

Honolulu, Hawaii

FEB 13 2008

RE: S.B. No. 2449
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Education, to which was referred S.B. No. 2449 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to shorten the duration of probationary periods for new teachers, principals, and vice-principals of the Department of Education to one year.

Testimony in support of the measure was submitted by the Department of Education and the Hawaii State Teachers Association.

Your Committee finds that, pursuant to the collective bargaining agreement negotiated between the exclusive representative for Bargaining Unit 5 and the State, newly employed teachers of the Department of Education are subject to a probationary period of one year, or two semesters. Under the current law, all new teachers, principals, and vice-principals are subject to probationary periods of two years. This measure attempts to conform the law to the existing collective bargaining agreement for Bargaining Unit 5. Your Committee determines that this change is necessary to acknowledge the agreement made and honor the spirit of the collective bargaining process provided to eligible employees. However, your Committee believes that, as this is an issue for negotiation, there should be greater flexibility in the establishment of the duration of a probationary period that does not require a statutory change with each negotiation.



Accordingly, your Committee has amended this measure by reinstating the original statutory language that establishes and references a two-year probationary period and including qualifying language to indicate that the two-year probationary period is only applicable unless otherwise negotiated pursuant to collective bargaining.

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 S.B. No. 2449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2449, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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



NORMAN SAKAMOTO, Chair



