closely related to the principles of Hawaiian `ike/*knowledge* and the foundational beliefs of NLN. The similar objective of both movements is to save their culture and language while emancipating the people through educational advancements, which, in turn, will free their economies and bolster their ideological strength. This thought process is validated by Asante-Sudani Ade who discusses Indigenous

resistance to colonization, emphasizing the role of education in reclaiming and reinforcing Indigenous epistemologies. By promoting educational programs that are rooted in Indigenous knowledge systems, communities can achieve both economic and ideological emancipation. This educational approach is crucial for resisting ongoing colonial pressures and fostering sustainable economic development (Ade, 2021). This approach underscores the belief that education is a pivotal tool for liberation, allowing individuals and communities to reclaim and enhance their economic and cultural sovereignty.

Professor Graham Smith asserts that the immersion schools' success in rebuilding Māori language, culture, and knowledge controlled by the grassroots community faces the threat of assimilation in exchange for insufficient funding. The acceptance of insufficient money undermines Kaupapa Māori educational quality and imposes power constraints, curriculum mandates, and monitoring which undermines Māori self-determination and the political economy of education, which is still being defined (Smith G. , 2015). Similarly, Dennis Masaka addresses the concept of “epistemicide” and the need for educational reforms that embrace Indigenous knowledge systems. He argues that decolonizing education is vital for achieving epistemic and economic justice, which empowers Indigenous populations to participate fully in their economies and strengthens their ideological foundations against colonial influences (Masaka, 2017).

Smith further provides an overview of the struggle between subordinate Māori and dominant pakeha/haole/*foreigner*, the political climate, and fiduciary trust contractual responsibilities. He shares an overview of the educational revolution and the impetus for creating language schools, the process and dynamics, the education agenda, and structural concerns related to ideology and power (Smith G. , 2015). This Māori mo`olelo/*history, story, tradition* mirrors what is happening to Kānaka Maoli in the Hawai`i charter school sector today.

Professor Smith agrees with Dr. Meyer, Asante Sudani Ade and Dennis Masaka regarding the historical colonist assimilation techniques through overt policy and hidden monocultural curriculum, which created socio-economic deficiencies and marginalized the oppressed Native populations, effectively producing disproportionately disadvantaged outcomes and a dominant political, economic, and structural system for the haole/pakeha/foreigner. Through these successful techniques in Hawai`i and Aotearoa, there has been an intentional decline in the Māori and Hawaiian languages, knowledges, and cultures. The lessons from the Māori educational movement provide valuable perspectives. With these insights in mind, we now turn to the legal and policy variables that impact the Nā Lei Na`auao movement.

Legal and Policy Analysis of Charter School Inequities

Inequities delve into the complex interplay of legal, policy, and financial obstacles that constrain the operational effectiveness and equitable treatment of Indigenous charter schools, underscoring the need for systemic reform. Navigating the legal and policy landscape that governs Hawaiian charter schools has been a complex and often disheartening endeavor. The inequities embedded within these systems are stark, reflecting broader patterns of marginalization and neglect. Yet, in confronting these challenges, I am driven by a deep-seated belief in the power of advocacy and the possibility of systemic change. This section of my research is not just an analysis; it is a call to action—a reflection of my personal commitment to dismantle the barriers that stand in the way of educational justice for Indigenous communities. Having established the legal and policy context, we can now consolidate the empirical basis for this study. The following section presents key data points and findings that support our arguments and underline the importance of this research.

Research Purpose and Key Data Points

The research data points consolidate the empirical basis for the study, presenting critical data and analysis that support the arguments made throughout the chapter. By systematically documenting the inequities faced by Hawaiian charter schools and exploring the transformative potential of Indigenous-led educational models, I aim to contribute to a body of knowledge that empowers our communities and espouses actionable strategies for change. The key data points and findings presented here are more than statistics; they are evidence for future action.

This exploration seeks to systematically define and document injustices to inform the case for future action using a mixed-method participatory approach with key informants. An important data point: there are 256 HIDOE schools in Hawai'i, of which there are no Hawaiian schools, only Hawaiian language programs within traditional HIDOE schools. There are thirty-seven charter schools, of which seventeen are Hawaiian Schools. The Hawai'i Board of Education (BOE) is responsible for all the public-school children in the HIDOE and charters.

Hawai'i has one unified school district, the only one in the nation, where the Hawai'i BOE is the "State Educational Agency" (SEA) responsible for federal funding and FAPE compliance, and the "Local Educational Agency" (LEA) is the HIDOE. The BOE delegates its SEA authority to the HIDOE. U.S. federal funding compliance is achieved by formula driven distribution of funds from the SEA to LEAs. Supplanting federal funds for regular state expenditures is not an allowable expense according to federal law (20 U.S.C. § 7120). Hawai'i having one SEA/LEA eliminates the compliance formula driven distribution methodology, allowing the HIDOE to manipulate federal funding use.

According to the Office of Hawaiian Affairs Research Division Special Projects Unit, 26% of the traditional HIDOE, 40.4% of Hawai'i Charter Schools, and 81% of NLN Schools students are Native Hawaiians (Office of Hawaiian Affairs, 2017). The majority of NLN students

are Kānaka Maoli/*Native Hawai`ian*; six schools are immersion language schools with two being `Ōlelo Niihau, and five schools are currently located on the Department of Hawaiian Homes Lands. With these key data points in mind, the succeeding section will clearly articulate the empowering authorities that created the NLN movement.

Empowering Authorities

Charter schools were created in the U.S. in 1991 to be small, self-governing, yet public institutions – driven by a desire to innovate on behalf of children while furthering the most fundamental values of our public education system. The belief was that creative educators, freed from myriad rules and regulations, would try new things that, if successful, would influence the entire system (Tong, Smith, Fienberg, & Kho, 2023).

- Hawai`i's charter school movement was created with the following rationale: *"To nurture the ideal of more autonomous and flexible decision-making at the school level, the legislature supports the concept of new century charter schools. The legislature finds that this concept defines a new approach to education that is free of bureaucratic red tape and accommodating of the individual needs of students to allow the State to dramatically improve its educational standards for the twenty-first century...the implementation of alternative frameworks with regard to curriculum; facilities management; instructional approach; length of the school day, week, or year; and personnel management."* (Hawai`i State Legislature, 1999)

HIDOE was awarded a U.S. Department of Education federal discretionary charter school grant in 2000 for five years, in the amount of \$20 million, with the caveat that the State must have “start-up” charter schools (United States Government Accountability Office, 2003). Hawai`i has two types of charter schools. Conversion schools are HIDOE schools that convert

to a charter school; there are currently four in Hawai`i. “Start-up” charter schools are new schools that did not exist prior to their charter contract. The biggest difference is that conversion schools come with HIDOE existing facilities and start-ups come with no facilities. The Hawai`i law was changed in 1999 to allow for start-up schools in order to qualify for the federal grant.

Hawai`i start-up charter schools began the quest in 1999 for relevant learning experiences, through community vision, to redefine education for Hawai`i's suppressed populations who were disenfranchised within the existing system. Kānaka Maoli saw this vehicle as a way to provide an Indigenous publicly funded education based on Hawaiian values, epistemology, ideology, Kūpuna wisdom and `ike, open to all students, as Education with Aloha (EA).

Empowered by the following body of laws, NLN founders engaged in an educational mission for their communities.

- The Federal Government of the United States provides for *Equal Justice Under the Law and a Free and Appropriate Public Education*, which includes the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and the Every Student Succeeds Act (2015).
- Strengthening and Improvement of Elementary and Secondary Schools Act [As Amended Through P.L. 114–95, Enacted December 10, 2015] SUBCHAPTER VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION. "SEC. 7513. PURPOSES: *The purposes of this part are to— (1) authorize and develop innovative educational programs to assist Native Hawaiians; (2) provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under this part, on Native Hawaiian education,*

and to provide periodic assessment and data collection; (3) supplement and expand programs and authorities in the area of education to further the purposes of this title; and (4) encourage the maximum participation of Native Hawaiians in planning and management of Native Hawaiian education programs (20 U.S.C. § 7513).

- Hawai'i State Constitution - ARTICLE X, EDUCATION, PUBLIC EDUCATION

Section 1: The State shall provide for the establishment, support, and control of a statewide system of public schools free from sectarian control, a state university, public libraries, and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex, or ancestry (1949, amend 1978).

- Hawai'i State Constitution - ARTICLE X, EDUCATION, HAWAIIAN

EDUCATION PROGRAM Section 4: The State shall promote the study of Hawaiian culture, history, and language. The State shall provide for a Hawaiian education program consisting of language, culture, and history in the public schools (1949, amend 1978).

- The HAWAII LEGISLATURE ACT 62, Session Law 1999 authorizing the creation of charter schools in Hawai'i: *To nurture the ideal of more autonomous and flexible decision-making at the school level, the legislature supports the concept of new century charter schools.*

The Hawai'i State Constitution includes a number of provisions specific to the Hawaiian language and its heritage. In addition to Article X, Section 4 requiring that the study of the Hawaiian language be promoted in the public schools, there is Article XII, Section 7 reaffirming and protecting traditional and customary Hawaiian rights exercised

for various purposes as well as Article XV, Section 4 recognizing Hawaiian as an official language of the state.

There are also many provisions enacted by the Hawai`i State Legislature specific to Hawaiian language relating to Preschool to Twelfth grade (P-12) education that impact charter schools, including: in 1986, HRS 346-152 (a)(4) and (b) relating to programs for preschool-aged children through Hawai`ian; in 1996, HRS 304A mandating a Hawaiian language college with a laboratory school program; in 2004, HRS 302H establishing Hawaiian language medium education; in 2012, HRS 302L-1.6 (b)(10) requiring a Hawaiian language medium early education representative on the early learning advisory board; and in 2013, HRS 346-181 (a)(4) relating to the use of Hawaiian as a medium of education for preschool.

Additionally, over the years, the Board of Education has passed numerous policies relating to distinctive standards and programs using and teaching the Hawaiian language, including updated BOE policies 2104 and 2105 (Hawai'i State Board of Education, 2014). The state of Hawai'i and its HIDOE are subject to federal laws that relate to the Hawaiian language in education and to speakers of the Hawaiian language, including the Native American Language Act of 1990, various Native American language and Limited English Proficient provisions of the Every Student Succeeds Act, and other federal laws. Additionally, there are two immersion charter schools that speak Ōlelo Niihau dialect. The Hawaiian language as well as `Ōlelo Niihau are classified as critically endangered by the United Nations Educational, Scientific and Cultural Organization (UNESCO, 2010).

The way the U.S. Government defines and compartmentalizes traditional knowledge and their reaction to the United Nations Declaration on Indigenous Rights is critical to this research agenda. The National Historic Preservation Act of 1966, "Traditional Knowledge, and the

Section 106 Process: Information for Federal Agencies and Other Participants,” informs them about traditional knowledge's important role, asserting that U.S. law acknowledges that Indian tribes and Native Hawaiian organizations (NHOs) and their "Kānaka Maoli" (true people) possess "special expertise" in assessing the eligibility of historic properties that may possess "religious and cultural significance" to them (Advisory Council on Historic Preservation, 2021, p. 1).

Charter schools in Hawai`i are public schools, prohibited from charging tuition and mandated to provide Free and Appropriate Public Education (FAPE) to students (Hawai`i State Legislature, 1999). Despite existing law, issues regarding the parity of resources including facilities support, food, transportation, and federal funding to charter school students as opposed to non-charter public school students in the HDOE have arisen, with no resolution or rationale. The trend data for Kānaka Maoli has proven that FAPE provided by the HDOE is not serving the Hawaiian community well (Strive HI, 2023). Nā Lei Na`auao Leadership has engaged with the legislature for over two decades to clarify the issues, educate, and find amicable solutions. The clarity of legal empowerments provides valuable perspectives. With these insights in mind, we now turn to the main variables that impact the Nā Lei Na`auao movement, focusing on the evidence provided in state and national reports.

Main Variables of Evidence

This section of the literature review focuses on three main variables that impact the movement: 1) State of Hawai`i legislative reports regarding charter school claims of inequity, 2) U.S. national reports regarding charter school claims of inequity, and 3) Federal case law involving charter schools. To understand the full scope of challenges and opportunities, it is

essential to examine detailed state-level reports. The following section provides an overview of legislative efforts and their implications for Native Hawaiian charter schools.

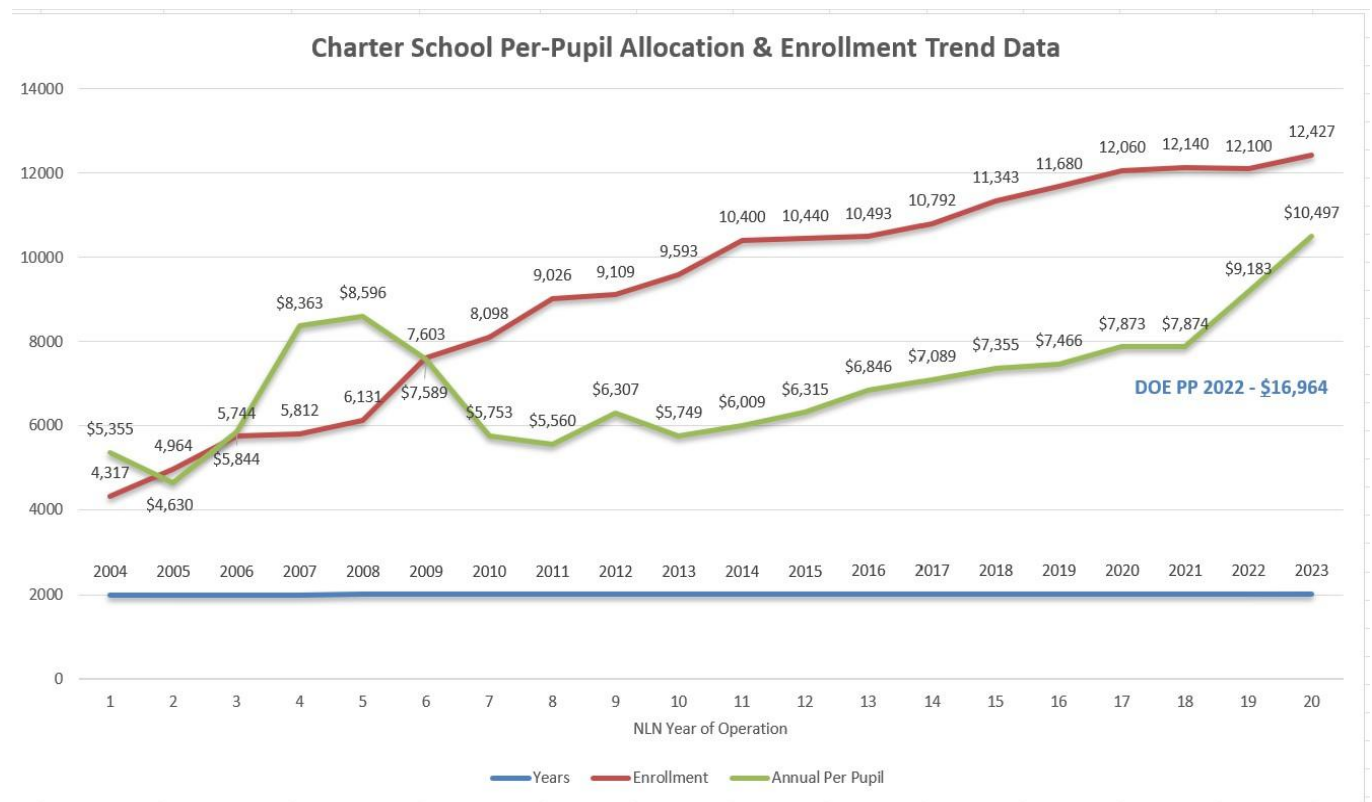
State-Level Reports

Numerous formal Hawai'i Legislative Task Force efforts and reports have investigated the charter school claims of inequity:

- 2002 Legislative Reference Bureau "On the Level? Policy, Law and the Charter School Movement"
- 2003 New Century Charter Schools Allocation Project FY02-03
- 2005 Taskforce on Charter School Governance
- 2005 Feasibility of a Noncontiguous Charter School District
- 2010 Charter School Equity Study
- 2012 Task Force on Charter Governance Accountability and Authority

In recent years, Hawaiian charter schools have experienced inconsistent per-pupil allocations and decreasing services, even as the student population has more than tripled. The disparate issues of special education, facilities, and federal funding for charter school students versus traditional school HDOE students has been evidenced and acknowledged in 100% of the State of Hawai'i Legislative Task Force reports completed to date. The graph below illustrates the charter school enrollment growth and total per-pupil funding received over the past two decades. It should be noted that the Hawai'i Department of Education per-pupil expenditure for the year ending 2022 was \$16,964 versus the allocation of \$9,183 for charter students (Hawai'i Department of Education, 2022). It should also be noted that the State Charter School Commission has capped charter school enrollments though their contract 4.0 while school

leaders share that they have extensive waitlists, thus eliminating the opportunity to create economic economies of scale.



Charter School Per Pupil Allocation & Enrollment Trend Data (Benioni & Wise, 2024)

"On the Level? Policy, Law and the Charter School Movement" (Fukumoto, 2002) was in response to a legislative request to study the funding and regulation of new century charter schools from legal and policy perspectives in four thematic areas: resources, governance, compliance, and start-up/shut down. The Legislative Reference Bureau Report clarified that the "right" balance of equality and equity was nonexistent in Hawai'i and considered "unfair." This study acknowledged that the U.S. Department of Education adopted regulations concerning the allocations of federal funds to charter schools, directing state or local educational agencies to treat charter schools and traditional public schools alike.

The report asserted students were entitled to receive the proportionate amount of money for which they are eligible for each federal program. Additionally, state and federal money should have been made available to charter schools on the same basis and in the same manner as they were made available to traditional public schools. It also clarified that sums of money in special, revolving, and fiduciary trust funds should have been made available to charter schools on the same basis and in the same manner as they were made available to traditional public schools.

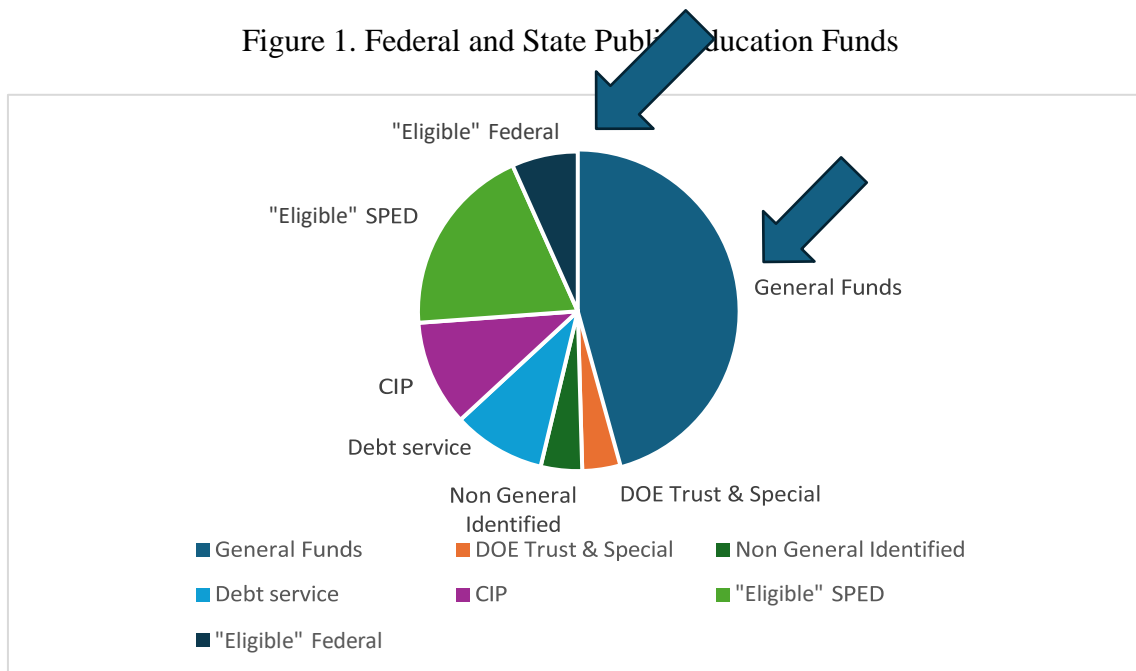
Additionally, a report by the State of Hawai`i's Office of the Auditor, "New Century Charter School Allocation Project – FY2002-2003" (2003), explained that funds for special education were excluded from charter schools as were programs or projects for specific schools, complexes, or districts; grants in aid; and resources for new facilities. It was also clarified that the legislature, through Act 262, changed the allocation computation retroactively to support charter schools. However, the legislature neglected to appropriate additional funds to cover the recalculation for the previous fiscal year. The directive was not clear enough to take the funding from the HIDOE; therefore, the State Auditor did not address the issue of the retroactive allotment.

A task force was created by Session Law 2005, Act 87 (Charter School Administrative Office, 2005) to identify and recommend to the legislature revisions to the existing charter law that would help create a practical framework for overseeing and supporting charter schools. The proposed recommendations, made with overwhelming consensus, were that facilities and funding issues were the most critical issues affecting the financial survival of charter schools.



In 2010, the Legislature, HIDOE, and Kanu o ka `Āina Learning `Ohana (KALO) investigated funding inequities purported by the Charter Schools. The Charter School Equity Study of 2010 (Hawai`i State Legislature) approved findings concluded that equity was not

achieved, with \$547 million in Federal and State funding (for one year) being reserved in the HIDOE and not accessible to charter schools. Access to services and grant notification inconsistencies were identified, which negatively impacted funding and services to charter school students. Charters were denied access to facilities impact fees, gathered through tax assessments, by the HIDOE. Charters had no mechanism to access \$225 million (in one year) in facilities financing for capital improvement projects and acknowledged other buckets of facilities support. The graph below demonstrates that charter school students and their schools were excluded from over 50% of the combined federal and state public educational support provided to traditional public-school students.

Figure 1. Federal and State Public Education Funds



2010 Equity Study

Key:  Indicates funds provided and available to Charters
 All other colors are not offered to Charters

Note: This study was done in 2010, which resulted in the current per-pupil funding distribution of the “general funds” category in HRS 302D-28 (2024). However, the DOE finance system and distribution of all other categorical funds has not changed since this study was completed.

The Charter School Funding Task Force Final Report to the State of Hawai`i Legislature (2011) identified disparate variations in federal funding, SPED, and other non-general fund appropriations. The task force noted there was insufficient time to address remaining/unresolved issues because of their complexity. The other issues that were not discussed included: (1) access to federal funding; (2) access to special education services/funding; and (3) access, as appropriate, by charter schools to other non-general funds (e.g., Developer Impact Fees and Hawai`i School-level Minor Repair & Maintenance from State Individual Tax Returns).

The Task Force on Charter Governance Accountability and Authority (Hawai`i State Legislature, 2011) validated the enormity of challenges facing Hawai`i's charter school system, stating the following issues deserve continued discussion: (1) Special education; (2) Funding, including facilities and transportation; and (3) Collective bargaining. The legislative reports highlight critical issues, which necessitate a deeper legal and policy analysis. The ensuing piece of this literature review focuses on national level case studies in the U.S.

National Level Reports

According to "The Finance Gap: Charter Schools and Their Facilities" (Ascher, 2004), a report published by the Institute for Education and Social Policy in New York City, because charter schools are recognized as schools of choice and allowed to operate under decreased regulation, charter schools must pay for their facilities out of their instructional funding.

Additionally, "Solving the Charter School Funding Gap: The Seven Major Causes and what to Do About Them" (Center for Education Reform, 2005) advised that the significant issue across the nation with charter school legislation was the need for stronger statutory language to provide charter school students with equal funding, expressly precluding state actors from withholding funds.

Furthermore, the "Charter School Funding: Inequity's Next Frontier" (Thomas B. Fordham Institute, 2005) claimed that charter students were deprived of scarce state and federal funding, constrained by weak laws, overwhelmed by regulatory burdens, and constantly faced with barriers that obstructed the creation, innovation, and expansion of programs and facilities. The report, funded by the Gates Foundation, expanded on an earlier account that demonstrated the disparities: 26 of 27 charter schools that participated were underfunded compared to traditional schools.

Ball State University's "Charter School Funding: Inequity Persists" (DeAngelis, Wolf, Maloney, & May, 2020) expanded the study to seven additional states, representing 90% of the nation's charter school population. These results again revealed charter schools remained underfunded, and the gap had widened from 22% to 28% in the four years since the original study; facilities remained the main issue.

Author Jeanette Curtis, in "A Fighting Chance: Inequities in Charter School Funding and Strategies for Achieving Equal Access to Public School Funds" (2012), clarified the public-school system's failure to provide equal access to adequate education, particularly to minority students and high-poverty communities. Curtis was validated in another law review article, "Surviving Rodriguez: The Viability of Federal Equal Protection Claims by Underfunded Charter Schools" by Greg Rubio (2008), in which it was asserted that funding schemes between the two

systems, charters versus traditional public schools, was "notoriously disparate, particularly with respect to school facilities and capital accounts" (BLRH, 2013, p. 3).

The National Alliance for Public Charter School's 2017 report "Measuring Up to the Model: A Ranking of State Charter Public School Laws" stated, "Hawai'i's law still needs significant improvement in several areas, including beefing up the requirements for charter application, review, and decision-making processes; exempting charter schools from collective bargaining agreements; ensuring equitable operational funding and equitable access to capital funding and facilities; ensuring transparency regarding educational service providers; and strengthening accountability for full-time virtual charter schools" (p. 32).

The School Choice Demonstration Project by the Department of Education Reform at the University of Arkansas produced the "Charter School Funding: Inequity Surges in the Cities Report" in 2020. This report noted charter schools often achieve notable outcomes despite facing significant financial constraints when compared to district schools. Highlighted by a 2020 University of Arkansas study, these financial challenges are stark, with charter schools in eighteen urban districts receiving around one-third less funding per student than their district-operated counterparts. The study points out that the inability to access local funding sources is the main contributor to this funding shortfall (DeAngelis, Wolf, Maloney, & May, 2020).

Funding makes a difference in schools either thriving or closing. Charter schools, which are financed through public funds and operate with a degree of independence, serve as schools of choice. Between the fiscal years of 2006 and 2020, the U.S. Department of Education distributed 6,023 Charter School Program (CSP) grants to qualified state agencies, developers, and charter school management organizations, supporting the establishment of charter schools nationwide.

These grants amounted to approximately \$2.5 billion in federal CSP fund distribution. A report was commissioned to assess the federal government's return on investment.

The United States Government Accountability Office (GAO) report, "K-12 EDUCATION Charter Schools That Received Federal Funding to Open or Expand Were Generally Less Likely to Close Than Other Similar Charter Schools" from October 2022, reported, *"While few charter schools closed overall, charter schools that received CSP awards closed at lower rates than similar charter schools that did not receive an award between fiscal years 2006 and 2020. GAO's analysis found, for example, that within five years after receiving CSP awards, CSP-recipient charter schools were about 1.5 times less likely to close than similar non-CSP charter schools—with an estimated 1.4 percent and 2.3 percent closing, respectively. Within 12 years of receiving CSP grants, the same pattern generally held. The pattern also generally held for CSP-recipient charter schools regardless of the schools' grade level, locale, student body racial and ethnic composition or percentage of students receiving free or reduced-price lunch"* (United States Government Accountability Office, 2023). The state legislative reports and national case studies highlight the critical issues which necessitate a deeper legal and policy analysis. The next section explores the complex interplay of legal frameworks and policy obstacles.

Lawsuit Feasibility

With this body of evidence above and specific mo`olelo from schools, a legal review was sought. The formal legal analysis began on September 17, 2013 and ended on December 10, 2013. The information, exhibits, questions, and data were provided by ten Hawai'i charter schools, five Native and five non-Native. KALO organized the schools to determine whether the State's failures violated the statutory and constitutional rights of charter schools and the children

and communities they serve. The grievance topics from the ten schools and their leaders included:

- i. The lack and/or complete absence of funding allocated to charter schools for the acquisition, maintenance, and improvement of their facilities.
- ii. The inability to purchased food services from the HDOE to feed students eligible for the free and reduced-price meal program through the federal government which enables the children and their families to receive federal food subsidies.
- iii. The lack and/or complete absence of transportation services for students.
- iv. Inconsistent special education/disability support provided to the charter schools from the HDOE who, as the SEA, is mandated to provide SPED support by the federal government who provides funding for this purpose through the Individuals with Disabilities Education Act (IDEA).
- v. Ad hoc per-pupil funding allocations for charter schools are inadequate and unequal to the funding provided to traditional public schools.
- vi. Forced English language annual testing for Hawaiian immersion charter school students whose first language is Hawaiian and who attend Hawaiian immersion schools.
- vii. The lack and/or complete absence of after school services and support for charter schools and their students.
- viii. The State's failure to honor the "bilateral and negotiated contract" language of Act 130 with respect to charter school governing boards.
- ix. Inadequate resources to support charter schools' compliance with state and federal mandates.

- x. Punitive and retaliatory actions in budget provisos (rules) from the legislature and charter commission.

The main question from the group of school leaders was: Do these actions constitute legal violations for which the state or its agencies may be held liable?

There were over 14,000 exhibits provided. The legal team enacted the client-attorney confidentiality privilege and shall remain anonymous at their request. They were assembled of highly regarded licensed attorneys in Hawai'i, hence referred to as BLRH, who provided their services pro bono. Because of the extensive, complicated issues raised by the charter schools, BLRH focused on three main issues: 1) overall funding inequity, 2) denial of food services, and 3) denial of facilities support. BLRH assessed the national court cases, evaluated the overall findings, and provided a comprehensive summary of the findings, which are summarized below.

Findings: Overall Social Injustice

With regard to the facilities disparities, an evaluation of the funding gaps and disparate services experienced by Hawai'i charter schools revealed "...Notwithstanding the objectionable and disturbing nature of these state actions, the State's exercise of authority appears to comport with the legislative intent of the operative state and federal statutes. As such, the plain language of the statutes precludes the court from remedying any charter school funding disparity by legislating from the bench and underscores the importance of amending charter school legislation to include strong and clear language providing for the parity of funding and services" (BLRH, 2013, p. 7).

Findings: Facilities

There remains no statutory mandate for equal access to facilities or facilities funding as parity is promised only to the extent of "non-facility" funding allocations and by the express

terms of the statute—neither the State nor the legislature is mandated to make appropriations to charter schools for facilities costs under statute HRS 302D-28 (BLRH, 2013).

Findings: Food

In the case of *Richmond Welfare Rights Organization v. Snodgrass*, the U.S. Court of Appeals for the Ninth Circuit held that participation in the NSLP is purely voluntary and does not require the provision of free or reduced-price lunches to every eligible child. The court's position was that "no matter how scandalous or inhumanly callous appellant's position, or that as a result of same, whole populations may be denied access to federally subsidized meals, while in other schools, some perhaps in more affluent parts, may benefit" (BLRH, 2013, p. 9), they were precluded from rewriting the statute or the regulations which control the lunch program.

No cause of action exists to compel the State to provide free and reduced-price lunch programs to all eligible charter school students. As the legal study determined, "The States' decision to terminate its administration of the lunch program to underfunded charter schools serving large numbers of Title 1 or economically disadvantaged, eligible students, even if inhumanly callous and financially oppressive, is a lawful exercise of the State's authority and discretion under the National School Lunch Act" (BLRH, 2013, p. 9).

