

Date: 02/23/2010

Committee: House Finance

Department: Education

Person Testifying: Kathryn S. Matayoshi, Interim Superintendent of Education

Title of Bill: HB 2486, HD1 Relating to Education

Purpose of Bill: Establishes a minimum number of instructional hours per school year for each grade beginning with the 2011-2012 school year.

Department's Position: The Department of Education (Department) supports this Bill with its focus on the importance of teaching and learning. The priority now is to restore the furlough days for the remainder of this school year and next, before considering to increase the number of instructional hours in the school year as proposed in this bill. Consideration must be given to the cost and other resource implications associated with increasing the number of instructional hours in the school year. Additionally, successful implementation of standards-based education is correlated with the quality of teaching and learning rather than the quantity of instruction. Major cost implications are related to the terms and conditions of employment through collective bargaining, facilities use, and before and after school instructional supports for students. Although increasing the minimum number of instructional days and instructional hours for students may be provided through legislation, doing so will most likely require negotiations with various bargaining units regarding compensation.

Linda Lingle
Governor

Vanelle Maunalei Love
Executive Director



Charter School Administrative Office

1111 Bishop Street, Suite 516
Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

FOR: HB 2486 HD1 Relating to Education
DATE: Tuesday, February 23, 2010
TIME: 11:30 a.m.
COMMITTEE(S): Finance
ROOM: Conference Room 308
FROM: Maunalei Love, Executive Director

Written testimony in **opposition** to H.B. No. 2486 H.D. No. 1

Chair Oshiro, Vice Chair Lee, and Members of the Committee,

Aloha,

I am Maunalei Love, executive director of the Hawaii Charter School Administrative Office ("CSAO"). I want to thank the chair and the entire committee for the time and effort being spent to remedy the issue of adequately providing needed resources to all public schools. The CSAO supports providing all of Hawaii's students the educational opportunities that will enable them to succeed.

While we support the intent of this bill to provide Hawaii's public school students with the best education possible by ensuring the instructional hours delivered, we cannot support this approach because it would inhibit the autonomous ability of charter schools in providing instruction. This bill is problematic because there is no real definition of "instructional hours" and some charter curricula (e.g. under project based instruction) will never be easily reduced to instructional hours, whatever the definition. For this reason, we cannot support this bill.

Thank you for this opportunity to testify.



LINDA LINGLE
GOVERNOR

MARIE C. LADERTA
CHIEF NEGOTIATOR

STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813

February 20, 2010

TESTIMONY to the
HOUSE COMMITTEE ON FINANCE
For Hearing on Tuesday, February 23, 2010
11:30 a.m., Conference Room 308

By

MARIE C. LADERTA
CHIEF NEGOTIATOR

House Bill No. 2486, H.D. 1
Relating to Education

WRITTEN TESTIMONY ONLY

CHAIRPERSON OSHIRO AND MEMBERS OF COMMITTEE:

The purpose of H.B. No. 2486, H.D. 1, is to establish a minimum number of instructional hours per school year for each grade.

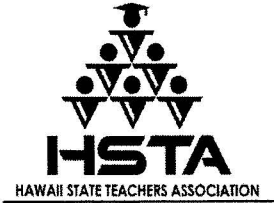
The Office of Collective Bargaining has **comments** on the proposed amendments to Chapter 302A, HRS.

The public employer and the Hawaii State Teachers Association (HSTA) have historically negotiated collective bargaining agreements which contain the number of instructional days and hours within each school year. This is based upon Chapter 89, HRS, where the public employer and the public employee unions are required to negotiate on matters of wages, hours, and conditions of employment. Should this bill pass, even though its provisions will not apply until the beginning of the 2011-2012 school year, the HSTA and other affected unions with members employed in the

Department of Education (DOE) are likely to negotiate for higher wages if additional instructional hours are required to meet the statutory minimum set forth in this bill. We note that the testimonies of both HSTA and the DOE on H.B. No. 2486 similarly raised the issue of cost for any additional instructional hours. This measure may also remove the flexibility of the DOE to negotiate the number of instructional hours as may be necessary to adjust for prevailing fiscal conditions.

We further note that Section 89-19, HRS, provides that Chapter 89 takes precedence over any conflicting statutes or legislation. Therefore, DOE employees in bargaining units 01 and 05 who have the right to strike pursuant to Sections 89-11 and 89-12, HRS, may do so without regard to the minimum number of instructional hours required by this bill.

Thank you for the opportunity to testify on this measure.



1200 Ala Kapuna Street λ Honolulu, Hawaii 96819
Tel: (808) 833-2711 λ Fax: (808) 839-7106 λ Web: www.hsta.org

Wil Okabe
President

Karolyn Mossman
Vice President

Joan Kamila Lewis
Secretary-Treasurer

Jim Williams
Interim Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON
FINANCE

RE: HB 2486, HD 1 – RELATING TO EDUCATION.

