
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[+], unless otherwise negotiated
7 pursuant to collective bargaining; provided that:

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 Statutory material to be repealed is bracketed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



Report Title:

BOE; DOE; Teachers; Probationary Period

Description:

Specifies that the duration of probationary periods for new teachers, principals, and vice-principals of the department of education shall be two years, unless otherwise negotiated pursuant to collective bargaining. (SD1)