Findings: Funding Disparities

The ability to bring a lawsuit against the State for acts and omissions related to funding and service disparities between charter schools and traditional public schools is constrained by HRS 302D. Despite their principal role in the administration and oversight of charter schools throughout the state, the State Public Charter School Commission, including their employees, agents, or board members acting in their official capacity, are immune from any civil or criminal

liability with respect to activities related to charter schools authorized by them, so long as their disputed acts and commissions do not constitute willful misconduct (BLRH, 2013).

Findings: U.S. Constitutional Right to Education

The study found that "the right to education was never explicitly nor implicitly guaranteed by the U.S. Constitution. [Since] *San Antonio Independent School District v. Rodriguez*, [and] the court's determination that the Constitution does not require absolute equality or equal advantages in public education, equal funding litigation has been limitedly successful where state charter school laws may be interpreted and construed to all for equal funding" (BLRH, 2013, p. 10).

Findings: States Privilege

In the *Baltimore City Board of School Commissioners v. City Neighbors Charter School* case, the courts examined the legislative history and concluded that the legislature intended that charter school funding be based on a per-pupil standard and that the authority for creating the funding formula rested with the broader governing authority. State legislatures and the administrative bodies empowered to enforce equal funding formulas will be afforded great deference by courts in order to carry out a clear legislative mandate for equal funding for charter schools (BLRH, 2013).

Findings: Charter Schools Detract from the Larger State System

In *Sugar Creek Charter School, Incorporated v. Charlotte-Mecklenburg Bd. of Education*, the court held that the plaintiffs' contention was better suited for petitioning the legislature, acknowledging the need to allocate scarce resources between two school factions when traditional public schools, which were first in line, were ultimately favored and remain within the power of the state. The court considered the concern that charter schools detracted

from public school funds and other governmental purposes, and as a result, impacted traditional public schools. Because charter schools were "largely exempt from regulation" (BLRH, 2013, p. 12), their complaints of disparate treatment ignore their enjoyment of certain benefits and freedoms to which traditional public-school students are not privy.

Findings: Special Education

Due process hearings in Hawai`i must be heard by individual families, not in a class action suit, because in 2010, nearly 500 former Hawai`i students reached a \$10.25 million dollar settlement with HIDOE in an 8-year-old class action lawsuit that alleged they were illegally denied special education services. A settlement was reached in U.S. District Court which stemmed from allegations that HIDOE violated the Individuals with Disabilities Education Act, which requires that states provide free appropriate public education to all people with disabilities who are under age 22 (BLRH, 2013).

A complete copy of the legal evaluation is attached as an exhibit and has been embargoed to honor the request of BLRH. The findings stated that the schools and their students had no recourse through legal action and recommended petitioning the legislature to amend the laws instead of filing a lawsuit. This clarified that charter school advocacy efforts needed to focus on legislative remedies, not judicial challenges. The day BLRH notified us of the findings was a very difficult day; it seemed hope had been lost as we had always stated that the "worst-case scenario" was we would have to go to court, and we could not even do that for our children. Moreover, the legal findings provide a foundation for actionable strategies. The following section discusses how these strategies can advance the Nā Lei Na'auao movement, offering a roadmap for future advocacy and reform.

Advancing the Movement

The BLRH feasibility study recommendation was delivered to school leadership who participated in a face-to-face meeting on December 10, 2013. Based on the findings, the following were the potential options discussed for charter school leaders to take to their respective communities:

- a. State appropriate – charter school supporters have no cause for further action; continue fundraising and diversifying income streams, notifying philanthropy and community partners of the legal opinions, major public media campaigns, and legislative campaigns.
- b. State inappropriate on other issues – continue to delve into the next level of topics, beginning with federal funding, bilateral charter contract manipulation, and potentially unconstitutional due process limitations.
- c. Take research to the Governor and Hawai'i Board of Education requesting appropriate legislation to remedy the inequities.
- d. Assume a proactive position, share results with the media and supporters, and educate parents/guardians.
- e. Find another vehicle for Native Hawaiian education.

The primary aim for each charter school community is to secure equitable and sufficient resources that empower vibrant, community-led charter schools. These schools should operate with a high degree of transparency and accountability, unencumbered by bureaucratic obstacles, to significantly elevate Hawai'i's educational standards. By fostering a culture of innovation, charter schools are envisioned to serve as incubators for new solutions and advancements in

public education, contributing valuable insights back to the traditional education system.

However, this objective remains unfulfilled.

HIDOE and the Charter School Commission have fostered a regulatory climate that is adversarial, enabling Hawai'i's legislators to exploit the situation by hindering legislative progress. Consequently, there has been a lack of collaboration and sharing of best practices among education stakeholders, which hampers the improvement of Hawai'i's education system. Despite the challenges and legal complexities, the resilience of the Native Hawaiian community drives continued efforts for educational equity. This succeeding section reflects on the motivations and demographic context that fuel our perseverance.

Motivations for Continued Advocacy

Why do we Persevere?

Hawai'i charter school leaders and their support organizations, friends, and advocates seek to determine how to best address the social injustices as, "Ten million students in America's poorest communities—and millions more African American, Latino, Asian American, Pacific Islander, American Indian and Alaska Native students who are not poor—are having their lives unjustly and irredeemably blighted by a system that consigns them to the lowest-performing teachers, the most run-down facilities, and academic expectations and opportunities considerably lower than what we expect of other students. These vestiges of segregation, discrimination, and inequality are unfinished business for our nation" (The Equity and Excellence Commission, 2013, p. 14). The following demographics and statistics will provide a picture of the schools and their population, located throughout the Hawaiian Islands. Please observe the vastly different enrollments and rural locations of the schools.

Demographic Overview and Statistical Context

Of NLN's approximately 4513 students, 81% are Native Hawai`ian, and 70% are economically disadvantaged. Below is a table of the schools that make up NLN, which includes the school's name, grades served, enrollment, percentage population of Kānaka Maoli ancestry, and percentage considered Title 1 or economically disadvantaged. This data is from the charter commission official enrollment count on October 15, 2023. Presenting a demographic and statistical overview of the NLN schools, this section lays bare the educational disparities faced by Native Hawaiian students. With a significant percentage identified as economically disadvantaged, the data underscores the critical need for targeted interventions.

<u>Nā Lei Na'auao Data 2023</u>				
	School (grades)	Enrollment	Kanaka	Title 1
1	Hakipu'u Academy (5-12)	49	69%	52%
2	Hālau Kū Māna (5-12)	122	79%	46%
3	Ka 'Umeke Kā'eo (K-12)	263	96%	77%
4	Ka Waihona o ka Na'auao (K-8)	611	96%	68%
5	Kamaile Academy (PK-12)	949	61%	100%
6	Kanu o ka 'Āina (PK-12)	612	63%	55%
7	Kanuikapono PCS (K-12)	203	57%	55%
8	Kawaikini (K-12)	151	93%	59%
9	Ke Ana La'ahana (7-12)	34	95%	98%
10	Ke Kula Niihau o Kekaha (K-12)	50	98%	76%
11	Ke Kula 'o Nāwahīokalaniopu'u (K-12)	460	93%	62%
12	Kula Aupuni Niihau A Kahelelani Aloha (K-	46	89%	69%
13	Mālama Honua (K-8)	165	80%	49%
14	Waimea Middle School (6-8)	194	62%	99%
15	Ke Kula 'o Samuel M. Kamakau (PK-12)	121	96%	48%
16	Kua o Ka Lā (PK-8)	164	62%	93%
17	Kualapu'u School (PK-6)	319	90%	89%
	Total	4513	81%	70%

There should be a continued strategy to ensure that students at Hawai`i Charter Schools receive equitable resources, which allow the schools to fulfill the fundamental right of FAPE and the original intent of the charter schools to accommodate the individual needs of the students, allowing the state to dramatically improve its educational standards. The truth about the suppression in the movement and institutional racism is hereby being disclosed to the public and recorded to affirm inappropriate behavior through the publication of this research. The economics of the situation are the very beginning of the issues.

We must continue to find appropriate ways to educate our children through our Kānaka Maoli Native epistemology and ideology. As the U.S. Advisory Council on Historic Preservation asserted, "our knowledge is intangible, inalienable, imprescriptible, and non-seizable. Traditional knowledge is a system of innovations and practices, and the only way of guaranteeing the survival of this knowledge and the associated best practices is to protect Indigenous lands and ensure that both Indigenous peoples and the biodiversity resources on their lands survive" (2021, p. 16).

With the clarity of the aforementioned, the goal remains to define the future movement and discover a new or improved vehicle that will empower the Kānaka Maoli education agenda and structural concerns related to ideology and power. We demand our Indigenous rights as put forth in the Coolangatta Statement, as they are "fundamental to positive human growth and development and serve as an empowering tool central to cultural survival and celebration as Indigenous peoples" (WiPCE). Though the charter school vehicle could be the answer, state actions prohibit its success and create a second-class public school system.

The United States of America has an obligation to honor its fiduciary trust responsibility for Native Hawaiians as a result of the illegal overthrow of our Queen Liliuokalani and

government on January 16, 1893 (Sai D. K., 2021); Hawaiians have not relinquished our right to self-determination. The U.S. has enacted legislation, policies, and programs as well as allocated funding to meet these obligations around health and housing. For education, however, they make us compete against ourselves for discretionary grant money by responding to requests for proposals with narrow priorities and short timelines that the United States Department of Education controls.

Additionally, many of the grants required the concepts of programs be based on “nationally normed research.” Integrating Indigenous methodologies and research into nationally normed frameworks presents challenges. The primary challenge lies in the fundamental differences in epistemologies, values, and research methods between Indigenous approaches and conventional western frameworks, which would prefer to eliminate any program based on Indigenous epistemology or ideology.

The federal government provides per-pupil federal funding to all State Educational Agencies in the United States annually based on the U.S. Census. In Hawai`i, little of these funds trickle down to the charter school students. According to the Charter School Equity Study (2010) led by Senator Dwight Takamine and KALO, the State manipulates the majority of the funds to supplant core state operational costs. Building on the foundation of resilience, it is imperative to outline specific strategic opportunities for achieving equity, one being federal funding.

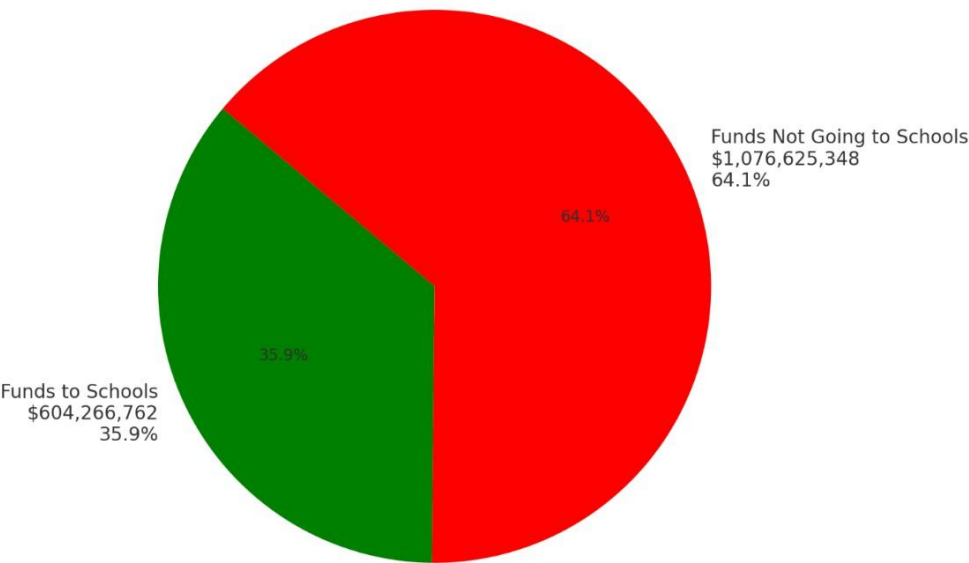
Federal Funding Issues

The following table clarifies the federal funding expended by the HIDOE over the past five years as reported by the Hawai`i Department of Education Per-Pupil Expenditures (PPE) – State Fiscal Year 2019-2023:

<u>HIDOE Federal Funding Expenditures - State</u>					
	Year	School Level	Total Funds	Difference	% Funds to School Level
1	FY 2023	\$ 166,326,714	\$ 401,139,175	\$ 234,812,461	41%
2	FY2022	\$ 120,122,576	\$ 451,967,183	\$ 331,844,607	27%
3	FY2021	\$ 111,374,800	\$ 341,737,927	\$ 230,363,127	33%
4	FY2020	\$ 103,152,753	\$ 251,890,348	\$ 148,737,595	41%
5	FY2019	\$ 103,289,919	\$ 234,157,477	\$ 130,867,558	44%
		\$ 604,266,762	\$ 1,680,892,110	\$ 1,076,625,348	36%
<i>ESSA per-pupil expenditure reporting requirements.</i>					

Implications are that there is significant variability in the percentage of funds allocated directly to the school level indicating potential changes in funding priorities or needs. The substantial increases in total funds in FY2022 suggest a response to specific circumstances, potentially related to increased federal support such as for pandemic-related needs. Information on the amount of funds held in reserve is also not available to the public. Totaling the last five years of federal funding expended \$1,680,892,110 by the HIDOE divided by the State Official Enrollment Count of all public-school students to include HIDOE and charter of 170,200 would equal a per-pupil of \$9,876. The pie graph below clarifies how much funding did not get to the school level.

Comparison of HIDOE Federal Funds to Schools vs. Funds Not Going to Schools (FY 2019 - FY 2023)



This analysis highlights both the financial trends over the five-year period and the varying allocation percentages directly benefiting children.

NLN currently receives approximately \$10,497 (2023) of federal and state funds combined per child from the State of Hawai`i to feed, house, transport, and educate each student —compared to the traditional system that expended \$19,411 per child annually according to HIDOE (2023). In the school year 2022-2023, Kānaka Maoli charter school students received just \$0.54 cents on the dollar compared to HIDOE traditional students. Recalling the fiduciary trust responsibility of the U.S., the following compares the per-human spending of federal funding on Indigenous peoples in America in the year 2023:

US Per-human Indigenous Spending 2023

	Indigenous Peoples	Population	Federal \$ Allocation 2023	Per-human distribution
1	Alaksa Native & Native Indians	6,605,593	4,500,000,000	\$681.24
2	Hawaiians	680,353	95,200,000	\$139.93

(US Government, 2024).

Analyzing the aforesaid data, having participated in each and every legislative task force, and having led the equity and legal feasibility studies. I have established and enumerate here what I feel are strategic imperative actions for NLN to thrive in an equitable climate.

Strategic Imperatives for Equity

The following list outlines actionable strategies and recommendations to address the identified challenges, proposing a roadmap for achieving equity and justice in Indigenous education.

1. **Advocating for Equitable Resources:** The pursuit of equity for Hawai'i charter schools is framed as a fundamental right. This section argues for a strategic reallocation of resources to ensure that these schools can provide a Free Appropriate Public Education, thereby elevating the state's educational standards.
2. **Addressing Institutional Racism:** The necessity of acknowledging and combating the systemic racism inherent in the educational system is underscored. Drawing on insights from Professor Graham Smith, this part highlights the evolving political economy of education and its implications for Native Hawaiian students.
3. **Valuing Native Epistemology:** Emphasizing the intrinsic value of Kānaka Maoli Native epistemology and ideology, this section reflects on the U.S. Advisory Council on Historic Preservation's 2021 statement regarding the protection of traditional knowledge and

Indigenous lands.

4. Righting the wrongs: The goal of redefining the educational agenda for Kānaka Maoli, addressing ideological and structural power imbalances, and asserting Indigenous rights as per the Coolangatta Statement, is articulated. The historical context of the United States' fiduciary trust obligations towards Native Hawaiians following the illegal overthrow of Queen Liliuokalani is critically examined, advocating for a reevaluation of educational funding and policy frameworks.

A key partner in these efforts is the Office of Hawaiian Affairs (OHA). Next, I will examine OHA's strategic role and contributions to supporting Indigenous education and advancing the movement's goals.

The Role of the Office of Hawaiian Affairs

The support and advocacy of OHA, particularly through their strategic plan *Mana i Maui Ola*, are showcased as beacons of hope. The planned actions and strategic outcomes aimed at empowering Hawaiʻian-focused education are discussed, setting the stage for a transformative educational future.

The Office of Hawaiian Affairs is a self-governing corporate body of the State of Hawaiʻi, created by the 1978 Hawaiʻi State Constitutional Convention for the purpose of improving the wellbeing of Native Hawaiians through advocacy, research, community engagement, land management, and the funding of community programs (Office of Hawaiian Affairs, 2020). OHA has long supported NLN, providing millions of dollars of funding annually and advocacy for schools. They have the standing and political self-governance empowered by the Hawaiʻi State Constitution to receive direct fiduciary trust funding from the federal government.

The current OHA Strategic Plan *Mana i Maui Ola* for 2020-2035 has identified plans to

affect change in many areas, including education: "Over the next 15 years, OHA will be implementing strategies aligned with our foundations and direction to achieve our envisioned outcomes for a thriving and abundant *lāhui/Nation, race, people*" (Office of Hawaiian Affairs, 2020, p. 1).

OHA's Strategic Plan Educational Pathway Strategy is to support education through Hawaiian language medium and focused Charter Schools. Strategic Outcomes are to "Adequately resource Hawaiian Focused Charter Schools and Hawai`ian-medium schools, including funding of transportation, special education, facilities, meals, and availability of qualified teachers; Increase availability of Hawaiian Focused Charter Schools and Hawai`ian-medium schools; and Establish a Native Hawaiian Charter School and Hawai`ian-medium learning system" (Office of Hawaiian Affairs, 2020, p. 4).

This "learning system" may be the one that provides the autonomy and sovereignty needed for Education with Aloha to flourish, honoring NLN ideology and epistemology while beginning to define the political economy of Native Hawaiian education. On September 15, 2023, there was a *kūkākūkā/discussion, negotiation* held with the Office of Hawaiian Affairs Trustees as well as the Po`okumu/*principal* and leadership of NLN and key staff. KALO, on behalf of NLN, requested a feasibility study be funded on creating a Hawaiian charter school authorizer or another educational vehicle that may tap direct federal funding through OHA. The envisioned Native Hawaiian Charter School and Hawai`ian-medium learning system will rectify historical injustices, provide culturally relevant education, and empower the Native Hawaiian community. By solidifying the concept, collaborating with established school leadership, and addressing structural challenges, this initiative will contribute to our educational sovereignty, enhance the quality of life for Kānaka Maoli, and reshape the trajectory of Hawaiian education. This comprehensive approach underscores the commitment to building a just and equitable

future for all beneficiaries.

OHA has set aside a total of \$500,000 in their budget for a feasibility study in 2024 and 2025. The first meeting to address the main questions to be asked and the scope of the study was held at KALO's 21st Annual Ku'i ka Lono Conference, put on for all NLN students, teachers, staff, and leadership, on March 14-15, 2024. The oppressive legacy of belligerent occupation and forced assimilation, evident in hidden curricula and acultural assumptions in Hawai'i's public schools and state bureaucracy, poses a challenge, and amending public policy is necessary.

The project also presents an opportunity to challenge the U.S. government and Hawai'i's fiduciary trust responsibilities towards Kānaka Maoli children because of the denationalization crimes committed after the overthrow. With the Native Hawaiian population projected to surpass 1.2 million by 2060, the need for `āina-based/*land-based*, culturally focused education centered on resilience and community becomes paramount. The contributions of OHA are part of a broader narrative of struggle and persistence. In the next section, we recount personal stories and collective experiences that illustrate the depth of commitment driving this movement.

Cultural and Spiritual Reflections

Remembering Spirit

As I began this educational journey and realized the parallels between the Māori education reform movement and specifically the development of Kaupapa Māori Praxis and Hawai'i's Hawaiian Language/Native Hawaiian Charter School movement, I grasped how expansive the colonizing tactics have been to assimilate Native peoples. So much of the history and impact of pakeha/haole/*foreigner* on our people and the suppression that followed is mirrored in our narratives. Denationalization war crimes through school systems has been a remarkably successful tactic. I questioned whether anything I do could change the dominance

over education that forces assimilation on our youth. Then I realized this movement had been insurmountable from before it began, and we are still here 24 years later.

In Hawaiian tradition, naming ceremonies are very important. In 2000, Kupuna Malia Craver's kauoha a me ke kuleana i ho'ono'ono 'ia/*command and assigned responsibility*, provided through the gift name Nā Lei Na'auao, unite the islands and raise the lāhui through education. This prophecy, alongside the schools' commitment to EA - Education with Aloha, sets the foundation. This unifying foundation connects Native Hawaiians through ancestral values and community representation under the shared goal of educational sovereignty.

Guided by our Kūpuna, Amakua/*Ancestors/Spirit Guides*, Akua/*God*, and Spirit, we have not only survived but thrived. We have graduates of the school I cofounded in 2000, Kanu o ka `Āina New Century Public Charter School (Kanu), the first Hawaiian Charter School, who are Doctors of Philosophy, returning, teaching, and leading our schools. We have graduates of Kanu civically engaged and leading the defense of our Mauna Kea against development. Our graduates are bringing their babies back to us to be educated; waitlists because of the State enrollment cap are heartbreaking – and are a testament to the community demand.

I am humbled and thankful for the opportunity to serve my community. I must find a way to tap into the spiritual connections that have guided us thus far. This educational movement is more significant than us, and hopefully, my work will inform the future, whether in my lifetime or another's, to better our systems for our keiki. OHA Trustee Mililani Trask was captured on video during the KALO 2014 Annual NLN Ku'i ka Lono Youth Conference in conjunction with WiPCE as she helped our ``ōpio (youth) write their own 'ōpio Indigenous Youth Declaration: "The great warriors were not killed in battle; I am looking at them. You are the strongest of your

people, we will take the rights you have put on the paper, and we will breathe life into them, so our children will be able to practice and preserve our cultures.” (2014)

Declaration of Indigenous Youth

World Indigenous Peoples Conference on Education

May 20, 2014

PREAMBLE

We, the Indigenous youth representing our Native peoples of Aotearoa, Australia, North America, Europe, and Hawai`i, have gathered in Honolulu, Hawai`i at Kamehameha Schools Kapālama this day, May 20, 2014, to affirm our identities as Indigenous peoples who proudly stand on the foundation laid before us by our elders and ancestors.

As Native peoples of our lands, we live by the values and principles embedded within our cultures, languages, and traditions. We stand carrying the future of our history while remaining grounded in the knowledge taught to us by our ancestors of old. As we voyage forward in time, we will not forget who we are: Native youth of the world.

PART 3: EDUCATION

Education and Indigenous Knowledge

- *We affirm that all Indigenous peoples have an equal right to a quality education at all levels*
- *We affirm the right to learn and perpetuate our culture, to have control over how those things are taught, and to provide education through Native language and a cultural lens*
- *We affirm the right to establish and manage our own schools and education system in our own language*
- *We affirm the right to build educational facilities and programs to educate other cultures*

about what is unique to our own

- *We advocate that Indigenous knowledge/education systems be given value and weight*

equal to those of the western world

- *We support the transmittance of Indigenous knowledge as a part of the educational legacy of Native peoples, including but not limited to song, chant, dance, arts, crafts, and navigation. (2014)*

Conclusion Chapter 3

This chapter not only facilitates a coherent and comprehensive exploration of the topics but also emphasizes the interconnectedness of historical legacies, personal narratives, and systemic challenges. It guides the reader through a journey of understanding, highlighting the imperative for equity, respect, and recognition of Indigenous rights and epistemologies in education. The evidence provided herein with the empowerments established and review of State Legislative Reports make clear a lack of support for NLN from the Hawai'i legislature, of which the vast majority of members are not Native Hawaiian (Korgel, 2018). The U.S. national reports clarify that the charter movement has many issues pertaining to equity across the United States. The legal review explains that the federal government and U.S. Constitution defer education to State jurisdiction. This information justifies further investigation into a new vehicle for NLN schools. The kuleana directed through Kūpuna Cravers naming tradition, as well as the success of the schools despite inequities and prejudice and the demands of our children in the 'ōpio Declaration, call for perseverance.

As I reflect on the journey that this research represents, I am filled with a sense of purpose and hope. The challenges we face are daunting, but the potential for transformation is

immense. This dissertation is a testament to my belief in the power of education as a tool for cultural preservation, empowerment, and self-determination. As we look to the future, I am inspired by the possibility of creating educational spaces that are truly reflective of our Indigenous values and aspirations. Together, with the wisdom of our ancestors and the strength of our communities, we can forge a path toward an appropriate future.

The evidence and discussions presented throughout underscore the systemic neglect and the pressing need for a comprehensive strategy to support NLN schools. The resilience of the community and the clarity of the vision for the future call for a continued commitment to educational reform. The next chapter of this dissertation is also a literature review which will present a comparison of research and analysis from a Native perspective, underscoring the importance of adopting an Indigenous epistemological approach for the benefit of our Native children.

CHAPTER FOUR: LITERATURE REVIEW PART II

Chapter Introduction

This chapter introduces the foundational theories and methodologies essential for understanding the research on Nā Lei Na`auao Hawaiian Focused Charter Schools (HFCS) and the broader implications for educational sovereignty.

By understanding the initial intent and *ī ini/purpose* of the HFCS movement in Hawai`i, this research aims to reveal the remaining opportunities to achieve full educational sovereignty. This chapter of the literature review covers works by experts, including Professor Martin Nakata (2008; 2020), focusing on Indigenous Standpoint Theory, and Ka Huaka`i (Kamehameha Schools, 2021), which provides data on Native Hawaiian well-being. The aim of this research is to empower Native Hawaiian children by fulfilling the U.S. government's trust responsibility (Sai D. K., 2022) without state interference, and this literature review contributes to the knowledge required to enable that.

Overview of Theories and Methodologies

The research approaches vary, incorporating storytelling, legal analysis, historical interpretation, and data collection. Ethical considerations are central to the research, aligning with Kānaka Maoli values and community empowerment. The relevance of these research strategies lies in providing pathways for educational opportunities, economic mobility, and well-being for Native Hawaiians. This chapter emphasizes the need to pivot priorities and intellectual interests, embracing both western and Indigenous agency to become political agents for Indigenous communities.

The research questions and chosen methodologies in this study are closely interconnected, each methodology carefully selected to address specific aspects of the research questions. The methodologies explored in this research draw on the work of several esteemed Indigenous practitioners, each contributing to a comprehensive understanding of how to integrate and preserve Indigenous knowledge within educational systems. Delving into the foundational importance of the epistemological approach in education with the methodologies of Nā Lei Na`auao Hawai`ian-focused charter schools, which similarly prioritize the integration and preservation of Indigenous knowledge within formal education.

Key Scholarly Works and Elemental Forces

The primary research is from four resources written by esteemed Indigenous practitioners, to include Professor Martin Nakata (2008; 2020; 2020); Professor Manu Meyer (2003; 2013); M. MacKenzie with S. Serrano and K. Sproat (2015); and the Ka Huaka`i writing team of Dr. Shawn Kana`iaupuni, Wendy Kekahio, Kā`eo Duarte and Brandon Ledward (Kamehameha Schools, 2021), has been meticulously curated to symbolize the quartet of Akua/*Gods*, namely Kū, Kanaloa, Kāne, and Lono. These divine representations extend to the elemental forces of Kahonua/*earth*, Makani/*wind*, Ahi/*fire*, and Wai/*water*, alongside the cardinal directions – Hikina/*East*, Komohana/*West*, Akua/*North*, and Hema/*South*. This symbolic integration is vital for amplifying the collective mana/*energy force*, a crucial element for the sustainable flourishing of Nā Lei Na`auao Hawaiian Focused Charter Schools. Through Education with Aloha (EA), this initiative aims to nurture an environment where sustainability and prosperity are harmoniously achieved. Prior to delving into the foundational importance of the epistemological approach in education, I introduce additional scholars who bring a broader international perspective to this research, Dennis Masaka (2017) and Professor Graham Smith (2015).

Masaka Africanising

Dennis Masaka's research approach and methodology in his work "Challenging Epistemicide through Transformation and Africanisation of the Philosophy Curriculum in Africa" (2017) are deeply rooted in a critical, decolonial framework that seeks to address the pervasive dominance of Eurocentric paradigms in African university curricula. Masaka employs a critical examination of the existing philosophy curriculum, highlighting its exclusion of Indigenous African philosophies, which he identifies as a form of epistemicide—the systematic erasure or marginalization of Indigenous knowledge systems.

His methodology is not solely theoretical; it extends into normative and pragmatic dimensions, offering actionable steps for transforming and Africanising the curriculum. These steps include the documentation and promotion of African philosophical thought, advocating for the necessary financial support to sustain these efforts, and challenging the entrenched dominance of western epistemologies. Furthermore, Masaka (2017) emphasizes the importance of promoting the co-existence of diverse knowledge systems, rather than merely replacing one paradigm with another. He argues that true educational transformation in Africa requires structural changes within educational institutions, coupled with the establishment of avenues for the production and dissemination of African philosophies.

This approach parallels the methodologies of Nā Lei Na`auao Hawai`ian-focused charter schools, which similarly emphasize the integration and preservation of Indigenous knowledge within formal education, thereby advocating for a more inclusive and culturally relevant curriculum. Through this combination of critical analysis, normative suggestions, and practical implementation, Masaka's (2017) methodology provides a comprehensive framework for

decolonizing education and fostering the co-existence of diverse philosophical traditions within African academic institutions.

Kaupapa Māori Praxis

Professor Graham Smith's *The Dialectic Relationship Between Theory and Practice in the Development of Kaupapa Māori Praxis* (2015) refers to the ongoing interplay and mutual reinforcement between theoretical frameworks and practical application in the context of Māori education and cultural preservation. In Kaupapa Māori Praxis, theory is not merely an abstract concept but is deeply connected to lived experiences and practices within the Māori community.

Smith (2015) argues that theory informs practice by providing a critical lens through which to understand and challenge the power dynamics and colonial structures that have historically marginalized Māori knowledge systems. Conversely, practice informs theory by grounding these abstract ideas in the realities of Māori life, ensuring that theoretical developments remain relevant and responsive to the needs of the community. This dialectical relationship is central to the development of Kaupapa Māori as it ensures that the educational and cultural practices rooted in this framework are both theoretically robust and practically effective, fostering a praxis that is reflective, adaptive, and deeply connected to Māori identity and self-determination.

Smith's (2015) work on the development of Kaupapa Māori Praxis, particularly the dialectic relationship between theory and practice, closely aligns with the methodologies discussed by Masaka (2017) and those employed by the Nā Lei Na`auao Hawai`ian-focused charter schools. These approaches are deeply rooted in the commitment to decolonizing education and empowering Indigenous knowledge systems within formal educational frameworks. Smith's (2015) Kaupapa Māori Praxis emphasizes the importance of grounding

educational practices in Māori values, culture, and perspectives, challenging the dominance of western paradigms. Similarly, Masaka (2017) advocates for the Africanisation of the philosophy curriculum in African universities, arguing that the current Eurocentric focus constitutes a form of epistemicide against Indigenous African knowledge systems. The Nā Lei Na`auao Hawai`ian-focused charter schools also seek to preserve and integrate Hawaiian language, culture, and traditions into the curriculum, resisting the marginalization of Indigenous Hawaiian knowledge.

