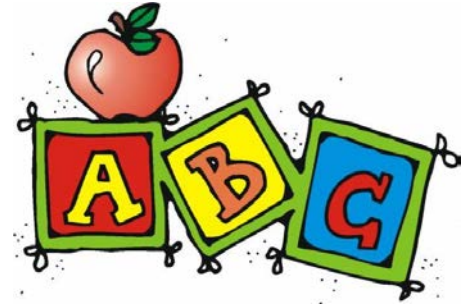


HB1675

HD1



Measure Title: RELATING TO EDUCATION.

Report Title: Department of Education; Student Instructional Hours

Description: Requires all public secondary schools to implement a school year that includes nine hundred ninety student instructional hours beginning with the 2014-2015 school year. Repeals the requirement that by the 2016-2018 school years, all public schools implement a school year of one hundred eighty days, including one thousand eighty student instructional hours for both elementary and secondary school grades. Allows board of education to define "student instructional hours." Effective July 1, 2030. (HB1675 HD1)

Companion: [SB2139](#)

Package: None

Current Referral: EDU, WAM

Introducer(s): TAKUMI, OHNO



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/19/2014

Committee: Senate Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1675,HD1(hscr842-14) RELATING TO EDUCATION.

Purpose of Bill: Requires all public secondary schools to implement a school year that includes nine hundred ninety student instructional hours beginning with the 2014-2015 school year. Repeals the requirement that by the 2016-2018 school years, all public schools implement a school year of one hundred eighty days, including one thousand eighty student instructional hours for both elementary and secondary school grades. Allows board of education to define "student instructional hours." Effective July 1, 2030. (HB1675 HD1)

Department's Position:

The Department of Education supports the substantive content of HB 1675 HD1 which proposes to repeal the SY 2016-2018 requirement for 1,080 student instructional hours, and also makes other conforming amendments to Section 302A-251. The Department has found that it is a challenge for schools to meet the requirements of Section 302A-251 (known also as Act 167/Act 52) in the context of the current Collective Bargaining Agreement and the Department's budget.

The Department also supports repeal of the definition for "student instructional hours" that is contained in Section 302A-251 and to instead, require that the Board of Education determine the definition. The Department recognizes the need for clarification of the definition to avoid unnecessary and differing interpretations and will work with the Board to provide a clear definition of student learning time that includes all high-quality learning opportunities.

The Department is open to further discussion on the issue of student instructional hours and we thank you for the opportunity to testify.

841 Bishop St., Suite 301
Honolulu, Hawaii 96813



Telephone: 808 926-1530
Contact@HEECoalition.org

Committee on Education
Senator Jill Tokuda, Chair
Senator Michelle Kidani, Vice Chair

March 19, 2014

Dear Chair Tokuda, Vice Chair Kidani and Committee Members:

This testimony is submitted in opposition to HB1675 HD1, with recommended amendments.

The Hui for Excellence in Education (HE'E) is a diverse coalition of over 40 parent and community organizations dedicated to improving student achievement by increasing family and community engagement and partnerships in our schools. Our member list is attached.

Act 167, establishing a minimum number of student instructional hours and days per year, was passed in 2010 for three primary purposes:

1. Prevent future furloughs for students.
2. Provide instructional time equity among Hawaii students and their mainland peers.
3. Establish transparency and clarity in the definition and amount of instructional time provided by each school.

Act 167 sent a clear message to the community, that the legislature takes education seriously and that reduction of student instructional time would never again be compromised due to budget issues. All Hawaii students would receive the same amount of instructional time as their peers in Hawaii and on the mainland. All Hawaii families would know that their child receives the same amount of instruction as every other student in the state. Hawaii is unique, the only state that is one school district, with one funding source, and one union contract for all teachers. This should help insure that equity exists across the state. Instructional time for students should be no different. The DOE has undertaken the task of aligning the bell schedules for secondary schools and has made great progress. We support their effort to continue to meet the instructional time goals set forth in Act 167.

We agree with the bill that the Board of Education should define "student instructional hours."

However, regarding the deletion of the 1080 instructional hours, we recommend the following amendments:

1. Defer the implementation date until the next bargaining year so that any additional costs associated with increasing the time can be included in that contract.
2. Apply the increased time to 1080 instructional hours to secondary schools only; for elementary schools, apply the increased time to 990 instructional hours, which is

consistent with instructional time for secondary and elementary schools nationally (see attachment).

