

HB 945
HD2, SD1

WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
HOUSE BILL NO. 945, H.D. 2, S.D. 1

March 30, 2011

RELATING TO EDUCATION

House Bill No. 945, H.D. 2, S.D. 1, postpones implementation of Act 167, SLH 2010, from School Year 2011-12 to School Year 2014-15 and exempts multi-track public schools from Act 167. Act 167 mandates minimum instructional times in public schools starting in School Year 2011-12.

The Department of Budget and Finance strongly supports this measure.

Collective bargaining is currently underway between the State, the Hawaii State Teachers Association, United Public Workers, and Hawaii Government Employees Association. One of the issues affecting negotiations regarding employees of the Department of Education is the impact of implementation of Act 167.

The Department of Education estimates that implementing Act 167 within the next biennium will likely add \$55 million in operating costs – mostly in labor. The Department of Budget and Finance estimates that this increased costs will occur at a point when the fiscal condition of the State will not have sufficiently improved to afford the increased cost.

As you are aware, labor savings is currently factored into the Administration's approach to balancing the general fund financial plan. In order to achieve those savings, some form of relief from Act 167 is necessary because it is unrealistic to expect that labor savings can be negotiated while at the same time increasing work requirements.

Given the State's fiscal condition, we simply do not have the means to implement Act 167 at the present time.

THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011
COMMITTEE ON WAYS AND MEANS
Senator David Y. Ige, Chair
Senator Michelle Kidani, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday, March 30, 2011
TIME: 9:30 a.m.

Testimony submitted by Mr. Neal Takamori, President of the Athletic Directors and Coaches Association of Hawaii (ADCA)

On behalf of ADCA, we support HB 945 HD 2 SD 1, Instructional Days. I believe the Department of Education needs the additional time to address the logistical requirements of implementing Act 167. There should be serious consideration of the effects of additional instructional time at the expense of other activities. Please allow me to mention a few reasons in support.

ADCA believes that athletics as well as other co-curricular activities provide a balanced education for students. Increasing the academic day may severely restrict student participation in co-curricular activities if not properly and carefully implemented.

1. High Schools should all end approximately the same time so that practices can be scheduled to allow students to return home to study at a reasonable time.
2. Many of our students seek tutorial help after school before practices. Will they have enough time to seek help with their academics?
3. All leagues try to minimize the time students need to be excused from their classes to prepare for and participate in scheduled league games. There would need to be a great deal of planning to execute game schedules. Hopefully, it will not force leagues to eliminate games or sports.
4. Needless to say, a lot of logistical variables need to be addressed.

Thank you for allowing me to submit this testimony for your consideration.

THE TWENTY-SIXTH LEGISLATURE
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COMMITTEE ON WAYS AND MEANS
Senator David Y. Ige, Chair
Senator Michelle Kidani, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday, March 30, 2011
TIME: 9:30 a.m.

Testimony submitted by Mr. Meredith Maeda, Principal, James B. Castle High School

I support HB 945 HD 2 SD 1, Instructional Days. The Department of Education needs the additional time to address the financial and logistical requirements of implementing Act 167. There should also be a serious examination of the effects of additional instructional time at the expense of other activities. There are several reasons why this measure should be passed.

1. **Contractual Issues:** The Agreement between HSTA and the BOE would need to reflect student learning time instead of, or in addition to, teacher work time. More flexibility in scheduling should also be considered. Given the present schedule, Castle would possibly need to extend the school day for an average of 30 minutes a day for the 180 days and also alter the conditions of our tutorial period. Depending on the definition of student learning time and the current negotiated provisions of the Agreement between HSTA and the BOE, Castle would need to apply for an exception to increase the amount of teaching periods in a week. Additional salary for the extended time beyond the school day would need to be considered for HSTA and HGEA staff; these expenses will come from our Weighted Student Formula.
2. **Resources:** The DOE is facing significant fiscal limitations and is even anticipating a potential reduction in its budget. The additional work time, as described in item 1, and peripheral services required by Act 167 will require additional funding. The State does not have the fiscal capacity to implement Act 167.
3. **Effective Teaching:** I believe that non-instructional time during the school day is better served for teacher access to professional development activities. By merely increasing student learning time, Act 167 does not address effective instruction; nor does the NCLB Highly Qualified Teacher requirements. Nationally, emphasis is on effective classroom instruction. At Castle, every effort is made to maintain rigor and to ensure that all public school students demonstrate proficiency of the standards.
4. **Enrichment Activities:** Act 167, as presently promulgated, severely impacts after school programs. Time and resources are already valuable commodities for students and the system; increasing the academic day severely restricts student participation in co-curricular activities by limiting the availability of facilities after school. Students require a balanced education of academics and co-curricular activities—the arts, athletics, and student activities create opportunities to apply real life skills. Where would most of you be if not for your participation in these endeavors?

Thank you for allowing me to submit this testimony for your consideration.

