

Date of Hearing: January 25, 2008

Committee: House Education

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: H.B. 2367, Relating to education.

Purpose: Authorizes the board of education and the superintendent of education to determine the minimum amount of time that new teachers, principals, or vice-principals shall serve during their initial probationary period.

Department's Position: The Department of Education (Department) supports H.B. 2367, which provides the board of education and the superintendent of education with the flexibility to determine the minimum period of time that teachers, principals, and vice-principals shall serve as probationary employees of the department. In addition to addressing the conflict between Section 302A-607, Hawaii Revised Statutes and the 2007-2009 Unit 05 collective bargaining agreement provision to reduce the probationary period for non-tenured teachers from two years to one year, this bill will allow teachers to gain tenure faster if they perform satisfactorily during their initial probationary period. Shortening the probationary period will also require the Department to immediately address teachers who are performing unsatisfactorily.



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TESTIMONY BEFORE THE HOUSE COMMITTEE ON
EDUCATION

RE: HB 2367 – RELATING TO EDUCATION.

January 25, 2008

ROGER TAKABAYASHI, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Takumi and Members of the Committee:

The collective bargaining agreement between the Hawaii State Teachers Association and the Department of Education for 2007-2009 reduced the probationary period from two years to one year. The reduction of the probationary period was agreed upon by the signatories of the agreement – the Governor, the Board of Education and the Department of Education.

HSTA supports the intent of HB 2367 to give the Board of Education and the Department of Education the right to determine the probationary period through collective bargaining. The employer's position on the negotiability of probationary periods is already on record by their agreeing to Article VI, sec JJ. Probationary Credit: "Once licensed, a teacher shall serve two (2) satisfactory semesters and will earn tenure upon reemployment."

If the intent of the Board and the Department of Education is to arbitrarily set the probationary period, then HSTA is requesting this committee to hold HB 2367. HSTA introduced HB 2754 which changes the probationary period from two years to one year and would like to request the Committee to consider HB 2754.

Thank you for the opportunity to testify.

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- Deleted: to the committee for consideration. The said bill's intent refers to adjusting the state law so that it adheres to the collective bargaining agreement settled between the Department of Education and the Hawaii State Teachers Association.¶
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- We strongly urge the committee not to pass this bill.