The process of aligning the secondary schools has been difficult, but the Department of Education (DOE), principals, staff and School Community Councils (SCCs) have worked hard to find schedules that work for their schools. If they wish, schools can, under the law, apply for a waiver. This is an important component of the law and if a school can make a compelling argument for the waiver, the Board of Education (BOE) can grant the request. This provides a reasonable option for a school with unique circumstances. Finally, it should be noted that increasing the minimum student instructional time in the future for secondary schools, amounts to an increase from 5 hour 30 minutes to a 6 hour instructional day plus lunch and passing, or an approximately 7 hour day such as 8:00 am – 3:00 pm for students. This still allows time for after school activities, sports, and jobs for students. It would also make Hawaii student instructional time align with or exceed more than 50% of states, which is huge increase from 2010 when our state had some of the lowest instructional minutes in the country.

We strongly encourage you to stay the course with this law, and consider our amendments as a compromise.

Thank you for the opportunity to testify and for your consideration. Our opposition to this bill represents a 75% consensus or more of our membership.

Sincerely,

Cheri Nakamura
HE'E Coalition Director

HE'E Member List

Academy 21

After-School All-Stars Hawaii

Alliance for Place Based Learning

*Castle Complex Community Council

Center for Civic Education

Coalition for Children with Special Needs

*DOE Windward District

*Faith Action for Community Equity

Fresh Leadership LLC

Girl Scouts Hawaii

*Good Beginnings Alliance

Harold K.L. Castle Foundation

*Hawaii Appleseed Center for Law and Economic Justice

Hawai'i Athletic League of Scholars

*Hawai'i Charter School Network

*Hawai'i Nutrition and Physical Activity Coalition

*Hawaii State PTSA

Hawai'i State Student Council

Hawai'i State Teachers Association

Hawai'i P-20

Hawai'i 3Rs

Head Start Collaboration Office

It's All About Kids

*INPEACE

Joint Venture Education Forum

Junior Achievement of Hawaii

Kamehameha Schools

Kanu Hawai'i

Keiki to Career Kaua'i

Kupu A'e

*Leaders for the Next Generation

Learning First

McREL's Pacific Center for Changing the Odds

Our Public School

*Pacific Resources for Education and Learning

*Parents and Children Together

*Parents for Public Schools Hawai'i

Punahou School PUEO Program

Teach for America

The Learning Coalition

US PACOM

University of Hawai'i College of Education

YMCA of Honolulu

Voting Members (*)

updated to reflect a change in one state's policies. It is based on research from a Spring 2013 report from the National Center on Teaching and Learning – *Learning Time in America: Trends to Reform the American School Calendar* – and shows the minimum number of instructional hours required by other states' laws, by grade. The cells of the table are color-coded to demonstrate whether the minimum is below (red), equivalent to (yellow), or above (green) Hawaii's minimum of 990 hours. Hawaii requires more time in earlier grades than most states and less time later grades than some states.

Number of minimum instructional hours required by state law, by grade
below 990 990 above 990

STATE	1	2	3	4	5	6	7	8	9	10	11	12
<i>average</i>	930	936	936	976	976	996	1006	1009	1016	1016	1016	1014
AK	740	740	740	900	900	900	900	900	900	900	900	900
AZ	712	712	712	890	890	890	1000	1000	720	720	720	720
CA	840	840	840	900	900	900	900	900	1080	1080	1080	1080
CO	868	868	868	968	968	1056	1056	1056	1056	1056	1056	1056
CT	900	900	900	900	900	900	900	900	900	900	900	900
DE	1080	1080	1080	1060	1060	1060	1060	1060	1060	1060	1060	1032
FL	720	720	720	900	900	900	900	900	900	900	900	900
GA	810	810	810	900	900	990	990	990	990	990	990	990
ID	810	810	810	900	900	900	900	900	990	990	990	990
KS	1116	1116	1116	1116	1116	1116	1116	1116	1116	1116	1116	1086
KY	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062
LA	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062	1062
MA	900	900	900	900	900	890	990	990	990	990	990	990
MD	1080	1080	1080	1080	1080	1080	1080	1080	1080	1080	1080	1080
MI	1098	1098	1098	1098	1098	1098	1098	1098	1098	1098	1098	1098
MN	935	935	935	935	935	935	1020	1020	1020	1020	1020	1020
MO	1044	1044	1044	1044	1044	1044	1044	1044	1044	1044	1044	1044
MT	720	720	720	1080	1080	1080	1080	1080	1080	1080	1080	1080
NC	1025	1025	1025	1025	1025	1025	1025	1025	1025	1025	1025	1025
ND	851.5	851.5	851.5	851.5	851.5	851.5	851.5	1038	1038	1038	1038	1038
NE	1032	1032	1032	1032	1032	1032	1032	1032	1080	1080	1080	1080
NH	845	845	845	845	845	890	990	990	990	990	990	990
NM	990	990	990	990	990	990	1080	1080	1080	1080	1080	1080
OH	910	910	910	910	910	910	910	910	910	910	910	910
OK	900	900	900	900	900	900	1080	1080	1080	1080	1080	1080
OR	810	810	810	900	900	900	900	900	990	990	990	990
PA	900	900	900	900	900	900	900	900	990	990	990	990
SD	875	875	875	982.5	982.5	982.5	982.5	982.5	982.5	982.5	982.5	982.5
UT	810	990	990	990	990	990	990	990	990	990	990	990
VA	990	990	990	990	990	990	990	990	990	990	990	990
WA	1000	1000	1000	1000	1000	1000	1080	1080	1080	1080	1080	1080
WI	1050	1050	1050	1050	1050	1050	1137	1137	1137	1137	1137	1137

