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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that under Act 51,  
2 Session Laws of Hawaii 2004, the department of education, with  
3 the invited participation of the exclusive representative of  
4 educational officers of the department of education, is required  
5 to propose salary schedules and other terms and conditions of  
6 employment of principals and vice principals based upon a  
7 twelve-month term of service. The legislature also finds that  
8 Act 51 required the superintendent of education to select and  
9 convene a working group to create a plan for performance  
10 contracts for principals to be implemented beginning with the  
11 2006-2007 school year. The legislature finds that the timely  
12 implementation of twelve-month performance contracts is an  
13 important step in attaining the accountability intended by Act  
14 51, and that the current requirement for twelve-month salary  
15 schedules and other terms and conditions of employment for  
16 principals should be contingent upon the execution of twelve-  
17 month performance contracts.



1 The purpose of this Act is to mandate:

2 (1) Twelve-month performance contracts; and

3 (2) Twelve-month terms for salary schedules and other

4 terms and conditions of employment; provided that

5 twelve-month performance contracts are executed,

6 for public school principals beginning with the 2011-2012 school

7 year.

8 SECTION 2. Chapter 89, Hawaii Revised Statutes, is amended

9 by adding a new section to be appropriately designated and to

10 read as follows:

11 "§89- Twelve-month terms for performance contracts and  
12 terms and conditions of employment; principals. Beginning with  
13 the 2011-2012 school year and notwithstanding any other law to  
14 the contrary, collective bargaining agreements specifying terms  
15 of employment for school principals shall contain provisions  
16 implementing salary schedules, other terms and conditions of  
17 employment, and performance contracts for public school  
18 principals for a twelve-month term; provided that in the absence  
19 of an annually executed twelve-month performance contract,  
20 pursuant to section 302A-A, the collective bargaining agreements  
21 shall provide for a ten-month term of service for salary  
22 schedules and other terms and conditions of employment."



1 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding two new sections to part III to be  
3 appropriately designated and to read as follows:

4 "§302A-A Principals; performance contracts. Beginning  
5 with the 2011-2012 school year, any public school principal  
6 employed by the department of education shall execute annually a  
7 twelve-month performance contract, which shall include but not  
8 be limited to the following:

- 9 (1) Appropriate performance criteria for which the  
10 principal is to be evaluated;  
11 (2) Appropriate performance benchmarks that may be used to  
12 assess the principal's performance relative to  
13 expected standards, provided that the performance  
14 benchmarks, at a minimum, shall include those elements  
15 related to principals in the educational  
16 accountability system; and  
17 (3) Appropriate rewards, assistance, and sanctions.

18 The performance contracts may use or incorporate relevant and  
19 appropriate drafts, findings, recommendations, and proposed  
20 legislation of the working group convened pursuant to section 14  
21 of Act 51, Session Laws of Hawaii 2004, to create a plan for  
22 performance contracts.



1            §302A-B Twelve-month terms and conditions of employment;  
2 principals. Beginning with the 2011-2012 school year, the  
3 department of education shall implement salary schedules and  
4 other terms and conditions of employment of public school  
5 principals based upon a twelve-month term of service; provided  
6 that in the absence of an annually executed twelve-month  
7 performance contract, pursuant to section 302A-A, a ten-month  
8 term of service for salary schedules and other terms and  
9 conditions of employment shall apply."

10            SECTION 4. In codifying the new sections added by  
11 section 3 of this Act, the revisor of statutes shall substitute  
12 appropriate section numbers for the letters used in designating  
13 the new sections in this Act.

14            SECTION 5. New statutory material is underscored.

15            SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

School Principals; Twelve-Month Terms and Conditions of Employment and Performance Contracts

**Description:**

Beginning with the 2011-2012 school year, requires twelve-month performance contracts and twelve-month terms for salary schedules and other terms and conditions of employment for public school principals, provided twelve-month performance contracts are executed; otherwise ten-month terms for salary schedules and other terms and conditions of employment apply.

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