
A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOLS.

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

1 SECTION 1. The legislature finds that since the 1980s the
2 trend in education has been to increase the minimum number of
3 instructional days that students are in school. Presently,
4 according to a June 2008 report by the Education Commission of
5 the States, thirty states have a school year of one hundred
6 eighty days, while Kansas and Ohio have an even higher minimum
7 number of instructional days. As of June 2008, Kansas required
8 a minimum of one hundred eighty-six instructional days for
9 grades kindergarten through eleven and one hundred eighty one
10 instructional days for grade twelve; Ohio required a minimum of
11 one hundred eighty-two instructional days, including up to two
12 days professional development. Reflecting this trend, the
13 American Recovery and Reinvestment Act of 2009 has targeted
14 millions of dollars in federal stimulus funds to public schools
15 to improve the quality of education, with an express emphasis on
16 expanding the school day and the academic year. The national



1 standard school day and year is six and one-half hours a day for
2 a school year of one hundred eighty days.

3 In Hawaii, however, budgetary restrictions applicable to
4 the department of education for fiscal years 2009-2010 and 2010-
5 2011 have resulted in collective bargaining agreements that
6 require approximately 13,000 public school teachers to take
7 seventeen furlough days, beginning in the current school year.
8 This reduction of the public school year by seventeen furlough
9 days gives Hawaii the shortest school year in the nation and
10 deprives students of educational opportunities they will not get
11 back. Furloughs that severely impact instructional days may
12 lower students' scores on the Hawaii State Assessment, which
13 measures student achievement under the federal No Child Left
14 Behind law.

15 The legislature further finds that other states facing
16 similar economic trouble also have implemented furloughs in
17 public schools, but most have implemented far fewer furlough
18 days than Hawaii, and most have implemented the furloughs on
19 non-instructional days. To save operational costs, one state,
20 Oregon, has instituted a four-day school week, but has increased
21 the length of the school day to avoid losing instructional time.
22 In contrast, public schools in Hawaii have given no indication



1 of increasing the length of the school day upon the institution
2 of furloughs.

3 Although the current length of a public school day in
4 Hawaii, six hours, is only slightly below the average minimum
5 number of hours in a high school day across the fifty states, or
6 six and one-half hours, that difference is even more negatively
7 impacted by the institution of a school year that establishes in
8 the State a school year that includes only one hundred seventy-
9 three instructional days. For comparison, 'Iolani School's day
10 is seven hours and twenty minutes long and the University of
11 Hawaii's Laboratory School, a public charter school, has a seven
12 and one-half hour school day.

13 The purpose of this Act is to ensure our children are
14 prepared for a successful future by requiring an increase in the
15 length of each instructional day in public schools.

16 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§302A- Instructional days; minimum hours required.
20 Notwithstanding any other law to the contrary, collective
21 bargaining agreements between the department of education and
22 the exclusive representatives of the employees of the department



1 of education shall provide that each public school instructional
2 day shall not be less than seven and one-half hours per day for
3 grades kindergarten through twelve; provided that this section
4 shall not apply to collective bargaining agreements applicable
5 to the 2009-2010 school year."

6 SECTION 3. Section 89-10.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§89-10.5 Collective bargaining and local school
9 initiatives. (a) Notwithstanding any other law to the
10 contrary, any collective bargaining agreement concerning public
11 school employees shall provide that each public school
12 instructional day shall be not less than seven and one-half
13 hours per day, pursuant to section 302A- , and may include
14 terms that would allow an employee to work a longer period each
15 day and a longer school year. Consideration of a longer school
16 day or longer school year shall be related to state and local
17 school initiatives and may be included in proposals submitted in
18 connection with the incentive and innovation grant review
19 process.

20 (b) This section shall not apply to collective bargaining
21 agreements applicable to the 2009-2010 school year."

22 SECTION 4. New statutory material is underscored.



H.B. NO. 2137

1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY:

John M. Pappo

Cynthia Thelen

[Signature]

Kal Mroch

Della A. Belli

[Signature]

JAN 20 2010



Report Title:

Education; School Year

Description:

Requires collective bargaining agreements to provide for a minimum of 7.5 hours per instructional day for public schools.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

