

# HB1349 HD2

Measure Title: RELATING TO TEACHER TENURE.

Report Title: Teacher Tenure; Department of Education

Description: Sets probationary period of specified licensed charter school teachers according to policies and practices as determined by DOE, BOE, and collective bargaining agreements. Subjects tenured DOE licensed teachers who transfer to charter schools to the appropriate collective bargaining agreement. (HB1349 HD2)

Companion:

Package: None

Current Referral: EDU/JDL, WAM

Introducer(s): TAKUMI

<u>Sort by Date</u>		<b>Status Text</b>
1/29/2015	H	Introduced and Passed First Reading
2/2/2015	H	Referred to LAB, EDN, FIN, referral sheet 6
2/3/2015	H	Bill scheduled to be heard by LAB on Friday, 02-06-15 9:00AM in House conference room 309.
2/6/2015	H	The committees on LAB recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 9 Ayes: Representative(s) Nakashima, Keohokalole, Har, Johanson, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita; Ayes with reservations: none; 1 Noes: Representative(s) Tupola; and 2 Excused: Representative(s) Aquino, Ichiyama.
2/10/2015	H	Reported from LAB (Stand. Com. Rep. No. 87), recommending passage on Second Reading and referral to EDN.
2/10/2015	H	Passed Second Reading and referred to the committee(s) on EDN with Representative(s) Pouha, Ward voting aye with reservations; Representative(s) McDermott, Tupola voting no (2) and none excused (0).
2/12/2015	H	Bill scheduled to be heard by EDN on Wednesday, 02-18-15 2:00PM in House conference room 309.
2/18/2015	H	The committees on EDN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 8 Ayes: Representative(s) Takumi, Ohno, Aquino, Choy, Ichiyama, Kong, Tsuji, Matsumoto; Ayes with reservations: none; Noes: none; and 5 Excused: Representative(s) Ing, Ito, LoPresti, Say, Tupola.
2/20/2015	H	Reported from EDN (Stand. Com. Rep. No. 436) as amended in HD 1, recommending referral to FIN.

2/20/2015	H	Report adopted. referred to the committee(s) on FIN as amended in HD 1 with none voting aye with reservations; none voting no (0) and Ito excused (1).
2/23/2015	H	Bill scheduled to be heard by FIN on Thursday, 02-26-15 3:00PM in House conference room 308.
2/26/2015	H	The committees on FIN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 15 Ayes: Representative(s) Luke, Nishimoto, Cachola, Cullen, DeCoite, Johanson, Jordan, Keohokalole, Kobayashi, Lowen, Onishi, Tokioka, Yamashita, Pouha, Ward; Ayes with reservations: none; 0 Noes: none; and 0 Excused: none.
3/6/2015	H	Reported from FIN (Stand. Com. Rep. No. 842) as amended in HD 2, recommending passage on Third Reading.
3/6/2015	H	Forty-eight (48) hours notice Tuesday, 03-10-15.
3/10/2015	H	Passed Third Reading as amended in HD 2 with none voting aye with reservations; none voting no (0) and Jordan, McDermott excused (2). Transmitted to Senate.
3/12/2015	S	Received from House (Hse. Com. No. 310).
3/12/2015	S	Passed First Reading.
3/12/2015	S	Referred to EDU/JDL, WAM.
3/17/2015	S	The committee(s) on EDU/JDL has scheduled a public hearing on 03-20-15 9:14AM in conference room 016.



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 03/20/2015  
**Time:** 09:14 AM  
**Location:** 016  
**Committee:** Senate Education Senate  
Judiciary and Labor

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** HB 1349, HD2 RELATING TO TEACHER TENURE.

**Purpose of Bill:** Sets probationary period of specified licensed charter school teachers according to policies and practices as determined by DOE, BOE, and collective bargaining agreements. Subjects tenured DOE licensed teachers who transfer to charter schools to the appropriate collective bargaining agreement. (HB1349 HD2)

**Department's Position:**

The Department of Education (Department) supports H.B. 1349, H.D. 2. The proposed revision to subsection (d) (2) allows the Department to align probationary requirements for all incoming teachers. It corrects the existing inequity where a licensed charter school teacher may enter or return to the Department and gain tenure after only one year, whereas licensed Department teachers must serve three years of probation.