TESTIFIER: Melanie Bailey 277-5121
Kathy Bryant 225-9043

THE SENATE
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

Attn: Ways and Means
Senator Ige, Chair
Senator Kidani, Vice Chair

Re: HB945 Relating to Education
Hearing Date March 30, 2011 9:30am

TESTIMONY IN OPPOSITION WITH AMENDMENTS

Thank you for the opportunity to testify. We are opposed to the current draft of HB945. The intention of Act 167 was to ensure our children would not be furloughed again and to increase the instructional time of public school children.

During last year's session, on behalf of parents and community members, we provided research and data to the legislature about student instructional time and minimum hours legislated in other states. Hawaii was the only state without a minimum instructional time law. The legislature felt that establishing Act 167 was consistent with laws nationally and would benefit our students by making our instructional time transparent and equitable. The intent of the law, particularly this first phase, was to be revenue neutral. The legislature knew the state would not have additional money this year, so the hours recommended were made very carefully to follow the working conditions of the contract. 7 hour work days, 40 minutes of planning time, 30 minutes of non-duty lunch, 15 minute break, 40 min/wk of collaboration. The legislature felt this could be accomplished with the 915/990 minimum hours a year.

Having looked at implementation, the Department of Education does not feel this can be accomplished without significant cost. Given the current budget concerns this is understandable. However, we urge you not to put implementation of the bill off, rather work with DOE to find numbers that can be set as a minimum and achievable statewide.

We would like to provide you with data about our schools. We looked at the bell schedules for 16 elementary schools and 37 secondary schools. The complete list is below. Of the elementary schools, 9 of the 16, currently meet or exceed the 915 hours, 4 are within 15 hours of compliance, 2 are within 30 hours and only 1 is well below. For Elementary Schools, meeting the law may be achievable with some minor adjustments to their bell schedules or a small reduction in the minimum number.

For the secondary schools the challenge is greater. The hours range from 783 to 987 hours per year. Currently no schools we researched are at 990 hours. Waianae is the closest at 987 which is an average of 5 hours 29 min of student instruction a day and Campbell is at 960 annual hours or 5 hours and 20 min. of average daily instruction. The average for secondary schools is 879 hours or 4 hours 53 min.

Rather than delay, we urge you to work with the DOE to find a minimum number that can be achievable in the 2011-2013 school years. Amend the bill to include minimum numbers that are achievable so that the intention of the law is not put off. Let's continue to be transparent about the instructional hours and work toward the minimum hours established by other states and stated in our law. Given the disparity between the current average in our sample and the proposed minimum in the law, waiting 2 years to make changes to 1080 hours will be even more challenging. Better to be working with the DOE to assist the schools in increasing the instructional hours now.

We recommend that the bill be amended to:

1. Do not delay implementation of the law.
2. Maintain the 180 day minimum and adjust the minimum number of instructional hours to a number provided by DOE that is achievable by all schools in 2011-12.
3. Beginning in 2011-12 year, require each school to post the total instructional hours provided on their website along with their bell schedule. This will promote transparency and give everyone a better understanding of each school's time.

This is a complicated issue, but let's not say we can not do it.

Thank you for your time.

Elementary Schools

	Instruction Min/Week	Average Min/Day	Hours/Yr w/180 Days	Avg Hours Day	School in Session
Pomaika'i	1325	265	795	4 hr 25 min	MTRF 7:50-2:00 W 7:50-12:15
Mililani Waena	1460	292	876	4 hr 52 min	MTRF 7:55-2:00 W 7:55-12:45
Hanalei	1475	295	885	4 hr 55 min	MTRF 7:50-2:00 W 7:50-12:45
Kalaheo	1490	298	894	4 hr 58 min	MTRF 7:50-2:00 W 7:50-12:30
Kaneohe	1500	300	900	5 hr	MTRF 7:55-2:07 W 7:55-1:07
Kapolei	1505	301	903	5 hr 1 min	MTRF 7:50-2:00 W 7:50-1:15
Kilohana	1505	301	903	5 hr 1 min	MTRF 7:55-2:00 W 7:55-1:15
Pope	1520	304	912	5 hr 4 min	MTRF 7:50-2:10 W 7:50-12:15
Enchanted Lake	1525	305	915	5 hr 5 min	MTRF 8:00-2:10 W 8:00-1:20
Nuuanu	1530	306	918	5 hr 6 min	MTRF 8:00-2:10 W 8:00-1:25
Kainalu	1550	310	930	5 hr 10 min	MTRF 7:55-2:15 W 7:55-12:40
Kalei'opu'u	1550	310	930	5 hr 10 min	MTRF 7:50-2:00 W 7:50-1:10
Kalihi Uka	1555	311	933	5 hr 1 min	MTRF 8:00-2:15 W 8:00-1:25
Keaukaha	1580	316	948	5 hr 16 min	MTRF 7:55-2:05 W 7:55-1:10
Pearl Harbor	1600	320	960	5 hr 20 min	MTRF 7:50-2:10 W 7:50-12:30
Makaha	1615	323	969	5 hr 23 min	MTRF 7:45-2:10 W 7:45-12:45
Honowai	1625	325	975	5 hr 25 min	MTRF 7:50-2:15 W 7:50-1:25
Average	1524	305	914	5 hr 5 min	

Based on a 3rd graders bell schedule

For the purposes of this spreadsheet we used the definition of instructional time from Act 167.