The Department has not yet researched how other states' and districts' collective bargaining agreements and requirements around teacher work year, day and schedule impact implementation of student learning time requirements.



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

**TESTIMONY FOR HOUSE BILL 1675, HOUSE DRAFT 1, RELATING TO
EDUCATION**

**Senate Committee on Education
Hon. Jill N. Tokuda, Chair
Hon. Michelle N. Kidani, Vice Chair**

**Wednesday, March 19, 2014, 1:15 PM
State Capitol, Conference Room 414**

Honorable Chair Tokuda and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 175 local members. On behalf of our members, we offer this testimony in opposition to, with proposed amendments for House Bill 1675, HD1, relating to education.

While we feel that instructional time requirements should be subject to collective bargaining, we understand that variances in instructional time statewide have precipitated difficulty in evaluating achievement outcomes and that the link between instructional time and student achievement is an imperfect science at best. For assessment purposes, it is important to ensure that all schools operate from a common baseline. Yet, a number of secondary schools have faced difficulty meeting the 990 student instructional hour requirement currently called for by §302A-251, prompting intraschool debates over school schedules (often resolved by “2+2” hearings), as well as grievances over processual compliance by departmental administrators. Such problems are likely to be exacerbated if schools are forced to implement greater instructional time requirements (up to 1080 by 2018). Moreover, in May of 2013, the Hawaii State Department of Education scaled back its pilot of extended learning time for low-performing schools in designated “zones of innovation,” signaling a need to ensure that ELT reforms are targeted, strategic, and focused on specific classroom settings, learning objectives, and student populations.

That said, at previous hearings, both the Hawaii State DOE and Hawaii State Teachers Association have agreed, in principle, on a counterproposal to rectify instructional time problems faced by our schools: replace the mandatory annual hour requirements imposed by §302A-251 (through Act 167) with a lengthened and statutorily determined school year. Under this proposal, schools will regain flexibility in creating bell schedules suitable to their unique learning communities, while the state will continue progressing toward its oft-stated goal of maximizing the quality of instructional time for students. Accordingly, we encourage you to replace the contents of the bill with the contents of SB 2922, previously heard and passed by the committee. Intended as an alternate mode of empowering schools to increase instructional time, SB 2922 upholds the current BOE-HSTA master agreement by respecting the link between instructional time, academic calendar increases, and collective bargaining. Teacher pay is broken down on a per diem basis. If teachers perform additional days of service, they must be fairly compensated for their efforts. Thus, it is imperative that any extension of the academic calendar—or instructional hours, for that matter—take place within the context of collective bargaining to ensure that teachers' exclusive representative, HSTA, has an opportunity to seek salary and benefit enhancements commensurate with the scope and extent of the increased workload. Moreover, at a time when the state is implementing multiple education reforms—teacher evaluations and Common Core State Standards Initiative, for example—SB 2922 will allow HSTA and HGEA to negotiate instructional time increases and related definitions that encapsulate the entirety of teachers' and administrators' educational responsibilities.

Mahalo for the opportunity to testify in opposition to this bill.