The proposed revision also ensures that there is sufficient time for principals to observe and provide assistance and support to probationary teachers before awarding tenure, which ultimately supports the goals of improving student achievement, instructional practices, and overall professionalism.

DAVID IGE  
GOVERNOR



CATHERINE PAYNE  
CHAIRPERSON

STATE OF HAWAII  
**STATE PUBLIC CHARTER SCHOOL COMMISSION**  
**(‘AHA KULA HO‘ĀMANA)**

<http://CharterCommission.Hawaii.Gov>  
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813  
Tel: 808-586-3775 Fax: 808-586-3776

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FOR: HB 1349 HD2 Relating to Teacher Tenure  
DATE: Friday, March 20, 2015  
TIME: 9:14 a.m.  
COMMITTEE(S): Senate Committee on Education and  
Senate Committee on Judiciary and Labor  
ROOM: Conference Room 16  
FROM: Tom Hutton, Executive Director  
State Public Charter School Commission

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Chair Kidani, Vice Chair Harimoto, Chair Keith-Agaran, Vice Chair Shimabukuro, and members of the Committees:

The State Public Charter School Commission appreciates the opportunity to submit these written comments on House Bill 1349 HD1, "Relating to Teacher Tenure," which sets the probationary period for licensed teachers who are not yet tenured in the Department of Education ("DOE") and are entering or returning to the DOE after employment at a public charter school in accordance with policies and practices determined by the DOE and the Board of Education, as well as collective bargaining agreements.

The Commission's understanding is that this measure will ensure that, under the longer probationary period established under the master collective bargaining agreement with the Hawaii State Teachers Association ("HSTA"), a charter school teacher transferring to a DOE school does not enjoy an unfair advantage as to his or her probationary status relative to a teacher who has served for the same period of time in the DOE. Assuming that the change would not place an experienced public charter school teacher at an unfair disadvantage, this would seem appropriate. We support the new provision in this draft whereby a DOE teacher transferring to charter school would be subject to the collective bargaining agreement governing that school's faculty, not automatically exempt from a probationary period as under current law. We note that HSTA, which represents both DOE and charter school teachers, supports the measure.

Thank you for the opportunity to provide this testimony.



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TESTIMONY BEFORE THE SENATE COMMITTEES ON  
EDUCATION AND JUDICIARY AND LABOR

Wil Okabe  
President  
Joan Kamila Lewis  
Vice President  
Colleen Pasco  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

DATE: FRIDAY, MARCH 20, 2015

RE: H.B. 1349, H.D. 2 – RELATING TO TEACHER TENURE

PERSON TESTIFYING: JOAN LEWIS, VICE PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chairs Michelle Kidani and Gilbert Keith-Agaran and Members of the Committees:

Thank you for the opportunity to provide **comments on H.B. 1349, H.D. 2**, relating to teachers.

The Hawaii State Teachers Association which allows governing boards of charter schools and the exclusive representatives to enter into master agreements separate from any other master agreements collectively, bargained for between the exclusive representatives and department of education as defined by law.

HSTA is the exclusive representative of more than 13,500 public and charter school teachers statewide. As the state affiliate of the 2.2 million member National Education Association (NEA), the HSTA has bargained for over 10 years as the charter school teachers exclusive representative.

HSTA believes that charter schools should be subject to the same public sector labor relations statutes as mainstream public schools, and charter school employees should have the same collective bargaining rights under both state law and local practice as their counterparts in mainstream public schools. As such, the same standard on probationary period requirements of the Department of Education teachers to public charter school teachers who have not earned tenure within the Department of Education should be applied upon entry or reentry to the department of education.

As such, HSTA is submitting **comments on H.B. 1349, H.D. 2**.

Thank you for the opportunity to testify.