Smith (2015) highlights the dialectic between theory and practice, where theoretical frameworks are continuously informed by and adapted to the lived experiences and practices of the Māori community. This approach ensures that educational theories are not detached from the realities they aim to serve. Masaka (2017), too, underscores the importance of moving beyond theoretical discussions of Africanisation by suggesting practical steps to implement these ideas within the educational system. He advocates for tangible changes in curricula and institutional structures to support the inclusion of African philosophies. The methodologies of Nā Lei Na`auao also demonstrate this integration by embedding Hawaiian cultural practices within the school environment, ensuring that theory and practice are mutually reinforcing in the education of Hawaiian students.

Empowered Indigenous Education Systems

All three methodologies emphasize the need for education systems to be culturally relevant and to empower Indigenous communities. For Smith (2015), this means creating educational spaces where Māori students see their identities and knowledge systems reflected and valued. Masaka (2017) argues for the same in the African context, where African students must encounter their own philosophical traditions in the curriculum to feel that their identities are respected and nurtured. Nā Lei Na`auao schools similarly strive to create learning environments

that validate and elevate Hawaiian cultural knowledge, providing students with a sense of pride and belonging. In summary, Smith's (2015) work on Kaupapa Māori Praxis, Masaka's (2017) advocacy for Africanisation, and the methodologies of Nā Lei Na`auao all share a common goal: to reclaim and integrate Indigenous knowledge systems within formal education, ensuring that these systems are both respected and perpetuated in a way that empowers their respective communities. Each approach highlights the importance of aligning educational theory with practice to create a more inclusive, relevant, and empowering educational experience for Indigenous students.

Theoretical Perspectives and Methodologies

In this section, the chapter delves into the theoretical frameworks that inform the research. It begins with an exploration of Indigenous Standpoint Theory, followed by a discussion on the legal and historical contexts that shape contemporary educational practices. The chapter will also address epistemological considerations through Professor Manu Meyer's (2013) concept of "Holographic Epistemology," which emphasizes the integration of spirituality and Indigenous philosophies into educational practice. Finally, the Ka Huaka`i Native Hawaiian Educational Assessment (2021) will be discussed, offering empirical validation for the effectiveness of culturally grounded educational practices. Together, these perspectives form the theoretical and methodological backbone of this research, guiding the analysis and recommendations that follow.

The literature review in this chapter critically examines the key theoretical perspectives and methodologies relevant to Indigenous education. It provides a comparative analysis of

existing research, emphasizing the integration of Indigenous knowledge systems within formal educational structures.

My research presents a comparison of research and analysis from a Native perspective, underscoring the importance of adopting an epistemological approach for the benefit of our children. This chapter discusses the utilization of Indigenous perspectives and methodologies in education, specifically focusing on Nā Lei Na`auao Hawaiian Focused Charter Schools and Education with Aloha. It explores the organizational structures that will facilitate the Nā Lei Na`auao epistemology, ideology, and spirituality, and considers what opportunities remain to achieve full educational sovereignty and self-determination.

Indigenous Standpoint Theory

Indigenous Standpoint Theory, as articulated by Professor Martin Nakata in his seminal work, *Disciplining the Savages, Savaging the Disciplines* (2008), is foundational for understanding the Indigenous lens, particularly within the context of education. Nakata's work challenges the dominant western paradigms that have historically marginalized Indigenous knowledge systems. As the first Torres Strait Islander to achieve a PhD, Nakata's (2020) perspective provides a framework that allows educators and scholars to assert their epistemologies within academic discourse. This theory not only reframes how Indigenous knowledge is perceived but also empowers educators to incorporate these perspectives into curricula, thereby enriching the educational experience by affirming cultural identities.

Legal and Historical Contexts

Building on this foundation, law and history are explored through the comprehensive work *Native Hawaiian Law: A Treatise* (2015). Authored by Kānaka Maoli attorneys, this Treatise offers a detailed examination of law within its historical context, serving as a pathway to

addressing contemporary legal and social issues. The relevance of this work to education is profound; it provides educators and students with a deep understanding of the legal frameworks that have shaped, and continue to shape, Hawai`i society. By incorporating this knowledge into educational settings, students are equipped not only with legal expertise but also with a sense of historical continuity and responsibility. This approach fosters a deeper connection to their heritage and prepares them to navigate and influence the legal landscape in ways that benefit their communities.

Epistemological Considerations

The exploration of epistemology continues with Professor Manu Meyer's article, "Holographic Epistemology: Native Common Sense" (2013), which plays a crucial role in validating the spiritual dimensions of education. Meyer's work challenges the compartmentalization of knowledge, advocating instead for a holistic approach that recognizes the interconnectedness of all aspects of life—an idea deeply rooted in cultural practices. This perspective is essential in educational settings, where it encourages the integration of spirituality and Indigenous philosophies into the curriculum, offering students a more comprehensive and culturally aligned educational experience. By embracing Native Common Sense, educators can create learning environments that are not only intellectually stimulating but also spiritually fulfilling, thereby nurturing the whole child.

Ka Huaka`i Native Hawaiian Educational Assessment

Lastly, the Ka Huaka`i Native Hawaiian Educational Assessment (2021) by Kamehameha Schools Bishop Estate is pivotal in validating education rooted in aloha through the lens of western data. This assessment, provided by a Native Hawaiian Trust established by the Hawaiian Monarch, provides essential longitudinal data on the well-being of contemporary Hawaiians. The relevance of this work to education cannot be overstated. It offers empirical support for the

efficacy of culturally grounded educational practices, demonstrating that when values and methodologies rooted in cultural traditions are integrated into the education system, the outcomes for students improve significantly. This data-driven validation not only supports the continuation of such practices but also advocates for their expansion, ensuring that children receive an education that is both culturally relevant and academically rigorous, ultimately contributing to the well-being of the entire community.

In summary, each of these works contributes uniquely to the advancement of education. They collectively offer a robust framework that integrates Indigenous knowledge, legal and historical context, spiritual epistemology, and empirical validation, all of which are essential for creating an educational environment that truly serves the needs of students.

Research Methodologies Philosophical Exploration

The methodologies employed across the four main sources range from storytelling and interpretive approaches to Indigenous Standpoint Theory, data collection, legal and historical analysis, and philosophical exploration. These diverse methods aim to deeply connect with the principles outlined by Professor Linda Smith (2021) in her work, *Decolonizing Methodologies*.

One key principle is Representing, which emphasizes the fundamental right of Indigenous peoples to present themselves as political entities, using their voice for expression and advocacy. Envisioning encourages rising above current challenges to create new dreams and visions for the future. Reframing involves taking control over how Indigenous issues are discussed and addressed, deciding what to foreground and what to background, resisting oversimplification, and maintaining the strength of a broader vision. Intervening focuses on proactive action, urging involvement in efforts to change institutions that interact with Indigenous peoples rather than altering Indigenous people to fit into existing structures.

Networking is seen as a powerful tool for quickly disseminating information, educating others on important issues, and fostering international dialogues. Protecting encompasses a broad strategy aimed at safeguarding Indigenous communities, languages, customs, beliefs, art, ideas, natural resources, and other cultural products.

Creating is about empowering people to rise above their circumstances, fostering innovation and discovery, improving lives, and uplifting spirits by channeling collective creativity to address Indigenous issues. Finally, Negotiating involves strategic thinking and action, focusing on recognizing and working towards long-term goals.

Ethical Approaches and Cultural Inclusion

The ethical approaches and inclusion of cultural mores are clear and very present in all of the research referenced herein. They include Nakata's (2020) commitment to serving the community, empowering Native learners, and his clear position that education is an important factor in fighting suppression. Ka Huaka'i's (2021) ethical clarity started with the proverb, "ka wā mamua, ka wā mahope/*stand firmly in the present with your back to the future*," expounding on the ongoing journey of the Native Hawaiians towards defining a balanced, strength-based understanding of Hawaiian needs and successes.

Additionally, the Treatise asserts pono/*righteous balance* is the answer, and Haumea/*mother earth* teaches us all things. Pathways to pono are provided through Native Hawaiian Law and history. Meyer (2013) shared that we communicate our worldview shaped within knowledge systems prioritized by the needs of the people and the lessons of place. Her purpose is to design a new understanding and philosophy of knowledge inclusive of all three aspects of nature: physical, mental, and spiritual – to stop suppressing Indigenous knowledges.

Relevance of these research strategies

Ka Huaka`i provided data for planning and strategy. The Native Hawaiian population in the U.S. is projected to exceed 1.2 million by 2060, with the majority of the population school-age children (2021, p. 4). They further clarify the critical need for appropriate educational opportunities and options that are place-based for our people, illuminating the fact that “access to homelands, traditional practices, and community is central to Native Hawaiian well-being, regardless of place of residence” (2021, p. 5). Education can serve as a vehicle of economic mobility and security, with higher levels of educational attainment in Native Hawaiians linked to increased earnings and livable income rates. Recommending that continued investments in education and postsecondary options for Native Hawaiians will be a key driver for Kānaka Maoli’s material and economic well-being.

Nakata’s (2008) Cultural Interface is used to frame the exchange between Indigenous and non-Indigenous systems as well as situating the lifeworld’s of contemporary islanders in the dynamic space between ancestral and western realities and highlighting the tensions created within these dualities.

Redirection and Pivoting

I believe in Nakata’s (2008) strategy of redirection and pivoting, because by playing the us versus them game as we have in the Hawai`i charter school movement, we risk staying stagnant. We need to change our position because we have always lost when we play by their rules. I also agree with his argument that we must interface with both western and Indigenous agency and Indigenous Standpoints to redirect and pivot our priorities and intellectual interests to become political agents for ourselves.

Legal and Historical Interpretive Analysis

The Treatise provides a body of history in alignment with Native Hawaiian law that is critical to my overarching tactical strategy and goal of providing a legal analysis through an Indigenous lens to find a way for the federal government to address and embrace its fiduciary trust responsibility for Native Hawaiians, which includes educating our children. While Ka Huaka`i (2021) validates our ideological processes and successful impact through western data collection, that cannot be dismissed.

Data Collection and Analysis

The quality and usefulness of these projects greatly impacted my research. Ka Huaka`i (2021)—a longitudinal analysis of proficiency rates in a single cohort of Native Hawaiian students—found that students who attend Hawai`ian-focused charter schools showed improvement that was stronger than that of Native Hawaiian students in conventional public schools. This shows a direct link to Nakata’s (2008) work, as traditional public education in Hawai`i did not work for me or my `ohana; the patterns are consistent. Hawai`i student educational outcome data from the HDOE clarifies the traditional western educational methods are not working for Kānaka Maoli and have not been for generations since the annexation.

Through the Hawaiian charter school movement, we have been persistent. There are many political structural issues, and the suppression continues now in a different vehicle. I believe in changing the “us versus them” position. The vehicle is not working to empower Native Hawaiian Indigenous education, and they have no incentive to change the power structure. Structurally, we have been in a moribund place resisting the bureaucracy. I feel the constant tension between western and Indigenous epistemology and ideology, from external pressure to internal prejudice and judgement.

Comparing and evaluating the research approaches

The table I created below provides a picture of the synergy of theory and methodology:

Article	Theoretical perspective <i>the lens through which we look and assumptions about reality</i>	Methodology <i>how we search for reality</i>	Methods <i>systemic activity or modes of inquiry</i>	Purpose <i>intention/objective</i>	Research
Wise	Education with Aloha	Envisioning, Representing, Intervening, Indigenizing & Indigenist processes, Claiming, Testimonies, Story-telling, Reframing,	Interviews, mo`olelo (stories), evidence, Treatise of laws, assessment of Tribal & Alaska direct funding	To validate 20 years, memorialize the journey from our perspective, eliminate the financial burdens for future generations of leaders, call out the suppression	Legal analysis through an Indigenous lens to answer how can we get direct funding from

		Representing, Networking, Protecting, Creating, Negotiating		and inequity that still exists today, prejudice that plagues Hawai'i's educational politics (western and Oriental)	the federal government.
<i>Nakata</i> (2008)	Indigenous Standpoint Theory	Envisioning, Representing, Intervening, Indigenizing & Indigenist processes, Claiming, Testimonies, Story-telling, Reframing, Representing, Networking, Protecting, Creating, Negotiating, Data	Mo'olelo (stories), personal experience, observation	Find a different way to educate Native youth that empowers them to succeed	Why is boarding school education in Australia not serving Native students, and why are they coming back broken?

		Collection & Analysis, Qualitative			
<i>Ka Huaka`i (2021)</i>	western data analysis validates Indigenous knowing and educational practices	Qualitative & Interoperative Analysis, Intervening, Envisioning, Reframing, Representing, Networking, Protecting, Creating, Negotiating	SBAC test scores, surveys, economic analysis	Validate return on investment	Are programs that are being funded making a difference?
<i>Treatise</i>	Hawai`i is what it is today due to colonization by the U.S.	Legal & historical interpretive analysis, Intervening, Envisioning, Reframing, Representing,	History and law review	To provide pathways to pono (balance and righteousness) through Native Hawaiian Law.	How do we save our species?

		Networking, Protecting, Creating, Negotiating			
<i>Meyer</i> (2013)	Natives must rise	Intervening, Envision, Reframing, Representing, Networking, Protecting, Creating, Negotiating	Mo`olelo (stories), data comparative, Native philosophical comparative	Design a new understanding and philosophy of knowledge inclusive of all three aspects of nature; physical, mental, and spiritual; stop suppressing Indigenous knowledges.	Holographic epistemology principles can prove Indigenous epistemology is valid.

This comparison reveals the diverse yet interconnected approaches that each scholar takes to address issues related to Indigenous education and sovereignty, particularly within the Native Hawaiian context. The table illustrates how different theoretical lenses, such as Indigenous Standpoint Theory or western data analysis, shape the choice of methodologies and methods used to explore reality. Each literary piece employs a mix of qualitative analysis, storytelling, legal and historical review, and other methods to achieve its objectives, whether it

be validating educational practices, challenging colonial narratives, or designing new knowledge systems. The recurring themes of Envisioning, Representing, Intervening, and Protecting reflect a consistent focus on empowerment, self-representation, and proactive change, underscoring the shared intention across these works to challenge and transform the existing structures that have marginalized Indigenous peoples.

In relation to the broader research topic, which is advocating for the educational needs of Native Hawaiian children and challenging the colonial framework imposed by the State of Hawai`i, this table highlights the importance of integrating Indigenous methodologies with western analytical tools. It suggests that a holistic approach, combining both Indigenous and western perspectives, is critical for effectively addressing the complex issues at hand. The alignment of purpose across the articles—to validate Indigenous knowledge, call out systemic oppression, and seek justice—demonstrates a unified effort to create meaningful change through research that is deeply rooted in Indigenous worldviews and methodologies.

Understanding Methodology and Methods

Understanding ‘methodology’ as the procedure and justification for research and ‘theory’ as a belief, idea, or set of principles to explain something, the investigative options and constraints by the choice of Indigenous theory must align with Indigenous methodology. The research approach is a plan and the process which includes detailed methods of data collection, analysis, and interpretation. In the next section we will discuss mo`olelo/*stories* and interpretive methods.

Nakata’s (2008) research approach included mo`olelo and the gathering of those data sets, personal experience, and observation to name a few. Ka Huaka`i (2021) used more colonial

approaches with State testing results, formal surveys, and economic and health statistics, as well as demographic patterns and trend data. The Hawaiian law Treatise (MacKenzie, Serrano, & Sproat, 2015) used the law and history, contrary to Meyer (2013), who used mo`olelo of different cultures, data comparative of proverbs and philosophical sayings and how they align to scientific inquiry.

These combined maintain a commitment to Indigenous standpoint theory, cultural interface, and the Indigenous worldviews, even with the use of qualitative empirical methodologies and data collection. Additionally, all align with Smith's (2021) methodologies having explicit values of community-driven, empowering, decolonizing, actionable, and successful practitioners, which validates their approaches.

Empowering Indigenous Communities

This section focuses on how the discussed theoretical perspectives and methodologies are applied to empower Indigenous communities. The emphasis is on creating educational spaces that reflect and nurture Indigenous identities, leading to self-determination and sovereignty.

Considering the ultimate goal of this larger project is to persuade the U.S. government to fulfill its fiduciary trust responsibility to Native Hawaiian children by providing for their educational needs without interference from the State of Hawai'i's colonized bureaucracy, the inclusion of western data will benefit us by speaking their language. These four elements frame my research strategy foundation: spirituality, Indigenous Standpoint Theory, empirical data, and law.

Spirituality and Ancestral Guidance in Action

EA is my life's work, and I have always been spiritually guided to hiapo/*eldest child* my sibling school communities. I accepted the kuleana/*God* and ancestors given responsibility. The guiding `ike, which is defined by Ulukau as *to see, know, feel, greet, recognize, perceive, experience, be aware, receive revelations from the gods, knowledge, awareness, recognition, comprehension and hence learning* (Ulukau Hawaiian Electronic Library, n.d.), comes from an ancestral place. I am guided by spirit as a result of accepting my kuleana and thrive on the `ike that is provided as the politics of Hawai`i's oppressive public education system is a Hawaiian issue with a contemporary thesis.

I resonate with Dr. Martin Nakata's Indigenous Standpoint Theory (2008). Working daily analyzing laws and legal precedence from an Indigenous perspective, the Hawaiian law Treatise (2015) is the perfect source of history in relation to law to provide pathways for future solutions. Dr. Manu Meyer's "Holographic Epistemology: Native Common Sense" (2013) validates the messages and strategies that come heuristically and through collective synergy and mana/*energy force*. Ka Huaka`i's (2021) data is perfect to substantiate our efforts and "prove" my point that EA is working and thus investing in us as a worthwhile enterprise.

Literary Expert Perspectives

These four perspectives provide collective mana and individual tools of spirituality, common sense, laws, and data combined with my Indigenous perspective and ancestor's guidance. I am very honored to be able to engage in such a purposeful project that will hopefully provide solutions and empowerment for NLN and Hawai`i. The following section will clarify each expert's specific perspective and its impact on this research.

This chapter has synthesized various theoretical perspectives and methodologies to present a comprehensive framework for Indigenous education. The integration of Indigenous knowledge systems with formal education is crucial for the empowerment and cultural preservation of Indigenous communities.

“Hawai`ian’s past is referenced as Ka wā mamua or ‘the time before,’ the future when thought is Ka wā mahope, ‘the time which comes after or behind.’ Hawaiians stand firmly in the present, with backs to the future and eyes fixed on the past, seeking historical answers for present-day dilemmas” (Kame`eleihiwa, 2014). This is a practical Hawaiian orientation as the future is always unidentified, and the past is abundant in knowledge and magnificence” (p. 1).

Meyer

Dr. Manu Meyer’s (2013) work asserts, “We communicate through our world view shaped within knowledge systems prioritized by the needs of people and the lessons of place” (p. 94). Her `ike in “Holographic Epistemology: Native Common Sense” provides an explanation of the principles and practices of the philosophy of knowledge, inclusive of all three aspects of nature: physical, mental and spiritual. It explains that the three aspects work at the same time, in synergy without oppressing or dismissing any one component. The goal through her literary piece is to create “new-old-wisdom” (p. 94) by citing examples of various cultures' prophecies and `olelo noeau/*proverbs*, justifying them with quantum physics and spirituality, simplifying the issues and purposes; it is basic common sense that observable knowledge should be valued.

Treatise

The legal and historical interpretive analysis is the methodology of *Native Hawaiian Law: A Treatise* (2015), which centers primarily around the premise that “both Kānaka and Native American language and culture struggles to maintain are deeply connected to the land,

dispossession (removal) from those lands and the resulting loss of cultural identity” (p. 1260). As Indigenous peoples whose land was invaded and the colonized society imposed on them, they did not choose it, and the only plausible reaction to save the shared national identity is the pursuit of sovereignty and self-determination.

During the overthrow, the United States ensured speaking Hawaiian was outlawed, as were all forms of transmitting history through song and dance. The legal Treatise (2015) explains further that education and language were “inseparably intertwined” throughout Hawai`i’s history as “verbal communication was the primary means of imparting knowledge, the language of that communication determines the worldview through which instruction is filtered, educational tools to engrain worldviews of these cultures into students” (p.1261). *‘Olelo Hawai`i/Hawaiian language* reflects the worldview of all people intimately dependent on their natural environment, ensuring balance among human beings, the natural world, and the spiritual realm—all knowledge came from these foundational values.

Nakata

Nakata’s (2008) analysis incorporates Indigenous knowledge systems into academic and scientific literature, clarifying the problems with those interactions and the epistemological differences between western and Indigenous knowledge. He discusses the “Cultural Interface” as a framework for exploring the exchange between Indigenous and non-Indigenous systems as well as acknowledges the reality of contemporary islanders in the vigorous space between ancestral and western realities. He considers the competing interests and political tensions that lay the foundation of Indigenous Standpoint Theory asserting to challenge and transform established objective narratives; it is essential to go beyond merely producing subjective stories. This involves a critical reflection that differentiates personal experience from one's position

while examining the social dynamics that influence how knowledge is constructed. It is important to craft arguments that respond to and are grounded in the principles and beliefs inherent to Indigenous perspectives.

Nakata (2008) also argues that identity is not about being in a place, but being connected to place, possible through remembrances, relationships, and a sense of belonging. Indigenous Standpoint Theory is used to analyze inter-subjective discourse and proposes that authority is rooted in individuals' personal knowledge and perspectives and the power that such authority exerts. Nakata claims an individuals' own perspectives are shaped by their social and political experiences and are multifaceted.

Literary Analysis

The document presents a complex and multi-faceted approach to advocating for the educational needs of Native Hawaiian children, with the goal of persuading the U.S. government to fulfill its fiduciary trust responsibility in this regard, independent of the colonial framework imposed by the State of Hawai'i's bureaucracy. Central to this advocacy is the integration of Indigenous perspectives, particularly those rooted in Native Hawaiian culture. I emphasize the importance of spirituality and ancestral guidance, arguing that `ike is deeply intertwined with these elements. This Indigenous approach to knowledge, which contrasts with western empirical methods, is positioned as equally valid and essential for the empowerment of Native Hawaiian communities.

A key theoretical foundation for this project is Dr. Martin Nakata's Indigenous Standpoint Theory (2008), which provides a framework for understanding the interaction between Indigenous knowledge systems and western academic and scientific literature. Nakata's theory

underscores the importance of connecting to place and community, not just physically, but through memory, relationships, and a sense of belonging. This connection is critical in the construction of identity and knowledge, highlighting the deep ties between culture, land, and education for Native Hawaiians.

While Indigenous perspectives are central, my research also acknowledges the importance of empirical data, particularly from sources like Ka Huaka`i (2021), to substantiate arguments in favor of fulfilling educational needs. By presenting data within the framework of western empirical standards, this project aims to communicate effectively with policymakers and stakeholders who operate within these paradigms. Legal analysis, especially the use of the *Native Hawaiian Law: A Treatise* (MacKenzie, Serrano, & Sproat, 2015), is another crucial component. This text provides a legal and historical context for the struggles of Native Hawaiians, particularly regarding language and cultural identity. The Treatise emphasizes the interdependence of language, culture, and education, advocating for the preservation of the `Ōlelo Hawai`i as a cornerstone of cultural identity and sovereignty.

Dr. Manu Meyer's (2013) concept of "Holographic Epistemology" is also integral to the project. This approach integrates physical, mental, and spiritual aspects of knowledge, arguing that these components work synergistically. Meyer's work seeks to validate Indigenous knowledge systems by aligning them with principles found internationally in quantum physics and spirituality, thereby challenging the dominance of western epistemology. The concept of "common sense" in this context refers to the intrinsic understanding within Indigenous communities of the interconnectedness of all aspects of life, presenting a necessary counterbalance to the often-fragmented approach of western education systems.

This investigation also provides a cultural and historical context, emphasizing the deep roots of Native Hawaiian education and the impact of colonization on these systems. It draws parallels between the struggles of Native Hawaiians and other Indigenous peoples, particularly in relation to land dispossession and cultural erosion. The historical narrative presented is one of resistance and resilience, with education being positioned as a critical battleground for the preservation of Native Hawaiian identity and sovereignty.

Ultimately, this research is a comprehensive and strategic effort to advocate for the empowerment of Native Hawaiian communities through education. By integrating Indigenous perspectives, empirical data, legal analysis, and spiritual guidance, my goal is to build a compelling case for the federal government to honor its fiduciary trust responsibilities. The work emphasizes the necessity of a holistic, culturally grounded approach to education that respects and incorporates the unique history, identity, and knowledge systems of the Hawaiian people.

Advocating for Sovereignty and Independence

The multifaceted landscape of Nā Lei Na`auao, Hawaiian charter schools, and the Coolangatta Statement serves as a rich tapestry where diverse Indigenous research methodologies converge to challenge colonial legacies and assert the value of Indigenous knowledge systems. The works of Dennis Masaka (2017), Professor Graham Smith (2015), Dr. Martin Nakata (2008), Dr. Manu Meyer (2013), and others collectively underscore the importance of decolonizing education and research through the reclamation and integration of Indigenous epistemologies, a theme that resonates deeply within the context of Native Hawaiian and Māori approaches.

Nā Lei Na`auao

Nā Lei Na`auao, Hawaiian charter schools, embody the principles advocated by these scholars by providing a culturally grounded educational experience that nurtures Indigenous identity and sovereignty. These schools are a practical manifestation of the Indigenous resistance described by these authors, actively reclaiming educational spaces that were once dominated by colonial narratives and re-centering them around Native Hawaiian values and knowledge systems.

Nakata

Dr. Martin Nakata's Indigenous Standpoint Theory (2008) adds a critical dimension to this discussion, emphasizing the importance of integrating Indigenous knowledge systems into academic and scientific discourse while recognizing the complex, often contested space between Indigenous and western realities. This theoretical framework resonates with the goals of Nā Lei Na`auao and aligns with the broader movement to create research methodologies that reflect and respect Indigenous worldviews.

Masaka

The Africanisation of the philosophy curriculum that Masaka (2017) advocates parallels the objectives of Nā Lei Na`auao, where the reintegration of Indigenous perspectives into education is crucial for the empowerment of students and communities. Similarly, Professor Graham Smith's development of Kaupapa Māori Praxis (2015) highlights the dynamic relationship between theory and practice, emphasizing the importance of creating research methodologies that are not only culturally relevant but also instrumental in achieving social justice and self-determination.

Treatise

The Native Hawaiian law Treatise offers a legal and historical perspective that grounds the discussion in the specific context of Hawai`i, illustrating how colonial forces have shaped the educational landscape and how Indigenous legal frameworks can provide pathways to reclaim and protect Native Hawaiian sovereignty. This aligns with Nakata's (2008) emphasis on the need for Indigenous knowledge systems to challenge and transform established narratives within academic and legal institutions.

Meyer

Dr. Manu Meyer's (2013) concept of Holographic Epistemology further enriches this discourse by proposing a model of knowledge that integrates physical, mental, and spiritual dimensions, reflecting the holistic nature of Indigenous worldviews. Meyer's approach, which aligns with the educational philosophy of Nā Lei Na`auao, calls for the validation of Indigenous epistemologies in ways that transcend traditional western paradigms, thereby offering a more inclusive and comprehensive understanding of knowledge.

Ka Huaka`i

The Ka Huaka`i (2021) assessment provides empirical evidence that supports the effectiveness of Indigenous-centered educational practices in Hawaiian charter schools. By demonstrating the positive outcomes of these programs, Ka Huaka`i validates the investment in Indigenous methodologies and strengthens the case for expanding such approaches within the broader educational system.

Coolangatta

The Coolangatta Statement (1999), a pivotal document for Indigenous rights and education, reinforces these ideas by advocating for the recognition and protection of Indigenous

knowledge systems globally. It aligns with the efforts of Native Hawaiian and Māori scholars who seek to establish research methodologies that are inherently Indigenous, ensuring that these methodologies serve as tools for both academic inquiry and community empowerment.

Converging Perspectives in Research Methodologies

The convergence of these scholarly perspectives provides a comprehensive framework for understanding and advancing Indigenous education and research methodologies.

The work of Masaka (2017), Smith (2015), Nakata (2008), Meyer (2013), and the principles outlined in the Coolangatta Statement and the Native Hawaiian law Treatise collectively support a methodology that is deeply rooted in Indigenous epistemologies, prioritizes the lived experiences of Indigenous peoples, and actively seeks to dismantle colonial structures within education. This approach is not only crucial for the preservation of Indigenous cultures and knowledge but also for the creation of a more just and equitable educational landscape for future generations.

All of the Indigenous authors of the articles presented come with an Indigenous perspective and theory. Professor Linda Smith's discussion of theory in *Decolonizing Methodologies* (2021) clarifies the purpose for choosing these primary literary works: "Real power lies with those who design the tools" (p.40). This allows us to decide the priority issues and in what order we address them so we can plan and strategize our actions while allowing for the integration of new ideas. The theoretical perspectives of all the literature complement the concept of Education with Aloha and the *kaona/hidden meaning* of EA, which is Sovereignty, Rule, Independence, Life, Air, Breath, Respiration, To Rise, the ultimate wish for our keiki.

Future Directions for Empowerment

This research will reveal opportunities to “untangle ourselves and focus on the empowered learner,” eliminating the colonized disempowerments we must accept for the state and federal money needed to operate our schools. Once we eliminate the economic barriers and create a form of sustainability, we can focus on the educational elements needed for a thriving lāhui.

Dr. Meyer’s work “Holographic Epistemology: Native Common Sense” (2013) gives me the confidence to trust my instincts, ancient guidance systems, and na`au/*gut* by illuminating three ways to view and experience knowledge: English - body, mind and spirit; Māori – tinana, hinengaro, wairua; Hawaiian – manaoio, manaolana and aloha. I have experienced this trilogy happening simultaneously and holographically, “every part of the hologram contains all the information possessed by the whole” (p.100), and the synergistic mana/*energy force* that is created with the i`ini/*fired intention* of all working together in alignment for the greater good.

Dr. Meyer (2013) has professed the holograph approach to knowledge has changed everything in her life and scholarship, asserting it is about resisting the claims of modern science to focus on the culture of complex kindness towards the world and the human freedom of logic: “Indigenous scholarship is simply asking for an evolution of this idea, with the heightened rigor of a just-as-real subjective and spiritual/quantum reality, that is culture” (p.96).

The Treatise is the road map that will pave the way to the solution with the mo`olelo of our Kūpuna/*elder* experiences. I have felt uncomfortable and filled with tension for so many years as we have fought the oppression of a colonized education system. At times feeling blind

and wondering why the path was so hard, I now understand that my back was facing the future for the past 24 years, and for the first time, I realize I am looking in the correct direction.

Hō`ailona of Four

The four literary pieces represent the four Akua I need to increase my mana/energy force and the collective power we need to ensure a thriving Nā Lei Na`auao Hawaiian Focused Charter School Education with Aloha (EA). From the spiritual depths of Professor Meyer's (2013) reflections to the theory and strategy Professor Nakata (2008) provides while being a successful actionable practitioner, to the statistical data expertise and neutrality of Ka Huaka`i (2021) and the tools and roadmap of history and law laid down for me by the Treatise, I feel the critical Indigeneity, its tensions and urgency, its expertise and "knowing" that is unmistakable. I am so humbled and thankful to have such remarkable resources, and it fuels my work daily and with this project.

Skepticism, Burden, and Amazement

Having a relationship with the land that is such an expensive and sought-after commodity has made me skeptical and burdened that we will lose it all one day. Realizing the political power dynamics of education between colonizers and Indigenous communities and watching our most vulnerable and treasured gifts, our children, be susceptible to that battle has been extremely difficult. As I struggle to decolonize my thinking and stop second-guessing myself, I see and experience the children and adults who are involved in Education with Aloha empowered. An unintended outcome of the NLN movement has been the empowerment of adults as well as children. Allowing them to believe in their na`auao as they build relationships with the haumāna/students and trust their ancestral and `āina based `ike/knowledge has been amazing to

watch. Understanding the number of staff members who have gone back to school through KALO's Kahoiwai teacher licensing or master's program or others is stunning, and now we are researching.