"Student learning time during which students are engaged in learning activities including regularly-scheduled instruction and learning assessments within the curriculum, and does not include lunch, recess, or passing time."

Secondary Schools

	Instruction Min/ Week	Avg Min/ Day	Hours/Yr w/180 Days	Avg Hours Day	School in Session
Kauai High	1305	261	783	4 hr 21 min	MTRF 8:33-2:00 W 8:28-1:20
Aiea Int	1322	264	793	4 hr 24 min	MTRF 7:55-2:00 W 7:55-1:15
Hilo High	1345	269	807	4 hr 29 min	MWF 8:10-1:20 TR 8:10-2:20
Kailua High	1345	269	807	4 hr 29 min	MTRF 8:15-1:55 W 8:15-1:20
Moanalua High	1345	269	807	4 hr 29 min	MW 8:30-1:47 TF 8:30-2:40 R 8:30-2:30
Pahoa High	1363	273	818	4 hr 33 min	MTRF 8:00-1:50 W 8:00-1:27
Waipahu Int	1375	275	825	4 hr 35 min	MTRF 8:00-2:15 W 8:00-12:25
Kaimuki Int	1387	277	832	4 hr 37 min	MTRF 8:00-2:15 W 8:00-1:31
Waialua High	1400	280	840	4 hr 40 min	MTRF 8:00-2:00 W 8:00-1:16
Niu Valley Mid	1407	281	844	4 hr 41 min	MF 8:00-2:00 TR 8:00-1:15 W 8:00-2:15
Leilehua High	1410	282	846	4 hr 42 min	MTRF 8:30-2:20 W 8:30-12:59
Aliamanu Mid	1435	287	861	4 hr 47 min	MTRF 7:55-2:05 W 7:55-1:15
Kalakaua Mid	1438	288	863	4 hr 48 min	MW 8:00-1:25 TRF 8:00-2:15
Molokai High	1440	288	864	4 hr 48 min	MTWR 7:45-2:00 F 7:45-12:20
Wahiawa Mid	1453	291	872	4 hr 51 min	MTRF 7:55-2:10 W 7:55-1:25
Aiea High	1455	291	873	4 hr 51 min	MTRF 7:50-2:00 W 7:50-12:43
Lahaina Int	1459	292	875	4 hr 52 min	MTRF 7:50-2:00 W 7:50-1:15
Kohala Mid	1468	294	881	4 hr 54 min	MTRF 8:00-2:15 W 8:00-1:15
Kapolei High	1470	294	882	4 hr 54 min	MTRF 7:55-1:35 W 7:55-3:00
Waimea Mid	1470	294	882	4 hr 54 min	MTRF 7:45-1:40 W 7:45-1:20
Moanalua Mid	1478	296	887	4 hr 56 min	MTRF 8:00-2:05 W 8:00-1:10
Waiakea High	1490	298	894	4 hr 58 min	MTRF 8:10-2:27 W 8:10-1:47
Kailua Int	1498	300	899	5 hr	MTRF 8:00-2:15 W 8:00-1:32
Kohala High	1498	300	899	5 hr	MTRF 8:05-2:20 W 8:05-1:20
Jarrett Mid	1501	300	901	5 hr	MTRF 8:00-2:15 W 8:00-1:30
Radford High	1502	300	901	5 hr	M 8:00-1:32 TWRF 8:00-2:20
King Int	1506	301	904	5 hr 1 min	MTRF 8:00-2:15 W 8:00-1:10
Waimanalo Int	1518	304	911	5 hr 4 min	MTRF 7:50-2:11 W 7:50-12:36
Roosevelt High	1525	305	915	5 hr 5 min	M 8:00-2:00 TWR 8:00-2:20 F 8:00-2:40
Mililani Mid	1530	306	918	5 hr 6 min	MTR 8:15-3:00 W 8:15-2:20 F 8:15-2:30
Dole Mid	1535	307	921	5 hr 7 min	MTRF 8:00-2:20 W 8:00-1:45
Mililani High	1542	308	925	5 hr 8 min	MTRF 8:05-2:00 W 8:05-12:38
Kaiser High	1576	315	946	5 hr 15 min	MTRF 8:00-2:20 W 8:00-1:42
Kapaa High	1576	315	946	5 hr 15 min	MTRF 7:45-2:20 W 7:45-1:35
Kapolei Mid	1580	316	948	5 hr 16 min	M 8:00-1:49 TWRF 8:00-2:22
Campbell High	1600	320	960	5 hr 20 min	MTRF 8:00-2:20 W 8:00-1:40
Waianae High	1645	329	987	5 hr 29 min	MWF 8:10-2:45 TR 8:00-2:05
Average	1465	293	879	4 hr 53 min	

32 States are at 990 hrs/year or more (5 hrs 30 min/day for 180 days)

16 States are at 1080 hrs/year or more (6 hrs/day)