

---

# A BILL FOR AN ACT

RELATING TO SUBSTITUTE TEACHERS.

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

1           SECTION 1. In 2005, the legislature enacted Act 70,  
2 Session Laws of Hawaii 2005 (Act 70), which required the  
3 department of education to develop a recommendation for a  
4 classification and compensation schedule for public school  
5 substitute teachers, to be reported to the 2006 legislature.  
6 Pursuant to Act 70, the department of education created a  
7 substitute teacher task force (task force), which included  
8 representatives from the Hawaii State Teachers Association,  
9 Hawaii Government Employees Association, the department of  
10 education's office of human resources, substitute teachers, and  
11 parents. The task force recognized the important role that  
12 substitute teachers play in providing quality education to  
13 students when regular classroom teachers are absent or unable to  
14 perform their duties.

15           On any given day, about one thousand substitute teachers  
16 are employed by the department of education to carry out the  
17 duties of Hawaii's ten thousand regular, full-time teachers. In  
18 the task force's final report entitled "A Report to the



1 Legislature on the Department of Education's Response to Act  
2 70," it was noted that there were approximately 4,568 substitute  
3 teachers employed by the department of education during school  
4 year 2004-2005. The significant role of public school  
5 substitute teachers cannot be underestimated.

6 In its report, the department of education recommended that  
7 salary increases for substitute teachers should be  
8 across-the-board, regardless of class, and reflect current  
9 negotiated rates by various bargaining units. To be consistent  
10 with the 1996 law, which established the salary schedules for  
11 regular, full-time teachers, the legislature finds that rate  
12 increases for substitute teachers should be based on rate  
13 increases for licensed class II teachers as determined through  
14 collective bargaining.

15 The legislature further finds that an increase in  
16 substitute teacher pay will contribute to the provision of the  
17 highest quality teaching and work environment for Hawaii's  
18 substitute teachers and students. The per diem rate of class I,  
19 II, and III teachers are to be adjusted upward to match the  
20 salary or wage increases that are provided to licensed class II  
21 teachers in bargaining unit 5 in the collective bargaining

1 agreement between the Hawaii State Teachers Association and the  
2 department of education.

3 The purpose of this Act is to set and provide moneys for  
4 classification and compensation rates for substitute teachers  
5 that are consistent with the compensation rates determined by  
6 the legislature in 1996.

7 SECTION 2. Section 302A-624, Hawaii Revised Statutes, is  
8 amended by amending subsection (e) to read as follows:

9 "(e) Effective July 1, ~~[2005,]~~ 2006, the minimum hourly or  
10 minimum per diem rate for substitute teachers shall be  
11 determined by the legislature ~~[; provided that the department~~  
12 ~~shall develop a classification and compensation schedule that is~~  
13 ~~not restricted to the minimum compensation rates but may exceed~~  
14 ~~them;]~~ as follows; provided ~~[further]~~ that any individual in  
15 class I, II, or III who works less than a full seven-hour work  
16 day shall be compensated on a pro-rated, hourly basis ~~[as~~  
17 ~~follows]~~:

18 (1) Class I: other individuals who do not possess a  
19 bachelor's degree shall be compensated at a rate of  
20 not less than ~~[\$119.80]~~ \$125 for a full work day;

1 (2) Class II: individuals with a bachelor's degree shall  
2 be compensated at a rate of not less than [~~\$130~~] \$136  
3 for a full work day; and

4 (3) Class III: department of education teachers, or  
5 licensed or highly qualified teachers, shall be  
6 compensated at a rate of not less than [~~\$140~~] \$147 for  
7 a full work day."

8 SECTION 3. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$800,000, or so much  
10 thereof as may be necessary for fiscal year 2006-2007, to carry  
11 out the purpose of this Act.

12 SECTION 4. The sum appropriated shall be expended by the  
13 department of education for the purposes of this Act.

14 SECTION 5. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2006.

SB3197, SD2, HD1, CD1

**Report Title:**

Substitute Teachers; Compensation Formula; Appropriation

**Description:**

Establishes that the compensation of substitute teachers shall be tied to the salary or wage increases provided to licensed class II teachers of the department of education. (CD1)