Guided by Ancestral Wisdom: Embracing Interdependence

Dr. Manu Meyer is a NLN EA champion who has always been a staunch advocate for Native Hawaiians. She believes that Indigenous world views, makawalu Hawaiian interpretation and practice of interdependence, "creates a field of knowledge production and exchange with priorities in practice, relevance, context, consciousness, and shared common sense. It is knowledge through experience, individual or collective, and a way of being via site-specific familiarity through years, generations and life-times" (2013, p. 98). Nā Lei Na`auao founders and leaders have accepted the kuleana set by our ancestors, and as a result, they guide us through the struggles. Professor Meyer (2013) expresses my experience as "knowing shaped by purpose and knowledge prioritized by function with an understanding that has endured for a reason" (p. 98).

Education as a Gateway to Full Participation in Society

Native Hawaiian Law: A Treatise (2015) shares that "education is considered a gateway to full participation in society" (p. 1259). Hawaiians reconcile opposing forces: gain adequate proficiency in English to function in an increasingly Westernized society while maintaining enough cultural identity, as embodied in language, to enjoy self-respect and well-being (p. 1260). The Treatise further asserts: "In the last twenty years, innovative immersion and charter schools have been instrumental in promoting self-determination and strengthening self-awareness by grounding students in Hawaiian culture, language, and values. In fact, studies consistently show that Native Hawaiian students with a strong cultural foundation have more confidence in

themselves, outperform their counterparts at public schools, and have a better chance of improving their socioeconomic conditions” (p.1260). It validates our work, then lays out the laws and history to help guide the future strategy.

The Beauty of Indigenous Knowledges from Literature

These scholarly works are providing perspective, promising visions of future research and an Indigenous standpoint theory. You can feel the experiences through the storytelling and the difficulties of the politics of Indigenous identity. The theory making and challenges for further solutions and research, and the way the writers envision, reframe, and produce tools for solutions, clarify the beauty of Indigenous knowledges and systems that have worked successfully for millennia.

Asserting Authority through Indigenous Standpoint Theory

Indigenous Standpoint Theory is used to analyze inter-subjective discourse which proposes that true authority is rooted in individuals’ personal knowledge and perspectives and the power that such authority exerts. An individuals’ own perspectives are shaped by their social and political experiences and are multifaceted. The current pedagogy and context of Hawaiian education is deficient, and the U.S. context is considered superior. The more we can relate to our haumāna/*students* and their `ohana/*family* through Education with Aloha, the more tools and warriors we will have to change that power position. Let us assert our own authority once again, rooted in our individual knowledge and personal perspectives and feel the empowerment that such authority exerts.

Literature Review Aim

This literature review aims to provide a comprehensive analysis of various Indigenous perspectives and methodologies in education, specifically focusing on Nā Lei Na`auao Hawaiian Focused Charter Schools Education with Aloha. It includes works by experts like Professor Martin Nakata (2008), Ka Huaka`i (2021), and others, offering insights into Indigenous Standpoint Theory, Native Hawaiian well-being, and historical legal contexts. The review outlines the theoretical perspectives, methodologies, research approaches, and ethical considerations of each piece of literature, garnering a deep understanding of the subject matter. I highlight the importance of aligning Indigenous values and community empowerment throughout as the purpose of my research.

By providing a strong theoretical foundation and research methodology framework, this chapter sets the stage for the research. The integration of Indigenous perspectives and western data analysis adds depth to the discussion and showcases a nuanced approach to addressing educational challenges faced by Native Hawaiian children. Additionally, we must acknowledge the relevance and significance of each scholarly work in informing the overall research goals and objectives. My intention was to demonstrate a thorough analysis of key Indigenous perspectives and methodologies in education, making it a valuable chapter in this dissertation focused on empowering Indigenous communities through education.

Conclusion Chapter 4

In conclusion, this chapter has synthesized various theoretical perspectives and methodologies to present a comprehensive framework for Indigenous education. The integration

of Indigenous knowledge systems with formal education is crucial for the empowerment and cultural preservation of Indigenous communities.

The multifaceted landscape of Nā Lei Na`auao, Hawaiian charter schools, and the Coolangatta Statement serves as a rich tapestry where diverse Indigenous research methodologies converge to challenge colonial legacies and assert the value of Indigenous knowledge systems. The works of Dennis Masaka (2017), Professor Graham Smith (2015), Dr. Martin Nakata (2008), Dr. Manu Meyer (2013), and others collectively underscore the importance of decolonizing education and research through the reclamation and integration of Indigenous epistemologies, a theme that resonates deeply within the context of Native Hawaiian and Māori approaches.

Nā Lei Na`auao, Hawaiian charter schools, embody the principles advocated by these scholars by providing a culturally grounded educational experience that nurtures Indigenous identity and sovereignty. These schools are a practical manifestation of Indigenous resistance, actively reclaiming educational spaces that were once dominated by colonial narratives and re-centering them around Native Hawaiian values and knowledge systems.

Dr. Martin Nakata's Indigenous Standpoint Theory (2008) adds a critical dimension to this discussion, emphasizing the importance of integrating Indigenous knowledge systems into academic and scientific discourse while recognizing the complex, often contested space between Indigenous and western realities. This theoretical framework resonates with the goals of Nā Lei Na`auao and aligns with the broader movement to create research methodologies that reflect and respect Indigenous worldviews.

The Africanisation of the philosophy curriculum that Masaka (2017) advocates parallels the objectives of Nā Lei Na`auao, where the reintegration of Indigenous perspectives into

education is crucial for the empowerment of students and communities. Similarly, Professor Graham Smith (2015) development of Kaupapa Māori Praxis highlights the dynamic relationship between theory and practice, emphasizing the importance of creating research methodologies that are not only culturally relevant but also instrumental in achieving social justice and self-determination.

The Native Hawaiian Law Treatise (MacKenzie, Serrano, & Sproat, 2015) offers a legal and historical perspective that grounds the discussion in the specific context of Hawaiʻi, illustrating how colonial forces have shaped the educational landscape and how Indigenous legal frameworks can provide pathways to reclaim and protect Native Hawaiian sovereignty. This aligns with Nakata's (2008) emphasis on the need for Indigenous knowledge systems to challenge and transform established narratives within academic and legal institutions.

Dr. Manu Meyer's (2013) concept of Holographic Epistemology further enriches this discourse by proposing a model of knowledge that integrates physical, mental, and spiritual dimensions, reflecting the holistic nature of Indigenous worldviews. Meyer's (2013) approach, which aligns with the educational philosophy of Nā Lei Na`auao, calls for the validation of Indigenous epistemologies in ways that transcend traditional western paradigms, thereby offering a more inclusive and comprehensive understanding of knowledge.

The Ka Huaka`i (2021) assessment provides empirical evidence that supports the effectiveness of Indigenous-centered educational practices in Hawaiian charter schools. By demonstrating the positive outcomes of these programs, Ka Huaka`i (2021) validates the investment in Indigenous methodologies and strengthens the case for expanding such approaches within the broader educational system.

The Coolangatta Statement (1999) reinforces these ideas by advocating for the recognition and protection of Indigenous knowledge systems globally. It aligns with the efforts of Native Hawaiian and Māori scholars who seek to establish research methodologies that are inherently Indigenous, ensuring that these methodologies serve as tools for both academic inquiry and community empowerment.

The convergence of these scholarly perspectives provides a comprehensive framework for understanding and advancing Indigenous education and research methodologies. The work of Masaka (2017), Smith (2015), Nakata (2008), Meyer (2013), and the principles outlined in the Coolangatta Statement (1999) and Native Hawaiian Law: A Treatise (2015), collectively support a methodology that is deeply rooted in Indigenous epistemologies, prioritizes the lived experiences of Indigenous peoples, and actively seeks to dismantle colonial structures within education. This approach is not only crucial for the preservation of Indigenous cultures and knowledge but also for the creation of a more just and equitable educational landscape for future generations. These strengthen this argument by incorporating the collective scholarly perspectives that support a holistic approach to Indigenous education, tying in the broader global movements for Indigenous sovereignty and educational reform.

The next chapter clarifies the data collection techniques, methods, and evidence of the significant initiatives taken to rectify the educational injustices Hawaiian Focused Charter Schools have been facing for the past 24 years. It focuses on the assertion of equal rights to education, and specifically Indigenous education, to foster healing, empowerment, and proactive change of the educational structures that continue to marginalize Kānaka Maoli.

CHAPTER FIVE: DATA, EVIDENCE AND ANALYSIS

Introduction

Gaps in the Research

This chapter addresses a significant gap in current research by providing the first comprehensive investigation, supported by evidence, of the extensive educational and advocacy efforts undertaken by KALO and Nā Lei Na`auao over the past 24 years, from 2000 to 2024. These efforts aimed to achieve educational sovereignty and community empowerment through the charter school vehicle in Hawaiian communities. The evidence presented highlights the challenges faced despite legal empowerments and state promises, illustrating how educational self-determination is particularly stifled in Hawai`i, especially for the Kānaka Maoli.

This research stands out by amalgamating the historical advocacy efforts of the Hawai`ian-focused charter school movement, presenting a unique perspective on the strides and struggles encountered. It offers an in-depth look at how these efforts have shaped the educational landscape in Hawai`i and the ongoing quest for self-determination among the Native communities.

The content of the chapter is organized around several key themes, which include two formal Legislative Reference Bureau research reports, a court-mandated settlement that led to the creation of the superintendent liaison committee within the Department of Education, and various task forces initiated by the legislature. Additionally, it covers a range of documentation such as green and white papers, a lawsuit feasibility study, and structural changes like the establishment of a Joint Powers Authority and a Community Development Finance Institution. The chapter also delves into the roles of authorizers, the implementation of resolutions and

administrative rules, and due process interventions. A comprehensive review of 225 legislative bills, both advocating for and against the movement, is discussed to underline the political engagements and strategies employed. The chapter concludes by reflecting on returning to the spirit and wisdom of `Kūpuna `ike' as a guide for future directions.

Setting the scene

This chapter presents the data collected through an emergent design methodology, which allowed for flexibility and adaptation to new ideas, concepts, or findings that emerged during the research process. The categories within this discussion and summary of data were identified after gathering information through participant observations, ethnographic kūkākūkā interviews, , and document analysis. Central to this study is the ‘researcher-as-instrument’ approach (Mutch, 2013), honed over the past 24 years, during which we in the Hawai`i charter school movement have been deeply involved in education, investigation, advocacy, and negotiation for equity, empowerment, and appropriate resources. This chapter provides a step-by-step account of the significant initiatives undertaken by NLN and led by KALO and me, highlighting both successes and setbacks. Through detailed explanations of each major event or initiative and the accompanying outcomes, supported by evidence, I illustrate the evolution and impact of the Nā Lei Na`auao Education with Aloha movement up to its current state.

Expectations when founded

The Nā Lei Na`auao – Alliance for Native Hawaiian Education was founded with a vision to cultivate an educational movement that deeply respects and perpetuates the cultural, historical, and linguistic heritage of Native Hawaiians. Our mission aims to establish a robust educational framework that is both community-designed and controlled, fully embodying the rich values and philosophies intrinsic to Hawaiian culture. As an informal alliance, there were strong requests from philanthropic supporters Kamehameha Schools Bishop Estate and The Office of Hawaiian

Affairs for us to formalize our structure. At a strategic planning meeting on July 25, 2005 at Kamehameha Schools Kapalama Campus – Kekauluohi Dorm Lounge, the following decisions were finalized: 1) The Board of Directors will be the principals of the schools, 2) Voting will be done by consensus majority if issues arise, 3) Nā Lei Na`auao will be a program of KALO (Kanu o ka `Āina Learning `Ohana), 4) allowing us to remain informal to lobby without restrictions and to ensure western legal compliance structures are not used against us, 5) NLN will conduct an annual conference called Ku`i ka Lono with the assistance of school representatives, 6) and charter schools are used as a vehicle for Native designed and controlled education with the long range goal of a host culture district.

Central to our expectations is the assertion of the equal right to education for all, as emphasized by the Coolangatta Statement, which includes control over educational content and the use `ōlelo Hawai`i as a medium of instruction. We are dedicated to establishing and managing our education systems that respect and incorporate the Hawaiian language and cultural practices, advocating for these systems to be valued equally alongside western models. This initiative aligns with principles of self-determination in education.

In accordance with Article X of the Hawai`i State Constitution, we expect state support for these educational systems, ensuring they are free from discrimination and provide equitable opportunities to all students. Our efforts also focus on integrating Hawaiian culture, history, and language into the public education system, as mandated by the Hawaiian Education Program, to enhance the cultural competence of all learners.

Supported by the Hawai`i Legislature Act 62, we champion the concept of charter schools as platforms for educational innovation. These schools are envisioned as environments that are free from bureaucratic constraints and controlled by local communities, offering flexibility in curriculum development, facilities management, and instructional approaches.

Our goals, inspired by discussions from the CREA kūkākūkā in 2013, include nurturing effective communication, fostering lifelong learning, ensuring readiness for college, careers, and community, and equipping individuals to adequately provide for themselves and their families. We are committed to demonstrating and applying Hawaiian values, respecting and honoring genealogy, recognizing and accepting leadership roles based on ancestral knowledge, and understanding the importance of `āina in making broader connections. Furthermore, we emphasize the significance of reciprocal relationships within a cultural context, acknowledging their inherent responsibilities.

Through these commitments, Nā Lei Na`auao seeks to not only educate but also empower the Hawaiian community by reconnecting individuals with their cultural roots, fostering leadership and ensuring that each learner can thrive in today's global society. We envision an educational paradigm that integrates the wisdom of the past with the innovations of the future, transcending traditional boundaries to honor and perpetuate the rich heritage of Kānaka Maoli. By understanding the initial intent and i`ini of the HFCS movement in Hawai`i, my research will reveal what opportunities remain to achieve full educational sovereignty.

Questions Remaining

- What organizational structure will facilitate Nā Lei Na`auao - Education with Aloha epistemology, ideology, and spirituality; and what opportunities remain to achieve full educational sovereignty and self-determination?
- How would we be able to get federal funding for Hawaiian children's education that will follow the child and allow parents to make educational choice?

- Can we compel the U.S. Government to accept their fiduciary trust responsibility to the Kānaka Maoli, acknowledging the educational failures, and provide annual formula driven funding for each Hawaiian child?

Data Section

2002 Legislative Reference Bureau Report “On the Level?”

Background

The report titled "On the Level? Policy, Law and the Charter School Movement" by Keith Fukumoto (2002), prepared by the Legislative Reference Bureau in response to Senate Concurrent Resolution No. 113, H.D. 1 (2001), examines the funding and regulation of new century charter schools in Hawai`i from legal and policy perspectives. It focuses on four thematic areas: resources, governance, compliance, and startup/shutdown.

Purpose

The study explores questions such as the allocation of personnel resources, the impact of school-level salary caps, the legal and employment status of charter school staff, and the liability for charter school debts. It highlights the differences in resource allocation between public and charter schools, with public school principals being able to hire teachers without regard to salaries whereas charter schools face school-level salary caps. The report also discusses the implications of treating charter and public schoolteachers differently concerning tenure and service credit. Additionally, the document addresses the challenges charter schools face in complying with federal disability laws and the complexities of charter school governance and

legal representation. The overarching theme is whether the playing field is level between charter and public schools in terms of policy, law, and practical implementation.

Relevant Highlights

The report's findings highlighted several key issues. Charter schools are at a financial disadvantage compared to traditional public schools, particularly in terms of operating expenses, capital investments, and compliance costs for federal mandates. There are significant disparities in the employment conditions of charter and public schoolteachers, affecting job security and benefits. Charter schools face challenges in meeting federal disability law requirements, necessitating better support and resources. The legal status and representation of charter schools are ambiguous, with unclear frameworks regarding their ability to sue, legal liability for debts, and other governance issues. Additionally, the processes for starting up and shutting down charter schools need clearer definitions, including the appeal process for denied applications and the authority to revoke charters.

Outcomes

To address these challenges, the report recommends ensuring equitable funding for charter schools comparable to traditional public schools, including allocations for operating expenses and capital improvements. It suggests statutory amendments to clarify the legal status of charter schools and the employment rights of their teachers. The Department of Education should provide more support to charter schools for compliance with federal laws, including offering technical assistance and resources. The governance framework for charter schools needs refinement to clearly define their autonomy, the role of local school boards, and the extent of state oversight. Lastly, clear and fair procedures should be established for the appeal of denied charter applications and the conditions for revoking charters, ensuring due process and transparency in these decisions. These recommendations aim to create a more equitable and

supportive educational environment for charter schools.

Exhibit A Data Evidence [Electronic File](#)

Why Charter in Hawai`i

Background

The charter movement was authorized by law in 1999. Kanu o ka `Āina New Century Public Charter School was one of the first four “start-up” charter schools authorized in the State of Hawai`i and the first Kānaka Maoli charter school. The traditional Hawai`i Department of Education (HIDOE) system was directed through legislative intent articulated in Act 62, legislative session of 1999, to connect the new charter movement to the state system (Hawai`i State Legislature, 1999).

Act 62, Section 2, Session Laws of Hawai`i

Regarding Senate Bill No. 1501, which eventually became Act 62, the Committees on Education and Labor and Public Employment of the House of Representatives stated the following:

Your Committees find that the concept of New Century Schools, also known as charter schools, defines a new and improved approach to education, one that is free of bureaucratic red tape and accommodates the individual needs of students. New Century Schools will allow schools increased flexibility and autonomy, with a local school board serving as the governing body of each school, in exchange for greater accountability for student performance.

Your Committees further find that the development and nurturing of New Century Schools will allow the State to dramatically improve its educational standards for the twenty-first century. Currently, there are charter schools operating in over 23 states, and

emerging data suggest that charter schools are spurring reform in traditional public schools [emphasis added]. In addition, a study done by the Center for School Improvement at the University of Minnesota of 30 charter schools in 9 states indicated that 68 percent of charter schools demonstrated improved student achievement. And, other studies have shown that charter schools are not only improving students' interest in school but are enhancing teachers' levels of satisfaction.” (Hawai`i State Legislature, 1999)

Education in the United States is not a federal constitutional right (Jones A. , 2012); therefore, public education control is delegated to the individual states. The federal government imposes its will by providing federal funding to states attached to compliance criteria.

Hawai`i's Unique Structure

"SEA" and "LEA" are abbreviations for two different types of educational agencies defined by the federal government:

1. State Educational Agency (SEA): A state-level organization responsible for overseeing public education within a state. It sets statewide educational policies, standards, and guidelines. It also distributes federal and state funds to local school districts, monitors compliance with state and federal regulations, and provides support and resources to schools and districts.

2. Local Educational Agency (LEA): A public authority responsible for the administration of public elementary and secondary schools in a specific local area, typically a school

district. LEAs are responsible for implementing state education policies, managing local schools, hiring staff, and ensuring that schools meet state and federal educational standards. They also handle day-to-day operations, budgeting, and curriculum implementation (United States Department of Education).

SEAs operate at the state level, setting policies and providing oversight, while LEAs operate at the local level, implementing these policies and managing individual schools and districts.

In Hawai`i, the structure of the SEA and LEA is unique compared to other states. The Board of Education delegates its SEA responsibility to the HIDOE. Hawai`i operates under a single statewide school district, making the HIDOE both the SEA and the LEA. The BOE sets statewide educational policies, standards, and guidelines. However, the HIDOE oversees the implementation of federal and state education laws and regulations, distributes funds, and ensures compliance with educational standards. As the LEA, HIDOE is responsible for the direct management and operation of HIDOE public schools in the state. This includes hiring staff, managing budgets, developing curricula, and handling day-to-day operations of schools. Essentially, HIDOE functions as both the overarching policy-setting body and the local administrative body for Hawai`i's HIDOE schools.

Unlike other states with multiple school districts, Hawai`i has a single, unified school district that covers the entire state. This means there is a centralized system for managing education, allowing for consistent policies and practices across all public schools. The centralized structure claims to ensure equitable distribution of resources and uniformity in educational standards and policies statewide prior to the onset of start-up charter schools in 2000. It also allows for streamlined decision-making and potentially more efficient use of resources. All traditional public schools in Hawai`i follow the same policies and standards set by the HIDOE, claiming consistency in educational quality and equity across the state. HIDOE schools have access to

centralized support and resources from HIDOE, which can facilitate better implementation of programs and initiatives which charters are not privy to. The Hawai'i Department of Education uniquely serves both state and local functions, overseeing all traditional public schools in the state as a single, unified district.

Charter schools are not a part of HIDOE; they are under the Hawai'i Board of Education (BOE). The BOE is Hawai'i's SEA yet delegates its SEA responsibility to the HIDOE. Charter schools are administratively attached to the HIDOE yet operate by law under local school boards (Hawai'i State Legislature, 2012). The onset of charter schools did not come with an overhaul of the HIDOE finance system. In the fiscal year 2023-2024, public education in Hawai'i constituted approximately 12% of the state budget. The HIDOE's operating budget is around \$2.1 billion as of 2023, primarily funded by state tax revenues and federal funding. This budget supports the day-to-day operations of schools and offices, with additional funding coming from state bonds for capital improvement projects (Hawai'i Department of Education, 2023; Hawai'i Budget and Finance, 2022).

Antiquated State Finance System

The Hawai'i Department of Education is currently in the process of modernizing its Financial Management System (FMS). The existing system, which has been in use since 1991, has significant limitations, including lack of functionality and inadequate vendor support. Charter Schools, though “state agents” (acting on behalf of the State), are considered vendors to the HIDOE. This outdated system has hindered the department's capabilities and responsiveness,

leading to operational challenges such as a prolonged outage in October 2018 that disrupted payments to vendors.

The HDOE's FMS modernization is a part of a larger statewide initiative to align all state departments under a common accounting structure to improve efficiency and transparency (Hawai'i Department of Education, 2020). The project is supported by various state agencies, including the Office of Enterprise Technology Services (ETS) and the Department of Accounting and General Services (DAGS). The implementation of the new FMS is being led by CherryRoad Technologies, utilizing Oracle technologies, with an independent verification and validation consultant to be selected (State of Hawai'i Office of Enterprise Technology Services, 2016).

Federal Funding Distribution

In the context of federal funding distribution, the relationship between SEAs and LEAs plays a crucial role. Here's how it typically works, with a specific focus on Hawai'i's unique structure: in most states, the U.S. Department of Education allocates federal education funds to SEAs based on formulas set by federal law, such as Title I funds under the Elementary and Secondary Education Act and Individuals with Disabilities Education Act (IDEA) funds. SEAs are responsible for distributing these funds to LEAs within the state, developing state plans and applications for the use of federal funds, ensuring compliance with federal requirements, providing guidance and support to LEAs on effective fund usage, and monitoring the funds' usage to ensure adherence to federal and state regulations. LEAs receive federal funds from SEAs and are responsible for using these funds to meet the educational needs of their students, following the guidelines set by the SEA and federal law. LEAs typically use federal funds to

support various programs and initiatives aimed at improving academic achievement, supporting students with disabilities, and providing professional development for teachers (Benioni, 2024).

In Hawai`i, the process is streamlined as HIDOE serves as both the SEA and the LEA for the entire state. The U.S. Department of Education allocates federal education funds to HIDOE, which then develops state plans and applications for the use of federal funds, ensuring compliance with federal requirements. HIDOE directly manages the distribution and use of these funds within the single statewide district, allocating resources to individual schools based on need and program requirements.

Challenges and Criticisms

The SEA/LEA combined structure results in an extremely top-heavy system that is O`ahu-centric in an island state comprised of eight islands. Rural communities struggle for resources, and charter schools must fight for each resource as they sit outside the HIDOE structure (Hawai`i State Legislature, 2011). This combination removes the accountability mechanism for fair distribution of federal resources, allowing HIDOE to manipulate federal funds to support its enormous system.

This giant bureaucracy has placed Hawai`i at the bottom ranks of public schools across the U.S. (World Population Review, 2024) for decades and has not served Kānaka Maoli's educational needs, with Kānaka being one of the least academically successful ethnic groups in Hawai`i (Kamehameha Schools, 2021). In 2017, the HIDOE combined the highest achieving students, Orientals, with the lowest achieving students, Hawaiians and Micronesians, in a pooled group called "Asian Pacific Islanders." As a result, Hawaiian data can no longer be disaggregated to clarify the academic outcomes of Kānaka Maoli students (Hawai`i Department of Education, 2016).

When charters were founded, there were no processes or mechanisms set up to integrate these new schools into the unified public system that is heavily bureaucratic, top-heavy, and union-driven (United States Bureau of Labor Statistics, 2023). HIDOE employees, who are all union members, did not feel it was their responsibility and were not interested in supporting the new public educational vehicle. A Charter School Office was established within HIDOE for administrative purposes, but it was not appropriately staffed and had no authority.

In the next sections, I will share the background, purpose, highlights and outcomes of each major initiative. Each section will finish with an electronic file of evidence that includes all the attachments for that initiative. This will allow researchers or interested parties to pick specific initiatives and easily retrieve the evidence. I expect as we engage in the next few years of the movement, these resources will be needed by researchers. Some of the evidence is embargoed at the request of the creators; I clarify the initiatives in which the creators will need to be contacted directly for that information.

The Superintendent Liaison Committee

Background

In 2002, Connections Charter School initiated a lawsuit, Civil Number 02-1-0011, in the Circuit Court of the Third Circuit (2002). The settlement court document is attached in electronic file Attachment B and embargoed. As part of the settlement agreement, the creation of the Superintendent Liaison Committee (SLC) was mandated. I served as a member of this committee with other charter school founders, attending monthly meetings on O`ahu with the HIDOE

superintendent from 2002 through 2007. This committee established the foundational structural connection for charter schools to the State of Hawai`i system.

Purpose

The Department of Education agreed to several measures to ensure equitable treatment of charter schools. The HIDOE committed to disseminating information through hard copy memoranda and Internet communications to appropriate administrators of federal grant programs, informing them that all charter schools, as public schools, are entitled to participate in formula-derived federal grants and other federal grant opportunities in the same manner as non-charter schools.

Relevant Highlights

Additionally, the HIDOE was tasked with ensuring that charter schools are included in any communications regarding federal grant opportunities as soon as information becomes available. Furthermore, the HIDOE agreed to inform its staff that charter schools should be notified about the availability of services provided to public schools, except in cases where the State Auditor had allocated pro rata services or where a charter school has opted to receive funds instead of services through negotiations with the HIDOE.

The HIDOE also committed to informing Connections and other charter schools about HIDOE services provided through legislative appropriations that support schools and are available to charter schools. Moreover, the HIDOE was to instruct its district administrators to include charter schools in their communication networks and provide necessary support. A uniform procedure for the release of allocated funds to charter schools was to be developed by the HIDOE with input from charter school representatives. This procedure required the HIDOE to notify charter schools, in plain English, of any withholdings from their allocations.

The Superintendent and charter school administrative office staff were to continue participating in monthly meetings with representatives from the Hawai'i Charter Schools Network to discuss and attempt to resolve problems encountered by charter schools. Finally, the SLC created the main system connections for charter school employees who are public State of Hawai'i employees, granting them the same rights and responsibilities as HDOE employees, including connection to the State retirement system, workers compensation, unemployment, health care, and other traditional employment benefits.

Outcome

Unfortunately, after 24 years of charter structural connection to the State of Hawai'i in its SEA responsibility, in 2024, a new superintendent has cut off all charter school employees from unemployment insurance and workers' compensation benefits inappropriately and illegally with no written notification or clarification. The decision was announced verbally at a Commission meeting for charter leaders. This leaves charter schools and their employees at risk and uninsured as state agencies cannot purchase private unemployment or workers' compensation insurance, though private companies are mandated by law to do so. A request for clarity and opinion was sent to the State of Hawai'i Attorney General on October 30, 2023 (attached in Exhibit B), authored by me on behalf of all schools, with no response to date. Additionally, several of us leaders went to the new superintendent's office, dropped off a letter (attached in Exhibit B) explaining the situation with a copy of the Connections settlement agreement, and requested a meeting, with no response to date.

Exhibit B Data Evidence [Electronic File](#)

2005 Legislative Task Force

Background and Purpose

Act 87, Session Laws of Hawai'i 2005, called for a "task force on charter school governance to identify and recommend to the legislature revisions to the existing charter school law and to help create an effective framework for overseeing and supporting new and existing charter schools" (Charter School Administrative Office, 2005). The legislature of Hawai'i recognized the need to address the operational and legal differences between traditional public schools and new century charter schools. Despite sharing common objectives, these two groups of schools differ significantly in their target populations, educational approaches, legal mandates, and funding structures. The flexibility of charter schools as an educational reform model is vital and should be maintained. However, the creation of new century charter schools necessitates statutory clarifications to ensure accountability, appropriate personnel management, funding stability, workers' compensation, and compliance with the Individuals with Disabilities Education Act.

Relevant Highlights

To improve the charter school laws, several measures were introduced. These include the clarification and updating of definitions for "public schools" and "new century charter schools," implementation of more rigorous standards for chartering new schools, inclusion of local school boards in the department of education listings, facilitation of personnel movement between traditional public and charter schools, enabling charter schools to propose their own weighted student formulas, and allocation of collective bargaining increases to charter schools by the department of budget and finance. Additionally, the charter schools' administrative office is exempted from the state procurement code, multi-year contracts are

provided for the executive director, and top executives are prohibited from serving as chair of the local school board. A task force was also created to recommend revisions to existing charter school laws.

The Task Force focused on clarifying amendments to charter school statutes, establishing a per-pupil funding mechanism, requesting funds for fringe benefits and collective bargaining increases, allowing appropriations for workers' compensation benefits, providing access to federal education funds, ensuring charter school employees' participation in the state's workers' compensation system, ensuring compliance with federal IDEA regulations, clarifying administrative hearing procedures for the education of handicapped children, and appropriating funds for these initiatives.

The Task Force was made up of 16 specified agencies and organizations; I represented Nā Lei Na`auao. Between November 30 and December 14, 2005, Charter School Administrative Office staff and task force members conducted public input meetings across the state, presenting an overview of charter schools and Act 87 and discussing forty-seven proposals. These meetings identified five general issue groups: the general organization of the law, purpose, definitions, and requirements; the powers and duties of the Board of Education, CSAO, and local school boards; collective bargaining (unions) and personnel; open government and local school boards; and facilities and finance. Meetings were held at multiple locations, including the State Capitol, University of Hawai`i campuses, community colleges, and charter schools. Additional visits to charter schools provided further input from local school board members and school personnel.

Outcomes

The Task Force completed its report with forty-seven proposals generated; twenty-four received a majority of votes, and five met the super-majority “recommendation” standard. Interestingly, many State Department heads did not show up for the final vote, crippling the super-majority impact. Advocacy to get these recommendations was still required, and many of the issues continue to be issues 24 years into the movement. Significant issues of financial equity remain, including disparities in state per-pupil allocation, uneven distribution of federal SEA/LEA formula-driven funds, and insufficient provisions for staff fringe benefits such as unemployment and workers' compensation. Additionally, the lack of legislative allocation for collective bargaining increases, which are instead funded by the per-pupil amount, exacerbates these disparities. The absence of facilities support further compounds these challenges. These ongoing inequities highlight the need for better organization and implementation of the laws governing charter school.

