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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 legislature finds that, during the past  
2 round of negotiations for the 2007-2009 bargaining unit 05  
3 collective bargaining agreement, the department of education and  
4 the Hawaii state teachers association bargained and reached an  
5 agreement in good faith on a provision to reduce the  
6 probationary period for non-tenured teachers from two  
7 consecutive years (4 semesters) to one year (2 semesters). Upon  
8 reaching a voluntary settlement on the unit 05 contract, the  
9 parties discovered that the negotiated provision was in direct  
10 conflict with section 302A-607, Hawaii Revised Statutes.  
11 Section 302A-607, Hawaii Revised Statutes, states, in relevant  
12 part, "[a]ll teachers, principals, and vice-principals entering  
13 the service of the department for the first time shall serve as  
14 probationary employees of the department for a minimum period of  
15 two consecutive years . . . ."

16           The purpose of this Act is to conform to the collective  
17 bargaining agreement of 2007-2009.



1 SECTION 2. Section 302A-607, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) All teachers, principals, and vice-principals  
4 entering the service of the department for the first time shall  
5 serve as probationary employees of the department for a minimum  
6 period of [~~two consecutive years,~~] one year; provided that:

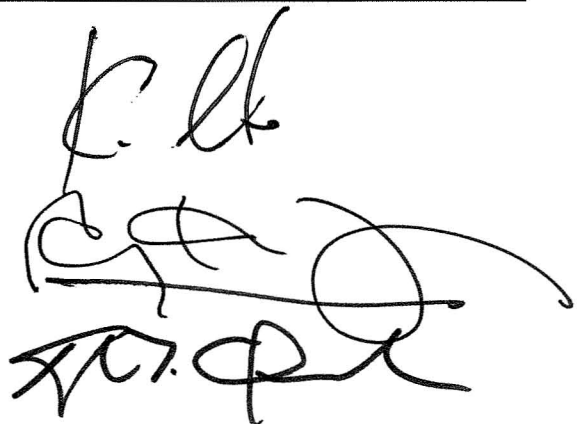
- 7 (1) The [~~consecutive~~] employment may be interrupted by  
8 maternity leave, sick leave, or any other leave  
9 approved by the department not exceeding a period of  
10 three years; by military leave not exceeding a period  
11 of five years; or by termination or nonrenewal of the  
12 probationary employment contract because of decrease  
13 in the number of pupils or for causes over which the  
14 department has no control, the period between  
15 employment not to exceed five years, without loss of  
16 credit for the period of probationary employment; and  
17 (2) At or prior to the end of [~~two years of~~] the period of  
18 probation, the department may extend the probationary  
19 period of a teacher, principal, or vice-principal for  
20 additional periods not to exceed a total of five  
21 years."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.  
4

INTRODUCED BY:



JAN 18 2008



**Report Title:**

BOE; DOE; Teachers; Probationary Period

**Description:**

Authorizes the board of education to establish the duration of probationary periods for new teachers, principals, and vice-principals of the department of education.

