

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 2367
H.D. 2

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

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2367, H.D. 1, 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 flexibility by making subject to a collective bargaining agreement the:

- (1) Determination of the minimum period of time that teachers, principals, and vice principals shall serve as probationary employees of DOE;
- (2) Crediting of any full-time intern teaching period served in the state toward fulfillment of the probationary period;
- (B) Renewing of any annual contract with any teacher, principal, or vice principal during the probationary period; and
- (C) Discharging or demoting of a teacher, principal, or vice principal during the probationary period.

DOE and the Hawaii State Teachers Association (HSTA) testified in support of this bill. The Hawaii Government Employees Association testified in opposition to this measure.



Currently, a statutorily-established two-year minimum probationary period exists for new teachers, principals, and vice principals of the DOE. However, a decrease in this probationary period was negotiated between HSTA and DOE. While your Committee recognizes that this decrease in the probationary period was collectively bargained and the flexibility provided by this measure will help clarify the issue, there remain questions as to the specific effects this measure may have on all DOE employees. Accordingly, your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2367, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2367, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 759-08

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2367, HD1	Committee Referral: EDN, LAB	Date: 02/15/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	x			
2. NAKASONE, Bob (VC)				x
3. EVANS, Cindy	x			
4. HAR, Sharon E.				x
5. LEE, Marilyn B.	x			
6. LUKE, Sylvia	x			
7. McKELVEY, Angus L.K.	x			
8. NISHIMOTO, Scott Y.				x
9. SOUKI, Joseph M.	x			
10. TAKAMINE, Dwight Y.	x			
11. TAKUMI, Roy M.				x
12. MEYER, Colleen Rose				x
13. PINE, Kymberly Marcos				x
TOTAL (13)	7	0	0	6
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee		Duplicate (Yellow) – Chief Clerk's Office		