Exhibit C Data Evidence [Electronic File](#)

2005 Legislative Reference Bureau Study - Noncontiguous Charter School District

Background

The report titled "Feasibility of a Noncontiguous Charter School District" by the Legislative Reference Bureau (LRB) of Hawai'i (Pacific Resources for Education and Learning), prepared in January 2005, explores the potential for establishing a noncontiguous charter school district in Hawai'i.

Purpose

This initiative aims to consolidate existing Kānaka Maoli charter schools, enhance charter school autonomy, and potentially secure additional federal funding. The report finds that there

are no federal restrictions against creating a geographically noncontiguous Local Educational Agency (LEA), as other states have successfully established similar districts. However, it is crucial to decide if membership in the new charter school LEA will be mandatory or voluntary, since not all charter schools may wish to participate. The Department of Education (HIDOE) would retain its role as the State Educational Agency (SEA), ensuring compliance with educational standards, including those related to children with disabilities.

Relevant Highlights

The creation of a charter school LEA does not inherently resolve financial allocation issues, requiring legislative changes to address funding structures. Charter schools can continue to receive various services from the HIDOE even after the establishment of a charter school LEA. Charter schools within the LEA will take on new responsibilities under federal grants, such as those under the Individuals with Disabilities Education Act (IDEA). The report suggests that a charter school LEA would likely withstand constitutional scrutiny, provided admissions policies do not discriminate based on protected classes. A charter school LEA would have more autonomy, especially regarding federal grants, but could still contract with the HIDOE for specific services. However, the report clarifies simply creating a LEA does not guarantee additional federal funds without an effective development program.

While establishing a charter school LEA is not a cure-all, it is a significant potential reform that warrants further consideration. A definitive legal opinion from the Attorney General is required to ensure compliance with Hawai'i's constitutional mandate for a statewide public school system. Additionally, the legislature could support charter schools by funding a development officer position within the Charter School Administrative Office to seek external funding. The report recommends that membership in the charter school LEA should be voluntary

to respect the autonomy and preferences of individual charter schools. Legislative amendments are needed to authorize the new LEA structure and address financial and administrative implications. Implementing a robust development program to secure federal and private funding is also advised.

Outcomes

In summary, the report emphasizes that while establishing a noncontiguous charter school LEA holds promise for educational reform, numerous issues must be addressed to ensure its success and legality.

Exhibit D Data Evidence [Electronic File](#)

2010 Legislative Equity Study

Background and Purpose

The "Understanding Public School Funding Fiscal Year 2009-2010" presentation provides an in-depth analysis of the funding allocation and distribution for K-12 education in Hawai'i, focusing on both Department of Education schools and charter schools. It was created by KALO Chief Financial Officer Katie Benioni, with Executive Director Taffi Wise, and supervised by Senator Dwight Takamine, State of Hawai'i Senate Ways and Means Committee Chairman, to understand Hawai'i public school funding. Compiled through a series of meetings with the HDOE led by Senator Takamine from December 2009 to May 2010, this presentation aimed to elucidate the disparities and challenges in funding distribution, identify areas of inequity, and propose actionable solutions to ensure equitable access to resources for all public-school students in Hawai'i.

Relevant Highlights

The presentation, approved by the HDOE superintendent, begins by outlining its goals, which include clarifying the distribution of funds for K-12 education in Hawai'i, identifying areas of inequity, and developing solutions to ensure equity for all public-school students. The state budget for FY 2009-2010 is dissected, highlighting various educational programs and funding categories such as school-based budgeting (EDN100), student support services (SPED) (EDN150), instructional support (EDN200), state and complex area administration (EDN300), school support (EDN400), school community services (EDN500), and charter schools (EDN600).

A significant section of the presentation details the discrepancies in Special Education (SPED) funding, revealing that a substantial portion of funds allocated to SPED programs were inconsistently accessible to charter school students. The federal funding analysis further underscores the lack of a consistent system for distributing formula funds to charters or notifying them of competitive grant opportunities, which leads to a per-pupil funding gap between HDOE and charter schools. Additionally, the presentation highlights the challenges charter schools face in accessing non-general funds and construction in progress (CIP) and repair and maintenance (R&M) funds, which are crucial for maintaining and improving school facilities. According to HRS 37D, charter schools in Hawai'i are not allowed to take debt to build facilities (Hawai'i State Legislature), are not allowed to charge tuition, and receive no allocation for facilities development; in addition, they must follow all health and safety requirements and have an authorizer approved facility.

Outcomes

The presentation concludes with a summary of the fact-finding efforts, noting that equity was not achieved with the \$547 million allocated in federal and EDN150 funding. It emphasizes that the per-pupil funding difference exists between HIDOE and charter schools and highlights the need for charters to access impact fees and a mechanism to access millions in facilities financing (CIP).

The presentation provides several recommendations, including creating a reliable system to allow charters access to federal competitive grant opportunities, ensuring that HIDOE services “provided in lieu of funding” are equitable, moving non-SPED funding within EDN150 to EDN100, and establishing charters as Local Education Agencies to access federal funding. It also recommends giving charters a proportionate share of facilities funding, creating a mechanism for post-school opening funding adjustments, and educating legislators and budget and finance officials on how the funding formula functions in relation to the budget appropriation. Collaborative efforts with the HIDOE are essential to advocate for adequate per-pupil funding and ensure all public-school students in Hawai`i receive the resources they need for a quality education.

Despite this data being formally presented more than fifteen times at the request of other organizations in the few years following the completion of the equity study, all of the issues outlined are still issues for charter schools today.

Exhibit E Data Evidence [Electronic File](#)

Charter School Funding Legislative Task Force

Background and Purpose

As a result of the Equity Study, a task force was mandated by the Hawai`i State Legislature via Senate Concurrent Resolution 108. The Charter School Funding Task Force Report was created by the 2010 Hawai`i Legislature to address funding disparities between charter schools and non-charter public schools. This task force included members from the legislature, the charter school community, and key state departments. They met nine times between August and December 2010. The primary focus was on facilities funding due to its significance for charter schools.

Relevant Highlights

The report outlines several key findings. Legislative changes in 2010 clarified the funding formula for charter schools, yet inconsistencies remain, particularly in Special Education and federal funding. Furthermore, the Department of Education's budget does not fully account for routine repair and maintenance costs for charter schools. The task force recommended revising the statutory formula to include these costs and proposed a new needs-based formula for facilities funding, taking into account the space required for students, existing state-provided facilities, and the cost of leased space.

Despite making significant progress, the task force was unable to address all issues outlined in Senate Concurrent Resolution 108, leaving some unresolved. These include access to federal funding and other non-general funds for charter schools. The task force's recommendations aim to create a more equitable funding environment for charter schools in Hawai`i.

Outcomes

As a member of the task force and main presenter on public private partnerships for the betterment of developing community facilities, it became clear during the HDOE presentation that the disparities were severe. The lead Senator assigned to the task force refused to acknowledge the issues, continue with the federal funding investigation, and sign the report. Therefore, the task force did not complete its investigation or provide a thorough report to the legislature.

Exhibit F Data Evidence [Electronic File](#)

2012 Legislative Task Force on Charter School Governance Accountability and Authority - Transitioning Hawai'i's Charter School Governance

Background

The Charter School Governance, Accountability, and Authority Task Force (CSGTF) was established with more robust intent after the previous incomplete task force, in response to growing concerns about the effectiveness and integrity of Hawai'i's charter school system. It explored the transition from Hawai'i Revised Statutes (HRS) 302B to HRS 302D, focusing on the implementation of a national best practice model law and its impact on charter school governance.

Purpose

The primary purpose of the CSGTF was to address questions and concerns regarding the governance structure, accountability, and overall strength of Hawai'i's charter school laws. Specifically, the Task Force aimed to clarify the relationships, responsibilities, and lines of authority among stakeholders within Hawai'i's charter school system, develop legislation or

administrative rules that designate clear governance structures and authority among key charter school organizations, identify oversight and monitoring responsibilities, and establish a process for enforcement, as well as address funding-related issues to ensure adequate support for the charter school administrative office.

Relevant Highlights

The CSGTF was composed of a diverse group of stakeholders, including representatives from the Senate, House of Representatives, Board of Education, Office of the Governor, Department of Education, and various charter school organizations. The Task Force followed a structured process to achieve its objectives.

The Task Force met seven times, forming smaller working groups to investigate specific issues. These groups reported their findings and recommendations back to the larger Task Force for further discussion. The Task Force encouraged public participation by inviting comments and feedback during meetings, with all meetings broadcast and recorded to ensure transparency. Consultations with national organizations such as the National Association of Charter School Authorizers (NACSA) and the National Governors Association (NGA) Center for Best Practices were held to gather insights and recommendations.

The Task Force examined the model law proposed by the National Alliance for Public Charter Schools, utilizing it as the main blueprint, comparing existing law with past task force reports and findings, as well as issues of government departments and charter schools, and then incorporated relevant provisions into their recommendations.

Outcome

The Task Force emphasized the importance of setting high academic and operational performance standards for charter schools. Using the national best practice of “Performance-

Based Charter Contracts” to be negotiated with each charter school community, recommendations included:

1. Replace the Detailed Implementation Plan with separate charter applications and performance-based contracts that outline clear performance targets.
2. Implement a one-year moratorium on charter reauthorizations to allow for the development of performance-based contracts.

In order to encourage growth and innovation, the Task Force recommended removing statutory caps on the number of new charter schools. The Task Force further proposed establishing a framework for multiple charter school authorizers, with the Board of Education overseeing the authorizer approval process.

Roles and Responsibilities of the Authorizer were clarified by the recommendations. The Task Force outlined clear guidelines for the authorizer’s powers, duties, and accountability measures to ensure compliance with state and federal laws. Strengthening the charter application process was also recommended to enhance the rigor of the charter application process; the Task Force recommended that applicants submit strong applications upfront without opportunities for amendments.

Recognizing the need for a smooth transition, the Task Force recommended hiring a Transition Coordinator to oversee the implementation of the new governance structure and to ensure continuity of services. They also suggested redistribution of responsibilities by gradually shifting the responsibilities of the Charter School Administrative Office to the newly established Commission and other relevant entities.

The Task Force's recommendations were heavily influenced by the national best practice Model Law proposed by the National Alliance for Public Charter Schools. This model emphasizes autonomy, accountability, and high student outcomes, providing a robust framework for Hawai‘i’s charter

school system. The transition from HRS 302B to HRS 302D represents a significant shift in Hawai'i's charter school governance, aimed at fostering a more accountable and autonomous system.

The Hawai'i law is good and mirrors national best practice; however, the state agencies and Hawai'i bureaucracy do not follow the laws or national best practices. The Charter School Governance, Accountability and Authority Task Force had asked NACSA to provide a recommendation on the roles and responsibilities of the Charter School Review Panel (CSRP) and the Charter School Administrative Office on the staffing of CSAO. The September 21, 2011 memorandum predicted the following:

The Route to a Second Authorizer

In the long run, Hawai'i would benefit from the presence of two high-quality authorizers. Once the CSRP/CSAO arrangement is functioning well, the purpose of creating a second high-quality authorizer is to minimize the tendency of all bureaucracies to slowly and continuously generate new regulations.

Under a single authorizer model, as more charter schools are established, more funds flow to the authorizer, who hires more staff – because the money is there, not because they are needed. More staff people generate more requirements for schools, and, before long, charter schools lose the freedom to be innovative and to excel.

A second, high-quality authorizer functions as a check against this growth in two ways. First, on a day-to-day level, the staff of the two authorizers can discuss challenges and learn from each other, finding less regulatory ways to monitor schools. Second, if one authorizer becomes too regulatory, schools can switch to the other. This model only

works if both authorizers are committed to excellence (which is why the current CSRP/CSAO arrangement must first be fixed) (National Alliance for Public Charter Schools, 2011, p. 2).

NACSA's 2011 predictions are Hawai'i's reality today, with one single authorizer controlling 37 schools on five different islands with no specificity or adjustment in the unilateral coerced contract template for Hawaiian language and culture schools - immersion, conversion, virtual, rural, or urban - completely undermining the purpose of charter school community control as schools of choice and creating another homogenous bureaucracy.

Exhibit G Data Evidence [Electronic File](#)

2013 Green Paper on Hawai'i Charter Schools

Background

After years of legislative task force meetings and hundreds of hours spent educating state bureaucrats, and hundreds of flights to Honolulu away from the school community, substantial change to make the charter school student's situation better had failed. Clearly the "State" was not interested in equity, empowerment, or community control. Though the language in the foundational laws creating charter schools was there, Hawai'i's actions continued to work in a large, colonized bureaucracy strongly opposed to change. Though the laws were recodified, the system and many of its people are not acknowledging the changes and ignore the statute. Out of frustration, I authored the Green Paper, *Are Start-up Charter School Children in Hawai'i Subjected to Social Injustices Because They Attend "Schools of Choice"?*

Purpose

The 2013 Green Paper on Hawai'i Charter Schools discusses the systemic social injustices faced by children attending start-up charter schools in Hawai'i. This issue was highlighted in an emotional meeting in August 2013 where a charter school founder expressed frustration over the cessation of lunch services for students, the majority of whom live below the poverty line and are designated as Title I students. A Title I student in the United States Department of Education (USDOE) context is a student who benefits from programs and financial assistance provided under Title I of the Elementary and Secondary Education Act (ESEA). Title I is a federal program that aims to improve academic achievement for students from low-income families.

This scenario underscores the broader struggle of charter schools to justify their existence and secure equitable funding and resources from the state.

Relevant Highlights

Hawai'i's start-up charter schools were established in 1999 to offer relevant learning experiences to disenfranchised populations dissatisfied with the traditional education system. Despite demonstrating resilience and achieving impressive results, these schools continuously fight for recognition and funding. Charters are community-driven but face significant financial challenges as philanthropic support dwindles and the state hesitates to invest adequately in public education.

The report references several laws and constitutional provisions supporting equitable education in Hawai'i:

- The Federal Government mandates Equal Justice Under Law and Free and Appropriate Public Education (FAPE).

- The Hawai'i State Constitution ensures public education free from discrimination based on race, religion, sex, or ancestry and promotes the study of Hawaiian culture, history, and language.
- Act 62 (1999) supports the creation of charter schools to provide more autonomous and flexible decision-making at the school level.

Charter schools face numerous issues, including:

1. Inequitable facilities and funding compared to traditional public schools.
2. Lack of access to special education services and federal funding.
3. Prohibition from purchasing food services for students, many of whom qualify for free or reduced meals.
4. Inadequate transportation services and inconsistent support for English language learners.
5. Overall inequity and social injustice.

Several reports and task forces have validated the disparities between charter and non-charter schools:

- The 2002 Legislative Reference Bureau Study
- The 2003 New Century Charter Schools Allocation Project
- The 2005 Task Force on Charter School Governance
- The 2010 Takamine Working Group Equity Study
- The 2011 Charter School Funding Task Force
- The 2012 Task Force on Charter Governance Accountability and Authority

Outcome

Data presented in the Green Paper illustrates significant financial disparities. For example, charter school students receive significantly less funding per pupil compared to

traditional public-school students. This inequity affects the quality of education and resources available to charter school students.

The Green Paper poses several critical questions:

- Are the social injustices perceived by charter school advocates justifiable?
- Do charter school students receive equal justice under the law?
- Can the state deny charter school students services such as food and transportation?
- Why is formula-driven federal funding not following charter school students as mandated?

The report suggests several steps to address these challenges:

1. Engaging experts to analyze constitutional issues.
2. Securing funding for research and disseminating findings among charter school leadership.
3. Advocating for appropriate legislation to remedy inequities.
4. Considering legal action if necessary to ensure equitable resources for charter schools.

The Green Paper concludes with a call for equitable and adequate resources for charter schools to ensure transparency, accountability, and improved educational standards in Hawai'i.

Exhibit H Data Evidence [Electronic File](#)

Class Action Lawsuit Feasibility Study

Background

As a result of the Green Paper, a prominent Hawai'i law firm agreed to conduct a feasibility study on suing the State of Hawai'i for redress or, at the very least, to posture a lawsuit and draw attention to the issues from a different angle than previous amicable task

forces. Ten schools participated, providing over 4,000 evidence exhibits. The results are attached via the electronic file and embargoed at the demand of the authoring law firm.

The 2013 memorandum, addressed to the KALO group of charter school leaders and advocates, evaluates potential legal claims against the State of Hawai`i, Department of Education, Board of Education, and State Public Charter School Commission (SPCSC). It discusses the systemic inequities in funding, programs, and services provided to traditional public schools but denied or diminished for public charter schools. KALO contends that these failures violate statutory and constitutional rights, particularly impacting underserved populations and communities in Hawai`i's charter schools.

Purpose

Hawai`i's charter schools were established to provide alternative public-school choices with expanded educational opportunities. However, KALO argues that the state and its agencies have failed to support these schools adequately, resulting in several grievances: lack of funding for facilities, inability to purchase HDOE-provided food services for students eligible for federal meal programs, lack of transportation services, inconsistent support for special education and disability services, inadequate and unequal per-pupil funding compared to traditional public schools, forced English language testing for Hawaiian immersion students, absence of after-school services, general inequity and social injustice, failure to honor contractual obligations under Act 130, and retaliatory budget provisos.

Relevant Highlights

Hawai`i's charter schools operate under HRS Chapter 302D, which provides them with flexibility and independent authority in various operational aspects. The SPCSC serves as the charter authorizer, ensuring compliance and performance monitoring. Despite this, charter

schools face significant financial disparities compared to traditional public schools, particularly in facilities and federal funding, which is not included in the per-pupil funding calculation.

The memorandum explores whether certain grievances constitute legal violations, highlighting two primary issues: the denial of facilities funding and the termination of the federal lunch program. Hawai'i's charter statute places the responsibility for facilities costs on the charter schools themselves, with no mandate for state funding. This omission, while legally permissible, creates significant financial burdens. The HDOE's decision to prohibit charter schools from purchasing United States Department of Agriculture lunches under the National School Lunch Program (NSLP) is lawful, as participation in the NSLP is voluntary, and the state is not required to provide free or reduced-price lunches to every eligible child. The feasibility study memo is quoted, "Thus, the State's decision to terminate its administration of the lunch program to underfunded charter schools serving large numbers of Title I eligible students, even if inhumanly callous and financially oppressive, is a lawful exercise of the State's authority and discretion under the NSLP" (BLRH, 2013, p. 9).

The memorandum reviews litigation efforts in other states addressing charter school funding inequities. While some states have seen success in courts mandating equal funding based on clear legislative language, others have faced setbacks due to courts deferring to legislative intent and policy considerations. For instance, in Maryland, the state Supreme Court upheld equal funding mandates, emphasizing legislative intent for equal funding. In North Carolina, courts granted charter schools access to equal funding under state law. However, in New Jersey, courts denied equal protection claims, emphasizing legislative and policy priorities favoring traditional public schools.

Outcomes

The memorandum suggests that KALO consider legislative advocacy over litigation due to the statutory limitations and judicial reluctance to mandate equal funding. Further research is recommended to fully assess all potential claims and grievances, including reviewing legislative histories and conducting additional legal and factual analysis.

This preliminary assessment guides KALO in strategizing for equal funding, emphasizing the need for clear legislative mandates to ensure equitable funding and services for charter schools in Hawai'i. The summary highlights key legal and policy issues facing Hawai'i's charter schools and potential strategies for addressing funding inequities.

Exhibit I Data Evidence [Electronic File](#)

Joint Powers Authority

Background

During a KALO routine advocacy visit to Washington, D.C., we engaged in insightful discussions with Senator Danny Akaka, through whom I gained an understanding of Joint Powers Authority (JPA). The Office of Hawaiian Affairs was the agency that had been advocates in establishing a parallel structure within the Native Hawaiian Health Care System (Health Resources & Services Administration, 2020; United States Government Accountability Office, 2023) ensured that federal funds allocated by the U.S. government for healthcare were effectively channeled to Native Hawaiian communities in dire need. This structure strategically redirected a proportionate share of the U.S. Department of Health's funding, as determined by the federal census, directly to five Native Hawaiian hospitals. This was done without the State of Hawai'i diminishing the funds.

Purpose

This mechanism is of particular significance because Hawai'i is unique among U.S. states, functioning as both a State Educational Agency and Local Educational Agency within a single unified school district. This amalgamation obviates the necessity for LEA-level accountability in federal education funding reports. Analogous to the aforementioned Department of Health funding mechanism, this structure allows the State to reallocate core expenses using federal funds. In school year 2021-2022, only 27% of federal formula-driven funds reached the school level (Hawai'i Department of Education, 2022). Notably, this figure excludes funds held in reserve which are not reported to the public.

The concept of a Joint Powers Authority, utilized in various regions of the United States, enables collaboration among multiple governmental entities, which may encompass local governments or transportation districts and can extend to include private partnerships. A JPA is characterized as an autonomous entity with its own governance and operational protocols, exercising the combined powers of its constituent entities. It operates independently, maintaining its staff and policy framework, and bears its legal responsibilities. Unlike special districts that are endowed with new powers by the state, JPAs utilize the pre-existing powers of their founding bodies.

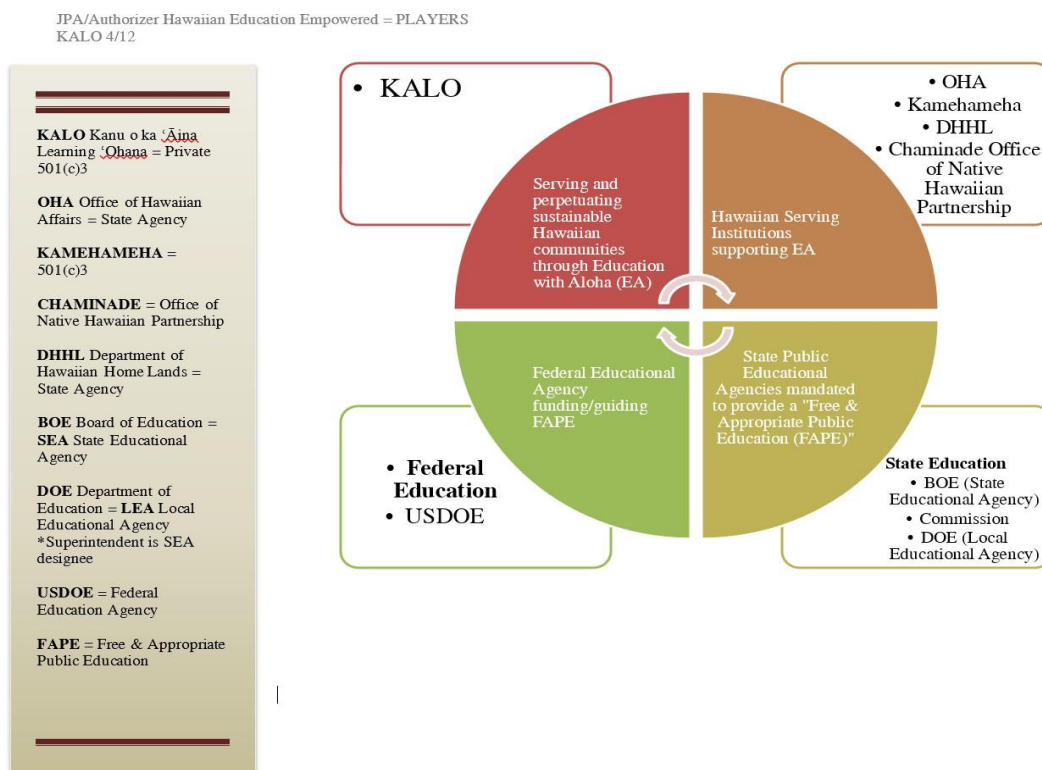
Relevant Highlights

Joint Powers Authorities are ideally constituted in scenarios where projects surpass the scope of individual governmental entities and demand collective action. They are particularly effective when the amalgamation of resources and efforts results in heightened efficiency and may include private sector partners. A JPA represents a collaborative infrastructure, enabling various government bodies and private partners to coalesce their resources and expertise for the

successful execution of expansive and intricate initiatives that would be daunting to tackle individually.

Between 2014 and 2016, KALO and I collaborated with the leadership of Nā Lei Na`auao to explore this concept further. The ensuing diagram delineates the various stakeholders involved and their respective levels of engagement across different strata of government and the private sector.

Joint Powers Authority Proposed:



Outcome

Over the course of two years, we convened meetings with pivotal stakeholders to advocate for this innovative structure, which we viewed as a stride toward educational sovereignty. My commitment to this cause culminated in the authorship of a bill presented to the legislature in 2014, the details of which are included as Exhibit H Data Evidence. While the JPA

itself did not come to fruition, the concept of multiple authorizers gained traction. An amended version of the 2014 multiple authorizers bill successfully navigated the legislative process in the 2016 session, ultimately being enacted into law. This legislative achievement underscores the potential for policy innovation and reform through persistent advocacy and strategic collaboration.

Exhibit J Data Evidence [Electronic File](#)

White Papers versus Green Papers and Their Purpose

Background and Purpose

Green papers and white papers play distinct but interconnected roles in the policy-making process. A green paper is primarily a discussion document aimed at opening a debate and gathering insights on a particular issue. It does not commit to a specific course of action but instead seeks to stimulate discussion and invite feedback from various stakeholders and the public. This process helps to gather diverse perspectives and inform the development of more concrete proposals (Quickonomics, 2024; House of Commons, 2010).

In contrast, a white paper is a more authoritative report that outlines the government's specific proposals and intended actions. It typically follows the green paper and incorporates the feedback and insights gathered during the green paper consultation phase. While a green paper is exploratory and tentative, a white paper presents a clear policy direction and often serves as a precursor to legislation (Sheppard + Wedderburn, 2006).

The primary goal of a green paper, therefore, is to open up a dialogue, gather opinions, and consider various viewpoints before developing more concrete proposals. This consultative approach ensures that policies are well-informed and reflect the needs and concerns of a broad

range of stakeholders (Quickonomics, 2024). Conversely, white papers are written and used by policymakers to examine a policy problem and consider an array of solutions. Thus, a white paper follows a problem-solution structure (George Mason University Writing Center, n.d.).

Relevant Highlights

The relationship between green papers and white papers is inherently sequential. Green papers precede white papers, laying the groundwork for policy development by engaging stakeholders early in the process. The feedback and insights gathered from the green paper consultation phase inform the more detailed and concrete proposals found in a white paper. This evolution of ideas allows for the exploration and discussion of various options, culminating in the white paper's specific recommendations and strategies for addressing the issue at hand (Sheppard + Wedderburn, 2006). This process ensures that policy decisions are well-informed and consider the perspectives of a broad range of stakeholders (Taylor, 2013).

Outcomes

Green papers and white papers are integral parts of the U.S. policy-making process, with green papers initiating discussion and white papers solidifying and presenting final policy decisions. The consultative nature of green papers and the authoritative nature of white papers ensure that policy development is both inclusive and well-founded (House of Commons, 2010). Therefore, it was time to write a white paper.

A White Paper - Nā Lei Na‘auao: An Expression of Educational Dissent

Background

The educational landscape in Hawai‘i has been significantly shaped by the Nā Lei Na‘auao (NLN) Alliance for Native Hawaiian Education. This alliance of culturally based,

Hawai`ian-focused public charter schools span multiple islands and offers an educational alternative that respects and integrates Hawaiian cultural values. Founded with the inception of the New Century Public Charter School sector in 1999, NLN has grown to encompass seventeen schools serving over 4,100 students, predominantly of Hawaiian ancestry. Despite economic disadvantages, these schools have become a beacon for community-driven education.

Purpose

At the dawn of the 20th century, the rich cultural heritage of Native Hawaiians seemed on the brink of extinction. However, the population has since rebounded, yet Native Hawaiians remain an underprivileged minority (Liou, 2018; Meyer M. , 2003; Kamehameha Schools, 2021). Educational disparities persist, with Native Hawaiian students exhibiting the lowest high school graduation rates and minimal college completion rates (Kamehameha Schools, 2021). The NLN alliance seeks to counteract these trends through culturally based education, emphasizing socio-emotional well-being, civic engagement, and academic achievement.

Relevant Highlights

The Hawaiian educational system is supported by a robust body of state and federal laws. The Hawai`i State Constitution mandates the promotion of Hawaiian culture, history, and language in public schools. Additionally, the legislature's Act 62 of 1999 authorized the creation of charter schools, emphasizing autonomy and flexibility to innovate educational standards. Despite this supportive framework, charter schools face significant funding and resource disparities compared to traditional public schools.

Studies by Kamehameha Schools highlight the positive impact of culturally based education on Hawaiian students, including enhanced socio-emotional well-being and academic performance. Nevertheless, charter schools struggle with equitable access to federal funds,

special education services, and facilities. A persistent funding gap hinders the ability of charter schools to provide essential services like food and transportation, further exacerbating educational inequities.

In 2014, at the World Indigenous Peoples Conference on Education, Hawaiian youth, alongside global Indigenous peers, issued a declaration (WiPCE Youth Declaration, 2014) affirming their right to quality education rooted in their cultural identities. They advocated for Indigenous knowledge to be valued equally with western education systems and called for the establishment of Indigenous-led schools and curricula. This occurred fifteen years after the founding of Hawaiian Focused charter schools, which was based on the empowerments of the Coolangatta Statement.

Despite their established presence, charter schools continue to fight for adequate funding and recognition. Legislative efforts and multiple task force reports have highlighted systemic inequities. Charter schools often lack access to facilities funding, special education support, and federal grants. These disparities are visually represented by funding charts, showing significant exclusion of charter schools from state and federal educational supports.

Legal analyses have concluded that current statutes do not mandate equal facilities funding for charter schools, and federal lunch programs are not guaranteed for charter students. Lawsuits challenging funding inequities have largely been unsuccessful, emphasizing the need for legislative action rather than judicial intervention.

Charter schools face additional challenges with contract renewals, governance, and compliance with state regulations. Issues such as waiver of appeal rights, negotiation timelines, and legal representation have surfaced, and no due process rights complicate the operational landscape for charter school governing boards.

Outcomes

To address these challenges, NLN advocates for the establishment of a "Pathway II Hawaiian Authorizer" to provide equitable resources and support for culturally grounded education. This initiative aims to improve educational standards, foster community-driven innovation, and ensure that Hawaiian charter schools receive the necessary funding and support to thrive.

The pursuit of educational equity for Native Hawaiian students remains an ongoing struggle. The resilience and commitment of charter school communities underscore the need for systemic changes to provide equitable and culturally affirming education. As Nelson Mandela (1995) poignantly noted, the true measure of a society lies in how it treats its children, a sentiment that echoes through the efforts of NLN and its allies in transforming Hawai'i's educational landscape.

Exhibit K Data Evidence [Electronic File](#)

Hawaiian Civic Club Resolution

Background

The next action agenda in the tactical plan was to get backing from the Hawaiian Civic Club in the form of a resolution for our Hawaiian Authorizer concept. The Hawaiian Civic Club (also known as the Association of Hawaiian Civic Clubs) is an organization dedicated to preserving and promoting Hawaiian culture, values, and traditions. Founded in 1918 by Prince Jonah Kūhiō Kalanianaʻole, it is one of the oldest Hawaiian organizations (Association of Hawaiian Civic Clubs, n.d.). The club's goals include advocating for the rights and welfare of

Native Hawaiians, fostering community development, promoting education and scholarships, and preserving historical and cultural sites.