Sincerely,
Kris Coffield
Legislative Director

To: Senator Tokuda, Education Chair
Senator Kidani, Vice Chair
Senate Committee on Education

From: Melanie Bailey
277-5121

Date: March 19, 2014

Re: HB1675

Testimony in **OPPOSITION**.

Please do not delete the 1080 instructional hour's requirement!

I am a parent of a student currently attending a Hawaii public high school. I have been following this issue and researching instructional time around the country since the first student furlough day in October of 2009.

Hawaii currently has secondary schools with less than 800 hours of instruction a year. Because of Act 167, secondary schools across the state have been successfully modifying their bell schedules to reach 5 hours and 30 minutes a day of instructional time for students. 990 hours a year.

Since we began our efforts many states have been regulating instructional time. These are some of the states with over 1000 hours a year:

Arizona	1000	Missouri	1044
California	1080	Montana	1080
Colorado	1056	Nebraska	1080
Delaware	1060	New Mexico	1080
Kansas	1116	North Carolina	1025
Kentucky	1062	North Dakota	1038
Louisiana	1062	Oklahoma	1080
Maryland	1080	Washington	1080
Michigan	1098	Wisconsin	1137
Minnesota	1020	Wyoming	1100

A difference of 100 hours is equal to about 4 weeks of school days!

Teacher time is a contract issue, we agree.

If teacher time was the same as student time, ALL high schools in Hawaii would be limited to FOUR HOURS AND 17 MINUTES a day of instructional time, because that is what the contract says is the maximum a teacher can teach. That would be 771 hours a year which is UNACCEPTABLE.

FOUR HOURS AND 17 MINUTES is unacceptable for students.
FOUR HOURS AND 17 MINUTES is the contract for teachers.

How do you increase student time without increasing teacher time in secondary schools?

If a teacher teaches 5 of 7 classes, a student could have up to 6 hours of instruction a day. If a teacher teaches 5 of 6 classes, a student could have up to 5 hours and 14 minutes of classroom time, the rest of their instructional time would need to be Advisory, Study Hall, Computer Lab, etc...

History has shown, student instructional time has not been a priority in Hawaii. Student furloughs made us aware of how far behind the mainland we are. Now, we can't look the other way.

- **Push the implementation of the 1080 to the 2018-2019 school year. This will give the stakeholders four years to adjust to the first phase and time to evaluate if this is a goal we can attain.**
- **Let the Board of Education define what Educational time means.**

Thank you for your consideration.

To: Senator Tokuda, Chair
Senator Kidani, Vice Chair
Senate Committee on Education

From: Jessica Perez-Mesa

Date: March 19, 2014

RE: House Bill 1675, HD1

I am **opposed** to this bill eliminating 1080 hours of instructional time.

I am a product of Hawaii public schools, a mother of two children attending public school and my mother taught in the public school system for 35 years. I know how hard teachers work.

Four years ago I spent hours calling schools on the mainland and then testifying about why it was so important to legislate HOURS of instructional time and not JUST DAYS.

We knew but now the Department of Education has clarified it. Our Hawaii secondary schools are in session much less than schools on the Mainland.

We have been watching this issue for the past four years and happily we have seen steps towards improvement this year. Only because it was law. In prior years, well-meaning Principals have been unable to change bell schedules to increase learning time.

Change is difficult. Two years from now, no one will blink at 990 hours.

Let's at least try for 1080 hours of instructional time. Give schools a chance to reach for this goal.

PROTECT OUR CHILDRENS INSTRUCTIONAL TIME.

To: Senate Committee on Education

From: Zsuzsa Rodgers

Date: March 19, 2014

RE: Instructional Time HB 1675

Testimony in **opposition**.

Do not delete the goal of 6 hours of instructional time (1080 hours per year).

I am a mother of three children, aged 16, 13 and 9.

In 2009 I was very disappointed when the government failed to prevent furloughs and my children had to be out of school for days. Being concerned and caring parents, as well as tax-paying citizens believing in our democratic system, we looked to our elected representatives for solutions. We were told the furlough fiasco was a bargaining issue and the Governor's fault. You promised us that furloughs would never happen again because a new law that you passed mandates the minimum time our children will spend at school.

But, what use is 180 days if students are given only limited time with their teachers? The fact that secondary students have less than 5 hours of instruction a day is not right. Our Elementary students have more! What use is increasing the amount of classes a student takes from 6 to 8, without including additional instructional time?

We are tax payers. My children should receive the SAME AMOUNT OF INSTRUCTION TIME as their cousins on the mainland.

