

Honolulu, Hawaii  
Feb 8, 2008

RE: H.B. No. 2367  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 2367 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to provide the Board of Education (BOE) and Department of Education (DOE) with the flexibility to determine the minimum period of time that teachers, principals, and vice-principals shall serve as probationary employees of DOE.

DOE testified in support of this bill. The Hawaii State Teachers Association supported the intent of this measure.

Your Committee finds that the need for flexibility in the statutorily-established two-year minimum probationary period must recognize that the probation period may be the subject of collective bargaining. Accordingly, your Committee has amended this bill by:

- (1) Retaining the two-year minimum probation period, but permitting it to be revised by collective bargaining; and
- (2) Also permitting the following to be revised by collective bargaining:



- (A) Crediting toward fulfillment of the probationary period any full-time intern teaching period served in the state;
- (B) Renewing any annual contract with any teacher, principal, or vice-principal during the probationary period; and
- (C) Discharging or demoting a teacher, principal, or vice-principal during the probationary period.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2367, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,



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ROY TAKUMI, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSCR 258-08

**Record of Votes of the Committee on Education**

| Bill/Resolution No.:<br><b>HB 2367</b>   | Committee Referral:<br><b>EDN, LAB</b> | Date:<br><b>2/6/08</b> |      |          |
|--|--|------------------------|------|----------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure.  |  |                        |      |          |
| <b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold<br><input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) |  |                        |      |          |
| EDN Members  | Ayes                                   | Ayes (WR)              | Nays | Excused  |
| 1. TAKUMI, Roy M. (C)  | ✓                                      |                        |      |          |
| 2. BERG, Lyla B., Ph.D. (VC)   | ✓                                      |                        |      |          |
| 3. BERTRAM, Joe, III   | ✓                                      |                        |      |          |
| 4. CABANILLA, Rida T.R.  |  |                        |      | ✓        |
| 5. CHANG, Jerry L.   | ✓                                      |                        |      |          |
| 6. NISHIMOTO, Scott Y.   | ✓                                      |                        |      |          |
| 7. SAIKI, Scott K.   |  |                        |      | ✓        |
| 8. SHIMABUKURO, Maile S. L.  |  |                        |      | ✓        |
| 9. TAKAI, K. Mark  |  |                        |      | ✓        |
| 10. TAKAMINE, Dwight Y.  | ✓                                      |                        |      |          |
| 11. WAKAI, Glenn   | ✓                                      |                        |      |          |
| 12. CHING, Corinne W.L.  |  |                        |      | ✓        |
| 13. FINNEGAN, Lynn   | ✓                                      |                        |      |          |
| <b>TOTAL (13)</b>  | <b>8</b>                               |                        |      | <b>5</b> |
| <b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br><div style="text-align: center; font-size: small;">committee acronym(s)</div>                              |  |                        |      |          |
| <b>Vice Chair's or designee's signature:</b> <u><i>Lyla B. Berg</i></u>  |  |                        |      |          |
| <b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office   |  |                        |      |          |