The Hawaiian Civic Club operates through a network of chapters across Hawai`i and the mainland United States. Each chapter engages in various activities such as cultural events, educational programs, and community service projects to support and uplift the Hawaiian community. The organization also plays a significant role in political advocacy, working to influence legislation and policies that impact Native Hawaiians.

Support from the Hawaiian Civic Clubs was pivotal in getting the original charter school bill passed through the legislature. Kānaka Maoli practitioners, the head of the Office of Hawaiian Affairs, Kūpuna of the Waimea Civic Club, and I drafted the resolution and presented and defended it in Maui at the annual Civic Club Convention.

Purpose

The Association of Hawaiian Civic Clubs has put forth a resolution urging the Hawai`i's State Legislature to authorize the Board of Education to establish "The Pathway II Hawaiian Authorizer" with chartering jurisdiction authority. This initiative aims to address the longstanding educational needs of Hawai`i's youth, particularly those of Hawaiian ancestry, by integrating Hawaiian language, culture, and history into the educational framework.

Relevant Highlights

The resolution highlights the importance of Hawaiian Cultural Education and Language medium instruction, in line with existing Board of Education policies 2104 and 2105 (Hawai`i's State Board of Education, 2014) and the Policy E-3 Na Hopena A`o. These policies emphasize the core values of Hawaiian culture, aiming to prepare students for success in various spheres of life.

Veterans of the Hawaiian education community, with support from the Office of Hawaiian Affairs, advocated for a second pathway to public education. This pathway aims to bridge charter schools and Department of Education schools, fostering professional learning communities to enhance Hawai'i's educational commitment. The resolution references several legislative and constitutional mandates that support the integration of Hawaiian language and culture in education, such as the Hawai'i's State Constitution and specific state statutes that promote Hawaiian language medium education.

The resolution outlines significant challenges faced by Hawai'ian-focused charter schools, including lack of facilities, inadequate funding, and regulatory compliance issues. It calls for the establishment of another authorizer, as recommended by the National Association of Charter School Authorizers in 2011, to address these challenges and ensure equitable resources and support for charter schools.

The resolution requests the State Legislature to:

1. Authorize the Board of Education to establish "The Pathway II Hawaiian Authorizer."
2. Provide necessary legal support and allocate budget portions for the new authorizer.
3. Ensure equal services, programs, funding, and regulatory compliance for all public schools.
4. Assist in establishing appropriate cultural and language-based measurement tools.

Outcomes

The resolution was adopted on November 14, 2015, at the 56th Annual Convention of the Association of Hawaiian Civic Clubs in Lahaina, Maui. Certified copies of the resolution were transmitted to key governmental and educational leaders in Hawai'i's, enabling the passage of the multiple authorizer law.

Exhibit L Data Evidence Electronic File

Board of Education Multiple Authorizer Administrative Rules

Background

Administrative rulemaking in Hawai`i refers to the process by which state agencies create, amend, or repeal regulations, often called rules, to implement and enforce laws passed by the state legislature. These rules have the force of law and provide detailed guidance on how agencies will administer programs and enforce laws within their jurisdiction. In order for Hawai`i to approve multiple authorizers as the Hawaiian Civic Club Resolution demanded, the Board of Education was required to create administrative rules clarifying the processes. Since the laws had been recodified in 2013, the BOE had not done so.

Below is a step-by-step overview of the administrative rulemaking process in Hawai`i:

1. Proposal of Rules: State agencies identify the need for new rules or changes to existing ones. This need might arise from new legislation, changes in policy, or the necessity to update or clarify existing regulations.
2. Drafting: The agency drafts the proposed rules. This involves careful consideration of the legal, practical, and economic implications of the rules (Hawai`i Board of Education, 2016).
3. Review and Approval: The draft rules are reviewed internally within the agency and may also be reviewed by the Attorney General's office to ensure they comply with existing laws and constitutional requirements (State of Hawai`i Department of the Attorney General).

4. Public Notice: The agency must provide public notice of the proposed rules. This typically involves publishing the proposed rules in the Hawai`i Administrative Register and providing notice to interested parties and the general public (Hawai`i State Legislature, 2004).
5. Public Comment Period: There is a period during which the public can review and comment on the proposed rules. This period usually lasts for at least 30 days. During this time, the agency may hold public hearings to gather feedback (Hawai`i State Legislature, 2004).
6. Consideration of Comments: The agency reviews and considers all public comments received during the comment period. Based on this feedback, the agency may revise the proposed rules (Hawai`i State Legislature, 2004).
7. Final Adoption: After considering public comments and making any necessary revisions, the agency adopts the final rules. This often requires approval from a higher authority within the agency or an overseeing board or commission (Hawai`i Board of Education, 2016).
8. Filing and Publication: The final rules are filed with the Office of the Lieutenant Governor and published in the Hawai`i Administrative Rules. Once filed, the rules become effective as specified in the filing document (Hawai`i State Legislature).
9. Implementation and Enforcement: The agency implements and enforces the new rules, providing guidance and oversight to ensure compliance (Hawai`i Board of Education, 2016).

Purpose

Administrative rulemaking is a critical process that allows state agencies to function effectively, ensuring that laws are implemented consistently and fairly while providing opportunities for public participation and transparency.

Relevant Highlights

The Office of Hawaiian Affairs policy advocate drafted Multiple Authorizer Administrative Rules and presented them to the BOE after working in concert with Nā Lei Na`auao leadership and me. These draft rules triggered the timeline required by law for the BOE to engage in rule making. In 2016, after receipt of the request for administrative rules from the Office of Hawaiian Affairs on behalf of Nā Lei Na`auao schools, the Hawai`i Board of Education undertook a comprehensive process to pass the charter school multiple authorizer's administrative rules.

The draft rules were then published, and a series of public hearings were conducted to gather feedback from stakeholders and the general public. During this period, the public was also invited to submit written comments, which were carefully reviewed and considered by the Board. Based on the feedback received, the draft rules were revised to address any concerns or suggestions. Finally, the revised rules were adopted by the Board following approval in subsequent meetings, ensuring that the process was transparent, participatory, and thorough (Hawai`i Board of Education, 2016).

Outcome

The rules had been developed, presented, petitioned, kūkākūkā had happened across the State, and they were finally approved by the BOE. The final step was to get the Governor to sign them.

Exhibit M Data Evidence Electronic File

BOE Listening Tour Culminating Findings to impose PIG

Background and Purpose

Following the recommendations of the 2011 Task Force, Hawai`i's charter school laws were recodified in 2013 to align with national best practices. The National Association of Charter School Authorizers assisted with this transition. The Hawai`i Board of Education then hired the same contractor from Washington, D.C. to oversee the implementation and the new Charter School Commission Office, who is the only charter school authorizer in Hawai`i. However, the contractor, unsupportive of Kānaka Maoli Charter Schools, aimed to close them all. I was on the hiring committee for the BOE, and there was no indication of his prejudice during the hiring process. The first day in office, the new Commission's executive director called me on my cellular phone while I was at the San Francisco Airport. He stated, "There is no room for Hawaiian in charter schools. I am going to shut you all down." Leadership of the Hawai`i School of Arts and Sciences Charter School and I reported this bias and the hostile regulatory environment to the BOE, prompting a statewide "BOE Listening Tour" in accordance with HRS 302D-14 (Hawai`i State Legislature, 2016) to investigate the allegations (Hawai`i Board of Education, 2016).

Relevant Highlights

Though the process that took over a year prevailed in relieving Hawai`i charter schools of this prejudiced, manipulative person, his first target, Hālau Lōkahi Public Charter School, a Nā Lei Na`auao School, did not survive his hostile regulation. He falsely accused Hālau Lōkahi Charter School of significant financial and administrative challenges, leading to its closure in

2015. The Hawai'i State Public Charter School Commission identified persistent insolvency issues, which initiated the revocation of the school's charter contract (Honolulu Star Advertiser, 2015). The Commission's executive director claimed the school struggled with financial mismanagement and could not present a sustainable plan to secure its future while simultaneously withholding the school's per-pupil funding. Despite attempts to restructure and reduce expenses, including significant staff layoffs and proposals to bring in an external vendor for online instruction, the efforts were deemed insufficient to remedy the financial instability (Hawai'i State Public Charter School Commission, 2015). What was not disclosed was that the Commission's executive director had sent letters to all Hālau Lōkahi parents prior to the Commission's revocation decision mandating that they enroll their children in another school, pre-empting due process.

The Commission voted to revoke Hālau Lōkahi's charter and close the school, effective May 31, 2015 (Honolulu Star Advertiser, 2015). This decision followed a hearing and a period during which the school could appeal the revocation. The closure was part of a broader effort to ensure that students would have access to stable and effective educational environments, and the Commission worked to assist families in transitioning their children to other schools (Hawai'i State Public Charter School Commission, 2015).

I was at Hālau Lōkahi the day it opened, the day of the Commission closure hearing, and its last day in operation. The claims made against the school lacked validity; all the criminal accusations did not lead to any trials or convictions. Despite the school's efforts to comply and improve, the process was heavily scrutinized, and ultimately, the decision to close was carried out without substantial evidence of wrongdoing. This was a devastating blow to the staff,

students, families, and Nā Lei Na`auao community. One of our own institutions was effectively dismantled by an individual driven by colonized prejudices and a desire for power.

On December 22, 2015, a group of charter school leaders filed a formal complaint. The “Concerned Charter School Oldies Collective,” comprised of founding administrators of Hawai`i’s first start-up charter schools, presented their concerns to the Hawai`i State Board of Education regarding several pressing issues. They highlighted financial mismanagement by the Commission office, including overspending, withholding federal funds, and lack of transparency. They also pointed out the Commission’s disregard for legal and contractual obligations, refusal to negotiate, and efforts to limit the growth of new charter schools. Furthermore, they criticized the hostile regulatory environment, characterized by inappropriate timelines, micromanagement, and negative press. Additionally, they perceived retaliation through various state agencies and highlighted the Commission’s manipulation of data and disregard for best practices and policies. The Collective urged the Board to clarify the charter school movement’s vision, investigate these issues, and ensure protection from retaliation while the investigation was ongoing.

On August 16, 2016, the Investigative Committee chairperson for the Board of Education in Hawai`i prepared a comprehensive report titled “Report on Charter School Permitted Interactive Group (PIG).” The report detailed the findings and recommendations of the committee that was tasked with investigating the State Public Charter School Commission and reviewing legislative proposals related to charter schools.

The investigation was prompted by a listening tour conducted by the Board of Education in January 2016, during which significant concerns were raised by charter school administrators and staff. This led the BOE to form an investigative committee to determine if a special review

of the State Public Charter School Commission was warranted and to assess various legislative proposals concerning charter schools.

Outcomes

The committee identified a pattern of well-founded complaints about the Commission (Hawai`i State Legislature, 2012), suggesting a need for a special review as stipulated by state legislation. Subsequently, the committee recommended that the Board authorize a special review of the Commission using a defined process and establish an investigative committee to conduct this review. The objective was to evaluate the Commission's compliance with statutory requirements and national standards for quality charter authorizing, ultimately aiming to improve communication and relationships between the Commission and charter schools.

The report concluded with the committee's unanimous agreement on the necessity of a special review of the Commission. This review was deemed essential to address ongoing concerns and enhance the effectiveness of charter school oversight in Hawai`i. Ultimately, the Commission's executive director was terminated.

Exhibit N Data Evidence [Electronic File](#)

2017 Multiple Authorizer Administrative Rules Signed by Hawai`i State Governor

Background

Since the passage of the Administrative Rules in 2016, and throughout the BOE listening tour processes as well as the closure of Hālau Lōkai, I have been diligently petitioning the Governor's Office for the formal ratification of these rules. In Hawai`i, the administrative rule-making process culminates with the governor's signature. This effort necessitated substantial advocacy, by a KALO Board member and me, to secure the governor's endorsement. Our

campaign even required me to appeal to the longstanding connections of my late grandfather's associates to persuade the governor to finalize the signing.

Purpose

After years of advocacy, Nā Lei Na`auao Education with Aloha movement now had the opportunity to control its destiny by defining what success looks like by becoming a charter authorizer. A charter school authorizer is an entity responsible for approving, overseeing, renewing, and potentially revoking the contract of a charter school. These authorizers can include state education agencies, local school boards, universities, nonprofit organizations, or other designated entities. Their primary role is to ensure charter schools provide quality education and comply with legal and financial standards (National Alliance for Public Charter Schools, 2020).

Relevant Highlights

In Hawai`i, effective charter school authorizers can offer several benefits. They hold charter schools accountable for their performance by setting academic, financial, and operational standards, ensuring high-quality education. While charter schools enjoy greater autonomy than traditional public schools regarding curriculum, staffing, and budget management, authorizers ensure this autonomy is balanced with accountability. This balance can lead to more innovative teaching methods and tailored educational approaches that meet students' needs (National Alliance for Public Charter Schools, 2020).

By overseeing performance and compliance, authorizers help ensure students receive a high-quality education. Effective authorizers have the authority to close underperforming schools and support successful ones, which can lead to better overall educational outcomes. They also promote the development of diverse educational options for families, including specialized

curricula, innovative teaching models, or unique educational focuses that might not be available in traditional public schools (National Center for Special Education in Charter Schools, 2020).

Outcomes

Furthermore, authorizers often provide technical assistance, professional development, and other resources to help charter schools succeed. This support is crucial for new schools or those facing challenges. Strengthening the role and effectiveness of charter school authorizers in Hawai'i can lead to a more robust charter school sector, offering parents and students more high-quality educational choices. By ensuring charter schools are well-managed and accountable, authorizers can help foster an educational environment where innovation and excellence thrive, ultimately benefiting the state's students and communities (Hawai'i State Public Charter School Commission, 2020).

Exhibit O Data Evidence [Electronic File](#)

2019 Lei Ho'olaha Community Development Finance Institution Authorizer Application

Background

Applying to become a charter school authorizer in Hawai'i is a complex and multifaceted process requiring significant effort, resources, and strategic planning. The process begins with understanding the legal and regulatory framework. Applicants must thoroughly research Hawai'i's charter school laws, particularly Hawai'i Revised Statutes (HRS) Chapter 302D which governs charter schools, and familiarize themselves with requirements set by the Hawai'i BOE and other relevant bodies.

Purpose

Preparation involves developing a comprehensive proposal that includes the mission, vision, goals, governance structure, financial plan, and academic program. It is essential to provide data and research supporting the need for the charter school authorizer and the demand from the community. Engaging with parents, community members, educators, and other stakeholders to gather support and input is also critical (Hawai`i Board of Education, 2016).

Governance and leadership are key components of the application process. This involves assembling a competent and diverse board of directors with expertise in education, finance, law, and community leadership. It is also necessary to recruit qualified leadership personnel who can effectively manage the authorizer and its portfolio of schools (National Alliance for Public Charter Schools, 2011).

Financial planning is another crucial aspect. Applicants must create a detailed multi-year budget that includes start-up costs, ongoing operational expenses, and projected revenue. Identifying and securing funding sources such as grants, donations, and partnerships is also a priority at this stage (Hawai`i Board of Education, 2016).

The curriculum and instructional design need careful expertise of authorizing staff to support and assess the ideology of its portfolio schools to ensure innovation is promoted and not stifled. Ensuring that the portfolio of schools' curriculum aligns with Hawai`i Content and Performance Standards (HCPS) and other relevant benchmarks is also important (Hawai`i Board of Education, 2016).

Facility planning expertise is important on an authorizer's team, which involves assessing suitable location for schools and planning for the acquisition, renovation, or construction of

facilities. Ensuring that the facilities meet state and federal safety, health, and accessibility standards is a critical part of this process (National Alliance for Public Charter Schools, 2011).

Legal and operational considerations include establishing a legal entity, such as a non-profit organization, to operate the charter school authorizer, as well as developing policies and procedures for governance, operations, school evaluation, contract negotiation, renewal and closure, and staff hiring (Hawai'i State Legislature, 1999).

The application submission and review process involves submitting the completed application to the Hawai'i State Board of Education by the designated deadline, undergoing a rigorous review process, and participating in site visits and interviews with BOE members to demonstrate readiness and capability. If approved, applicants must comply with any pre-opening conditions set by the Board, such as securing facilities, finalizing the budget, and hiring staff; they must also establish mechanisms for ongoing compliance with Board requirements and prepare for regular monitoring and evaluations (Hawai'i Board of Education, 2016).

Relevant Highlights

Lei Ho`olaha's application to the Board of Education (Lei Ho`olaha, 2016), following the approval of multiple authorizers through the administrative rules process, was one of the most challenging tasks I have undertaken. The team, who were all running schools or nonprofits at the time, attended two National Charter School Authorizer conferences, with Nā Lei Na`auao leadership planning and visioning tirelessly. The Lei Ho`olaha Board had to be educated and committed to the task and responsibilities. The Lei Ho`olaha Board was qualified, fierce, and bold, having developed a Native CDFI, approved, certified, and funded by the United States Department of Treasury.

A Native Community Development Finance Institution (CDFI) in the United States is a specialized financial institution dedicated to serving Native American communities, including Native Hawaiians and Alaska Natives. These institutions aim to provide financial products and services to underserved and economically disadvantaged Native communities, promoting economic development and self-sufficiency. Native CDFIs offer a range of financial services, including microenterprise loans, small business loans, consumer loans, and housing loans, tailored to the specific needs of Native communities (First Nations Oweesta Corporation).

To be certified as a CDFI by the U.S. Department of the Treasury's CDFI Fund, an institution must meet several requirements. It must have a primary mission of promoting community development, serve an investment area or targeted population (such as Native communities), be a financing entity primarily providing loans or investments, and offer development services like financial literacy training and business planning. Additionally, the institution must maintain accountability to its target market through representation on its governing or advisory board and must not be a government entity or controlled by a government entity (United States Department of Treasury, n.d.).

Running a successful Native CDFI requires a diverse set of skills and expertise. Financial management, including accounting, budgeting, and financial reporting, is crucial. Skills in loan underwriting, risk assessment, and portfolio management are necessary for providing responsible lending services. Understanding the unique economic and social challenges faced by Native communities is essential for developing effective financial products and services. Experience in providing technical assistance, financial education, and business development services to borrowers is also important. Knowledge of regulatory requirements and compliance issues specific to financial institutions and CDFIs is essential, as is cultural competence to ensure

services are provided in a culturally relevant manner (United States Department of Treasury, n.d.).

Lei Ho‘olaha is a Native CDFI founded in 2011 in Hawai‘i, dedicated to providing financial services and support to Native Hawaiian communities, promoting economic development, and fostering financial independence. Lei Ho‘olaha plays a vital role in addressing the unique financial needs and challenges faced by Native Hawaiians, offering a range of financial products and services tailored to these communities. Initially, Lei Ho‘olaha's purpose was to support charter school facilities, but since Hawai‘i law does not allow charter schools to take on debt, Lei Ho‘olaha broadened its mission to serve the larger Native community.

Lei Ho‘olaha works closely with local communities to identify their specific financial needs and develop customized solutions. The institution focuses on building relationships and trust within the communities it serves, ensuring that its services are culturally relevant and accessible. By providing financial literacy training, technical assistance, and business development support, Lei Ho‘olaha helps individuals and businesses achieve their financial goals and contribute to the economic growth of their communities.

The success of Lei Ho‘olaha is driven by its expertise in financial management, lending, and community development. The institution's team includes professionals with skills in accounting, budgeting, loan underwriting, risk assessment, portfolio management, and regulatory compliance. Moreover, Lei Ho‘olaha’s leadership and board members are deeply connected to the Native Hawaiian community, ensuring that the institution remains accountable and responsive to the community’s needs (First Nations Oweesta Corporation).

Outcome

The BOE "Action on Lei Ho‘olaha Recommendation Report" provides an in-depth evaluation of Lei Ho‘olaha’s application to become a chartering authority. The BOE stated that despite the evaluation team's initial concerns and subsequent recommendation for denial, Lei Ho‘olaha's proposal reflects a deep commitment to improving educational opportunities for Native Hawaiians and low-income communities. The final decision was made at the Board’s General Business Meeting on February 20, 2020.

Lei Ho‘olaha’s mission is to enhance the educational and economic status of Native Hawaiians by supporting public charter schools with facilities development, financial education, training, and business loans. Their strategic vision focuses on authorizing high-quality charter schools that honor community uniqueness and foster cultural perpetuation.

The evaluation team identified areas for improvement in Lei Ho‘olaha's application, such as specifying measurable organizational goals and clearly linking the organizational structure to its strategic vision. They also raised concerns about budget reliability and the clarity of oversight and monitoring systems. However, the proposal's strengths in fostering community engagement and cultural relevance were acknowledged.

The Office of Hawaiian Affairs (OHA) strongly supported Lei Ho‘olaha’s application, emphasizing its alignment with the mission to serve Native Hawaiian learners and communities. OHA highlighted Lei Ho‘olaha’s commitment to perpetuating Hawaiian culture, language, and traditions through education. They underscored the importance of equitable state funding for all charter school authorizers to ensure sustainability and high-quality education. OHA took the time to score Lei Ho‘olaha’s application utilizing the BOE criteria and recommended approval. There

was great community support (attached Exhibit P) and demand for Lei Ho`olaha to become Hawai`i's Kānaka Maoli authorizer.

Lei Ho`olaha's application, supported by extensive public testimony, underscores the community's trust in its capacity to enhance Hawai`i's educational landscape. The overwhelming support from various educational and community organizations and individuals highlights the unique value Lei Ho`olaha brings to Hawai`i's public education system. Approval of Lei Ho`olaha as a chartering authority would have provided a critical option for charter schools that aligns with its mission and vision, fostering high-quality educational experiences for Hawai`i's students and families.

After the denial, which was not surprising yet still perplexing after all the years of advocacy and community support and work, there was an option for appeal. The Lei Ho`olaha team led by Dr. Peter Hanohano knew what the BOE committee issues were: 1) Lei Ho`olaha had to bow to the Hawai`i charter laws and felt we were more loyal to Kānaka Maoli empowerment, 2) financial sustainability, and 3) our refusal to close a school for academic underachievement.

We were crafting an easy rebuttal: 1) The Hawai`i State Constitution supported our Kānaka Maoli position, which trumps the Hawai`i Revised Statutes, 2) financial matters were our strength as a DOT CDFI approved and funded by the U.S. Government, and 3) we would work with the schools to ensure academic performance, not closure. I received a call from a friend after the initial denial, in which my friend said, "Taffi, don't appeal. Hawai`i is not ready for multiple authorizers, and no matter what you do, the application will be denied."

Exhibit P Data Evidence [Electronic File](#)

Years of Advocacy

Background

We engaged in comprehensive legislative advocacy efforts from 2009-2024. I have included an inventory of bills, as Exhibit Q in the Data Evidence Electronic File that follows this section, that I have tracked and that, collectively, we have authored or killed and advocated for or against that impact Nā Lei Na`auao. The document contains a total of 225 bills related to charter schools. It provides an extensive legislative history spanning fifteen years, meticulously detailing various aspects of charter school operations, funding, and policy reforms. Each year is represented with detailed records of the bills introduced, offering insights into their descriptions, statuses, and committee referrals. The legislative process, including readings, crossovers, and updates, is thoroughly documented, creating a clear timeline of each bill's journey through the legislature. This focus on charter schools underscores the continuous legislative efforts to support, regulate, and fund these institutions over the years.

Qualitative Analysis of Charter School Legislative Bills (2009-2024)

The legislative bills concerning charter schools from 2009 to 2024 cover a broad spectrum of topics, reflecting the dynamic nature of education policy. This qualitative analysis highlights the key themes, trends, and impacts observed in the bills during this period. A consistent theme across the years is the emphasis on securing funding for charter schools. Many bills address budget appropriations to ensure adequate financial support for these institutions. For instance, HB1800 (2024) and SB3030 (2022) focus on state budgets and emergency appropriations, demonstrating the ongoing legislative debate to fund charter schools.

In addition to funding, numerous bills aim to amend existing laws or introduce new regulations to enhance the operational efficiency and accountability of charter schools. Notable examples include SB2177 (2024), which addresses charter school contract renewals, and HB2005 (2022), focusing on revisions to charter school operations. These efforts indicate a legislative focus on improving the regulatory framework governing charter schools.

Operational guidelines are another key area of focus in the legislation. Many bills include provisions for the day-to-day functioning of charter schools, covering topics such as workers' compensation, administrative responsibilities, and contract renewals. For example, HB2258 (2024) and SB2177 (2024) address operational aspects like workers' compensation and contract renewals, ensuring that charter schools can function smoothly and efficiently.

Several bills also respond to immediate financial or operational crises, ensuring that charter schools can continue to operate effectively under challenging circumstances. SB3092 SD2 HD1 (2024) and HB2403HD1 (2024) deal with emergency appropriations to the Department of Education, highlighting the legislative readiness to support HIDOE during charter school enrollment growth which impacts the HIDOE budgets.

Furthermore, the bills often include detailed tracking of their progress through various legislative committees, highlighting the procedural aspects of lawmaking. This meticulous tracking is evident in the updates provided for each bill, emphasizing the importance of the legislative process in shaping education policy.

Over the years, there has been a growing emphasis on holding charter schools accountable for their performance and financial management. This increased focus on accountability is reflected in bills that introduce stricter regulatory frameworks and oversight mechanisms, highlighting the retaliation previously discussed. Additionally, the legislative

response to emerging challenges, such as financial crises or changing educational needs, is evident in the bills. Emergency appropriations and adjustments to operational budgets illustrate the flexibility of the legislative process and reveal the specific biases of certain legislators. These legislators, through committee votes, consistently reject gubernatorial requests detailed in budget worksheets, thereby denying charter school staff the basic state employee benefits mandated by law, year after year.

Legislators have consistently supported charter schools through sustained funding and policy support, as seen in the regular introduction of bills aimed at securing financial resources and improving operational conditions. However, for the past ten years, the Senate Education Committee has had the same chair, and she has blocked every bill that would give charters support or amend the law to strengthen the movement. We would draft bills that would pass through the House, but she would 'gut and replace' them, turning them into a weapon once they reached the Senate. When the bill returned to the House, they would have to kill it. This unprofessional tactic has unfortunately proven to be very effective. The Senate Vice-Chair of the Education Committee is also the senator that refused to continue the federal funding investigation or sign the task force report in 2011. Both senators are heavily endorsed by the Hawai'i Teachers Union and are not supporters of Kānaka Maoli empowerment. The policy landscape for charter schools has evolved significantly, with legislative efforts adapting to new educational paradigms and societal needs. This evolution is mirrored in the changing focus of the bills over the years.

The impacts of these legislative efforts on charter schools have been significant. The consistent focus on funding and appropriations has contributed to the financial stability of charter schools, enabling them to maintain operations and improve educational outcomes and highlight

the financial disparities. Regulatory and policy reforms have led to operational improvements, ensuring that charter schools operate more efficiently and effectively. Increased accountability measures have improved the transparency and governance of charter schools, fostering greater trust and confidence in these institutions.

Outcome

The legislative bills from 2009 to 2024 reflect a comprehensive and evolving approach to charter schools that is politically volatile. Through consistent funding, regulatory reforms, and emergency measures, legislators have shown a commitment to enhancing the quality and sustainability of charter school education. Conversely, our cause has been hampered through sunset bills, budget cuts, compliance abundance, more regulatory power to the authorizer, and removal of due process rights from school boards. The trends and impacts observed in these bills underscore the hostile regulatory environment that is politically volatile with support and retaliation.

Exhibit Q Data Evidence [Electronic File](#)

Retaliation Against Kānaka Maoli Demanding Reform

Focus on Fund Development

KALO moved its high-profile advocacy efforts towards more aggressive fund development for Nā Lei Na`auao Education with Aloha, to date having raised \$100,412,735 as of May 1, 2024 (Benioni, 2024), specifically for the schools. In the struggle for justice and sovereignty, the Kānaka Maoli—the Native Hawaiian people—often face formidable opposition from state organizations and compliance mechanisms designed to suppress our demands for reform. When Kānaka Maoli rise to challenge the belligerent occupation of Hawai`i and the

ongoing denationalization of our schools, we are frequently met with retaliatory actions intended to silence our voices and undermine our efforts, especially when alumni of the Kanu o ka `Āina New Century Public Charter school, which I co-founded under KALO, lead civic engagement activities related to the development of Mauna Kea. The retaliation was difficult and personal and taxing on our `ohana as well as the schools.

State entities, wielding regulatory and bureaucratic power, too often use compliance as a weapon against those advocating for change. These actions not only stifle the rightful claims of the Kānaka Maoli but also perpetuate a cycle of injustice and oppression. The personal stories of those who have bravely stood up against this systemic retaliation are a testament to the resilience and enduring spirit of the Hawaiian people. These individuals, including myself, have faced significant personal and professional consequences simply for asserting our rights and fighting for the preservation of our culture and identity. Despite these challenges, we continue to advocate tirelessly for the restoration of educational sovereignty and the cultural autonomy of our educational institutions. The struggle is a powerful reminder of the enduring quest for justice in the face of systemic adversity.

Exhibit R Data Evidence Electronic File

Spiritual Guidance

The COVID-19 pandemic provided an unexpected opportunity for reflection and reconnection with what truly matters. As we were confined to our homes, we found solace in focusing on our `ohana/families and our roots, rediscovering the importance of our cultural and spiritual heritage. Emerging from this period of isolation, I began to experience hō`ailona/signs of Kūpuna `ike/ancestral knowledge again.

Spiritual messages and hō`ailona started to appear with remarkable clarity and frequency. These signs, often manifested through chance meetings and unplanned opportunities, served as powerful reminders of our purpose and direction. This period of introspection and spiritual renewal has strengthened our resolve. We, the founders of Nā Lei Na`auao, have always been attuned to the guidance of our ancestors and the spiritual forces that surround us. We have always known this movement was bigger than us.

Hō`ailona - Nā Lei Na`auao and The Office of Hawaiian Affairs Trustees

2023 Nā Lei Na`auao, OHA Trustee's Kūkākūkā

The Office of Hawaiian Affairs (OHA) trustees were looking for a host site on the Big Island for a community meeting. This opportunity allowed for a kūkākūkā held at KALO, with Nā Lei Na`auao leadership, OHA Trustees, and key staff on September 14, 2023, to begin the comprehensive strategy for achieving Outcome 2.3 of the OHA Strategic Plan – establishing a Native Hawaiian charter school and Hawai`ian-medium learning system. Education is a priority in OHA's Strategic Plans of both 2010-2018 and 2020-2035. Over the past three decades, grassroots efforts have evolved to address historical injustices, suppression, and inequities for Hawaiian students. During the kūkākūkā, participants voiced their experiences of these systemic challenges, emphasizing how these historical injustices have shaped the current educational landscape for Hawaiian students. These shared experiences position Native Hawaiian charter schools and Hawai`ian-medium schools for the next step towards achieving educational sovereignty (Wise, 2023).

Outcome

I requested \$100,000 in funding and legal support to do a feasibility study from the Office of Hawaiian Affairs Board of Trustees on behalf of Nā Lei Na`auao. It aims to investigate the establishment of a Native Hawaiian charter school and Hawai`ian-medium learning system,

aligning with Outcome 2.3 of the OHA Strategic Plan. The kūkā kūkā prominently featured the voices of the OHA trustees and school leadership, who shared personal experiences of the historical suppression of Hawaiian education. We discussed the needs of Kānaka Maoli students and the systemic inequities perpetuated by the Charter School Commission and the Hawai'i Department of Education. Participants expressed their concerns and aspirations for a culturally relevant and community-controlled education system, outlining potential goals for achieving educational sovereignty.

