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## A BILL FOR AN ACT

RELATING TO CAUSES FOR DISCHARGE OR DEMOTION OF TEACHERS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The department of education does not demote  
2 teachers because there is no classification structure that would  
3 allow for demotion. The purpose of this Act is to repeal the  
4 irrelevant reference to demotion as an action that can be taken  
5 against a teacher for inefficiency or immorality, wilful  
6 violations of policies and rules of the department, or for other  
7 good and just cause.

8           SECTION 2. Section 302A-609, Hawaii Revised Statutes, is  
9 amended to read as follows:

10           [+]§302A-609[+] **Causes for discharge** [~~or demotion~~];  
11 **preferred eligibility list.** Causes for the discharge [~~or~~  
12 ~~demotion~~] of a teacher shall be inefficiency or immorality;  
13 wilful violations of policies and rules of the department; or  
14 for other good and just cause. The department, without a  
15 hearing, may terminate the tenure rights of a teacher who fails  
16 to return to service, except when caused by illness, following  
17 the expiration of an approved leave of absence. Teachers may  
18 also be dismissed because of a decrease in the number of pupils



1 or for other causes over which the department has no control.  
2 Dismissals due to a decrease in the number of pupils or for  
3 causes over which the department has no control shall begin with  
4 those teachers with the least number of years of service. The  
5 teachers so dismissed shall be placed on a preferred eligibility  
6 list and shall have the right to be restored to duty in the  
7 order of length of service whenever vacancies occur in which the  
8 teacher is qualified.

9 SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken.

11 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 22 2009



**Report Title:**

Demotion of teachers

**Description:**

Repeals the statute providing for the demotion of teachers.