February 23, 2010

WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Oshiro, and Members of the Committee:

The Hawaii State Teachers Association offers the following comments on HB 2486, HD 1:

- We believe that it is within the purview of the Board of Education to set the minimum number of instructional minutes for students.
- Article XVI of the Unit 5 agreement contains a provision which sets the instructional minutes for teachers. The subject matter has been negotiated since inception of collective bargaining.
- Increasing the number of hours would incur great costs at a time when the governor and the legislature are seeking ways to cut costs.

Thank you for the opportunity to testify.



888 Mililani Street, Suite 601
Honolulu, Hawaii 96813-2991

Telephone: 808.543.0000
Facsimile: 808.528.4059

www.hgea.org

The Twenty-Fifth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Finance
Testimony by
Hawaii Government Employees Association
February 23, 2010

H.B. 2486 H.D. 1 – RELATING TO EDUCATION

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO supports the intent of H.B. 2486 H.D.1.

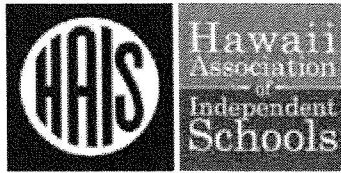
If the legislature decides to statutorily require a minimum number of instructional days in the public school system beginning with the 2011-2012 school year, we are prepared to discuss this matter in negotiations. During the tenure of Governor Cayetano the state added seven instructional days to the school year. This was done through collective bargaining. We respectfully remind the legislature that matters related to wages, hour and working conditions are negotiable with the exclusive representatives.

We appreciate the opportunity to testify in support of H.B. 2486 H.D.1.

Respectfully submitted,

Leiomalama Desha
Executive Assistant





Tuesday, February 23, 2010
11:30 a.m.
Conference Room 308

TESTIMONY TO
THE HOUSE COMMITTEE ON FINANCE

RE: HB 2486, HD1 – Relating to Education

Chair Oshiro; Vice Chair Lee; and Members of the Committee:

My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

The Association is in strong support of House Bill 2486, HD1 – Relating to Education which establishes a minimum number of instructional hours per school year for each grade.

HAIS believes that the interest and education of Hawaii's children should be our first priority. Today's students are expected to know more, to meet higher standards, and to achieve proficiency in higher level skills so they can flourish in a highly competitive economic global marketplace. It is an economic imperative that we increase the number of instructional hours per school year for each grade to promote the achievement and attainment of Hawaii public school students sufficient for success in college, career and citizenship in the 21st century.

We participated last session with the House and Senate Committees on Education, in collaboration with the Ho'okako'o Corporation, in dialogue that produced SCR 52, SD 1 requesting a report on **Extended Learning Time** (ELT) from Ho'okako'o prior to the beginning of this session. In January, just prior to the opening of this session, many members of the House of Representatives and the Senate gathered to hear the oral version of that report, which provides evidence in support of this measure.

Additionally, in February 2009 Lynn Fallin and I published an OpEd in the *Honolulu Advertiser*, **The Time Has Come**, in which we noted that the concept of Extended Learning Time requires the complete redesign of a school's educational program: ELT increases the time invested on instruction, and combines academics with enrichment for a robust and well-rounded student experience. ELT also supports teachers by providing more time for planning, training and professional development.

There is plenty of compelling data confirming the effectiveness of ELT. The MASS2020 Initiative 2008 Annual Report highlights improvements at one school which implemented ELT:

Additional time for literacy instruction is showing its effect: in 2006, only 57% of the 4th graders at Hiatt were proficient or advanced in English language arts. Two years later, this same cohort of students had 82% of students scoring proficient or above.

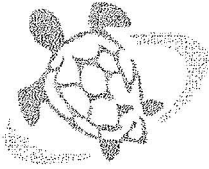
Along with “reclaiming” a school year with at least 180 days for the students of Hawaii’s public schools as soon as possible, and then setting our sights on a 190-day school year and ultimately a 200-day school year, we **MUST** also increase the amount of instructional time in each school day.

It is the position of this association, supported by Susan Essoyan’s *Star-Bulletin* essay in November 2009, that the length of the instructional day in Hawaii’s public schools is among the shortest in the nation.

Just looking at the conventional standard of 900 hours a year, which has been foundational to American public and private education for decades, we appear to have in many of our schools fewer than 750 instructional hours per year.

This is most likely not only a lowering of standards. It appears to represent an urgent and distressing issue of social justice; the children most in need of a good public education will be those most harmed by fewer instructional hours. These children may be “left behind” irretrievably.

Thank you for the opportunity to testify in strong support of this measure.



HAWAII TECHNOLOGY ACADEMYSM

Hawaii Public Charter School #551

94-810 Moloalo Street
Waipahu, Hawaii 96797
808-676-5444
808-676-5470 (Fax)

February 22, 2010

Honorable Marcus Oshiro, Chair
House Committee on Finance

Re: HB2486 HD1, Relating to Education - Support with Amendments
Finance Agenda #2 – Conference Room 308, February 23, 2010, 11:30 AM

Aloha Chair Oshiro, Vice Chair Lee and Committee Members:

On behalf of the Hawaii Technology Academy, a public charter school which serves students in Oahu, Kauai, Hawaii Island and parts of Maui, thank you for the opportunity to offer testimony.