The next steps planned include conducting a feasibility study, allocating resources, and assessing community needs, with an estimated timeline of three years. Throughout the kūkā kūkā, participants emphasized the importance of leadership from culturally aware Hawaiians and highlighted the challenges and opportunities related to public policy and fiduciary trust responsibilities. We concluded with an implementation strategy focusing on reshaping organizational structures and securing financial resources. The OHA Trustees, reflecting on the input from the kūkā kūkā, felt that \$100,000 was not enough money. Shortly thereafter, OHA reserved a total of \$500,000, \$250,000 from fiscal year 2024 and \$250,000 from fiscal year 2025, for a feasibility study.

2024 23rd Annual Ku`i ka Lono Nā Lei Na`auao Leadership Summit Kūkā kūkā

On March 14-15, 2024, KALO hosted the 23rd Annual Ku`i ka Lono Conference with Ka Waihona o ka Na`auao Charter School. The Ku`i Ka Lono Conference is an event for Nā Lei Na`auao Alliance for Native Hawaiian Education staff and students, a gathering focused on educational strategies, cultural practices, and policies related to Native Hawaiian charter schools. Participants, including educators, students, and community leaders, actively engaged in authentic hō`ike—sharing best practices, building pilina/*relationships*, and discussing pathways to

achieving educational sovereignty. Voices from across the community addressed historical and systemic disparities, and together, they worked to solidify a shared vision for a culturally relevant and community-controlled education system for Native Hawaiians.

At the conference, the voices of school leaders were central to the kūkākūkā, as they built upon the OHA September 2023 discussion on a raw level with just trusted school leaders and key supporters. School leadership expressed their desire for more than just an authorizer feasibility study; they articulated a need for a larger, more profound conversation about creating an alternative education system and developing a strategic plan for its implementation, backed by comprehensive legal analysis and support. These concerns and aspirations were vividly voiced in the themed analysis presented to OHA, along with a request for \$500,000 and a detailed scope of services to be provided with the funding (Wise, 2024).

Outcome

On June 19, 2024, the Office of Hawaiian Affairs Board of Trustees unanimously approved a \$500,000 grant for Nā Lei Na`auao under KALO to create a comprehensive strategy and feasibility study for achieving the charter portion of Outcome 2.3 of the OHA Strategic Plan – establishing a Native Hawaiian Charter School learning system. This decision was significantly influenced by the participant voices heard throughout the conference, reflecting a deep commitment to educational sovereignty and self-determination (Wise, 2024).

Exhibit S Data Evidence [Electronic File](#)

2024 Hawaiian Authorizer Resolution Draft

In recent meetings, the founding school Kūpuna have strongly voiced an urgent need to advance our educational system. Time is passing, and many of the founders were already older

when they accepted the kuleana to start their schools in 1999. `Ānakala Calvin Hoe called for a resolution to be drafted demanding a Hawaiian Authorizer. In response to his commands, I drafted an OHA resolution for the trustees to consider introducing at the next legislative session, demanding a Hawaiian Authorizer as expressed by the Kūpuna at the Summit Kūkākūkā (Wise, 2024).

2025 Requesting Proposed Legislative Advocacy

DRAFT - TITLE: A RESOLUTION

***URGING THE HAWAII STATE LEGISLATURE TO AUTHORIZE A HAWAIIAN
AUTHORIZER***

WHEREAS, the needs of Hawai`i's youth are long-standing and complex;

WHEREAS, The Native Hawaiian Educational Assessment Project (Kamehameha Schools, 1983) identified a sense of culture loss among many modern Hawaiians, resulting in stress and negative social outcomes, although some Hawaiians have coped effectively;

WHEREAS, the Final Report documents feelings of powerlessness and despair as outcomes of culture loss, but also notes the positive force in the resurgence of interest in traditional Hawaiian culture, highlighting the distinctive features of modern Hawaiian culture that impact student success in a predominantly non-Hawaiian educational environment;

WHEREAS, the Ka Huak`i report of 2021 (Kamehameha Schools) notes that while Native Hawaiian students have shown gains in college enrollment, they still have the lowest proficiency rates in standardized tests for language arts, mathematics, and science compared to their peers from other ethnicities and the HDOE no longer provides Native Hawaiian desegregated student data to the public or schools;

WHEREAS, Hawaiian culture-based education, with its diverse approaches and community involvement, is becoming more accessible and showing positive effects for Indigenous youth, yet Kānaka Maoli still face challenging health, social, and economic conditions that affect educational progress and learning outcomes, including concerning high school completion rates;

WHEREAS, Native Hawaiian families face significant economic challenges, with the lowest average family income and the highest poverty rates among major ethnicities in Hawai`i, impacting their children's educational outcomes;

WHEREAS, several interventions, including the Board of Education Policy E-3 Na Hopena A`o and the United States Presidential Executive Order of October 14, 2009, have been established to address these issues, emphasizing the importance of Hawaiian values, language, culture, and history in education;

WHEREAS, the Hawai`i State Constitution mandates the promotion of Hawaiian language in public schools and protects traditional and customary Hawaiian rights, recognizing Hawaiian as an official language of the State;

WHEREAS, the Hawai`i State Legislature has enacted specific provisions related to Hawaiian language education that impact charter schools, including programs for preschool-aged children and establishing Hawaiian language medium education;

WHEREAS, the State of Hawai`i and its Department of Education are subject to federal laws related to the Hawaiian language in education, such as the Native American Language Act of 1990;

WHEREAS, since the establishment of the New Century Public Charter Schools in 1999, Nā Lei Na`auao Alliance for Native Hawaiian Education has provided cultural-based, Hawai`ian-

focused public charter schools, offering community-designed and controlled educational models that reflect Hawaiian cultural values;

WHEREAS, over 24 years, charter schools have become a primary vehicle for community-driven education, with over 4,300 students enrolled in seventeen Hawai`ian-focused charter schools as of 2024, the majority of whom are of Hawaiian ancestry and economically disadvantaged;

WHEREAS, Native Hawaiian children have the lowest on-time high school graduation rates and college degree completion rates, but culturally driven educational strategies have been shown to improve their socio-emotional well-being, school engagement, civic commitment, and academic achievement;

WHEREAS, the majority of Native Hawaiian children now attend public schools, and the charter school movement provides a unique opportunity to design and control an educational system that honors the language, customs, and traditions of an Indigenous population;

WHEREAS, charter school students and schools were excluded from receiving over 50% of the combined federal and state public school educational supports provided to traditional schools;

WHEREAS, the current charter commission is not qualified to assess Kānaka Maoli educational success, has capped enrollments of Hawaiian charter schools, and has not complied with relevant statutes requiring that OHA, Kamehameha Schools, and Nā Lei Na`auao school leaders reassess appropriate data metrics defining success aligned with the schools' ideology and epistemology;

WHEREAS, Hawai'i Revised Statutes §302D-1 defines an authorizer as an entity responsible for reviewing charter applications, entering into charter contracts, overseeing public charter schools, and deciding on charter renewals or revocations;

WHEREAS, the National Association of Charter School Authorizers in 2011 recommended establishing a second authorizer in Hawai`i, highlighting the benefits of a high-quality authorizer as a check against the growth of a single authorizer model;

WHEREAS, the Association of Hawaiian Civic Clubs resolved in 2015 that a Hawaiian Authorizer was essential, and Lei Ho`olaha's 2019 Authorizer application was not approved due to funding concerns, with no subsequent initiative or support from the Board of Education to create another authorizer;

WHEREAS, establishing a Native Hawaiian Charter School and Hawai`ian-medium learning system is a strategy for achieving Outcome 2.3 of the Office of Hawaiian Affairs (OHA) Strategic Plan, aiming to advance educational sovereignty for Native Hawaiians through grassroots efforts and community commitment to "EA - Education with Aloha;"

NOW, THEREFORE, BE IT RESOLVED, that the Hawai`i State Legislature will authorize a "Hawaiian Authorizer" with chartering jurisdiction authority and a proportionate share of funding from EDN 615 and EDN 600 distributed to OHA per-pupil beginning Fiscal Year 2026;

BE IT FURTHER RESOLVED, that recommendations include normalizing Hawaiian culture-based education, establishing a universal early learning system, advocating for high-quality distance learning programs, increasing access to mental health services, and strengthening social and emotional learning in schools to support Native Hawaiian students and families;

BE IT FURTHER RESOLVED, that the State Legislature authorize the Board of Education to seek an exemption for specialized legal support, when necessary;

BE IT FURTHER RESOLVED, that the Board of Education shall transfer all existing Hawaiian charter contracts to the new Hawaiian Authorizer without delay at the request of the School

Governing Board, maintaining the existing contracts until OHA establishes new charter contracts;

BE IT FURTHER RESOLVED, that the State Legislature mandates the Board of Education as the State Educational Agency and the Department of Education as the Local Educational Agency to allocate the appropriate per-pupil portion of all federal funding to the Hawaiian Authorizer schools and the rest of the Hawai`i charter school portfolio;

Adopted by the Office of Hawaiian Affairs Trustees on this [date].

Chapter Summary

Analysis

The evidence herein has documented how the humāna/*students* of Nā Lei Na`auao have been met with prejudice, causing a lack of resources and funding. In the past few years, the prejudice has increased to the staff and governing boards, with the removal of core rights provided to all state employees as well as the right to due process.

As a collective, we represent the interests of Hawai`i public charter schools, encompassing the concerns of thousands of students, devoted educators, and school administrators. We are facing myriad challenges stemming from unilateral decisions made by state departments, particularly the HDOE, that have had far-reaching implications on our educational institutions.

Our foremost concern revolves around the conflict of interest embedded within legal representation for charter schools. We have discovered that some deputy attorney generals representing charter schools also advocate for the HDOE, thereby creating an inherent conflict of interest. Moreover, our attempts to establish effective communication channels with key

HIDOE officials, including the superintendent and the BOE Chair, have been met with significant obstacles.

We recognize the historical context underpinning the HIDOE's role in charter school matters. As the State Educational Agency/Local Educational Agency responsible for public education in Hawai'i, the HIDOE acts as the vital conduit for charter schools, facilitating their interaction with the state's administrative processes and systems. This administrative connection, as mandated by statute, has been solidified through legislative task forces and superintendent liaison committee meetings, evolving from the landmark *Connections vs. HIDOE* settlement (2002).

In this context, I believe that this historical backdrop, combined with specific legal provisions, enables charter schools to function as State Agencies. Key provisions include:

- §302D-3: The State Public Charter School Commission is established with statewide chartering jurisdiction and authority, administratively placed within the department. This has been in place for a considerable amount of time, confirming its legitimacy.
- §302D-25: Charter schools are exempt from certain state laws to include chapters 91, 92, and 103D, except those related to collective bargaining, discrimination and health and safety. Clarifying collective bargaining increases for employees shall be allocated by the department of budget and finance.
- §302D-26: Charter school employees are afforded participation in the State's systems for retirement, workers' compensation, unemployment insurance, temporary disability insurance and health benefits. This provision underscores the integration of charter schools into the state education system.
- §302D-28: Funding and finance provisions ensure equitable general fund financial

allocations for charter school students on a per-pupil basis for regular education cost categories and include comprehensive school support services. This provision specifically excludes the cost of fringe benefits regardless of the payroll system, mandating costs will be addressed by budget and finance and stating no fringe benefits costs shall be charged directly to or deducted from the per pupil allocation for students.

Additionally, the Hawai`i State Constitution ensures public education free from discrimination based on race, religion, sex, or ancestry and promotes the study of Hawaiian culture, history, and language, including physical facilities therefor.

In light of this comprehensive background, we are left with numerous pressing concerns regarding the actions of state agencies, specifically the HIDOE, and inaction of state agencies, specifically the Attorney General's Office. All other state agencies have the authority to appeal issues to the circuit court and request a summary judgement if interpretation is required to resolve an issue. Charter schools are excluded from this due process right through 302D-25(e) (Kamalani v. Hawai`i, 2022). With the BOE only able to hear appeals regarding charter applications, contracts, renewals, and revocations (Hawai`i State Legislature, 2023), and charters only permitted to utilize the Attorney General's office for legal advice, there is no option for redress.

1. Unemployment Insurance and Workers' Compensation: We have concerns about the HIDOE's decision to charge charter schools for unemployment benefits and workers' compensation, retroactively from 2022, without prior notice or clear authority. We question the legality of these actions and the responsibility of the SEA/LEA to public charter schools.

2. **Collective Bargaining Funding:** Charter schools have not received collective bargaining funds for the current school year. Despite implementing mandated increases in accordance with Chapter 89, Budget and Finance has not released the funding or explained what will be covered. We seek clarification on the state's obligation to provide these funds and the recourse for charter schools when funding is not provided.
3. **Funding and finance:** Is it appropriate that the general fund per pupil for each regular education and special education student as described in §302D-28 be used for fringe benefits and collective bargaining expenses?
4. **Collective Bargaining Agreements:** There is uncertainty regarding which provisions of collective bargaining agreements apply to charter schools, especially when they conflict with HRS §302D. Charter schools need guidance on which provisions take precedence.
5. **Student Federally Subsidized Food Service:** The HIDOE is charging charter school students for lunches in Community Eligibility Provision areas, which is a non-pricing meal service for schools and school districts in low-income areas like the island of Molokai. Qualified areas entitle all students to receive free and reduced meal service. We question the legality of this practice and whether, as the SEA/LEA, the HIDOE can charge charter students when all other students in the qualified area receive these benefits at no cost.
6. **Student Transfers:** HIDOE schools are denying transfers of students from start-up charters that are not district charter schools. We seek clarity on whether this is a lawful action and whether it infringes upon students' rights to transfer between public charter

and HIDOE schools.

7. Official Enrollment Count Issues: We are concerned about discrepancies in official enrollment counts and the HIDOE's recent decision not to address these issues. We question the HIDOE's obligation as the SEA/LEA to ensure accurate enrollment counts for funding purposes and whether this represents a conflict of interest.
8. Right to Due Process: Section 302D-15 appears to limit appeals of Board of Education decisions to the courts, raising concerns about its constitutionality. We request perspective on this issue, as it has implications for due process rights.
9. Contract Renewal Coercion: Charter schools were forced to sign contract 4.0 by June 30, 2023, with limited options for challenging new terms. We seek clarification on the legality of the commission's actions and the withholding of per-pupil funds in this context. We want to know if the commission is in violation of the law if it failed to renew a charter contract due to a school's refusal to agree to new contract terms and whether the commission can withhold per-pupil funds in this instance.
10. Facilities: No formula driven facilities allocation for new construction or repair and maintenance, no option to purchase food service for federal qualifying students, disparate per-pupil and resource allocation to charter school students.
11. Federal Funds Distribution: SEA/LEA manipulation of federal funds supplanting core state operations, utilizing an estimate of 73% per year to fund the bureaucracy (Hawai'i Department of Education, 2022).
12. Data Manipulation: The HIDOE no longer desegregating Kānaka Maoli data is a significant red flag. Additionally, the HIDOE is backfilling any class that did not reach a 95% participation rate with failing students until they reach that number. For

example, if Kanu had 65% of its eleventh graders take the SBAC State test and 35% opted out, which is their federal right (National Center for Fair & Open Testing, 2018), the HIDOE is adding 35% failed students to that data pool. Furthermore, if a school's "n" number is less than 40, the HIDOE is combining multiple years until n=40 is reached. For instance, if Kanu had 10 high school graduates, they would pool data from four years to reach the "n" variable. The final manipulation involves the graduation and college-going rate, which is too complex an issue to discuss in this document.

13. Equal Protection: Charter schools are excluded from due process rights according to 302D-25(e). The Fourteenth Amendment (U.S. Const. amend. XIV) guarantees equal protection under the law. If charter schools are treated differently than other public schools without a rational basis, it could raise an equal protection issue.

These are all of great importance to our charter schools and the approximately 14,000 students and 1000 employees they serve.

In conclusion, Nā Lei Na`auao utilizes the charter school model as a vehicle to implement Kānaka Maoli education, honoring the demands of the Coolangatta and `Ōpio Youth Declarations. This chapter has provided a detailed account of the significant advocacy initiatives undertaken by NLN, led by KALO and me, highlighting both our successes and setbacks. It has illustrated the evolution and impact of the Nā Lei Na`auao Education with Aloha movement up to its current state.

Central to our mission is the assertion of the equal right to education for all, as emphasized by the Coolangatta Statement. This includes control over educational content and the use of the Native Hawaiian language, `ōlelo Hawai`i, as a medium of instruction. We are

dedicated to establishing and managing education systems that respect and incorporate Hawaiian language and cultural practices, advocating for these systems to be valued equally alongside western models. This initiative aligns with principles of self-determination in education, expecting state support to ensure these educational systems are free from discrimination and provide equitable opportunities for all students.

As we reflect on the extensive journey of Nā Lei Na`auao and the Education with Aloha movement, it becomes clear that achieving full educational sovereignty and self-determination for the Hawaiian community requires an organizational structure that is both culturally rooted and politically empowered. The structure must prioritize the integration of Hawaiian epistemology, ideology, and spirituality at its core, while also ensuring the flexibility needed to navigate the complex legal and financial landscapes. This chapter has demonstrated that a decentralized model, supported by robust community engagement and strategic alliances, offers the most promise in fulfilling these goals. Moreover, securing federal funding that follows the child, thereby empowering parents to make educational choices aligned with their cultural values, remains a critical step. It is through these combined efforts that the dream of educational sovereignty for Kānaka Maoli can be realized, ensuring that future generations have the opportunity to learn and thrive in environments that honor their heritage.

Coming Next

In the final chapter of this dissertation, I will offer a personal reflection on the research journey, recapitulating the key findings and evaluating their impact on Hawai`ian- focused charter schools. I will also provide forward-looking perspectives, discussing the progress made towards establishing a Hawaiian authorizer and the implications this holds

for educational sovereignty. This chapter will outline potential future research directions, complete with methodological approaches and goals, while also addressing the limitations of this study and anticipating potential criticisms. Ultimately, I will conclude with a call to action that emphasizes the urgency of our mission, culminating in a pule (prayer) that reinforces our collective commitment to the pursuit of educational justice for the Kānaka Maoli community.

CHAPTER SIX: KANAKA AND EDUCATIONAL SOVEREIGNTY

Introduction

This chapter serves as the final synthesis of a dissertation that has journeyed through 24 years of educational advocacy, negotiation, and empowerment within the Native Hawaiian community. It reflects on the evolution and impact of the Nā Lei Na`auao – Alliance for Native Hawaiian Education and offers strategic recommendations for sustaining this educational movement into the future. Part I of this chapter specifically addresses closing comments on the equal right to education, personal reflections and stimulus, a recapitulation and evaluation of the research, forward looking research directions with specific questions and potential methodological approaches to include creating a Kānaka SEA and/or Kānaka Authorizer.

This dissertation employed an emergent design methodology, allowing for flexibility and adaptation to new ideas, concepts, or findings throughout the research process. The data derived from participant observations, ethnographic kūkākūkā interviews, and document analysis underscore a comprehensive 24-year engagement in education investigation, advocacy, and negotiation for equity, empowerment, and appropriate resources. This chapter synthesizes these findings, reflecting on the evolution and impact of the Nā Lei Na`auao – Alliance for Native Hawaiian Education, and outlines strategic recommendations for the future.

The Nā Lei Na`auao – Alliance for Native Hawaiian Education was founded with the vision to cultivate an educational movement that respects and perpetuates the cultural, historical, and linguistic heritage of Native Hawaiians. This mission aimed to establish a robust educational framework that is community-designed and controlled, embodying the rich values and philosophies intrinsic to Hawaiian culture. Despite being an informal alliance, there were strong requests from philanthropic supporters, including Kamehameha Schools Bishop Estate and The

Office of Hawaiian Affairs, for formalizing the structure.

Key decisions made during a strategic planning meeting in 2005 included forming a Board of Directors consisting of school poʻo/leader, establishing voting procedures, and integrating Nā Lei Naʻauao into the KALO (Kanu o ka `Āina Learning `Ohana) programs. This structure allowed the alliance to remain informal, facilitating lobbying efforts and ensuring compliance with western legal standards while avoiding bureaucratic constraints. Additionally, the decision to conduct an annual conference called Kuʻi ka Lono with school representatives underscored the commitment to continuous community engagement and development.

The educational initiative emphasized the equal right to education for all, as highlighted by the Coolangatta Statement. This includes control over educational content and the use of the `ōlelo Hawaiʻi/Hawaiian language as a medium of instruction. The goal is to establish and manage educational systems that respect and incorporate Hawaiian culture and practices, advocating for these systems to be valued equally alongside western models. This aligns with principles of self-determination in education as outlined in Article X of the Hawaiʻi State Constitution, ensuring state support for these educational systems free from discrimination.

Moreover, the initiative supports integrating Hawaiian culture, history, and language into the public education system, as mandated by the Hawaiian Education Program, enhancing cultural competence among all learners. Supported by Hawaiʻi Legislature Act 62, the concept of charter schools was championed as platforms for educational innovation, offering flexibility in curriculum development, facilities management, and instructional approaches.

Significant challenges and gaps identified include the persistent struggle to achieve full educational sovereignty and self-determination, the complexities of securing federal funding that empowers parental educational choice, and the ongoing efforts to hold the U.S. Government accountable for its fiduciary trust responsibilities to the Kānaka Maoli. Specific barriers include bureaucratic resistance, insufficient legislative support, and systemic inequities in funding distribution.

The comprehensive investigation highlighted significant educational and advocacy efforts by KALO and Nā Lei Na`auao, focusing on the struggles for educational sovereignty in Hawaiian communities through the charter school vehicle. Despite legal empowerments and state promises, educational self-determination remains stifled, particularly for the Kānaka Maoli.

The research amalgamated historical advocacy efforts and provided a unique perspective on the strides and struggles encountered. It included the review of key legislative documents, legal settlements, task force reports, and a wide range of documentation. The detailed account of each major initiative, supported by evidence, illustrated the evolution and impact of the Nā Lei Na`auao Education with Aloha movement.

Overall, the findings underscore the ongoing quest for self-determination among Native communities, highlighting the importance of cultural-based education and community-driven educational models. The data collected provides a robust foundation for understanding the educational landscape in Hawai`i and offers insights into the potential pathways for achieving educational equity and empowerment for Native Hawaiians.

Personal Reflection and Stimulus from Research

As I reflect on the journey of this research, I am struck by the profound impact it has had on my own life and the lives of those within our community. This dissertation is not just an academic exercise; it is a deeply personal mission shaped by my experiences, my heritage, and my unwavering commitment to educational equity for Kānaka Maoli.

Growing up as a Native Hawai`ian, I experienced firsthand the systemic inequities and cultural dissonance within the traditional educational system. These early experiences ignited a passion within me to seek change, to create an educational environment where our cultural values and language are not just acknowledged but celebrated and integrated into the foundational learning process. This research has been a journey of rediscovering and reaffirming my identity while also advocating for the educational rights of our people.

One of the most poignant moments in this journey was visiting Hālau Lōkahi Public Charter School during its final days. The sense of loss and frustration was palpable among the students, teachers, and parents. I sat with a group of students who spoke about their fear of losing their cultural connection if they had to attend a mainstream school. One student said, “This school is `ohana to me. It’s where I learn about who I am and where I come from.” Their words underscored the human element behind the statistics and policy discussions, highlighting the real emotional impact of educational inequities.

My role as a researcher has also been deeply intertwined with my role as an advocate. This dual responsibility has often been challenging, balancing the need for objective analysis with the passionate drive to effect change. There were moments of frustration, particularly when facing bureaucratic hurdles or encountering resistance from policymakers. However, these challenges only strengthened my resolve. They reminded me that this work is not just about data and policy; it is about the future of our children and the preservation of our culture.

Engaging with the community has been both enlightening and humbling. From conducting kūkākūkā with dedicated educators to participating in cultural events and community meetings, these interactions have enriched this research with diverse perspectives and voices. Each story shared, each piece of feedback received, has been a testament to the resilience and strength of the Kānaka Maoli community. It has reinforced the belief that our cultural heritage is a source of immense strength and must be at the heart of our educational systems.

This research journey has also been a spiritual one. The guidance of our ancestors, the wisdom of our Kūpuna, has been a constant source of inspiration. Their teachings have not only informed the research but have also provided a moral compass, guiding the decisions and directions taken. The chant Nā `Aumākua included in this dissertation is more than a traditional invocation; it is a reminder of the sacred duty we have to honor and perpetuate the wisdom of our ancestors through education.

This dissertation represents a convergence of academic rigor and personal passion. It is a reflection of my journey as a Native Hawai`ian, an educator, and an advocate. The findings and recommendations presented here are not just theoretical; they are born out of lived experiences and a deep commitment to seeing our children thrive in an educational system that respects and nurtures their cultural identity. As we move forward, I remain hopeful and steadfast in the belief that through collective effort and unwavering dedication, we can achieve educational sovereignty and self-determination for the Kānaka Maoli. This work is a tribute to our past, a commitment to our present, and a promise to our future.

Recapitulation and Evaluation of the Research

Throughout this doctoral journey, I have remained steadfast in my commitment to advancing the cause of appropriate education for our lāhui/*people*. Despite tireless advocacy and

extensive efforts to educate stakeholders and secure necessary resources, the systemic structures in place continue to undermine the potential flourishing of Kānaka Maoli. The Hawaiian charter school movement, particularly within the framework of Nā Lei Na`auao Education with Aloha, has faced significant challenges. These include governmental non-compliance with best practices and legal standards, biased legislative actions, a lack of genuine support for Indigenous empowerment, and acknowledgment of or remorse for the current educational outcomes of Kānaka. The evidence presented throughout this research is clear and meticulously detailed; the fiduciary trust responsibilities owed by the United States and the State of Hawai`i to the welfare of Kānaka Maoli students remain unfulfilled.

Forward-Looking Perspectives

The future of Kānaka Maoli education faces critical challenges that, if unaddressed, may lead to further colonization and ineffectiveness of our educational systems. The current Charter Commission's hostile and restrictive compliance stance contradicts the best national practices, stifling innovation and suppressing the rich epistemological heritage of Kānaka Maoli. It is imperative to reassess our strategies, envision a future that honors ancestral wisdom, and establish a community-driven educational model that reflects our cultural values and educational aspirations while putting us in control of defining success.

Research Impact on the Native Hawaiian Charter School Movement

This research unequivocally demonstrates that the ongoing struggles against systemic inequities and prejudices are largely being ignored by the state. There is a stark disconnect between the needs of our communities and the actions of those in power who continue to perpetuate historical injustices. Nevertheless, this work has also empowered us with a robust

foundation of data and insights that underscore the first 24 years of Hawai`i's charter school movement, equipping us with the tools necessary to advocate for substantive change.

Future Research Directions

As we move forward, it is essential to recognize the systemic disregard our efforts have faced. Future research must pivot towards strategic action—addressing the leadership questions of Nā Lei Na`auao and aligning with the Office of Hawaiian Affairs’ strategic plan to establish an authentically Hawaiian educational system. This new direction might extend beyond the confines of traditional charter schools, exploring innovative educational models that truly cater to the needs of Kānaka Maoli children.

Specific Research Questions

To further advance the goals of educational sovereignty and self-determination for the Kānaka Maoli, future research should address the following key questions:

1. What is the process to create a new federally recognized State Educational Agency (SEA)?
2. Would a new SEA be legal under the current Hawai`i constitution?
3. Can OHA with its sovereign status qualify as an SEA to receive federal funding for Kānaka Maoli students? If not, is there an existing entity that could?
4. What role could the Native Hawaiian Education Council and Department of Interior play in the SEA scenario?
5. Could a Hawaiian authorizer create its own consolidated financial plan with the federal government, have the funding for Kānaka flow directly to the authorizer and do its own assessments instead of SBAC?

6. Is the retaliatory selective budget provisos and catagorical funding elimination that removes resources from charter schools discriminatory? If so, what can be done to rectify and make whole the schools?
7. How do Kānaka get federal fiduciary trust entitlements for education like they are getting for health and housing?
8. Is the way the BOE/HIDOE is distributing or not distributing federal funding and utilizing the majority of the funding to fund the bureaucracy legal?
9. Is the HIDOE inappropriate in their data manipulation of SBAC? Does the current data manipulation disproportionately impact charter, rural and small schools?
10. With the evidence provided in this dissertation regarding funding disparities, do Kānaka have cause to sue?
11. Are charter school students victims of unfair taxation and unfair protections in violation of the State of Hawai`i and US Constitutions?

Potential Methodological Approaches for Research Questions

What is the process to create a new federally recognized State Educational Agency (SEA)? The following consolidated plan depicted in tables for ease of reading, provides a comprehensive approach, combining methodological and practical steps to answer the research questions effectively.

Create a Kānaka SEA:

Research Question	Methodological Steps	Practical Steps	Time Table	Experts Needed
<i>1. What is the process to create a new federally recognized State Educational Agency (SEA)?</i>	1. Conduct a literature review on SEAs. 2. Perform legal analysis of federal statutes and regulations. 3. Analyze case studies of SEAs established in the last 20 years.	1. Organize consultations with educational law specialists. 2. Prepare interview guides and conduct interviews with USDOE & DOI. 3. Synthesize information into a procedural guide.	6-9 months	Educational law specialists, USDOE, DOI, academic researchers
<i>2. Would a new SEA be legal under the current Hawai'i constitution?</i>	1. Analyze relevant sections of the Hawai'i State Constitution. 2. Search for relevant court cases and legal opinions.	1. Identify and schedule meetings with constitutional lawyers. 2. Prepare briefing materials and organize meetings with state legislators. 3. Compile findings into a detailed legal brief.	4-6 months	Constitutional & Education lawyers
<i>3. Can OHA with its sovereign status qualify as an SEA to receive federal funding for Kānaka Maoli students? If not, is there an existing entity that could?</i>	1. Examine statutes and legal interpretations of OHA's status. 2. Review U.S. Department of Education criteria for SEA recognition. 3. Identify and evaluate other potential entities.	1. Facilitate workshops and meetings with OHA officials. 2. Compare OHA with other potential entities using a structured feasibility assessment. 3. Create a strategic plan for the selected entity to apply for SEA status.	6-12 months	Legal experts in Native American law, OHA officials, education policy experts
<i>4. What role could the Native Hawaiian Education Council and Department of Interior play in the SEA scenario?</i>	1. Review organizational mandates and functions. 2. Map out key stakeholders and their potential contributions.	1. Schedule meetings and discussions with representatives from both organizations. 2. Design partnership models outlining roles and responsibilities. 3. Create policy recommendations based	3-6 months	Organizational analysts, stakeholders from Native Hawaiian Education Council and Department of Interior

Research Question	Methodological Steps	Practical Steps	Time Table	Experts Needed
		on stakeholder input and analysis.		
<i>5. Could a Hawaiian authorizer create its own consolidated financial plan with the federal government and do its own assessments instead of SBAC?</i>	1. Examine ESSA and state policies on financial planning and assessment flexibility. 2. Analyze regions or districts with custom financial plans and assessments.	1. Engage with policy experts to discuss legal and practical aspects. 2. Create a draft financial plan and assessment model. 3. Implement pilot programs and collect data.	9-12 months	Policy experts, financial planners, assessment specialists
<i>6. Is the retaliatory selective budget proviso that removes funding from charter schools discriminatory? If so, what can be done to rectify and make whole the schools?</i>	1. Review the budget proviso's text, legislative history, and rationale. 2. Examine anti-discrimination laws and relevant precedents. 3. Conduct a detailed impact assessment on affected schools.	1. Gather qualitative and quantitative data from affected schools. 2. Work with attorneys to develop a legal challenge if necessary.	6-9 months	Civil rights attorneys, financial analysts, education policy experts
<i>7. How do Kānaka get federal fiduciary trust entitlements for education like they are getting for health and housing?</i>	1. Review legal frameworks and processes for existing federal fiduciary trust entitlements. 2. Compare educational needs and frameworks with health and housing entitlements.	1. Initiate discussions with relevant federal agencies. 2. Develop a comprehensive proposal for educational fiduciary trust entitlements. 3. Advocate for the proposal at the federal level.	9-12 months	Federal policy experts, legal experts in fiduciary trust law, advocacy groups
<i>8. Is the way the BOE/HIDOE distributing or not distributing federal funding and utilizing</i>	1. Conduct a thorough audit of federal funding distribution and utilization. 2.	1. Collaborate with professional auditors to review financial practices. 2. Summarize findings in a detailed	6-9 months	Financial auditors, legal analysts, educational

Research Question	Methodological Steps	Practical Steps	Time Table	Experts Needed
<i>the majority of the funding to fund the bureaucracy legal?</i>	Analyze laws and regulations governing the use of federal funds.	report, highlighting any legal violations and suggesting corrective actions.		finance, GAO, USDOE experts
<i>9. Is the HIDEOE inappropriate in their data manipulation of SBAC? Does the current data manipulation disproportionately impact charter and small schools?</i>	1. Review and analyze SBAC data handling practices by HIDEOE. 2. Assess the impact of data manipulation on charter and small schools through statistical analysis and comparative studies.	1. Work with data scientists and educational researchers to validate findings. 2. Document and publish findings in academic journals or policy reports to raise awareness and advocate for changes.	6-12 months	Data scientists, educational researchers, policy analysts
<i>10. With the evidence provided in this dissertation regarding funding disparities, do Kānaka have cause to sue?</i>	1. Review the evidence and identify potential legal grounds for a lawsuit. 2. Examine similar cases of funding disparities and their outcomes.	1. Engage with civil rights and educational law attorneys. 2. Develop a detailed legal strategy, including gathering supporting evidence, identifying plaintiffs, and preparing legal documents. 3. File a lawsuit and seek remedies through the court system if warranted.	6-12 months	Civil rights attorneys, educational law experts, legal strategists
<i>11. Are charter school students victims of unfair taxation and unfair protections in violation of the State of Hawai'i and US Constitutions?</i>	1. Review the evidence and identify potential legal grounds for a lawsuit. 2. Examine similar cases of funding disparities and their outcomes.	1. Engage with constitutional, tax and educational law attorneys. 2. Develop a detailed legal strategy, including gathering supporting evidence, identifying plaintiffs, and preparing legal documents. 3. File a lawsuit and seek remedies through the	14-24 months	Constitutional, tax, education attorneys, & experts, legal strategists

Research Question	Methodological Steps	Practical Steps	Time Table	Experts Needed
		court system if warranted.		

