June 12, 2015

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai‘i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai‘i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 12, 2015, the following bill was signed into law:

HB1349 HD2 SD1 RELATING TO TEACHER TENURE  
ACT 112 (15)

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO TEACHER TENURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the department of education's current probationary period for teachers is a minimum of six semesters.

Current statutory provisions contradict the department's present practice for earning tenure because the statute allows a licensed charter school teacher, who had full-time employment of no less than one full school year at a charter school and who is not yet tenured in the department, to enter into employment in the department and only serve two semesters of probation.

The purpose of this Act is to amend the probationary period that licensed charter school teachers, who are not yet tenured in the department of education, must serve upon entering or returning to the department, thereby aligning the probationary requirements of all department of education teachers, regardless of their teaching experience in a charter school.

SECTION 2. Section 302D-26, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

2015-2177 HB1349 SD1 SMA.doc
"(d) The department, in conjunction with authorizers,
shall facilitate the movement of instructional personnel between
the department and charter schools; provided that:

(1) Comparable and verifiable professional development and
employee evaluation standards and practices, as
determined and certified by the authorizers, are in
place in charter schools for instructional staff;

(2) Licensed charter school teachers, as determined by the
Hawaii teacher standards board, who are not yet
tenured in the department and are entering or
returning to the department after [full-time]
employment [of no less than one full school year] at a
charter school, shall be subject to [no more than one
year of probationary status] a probationary period in
the department pursuant to policies and practices as
determined by the department, the board, and
collective bargaining agreements; and

(3) Tenured department licensed teachers, as determined by
the department, who transfer to charter schools shall
[not be required to serve a probationary period] be
subject to the appropriate collective bargaining agreement."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2015.

APPROVED this 12 day of JUN, 2015

[Signature]

GOVERNOR OF THE STATE OF HAWAII