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# A BILL FOR AN ACT

RELATING TO TEACHER TENURE.

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

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

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

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

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



1           "(d) The department, in conjunction with authorizers,  
2 shall facilitate the movement of instructional personnel between  
3 the department and charter schools; provided that:

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

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

18           (3) Tenured department licensed teachers, as determined by  
19 the department, who transfer to charter schools shall  
20 [~~not be required to serve a probationary period.~~] be



1           subject to the appropriate collective bargaining  
2           agreement."

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

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.



**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 HD1)

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