Long-Term Goals and Sustainability

The pursuit of long-term goals within the context of Native Hawaiian education is a deeply rooted endeavor, grounded in the desire for educational sovereignty and self-determination for the Kānaka Maoli. Central to this vision is the establishment of an independent, culturally aligned education system that reflects the values, philosophies, and traditions of Native Hawaiian culture. This system is not merely a theoretical aspiration but a practical necessity, driven by the understanding that education is a vital tool for both preserving and perpetuating cultural identity.

Achieving Educational Sovereignty is the cornerstone of this long-term vision. It involves creating and sustaining an educational framework that is entirely controlled by and for the Native Hawaiian community. Such sovereignty in education ensures that the curriculum, instructional methods, and overall governance of the educational system are aligned with the cultural and historical context of the Kānaka Maoli. This approach to education not only empowers students but also the broader community, fostering a sense of ownership and accountability for the educational outcomes of future generations. The ultimate goal is to move beyond reliance on external systems that may not fully understand or value the unique needs of Native Hawaiian students, and instead, establish a self-determined educational pathway that is responsive to their specific cultural and intellectual needs.

Cultural Preservation stands as another critical pillar of this endeavor. The preservation and promotion of Native Hawaiian culture, language, and values through education is essential for maintaining the integrity and continuity of the Kānaka Maoli identity. In a world that is increasingly globalized, where cultural homogenization poses a real threat, the education system must serve as a bastion for the transmission of cultural knowledge and practices. This includes integrating the ʻōlelo Hawaiʻi (Hawaiian language) into all levels of instruction, ensuring that students not only learn in their Native language but also think, express, and create within it. Additionally, embedding traditional practices, historical perspectives, and cultural values into the curriculum fosters a learning environment where students can develop a strong sense of pride in their heritage. This cultural grounding is not just about honoring the past but also about equipping students with the tools to navigate and shape the future while staying true to their roots.

Fostering Student Success is another vital objective within this framework. Success for Native Hawaiian students is envisioned as a holistic process that goes beyond academic achievement. It encompasses personal development, cultural identity, and preparedness for future opportunities. By grounding students in their cultural heritage, the education system seeks to create well-rounded individuals who are not only academically competent but also culturally competent. These students will be able to thrive in diverse environments while remaining deeply connected to their identity as Kānaka Maoli. The educational process should be one that nurtures the whole person—intellectually, emotionally, and spiritually—ensuring that every student has the opportunity to succeed on their terms, in ways that are meaningful to them and their community.

Community Empowerment is the final, yet equally important, goal. The empowerment of Native Hawaiian communities is intrinsically linked to their active involvement in the educational process. Education should not be something that is done to the community, but something that is done with the community. This means involving parents, elders, cultural practitioners, and other community members in the decision-making processes that shape the education system. By doing so, the education system can better reflect the community's values, needs, and aspirations. Moreover, this collective approach helps to build a sense of shared responsibility for the success of the students and the sustainability of the educational initiatives. Community empowerment through education also fosters resilience, allowing Native Hawaiian communities to better advocate for their rights and interests in broader societal contexts.


The long-term goals for Native Hawaiian education are both ambitious and necessary. They represent a commitment to educational sovereignty, cultural preservation, student success, and community empowerment. Together, these goals form the foundation for a sustainable and impactful educational system that honors the past, addresses the present, and prepares for the future. By achieving these goals, the Kānaka Maoli can ensure that their educational system is not only a tool for personal and academic growth but also a powerful means of cultural survival and self-determination.

Create a Kānaka Charter Authorizer

The consolidated plan below outlines the comprehensive methodologies and practical steps needed to create an independent authorizer that can use its own assessments, along with the types of experts required for successful implementation. Starting a Native Hawaiian Authorizer is a significant and multifaceted endeavor that required careful planning, cultural sensitivity, and

strategic execution. Below is a table that assesses steps needed to create a Hawaiian Authorizer and what we have completed to date:

Action	Steps	Experts Needed	Completed
Cultural Integration and Curriculum Development	Develop curriculum, implement language programs, involve cultural experts	Cultural practitioners, language experts, curriculum developers	
Community Involvement and Support	Engage communities, involve parents, incorporate elders	Community organizers, education facilitators	
Governance and Organizational Structure	Establish governing body, create autonomous schools, ensure transparency	Education administrators, legal advisors	
Teacher Training and Professional Development	Provide training, recruit educators, create support networks	Teacher trainers, recruitment specialists	
Sustainable Funding and Resources	Develop funding strategy, establish partnerships, allocate resources	Hawai'i public education funding specialist	
Assessment and Accountability	Develop assessments, establish feedback mechanisms, define metrics	Assessment specialists, educational evaluators	
Advocacy and Policy Influence	Advocate for policies, raise public awareness, develop legislation	Advocacy groups, policy advisors	
Change the Law to Allow Multiple Authorizers	Draft legislative proposal, lobby legislators, advocate for policy change	Legal experts, policy advisors, advocacy groups	
Create Administrative Rules	Draft administrative rules, present to BOE, advocate for approval and signing	Legal advisors, education administrators, policy experts	

Action	Steps	Experts Needed	Completed
Leadership Training and Succession Planning	Develop leadership training programs, create succession plans	Leadership development experts, HR specialists	
Data Metrics for Assessment	Define and develop data metrics, implement data collection and analysis	Data analysts, educational researchers	

Part II of this chapter that follows includes the impact of this research on the Native Hawaiian Charter School movement, personal reflections, and implications for future directions. It closes with the final statement in the letter to `Anakē and a pule/prayer for past, present and future.

CHAPTER SEVEN: CALL TO ACTION

Introduction

This chapter delves into the final stages of exploring the complexities surrounding the establishment of a new State Educational Agency (SEA) dedicated to Native Hawaiian education. It examines the intersection of legal, cultural, and educational frameworks necessary to advance the goal of educational sovereignty for the Kānaka Maoli. By analyzing existing funding structures, policy impacts, and the potential for creating a culturally aligned educational system, the chapter provides a comprehensive roadmap for achieving self-determination in education. It emphasizes the need for systemic change, advocating for a shift away from traditional governmental structures towards a model that is wholly conceived, developed, and controlled by the Native Hawaiian community. Through this, the chapter reinforces the critical importance of integrating cultural practices and securing equitable funding to ensure that Native Hawaiian students receive an education that honors their heritage and prepares them for future success.

These methodological approaches provide a structured roadmap for researching the complex questions related to establishing a new SEA, legal feasibility, funding, and policy impacts on Native Hawaiian education. By employing a combination of legal analysis, policy review, case studies, stakeholder engagement, and data analysis, researchers can generate comprehensive insights and actionable recommendations to support educational sovereignty and equity for the Kānaka Maoli.

Future research should build on the foundation laid by this dissertation, addressing critical questions about the integration of cultural practices, the impact of funding disparities, and effective advocacy strategies. By employing diverse methodological approaches and securing

funding from a variety of sources, researchers can provide valuable insights that drive meaningful change in Native Hawaiian education. Through these efforts, we can continue to advance the goals of educational sovereignty and self-determination, ensuring that Native Hawaiian students receive an education that honors and perpetuates their cultural heritage while preparing them for future success.

Recapitulation of Purpose and Findings

What organizational structure will facilitate Nā Lei Na`auao Education with Aloha epistemology, ideology, and spirituality, and what opportunities remain to achieve full educational sovereignty and self-determination?

Structural Foundations for Nā Lei Na`auao: Education with Aloha

A pivotal question for advancing Nā Lei Na`auao centers on the optimal organizational structure that can genuinely embody and promote an Education with Aloha approach, integrating our epistemology, ideology, and spirituality. Current educational structures within Hawai`i, including both charter schools and traditional public-school options overseen by the Hawai`i Department of Education and State Board of Education, fall short of supporting these foundational elements. They also lack the necessary framework for nurturing the healing intentions vital to our educational philosophy.

Opportunities for Achieving Educational Sovereignty and Self-Determination

The potential for achieving full educational sovereignty and self-determination for Kānaka Maoli exists, anchored by the clear fiduciary trust responsibilities delineated by the U.S. Government and the State of Hawai`i. However, traditional paths of state advocacy and

negotiation have proven ineffective in reaching our ultimate goals. To truly advance our cause, it is essential that we assert and demand the establishment of educational rights that are directly controlled and managed by Kānaka Maoli.

This necessitates a redefinition of educational success tailored to our cultural values, as well as specific qualifications for governance structures, kumu/teachers, and po`okula/principals that align with our ideological and spiritual needs. Furthermore, we must take control of financial and compliance systems to ensure they serve and empower a community-controlled educational model.

The journey to redefine and reclaim our educational system is complex and requires a decisive shift away from existing governmental structures to ones that are wholly conceived, developed, and controlled by Kānaka Maoli. By aligning our educational practices with our deep cultural values and exercising control over educational policies and resources, we can forge a path towards true sovereignty and self-determination in education allowing the successful innovation that currently exists in our schools to blossom.

How can we obtain federal funding for Hawaiian children's education that will follow the child and allow parents to make educational choices? Can we compel the U.S. Government to accept their fiduciary trust responsibility to the Kānaka Maoli, acknowledge the educational failures, and provide annual formula-driven funding for each Hawaiian child?

Federal formula-driven annual funding is currently available for each child in Hawai`i. Evidence shows that the large majority of the funding is used by the State of Hawai`i to pay for the bureaucracy of the DOE, which has not served Kānaka Maoli's education needs. Challenging the SEA allocation by creating our own Kānaka SEA with annual formula-driven distribution to

Kānaka LEAs would be similar to the scenario created by the Native Hawaiian health system and is a very viable option.

At the current funding rate if it followed the child (total average over the past five years), could provide and estimated \$9,876 per child annually. If an entity like the Office of Hawaiian Affairs became a Kānaka SEA, it could ensure the funding followed the child, to traditional public, charter or private schools, giving parents educational choice and the current unified system the shock of competition.

Additionally, the federal Native Hawaiian Education Act and bucket of funds already exist. The issue is the USDOE allocates the funding through discretionary short-term grants, which make us compete against ourselves. This allocation process needs to be changed. The funding should follow the child, ensuring parents have educational choice for charter, traditional DOE, or private schools and the special needs of the keiki. The U.S. government allocates funds annually to address the consequences and ongoing impact of its historical and systemic injustices against Native Hawaiians, Alaska Natives, and Native Americans. However Native Hawai`ian's only received 20% compared to the others.

Another option would be to sue; precedence has been set with the Felix Consent Decree. On May 4, 1993, the Governor, Superintendent of Education, and Director of Health were sued in U.S. District Court for failing to provide educational and mental health services to students in need of such services to benefit from their education. The prevailing lawsuit alleged that the state had failed to provide necessary educational and mental health services required under federal law. The federal court approved a settlement agreement, the Felix Consent Decree, on October 25, 1994 .

There are also questions of unfair taxation and representation that could be challenged. The scenario described where traditional Department of Education students receive 50% more resources than charter school students, despite both being funded by state tax dollars, raises potential issues of unfair taxation and unequal protection with inequitable distribution of public funds.

First, the Equal Protection Clause of the Fourteenth Amendment mandates that states provide equal protection under the law to all citizens. A significant disparity in educational funding between traditional public schools and charter schools without sufficient justification could be viewed as a violation of this clause. This was evident in cases like *San Antonio Independent School District v. Rodriguez*, previously discussed, where the Supreme Court acknowledged disparities in school funding but did not recognize education as a fundamental right under the Constitution .

Most state constitutions include clauses that mandate the provision of a uniform and equitable education for all children. Hawai`i's educational funding distribution is disproportionately low for charter schools compared to traditional public schools, excluding the basic student needs of food, transportation, and shelter, which could violate these state constitutional mandates. For example, the Texas Supreme Court found their state's funding system unconstitutional under similar state constitutional provisions because it resulted in gross inequalities, as seen in *Edgewood Independent School District v. Kirby* (. Beyond legal implications, the inequitable funding is exacerbating social and economic disparities, impacting the quality of education and wellbeing, and perpetuating cycles of disadvantage. This situation not only undermines the principle of equal opportunity but also raises ethical concerns about the fair use of taxpayer money, which is supposed to benefit all students equally.

Finally, there could be an issue of unfair taxation because startup charter schools are excluded from receiving impact fees . Hawai`i's developer impact fees are charges imposed by local governments on new or proposed developments to help fund infrastructure improvements needed to accommodate new growth . These fees ensure that developers contribute their fair share toward the cost of additional infrastructure and services required due to increased demand.

The Department of Education in Hawai`i plays a significant role in the implementation of these fees. As residential development increases, the demand for educational facilities and resources also grows. To address this, the DOE imposes school impact fees on new residential developments in designated areas. These fees help fund the construction of new schools and the expansion or renovation of existing ones to accommodate the influx of students from new housing projects.

If stakeholders believe that these funding disparities are unjustified and detrimental to charter school students, pursuing legal action or advocating for legislative reform could be necessary. Engaging with policymakers, utilizing media and public advocacy, and potentially filing lawsuits are strategies to address these inequities. We have engaged with policymakers for years; the media has thus far not been interested. Therefore, other options should be explored. Ensuring equitable distribution of educational resources is essential for achieving a fair and just educational system for all students.

Relationship to Previous Research

This research integrates a Culturally Relevant Framework, addressing historical disparities and enhancing educational practices while informing and influencing policy and ensuring ethical integrity. Central to this approach are Professor Noelani Goodyear-Ka`ōpua's

Hawaiian Studies Methodologies, which include Lāhui, focusing on collective identity and self-determination; Ea, which emphasizes sovereignty and leadership; Kuleana, highlighting positionality and obligations; and Pono, advocating for harmonious relationships, justice, and healing. These concepts are vital commitments and lines of inquiry that define the unique characteristics of this study.

Graham Smith's work parallels these themes, highlighting the educational objectives aimed at preserving culture and language, thus emancipating people and bolstering their economies through educational advancements. Smith outlines the impetus for creating Maori language schools, the Aotearoa educational revolution, and addresses structural concerns related to ideology and power, mirroring the current dynamics within the Hawai'i charter school sector for Kānaka Maoli/Native Hawai'ian.

Nakata's analysis integrates Indigenous knowledge systems into academic discourse, examining the epistemological differences between western and Indigenous knowledge through the lens of "the Cultural Interface." This framework explores the interactions between Indigenous and non-Indigenous systems, highlighting the contemporary challenges faced by islanders caught between ancestral and western realities, the current Nā Lei Na`auao dilemma.

The multidisciplinary perspective of Ka Huaka'i emphasizes the holistic approach to Native Hawaiian well-being, underpinning the movement's affirmation that "Education with Aloha is concerned with all aspects of the child in a holistic manner." Similarly, Dr. Manu Meyer's insights underline the importance of communication through worldviews shaped by local knowledge systems, emphasizing the lessons of place and the needs of the people.

Finally, "Native Hawaiian Law: A Treatise" and Professor Linda Smith's "Decolonizing Methodologies" both emphasize the deep connections between land, cultural identity, and language. These works underscore the socio-economic and cultural impacts of historical colonist assimilation techniques and the importance of decolonizing research methodologies to reclaim the power that lies in designing the tools of knowledge creation.

The additional research provided, which synthesizes and evaluates the significant advocacy efforts of the Hawaiian Charter School movement, is incomparable to anything in existence today.

Limitations of Research (Anticipated Criticism)

To the friends of Nā Lei Na`auao, our sister charter schools without a Native intention, I extend my heartfelt gratitude for your efforts and commitment. I firmly believe in school choice and acknowledge that diverse options can better serve Hawai`i's children. I have worked diligently alongside you to support the charter school system. However, for Nā Lei Na`auao, the charter school system is merely a vehicle. Kānaka Maoli have an additional agenda centered on Hawaiian identity and healing that cannot be delayed. Please utilize the data section of this dissertation to support the charter school movement; it should serve you well.

My research is deeply rooted in culturally specific methodologies and frameworks, which offer robust insights into Hawaiian educational contexts but may face criticisms and limitations. One potential criticism is the scope and generalizability of the findings. While the study provides significant insights locally, its applicability to other cultures or educational systems may require further validation or adaptation, potentially limiting its broader impact, though I hope that any `āina-based value sector of people will benefit.

The methodological approach, utilizing Indigenous frameworks proposed by prominent scholars, enriches the cultural relevance of my work but might also be viewed as a limitation if it does not align with more widely recognized academic methodologies. Critics might question the rigor or objectivity of these methodologies, suggesting that they could introduce biases favoring certain cultural perspectives.

Data collection and interpretation in culturally sensitive contexts often require nuanced approaches that might not align with standard quantitative methods. This could lead to critiques regarding the robustness or comprehensiveness of the data gathered, as the unique cultural context might challenge traditional academic rigor and theorized objectivity.

Another area for potential criticism is the depth or breadth of historical contextualization. While the research addresses historical disparities and integrates historical context, some might argue that it could benefit from a more detailed exploration of broader socio-political and economic factors that have shaped Indigenous educational policies and practices over time. Translating the research findings into practical, actionable strategies within educational systems could also be seen as a limitation. Critics might point out that while the research is theoretically sound and culturally resonant, the practical steps for implementation in current educational structures could be underdeveloped or unclear.

Lastly, although the research is multidisciplinary, integrating insights from law, education, and Indigenous studies, there could be critiques regarding how well these disciplines are synthesized. My challenge was to not only juxtapose different fields but to deeply integrate them to create a coherent framework that robustly addresses the research questions. Addressing these potential criticisms in my research could involve clarifying the scope of the study's

applicability, further detailing methodological choices, providing a more comprehensive historical analysis, and outlining clear strategies for the practical application of the findings.

Implications of Findings

This research has endeavored to integrate culturally relevant frameworks within the context of Hawaiian education, employing methodologies that resonate deeply with Indigenous knowledge systems. While the findings offer significant insights into the cultural dynamics of educational and political practices in Hawai`i, it is essential to acknowledge the inherent limitations of this study and propose directions for future research.

Limitations of the Study

One of the primary limitations of this research is its scope, which is specifically tailored to the Hawaiian charter school educational context. This focus, while providing depth and cultural relevance, may limit the generalizability of the findings to other Indigenous or non-Indigenous settings. Future studies could address this limitation by applying similar methodologies in diverse cultural contexts, enhancing the broader applicability of the results.

Additionally, the methodological approach rooted in Indigenous perspectives and my researcher-as-instrument practitioner role might raise questions regarding its alignment with conventional academic frameworks. This approach is vital for ensuring cultural authenticity and relevance, though it may be perceived as biased from a western academic viewpoint.

Future Research Directions

Given the culturally embedded nature of this study, future research could focus on comparative analyses between different Indigenous groups to explore the universality or

specificity of the findings. Such comparative work could help validate the applicability of the culturally relevant frameworks used in this study and potentially lead to a more nuanced understanding of the oppressed Indigenous educational situation that exists globally.

Moreover, further research could also explore the practical implications of implementing the findings in educational policies and practices. Detailed case studies of the implementation process in various educational settings could provide valuable insights into the challenges and opportunities of applying healing, culturally relevant educational practices.

This study opens avenues for exploring the impacts of historical disparities and their contemporary manifestations in educational settings. Future research could delve deeper into the socio-political and economic factors that shape educational policies and practices, providing a more comprehensive historical context and enhancing our understanding of the systemic changes required to address these disparities.

By acknowledging these limitations and suggesting future research avenues, this study contributes to a foundational understanding of culturally relevant educational practices in Hawai`i and the politics, power, and economics surrounding the issues. It invites further scholarly exploration to build upon the insights gained, aiming to enhance the impact and relevance of educational research within and beyond Indigenous contexts.

Recommendations for Action/Policy/Change

It is imperative that Nā Lei Na`auao and Kānaka Maoli advocate vigorously for enhanced educational opportunities for our haumāna. The well-being and educational outcomes of our people are intricately linked to their educational experiences and connection to Hawaiian identity. This research has thoroughly documented the extensive efforts made to engage with the

state of Hawai`i through traditional advocacy channels for the first 24 years of our movement. The mo`olelo has been solidified and documented. However, it has become clear that there is currently no political will to enact necessary changes. Consequently, we must take decisive action to ensure that federal funding is allocated appropriately, following students, and to establish a new educational sector. The stakes are too high, and we have progressed too far to allow the continued denationalization of our people.

Conclusion

This dissertation has journeyed through the intricate landscape of Hawai`ian-focused education, uncovering profound insights and challenges along the way. By employing an emergent design methodology, we explored the establishment and evolution of the Nā Lei Na`auao – Alliance for Native Hawaiian Education, highlighting its vision to honor and perpetuate Native Hawaiian culture through education. This final chapter has synthesized the key findings, provided strategic recommendations, and outlined a roadmap for future research and policy changes necessary to achieve educational sovereignty and self-determination for the Kānaka Maoli.

Key Findings and Their Implications

Funding Disparities: The research revealed significant funding disparities between Hawai`ian-focused charter schools and traditional public schools. These disparities undermine the ability of Nā Lei Na`auao schools to provide culturally relevant education and adequate resources. Equitable funding is crucial for the sustainability and effectiveness of these schools.

Systemic Barriers: Hawai`ian-focused charter schools face numerous systemic barriers, including regulatory hostility and discriminatory budget provisos. These barriers hinder their

operational stability and growth, necessitating legal and policy reforms to protect and support these institutions.

Cultural Integration and Community Engagement: The importance of integrating Hawaiian language, culture, and values into the education system cannot be overstated. Successful initiatives such as the Nā Lei Na`auao schools, Ku`i ka Lono conference, Kahoiwai Center for Adult Teaching and Learning, Mālamapōki`i Preschool, and Kanu o ka Āina Learning `Ohana demonstrate the power of community engagement and cultural education in fostering a strong sense of identity and academic achievement among Native Hawaiian students.

Need for a New SEA: Establishing a new State Educational Agency (SEA) dedicated to Native Hawaiian education is a critical step towards achieving educational sovereignty. Such an agency would ensure direct control over educational policies, funding, and assessments, aligning them with the cultural and educational needs of the Kānaka Maoli.

Reflecting on the Journey

This research journey has been both professionally and personally transformative. As a Native Hawaiian educator and researcher, I have experienced firsthand the struggles and triumphs of our educational sector. The process of gathering data, engaging with the community, and analyzing findings has deepened my understanding of the complexities and potential solutions for advancing Education with Aloha.

The stories and experiences shared by students, educators, and community members have been particularly impactful. These personal narratives have underscored the urgency and importance of our mission. They remind me that this work is not just about policy and data, but about real people whose lives and futures are shaped by the education they receive. This journey

has reaffirmed my commitment to advocating for an education system that honors our heritage and empowers our youth.

Call to Action

The findings of this dissertation highlight the urgent need for systemic change. We cannot afford to maintain the status quo, which continues to marginalize and underfund Hawai`ian-focused education. To achieve educational sovereignty and self-determination, we must take decisive actions:

Policy Advocacy and Legislative Change: Advocate for the establishment of a new SEA, equitable funding models, and legal protections against discriminatory practices. Engage with policymakers, community leaders, and stakeholders to push for these critical changes.

Community and Stakeholder Engagement: Strengthen partnerships with educational advocacy organizations, universities, and philanthropic entities. Foster community involvement and support for Hawai`ian-focused education initiatives.

Future Research: Continue to explore and address key research questions related to the integration of cultural practices, funding disparities, and effective advocacy strategies. Secure funding and partnerships to support ongoing research and implementation efforts.

Reinforcing the Urgency

The time to act is now. The educational futures of our Kānaka Maoli students depend on our collective efforts to create a just and equitable education system. By embracing the recommendations outlined in this dissertation and committing to sustained advocacy and action

research, we can ensure that Native Hawaiian students receive the education they deserve—one that respects their cultural heritage and equips them for future success.

This work is a tribute to our ancestors, a commitment to our present community, and a promise to future generations. Let us move forward with determination, guided by the wisdom of our Kūpuna and the aspirations of our youth, to achieve true educational sovereignty and self-determination for the Kānaka Maoli.

Pule

NĀ `AUMĀKUA (Traditional Chant Honoring Ancestors)

By: David Malo Hawaiian Antiquities

Nā `aumākua mai ka lā hiki a ka lā kau	Ancestors from the rising to the setting of the sun
Mai ka ho`oku`i a ka hālāwai	From the zenith to the horizon
Nā `aumākua iā Kahinakua iā Kahina`alo	Ancestors who stand at our back and at our front
Iā ka`a`ākau i ka lani	Who stand at our right hand
`O kīhā i ka lani	A breathing of the heavens
Ōwē i ka lani	An utterance in the heavens
Nūnulu i ka lani	A clear, ringing voice in the heavens
Kāholo i ka lani	A voice reverberating in the heavens
Eia nā pulapula a `oukou `o Nā Lei Na`auao	Here we are your descendants, the Garlands of Wisdom
E mālama `oukou iā mākou	Safeguard and take care of us
E ulu i ka lani	Let the heavens grow
E ulu i ka honua	Let the earth grow
E ulu i ka pae`āina `o Hawai`i	Let the islands of Hawai`i grow
E hō mai i ka `ike	Grant us knowledge
E hō mai i ka ikaika	Grant us strength
E hō mai i ke akamai	Grant us intelligence
E hō mai i ka maopopo pono	Grant us understanding
E hō mai i ka `ike papalua	Grant us second sight

E hō mai i ka mana

`Āmama, ua noa

(Malo, 1971)

Grant us power

So be it, it is free

Glossary

`Āina - Land; often used to refer to the ancestral land and its importance to Hawaiian culture and identity.

Aloha `Āina - Love of the land; a concept of patriotism, stewardship, and deep connection to one's homeland.

Ea - Sovereignty; also means life, breath, or emergence. Refers to the ongoing state of being and cultural survival.

Hālau - A school or group for learning hula or other traditional Hawaiian knowledge and practices.

Haumana - Student or learner.

Haumāna - Plural students

Hō`ailona - Signs; spiritual or prophetic signs that guide action or understanding.

Ho`oponopono - A traditional Hawaiian practice of reconciliation and forgiveness.

Ho`okipa - Hospitality; the act of welcoming and providing for guests.

Kahu - Guardian, keeper, or pastor; often used to refer to cultural or spiritual leaders.

KALO - Kanu o ka `Āina Learning `Ohana; a Native Hawaiian nonprofit organization focused on providing educational opportunities and resources grounded in Hawaiian culture, language, and values.

Kāne - Man; used to refer to a male, often in the context of men as a group or in contrast to "wahine" (woman).

Kānaka Maoli - Native Hawaiian people; the Indigenous people of Hawai`i.

Ke Ala Pono - The righteous path; living according to Hawaiian values and practices.

Keiki - Child or children.

Kuleana - Responsibility, privilege; the concept of having a duty or responsibility to one's

family, community, and land.

Kūpuna - Elder; a person revered for their wisdom and experience, often regarded as a repository of cultural knowledge.

Kūpuna `Ike - Knowledge of the elders; wisdom passed down through generations.

Lāhui - Nation or people; often used to refer to the Hawaiian nation or community.

Mālama - To care for, protect, or preserve; often used in the context of taking care of the land or people.

Mele - Song, chant, or poem; an important part of Hawaiian oral tradition for passing down stories and knowledge.

Mo`olelo - Story, history, or narrative; a significant aspect of cultural expression and preservation.

Nā Lei Na`auao - A Native Hawaiian educational movement and coalition of Hawai`ian-focused charter schools dedicated to "Education with Aloha," emphasizing cultural preservation, self-determination, and community-driven learning.

`Ohana - Family; extends beyond the nuclear family to include extended family, friends, and community.

Pono - Righteousness, balance, or justice; a central value in Hawaiian culture emphasizing moral integrity and harmony.

Wāhine - Woman or women.

‘Ōlelo Hawai‘i - Hawaiian language.

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APPENDIX A ETHICS APPROVAL DOCUMENTATION

A



TE WHARE WĀNANGA O
AWANUIĀRANGI

31.08.23

Taffi Wise
64-702 Aolaa Street
Kamuela, Hawaii

Tēnā koe Taffi,

Tēnā koe i roto i ngā tini āhuatanga o te wā.

Ethics Research Committee Application EC2023.17 Outcome: Approved

The Ethics Research Committee has today considered your application. The committee has approved your ethics application and congratulates you on your study to date.

Please ensure that you keep a copy of this letter on file and include the Ethics committee document reference number: EC2023.17 on any correspondence relating to your research. This includes documents for your participants or other parties. Please also enclose this letter of approval in the back of your completed thesis as an appendix.

We wish you all the best in your research and look forward to the outcome and final result of your submitted thesis.

If you have any queries regarding the outcome of your ethics application, please contact us on our freephone number 0508926264 or via e-mail ethics@wananga.ac.nz.

Nāku noa, nā

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