We support the intent to establish a minimum number of instructional hours per school year for each grade. However, we ask that the committee consider including clarifying language for charter schools and public schools providing virtual or online education.

HTA is one of several charter schools that provide a hybrid of online learning at home or wherever and internet connection can be found through online and offline course work supervised by certified teachers in which students meet face-to-face at the school for courses and activities. We document student instruction through their login which keeps very accurate accounting of their attendance and participation for coursework and other learning activities.

HTA is one of Hawaii's 31 public charter schools that are part of the state public school system. Like Hawaii Department of Education (DOE) schools, charters comply with federal and state education standards. We support efforts like this to improve Hawaii's public education system.

Most of all, we endorse changes that create equitable funding and a supportive environment for all DOE and public charter schools to better position Hawaii in competition for U.S. Department of Education Race to the Top (RTT) grants. States with policies in place supporting equitable funding for all public school students are at greater competitive advantage to qualify for RTT and other federal grant programs.

For these reasons, we respectfully urge members to support the passage of this bill with technical amendments to address virtual education issues.

Sincerely,

Stephan Meyer
Sophomore and HTA Local School Board Student Representative



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

February 23, 2010

**Special Education
 Advisory Council**

Ms. Ivalee Sinclair, *Chair*
 Mr. Steve Laracuenta, *Vice
 Chair*

Ms. Brendelyn Ancheta
 Ms. Sue Brown
 Ms. Deborah Cheeseman
 Ms. Annette Cooper
 Ms. Phyllis DeKok
 Ms. Mary Ellis
 Ms. Debra Farmer
 Ms. Gabriele Finn
 Ms. Martha Guinan
 Mr. Henry Hashimoto
 Dr. Martin Hirsch
 Ms. Tami Ho
 Ms. Barbara Ioli
 Ms. Shanelle Lum
 Ms. Rachel Matsunobu
 Ms. Kristy Nishimura
 Ms. Connie Perry
 Ms. Barbara Pretty
 Ms. Kau'i Rezendes
 Dr. Patricia Sheehey
 Mr. August Suehiro
 Ms. Judy Tonda
 Ms. Cari White
 Ms. Jasmine Williams
 Mr. Duane Yee
 Mr. Shawn Yoshimoto

Jan Tateishi, Staff
 Susan Rocco, Staff

Representative Marcus R. Oshiro, Chair
 House Committee on Finance
 State Capitol
 Honolulu, HI 96813

RE: HB 2486 HD1 - RELATING TO EDUCATION

Dear Chair and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports the intent** of HB 2486 HD1 which aims to increase the amount of quality time students spend in the classroom by establishing a minimum number of hours for the school year.

This bill is particularly ambitious in that it would require high school students to receive more instructional time than most other states-- the equivalent of seven hours a day over 180 instructional days. Like Colorado, Idaho, Indiana and Wisconsin, it also offers more instructional time for secondary students than elementary grade students.

Currently Hawaii is one of only a handful of states that does not set a minimum of instructional time statutorily, but rather relies on collective bargaining with the Hawaii State Teachers Association. It has been well publicized that the imposition of 17 furlough days for SY 09-10 and SY 10-11 gives Hawaii the shortest instructional year in the nation. According to the Education Commission of the States, Hawaii also has one of the shortest school days in the country. This reality is counter to the direction taken by the U.S. Department of Education of encouraging states to increase learning time for students by offering financial incentives.

Students with disabilities typically underperform their non-disabled peers on student achievement tests. SEAC believes they would realize greater educational benefit and have a better opportunity to close the achievement gap through more quality instructional time, either through the addition of school hours or additional days in the school year.



Testimony on HB 2486 HD1

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February 23, 2010

Having said this, SEAC is well aware of the State's financial crisis and recognizes the difficulty of funding additional classroom instruction. It may be necessary to phase in additional instructional time. What policymakers and educators can do now is to try to optimize the instructional opportunities our students have today and to ensure that teachers have the skills to utilize evidence-based instructional strategies to address the diverse learning needs of their classrooms.

Thank you for the opportunity to provide testimony on this issue. Should you have any questions, I would be happy to answer them.

Sincerely,

A handwritten signature in cursive script that reads "Ivalee Sinclair".

Ivalee Sinclair
Chair

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 22, 2010 10:14 AM
To: FINTestimony
Cc: threestars@hawaii.rr.com
Subject: Testimony for HB2486 on 2/23/2010 11:30:00 AM

Testimony for FIN 2/23/2010 11:30:00 AM HB2486

Conference room: 308
Testifier position: oppose
Testifier will be present: No
Submitted by: Linda Elento
Organization: Individual
Address: HI
Phone: 808-235-7610
E-mail: threestars@hawaii.rr.com
Submitted on: 2/22/2010

Comments:

As a parent of children in public, charter and private schools, I do not support that Charter Schools be included in this bill. Please consider DELETING CHARTER SCHOOLS in the proposed HRS 302A as well as the comments in the written testimony of Mr. Jeff Piontek, my son's Head of School at Hawaii Technology Academy, provided to the House education committee. This bill is not consistent with our state's definition of charter schools encourage flexibility.

Thank you for the opportunity to provide testimony.