

JAN 22 2016

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

- 1           SECTION 1. The purpose of this Act is to:
- 2           (1) Require the department of education to consult with
- 3           exclusive representatives of appropriate bargaining
- 4           units in establishing an evaluation program for
- 5           teachers and educational officers;
- 6           (2) Repeal provisions requiring a particular frequency and
- 7           basis of evaluations;
- 8           (3) Establish that a teacher or educational officer shall
- 9           not be responsible for the achievement of a student
- 10          who is chronically absent; and
- 11          (4) Prohibit a department of education evaluation program
- 12          from affecting the compensation or employment status
- 13          of any teacher or educational officer.
- 14          SECTION 2. Section 302A-101, Hawaii Revised Statutes, is
- 15          amended by adding a new definition to be appropriately inserted
- 16          and to read as follows:



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1        "Student achievement" means the change in performance for  
2 an individual student between two or more school years."

3        SECTION 3. Section 302A-638, Hawaii Revised Statutes, is  
4 amended to read as follows:

5        "[+]§302A-638[+] **Evaluation of teachers and educational**  
6 **officers.** (a) The department shall establish an evaluation  
7 program for all teachers and educational officers[~~—The~~  
8 ~~evaluation shall be performed at least once in each school~~  
9 ~~year.] in consultation with the exclusive representatives of the  
10 appropriate bargaining units. The program shall define the  
11 criteria for evaluation and assign responsibilities for the  
12 application of the criteria. [~~The evaluation of a teacher or~~  
13 ~~educational officer shall be on the basis of efficiency,~~  
14 ~~ability, and such other criteria as the department shall~~  
15 ~~determine.]~~~~

16        (b) A teacher or educational officer shall not be  
17 responsible for the student achievement of an enrolled student  
18 who misses ten or more days of instruction in two or more  
19 consecutive months, or whose non-attendance is chronic and has  
20 become a significant factor that hinders the student's learning.



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1        (c) An evaluation performed in compliance with this  
2        section shall not be used to determine the compensation or  
3        employment status of a teacher or educational officer, unless  
4        otherwise specified in a collective bargaining agreement  
5        negotiated pursuant to chapter 89."

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

8                SECTION 5. This Act shall take effect upon its approval.

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# S.B. NO. 2596

**Report Title:**

Department of Education; Teachers; Educational Officers;  
Evaluation Program

**Description:**

Requires the department of education to consult with appropriate bargaining units in establishing an evaluation program for teachers and educational officers, establishes that a teacher or educational officer is not responsible for the achievement of a student who is chronically absent, and prohibits a department of education evaluation program from affecting the compensation or employment status of any teacher or educational officer. Repeals provisions requiring a particular frequency and basis of evaluations.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