We are engaged parents. We should be able to send our children to PUBLIC schools and not have to contemplate the expense of private education.

This year Secondary Schools are to transition to 5 hours and 30 minutes a day of instruction. This additional time has taken four years of advocacy.

Do not delete the goal of 6 hours of instructional time (1080 hours per year).

Please support the future of Hawai'i by investing in our children and giving them the necessary time in school to be able to become successful citizens.

TESTIMONY FOR HOUSE BILL 1675, HD1, RELATING TO EDUCATION

House Committee on Education
Hon. Jill N. Tokuda, Chair
Hawaii State Capitol, Room 218
Hon. Michelle N. Kidani, Vice Chair
Wednesday, March 19, 2014
State Capitol Conference Room 414

Relating to Education

Honorable Chair Tokuda and Committee Members:

My name is Beatrice DeRego and I am a teacher in Hawaii's DOE, and I am writing in support of the bill with amendments.

The plethora of bills legislated regarding instructional time were primarily the result of a drastic economic downturn that resulted in numerous furlough days that shortened the students' school year. They were created mostly due to concerned parents with their children's educational performance in mind, but with little understanding of the realities of educational management, curriculum and instruction, or the realities of collective bargaining. Most egregiously, Act 167 presumed that the state would be able to increase students' instructional time nearly 100 additional hours without considering the vast sum of monies necessary to provide commensurate pay for all school employees. I doubt anyone would be willing to work an additional 90 hours for free, and since every hour in a classroom requires an additional hour minimum of planning and grading, the current requirement for 1650 minutes per week is already creating consternation as new schedules eliminate time for professional development, collaboration, and the tasks required to actual instruct a class. Add to these duties the increasingly onerous administrative requirements of the new teacher evaluation system and it is possible that the system may implode.

Teachers feel that any additional instructional minutes, especially the 1080 hour requirement, will be detrimental to their ability to plan effectively, grade with substantive feedback, spend one-on-one time with students, and complete the numerous other tasks related to the EES and daily accountability. A majority of the teachers report that the increased administrative tasks associated with all the EES demands has decreased their actual instructional time in the classroom, and possibly the effectiveness of their teaching, the opposite of the evaluation's intent. Most teachers understand that the number of hours of instruction any individual student needs depends on their knowledge and skills. Students are not products that can be quality stamped according to the seat time they have spent in a classroom. Professionals in the classroom, much like your family doctor, weigh all the evidence to make a determination as to the best course of action to get the best outcome. Everyone keeps talking about putting a highly qualified teacher in the classroom to improve instruction, but then they refuse to listen when those same professionals explain what is most needed to improve student performance. This is an unfortunate byproduct of years of neglect regarding teacher equity for pay and reasonable working conditions largely resulting from the fact that the majority of teachers are women.

Additionally, it is not the task of the DOE and thus the teachers to fill the hours between the end of the school day and the arrival of their parents at home from work. Most schools do offer extra-curricular clubs, sports and activities for students who choose to be involved. Most also offer some form of tutoring or study hall to support struggling students or those who wish to excel in a content area. Many of these tasks run longer than the contractual school day, and most teachers are not paid for this additional time. However, the school day should not be increased on the premise of providing baby-sitting for absent parents.

Expecting all schools to provide a standard number of minutes is a reasonable demand. Each school, however, should be able to use that time to best fit the needs of its clients. This may result in some students requiring more or

less time than others – especially with regards to the Common Core Standards which are largely skill based. Students are not widgets that can be stamped out like little clones, all in a row.

The legislature, the DOE, and the Board of Education must stop expecting teachers to create instruction in the same manner as a student who hasn't studied expects pixie dust to magically create a passing grade. Teachers are paid for a 7 hour day which should include the majority of their professional tasks. It is common knowledge that the majority of teachers work an additional 10-20 unpaid hours to ensure their students are learning. Therefore, the entire idea of instructional time needs to be expanded to define the difference between student and teacher instructional minutes. It should not be – it cannot be – purely face to face time. It is not an expectation of any other profession, and is a disrespectful stance for the teachers who willingly give mentally, physically, emotionally, and spiritually to our students every day.

Expecting an appointed Board, with little professional experience in education, to define instructional time would be much like asking patients to determine the policies for the medical board based on their personal experiences with a family physician. Thus, to ensure the participation of teachers (educational experts) and educational officers in redefining instructional hours, I urge the committee to amend the bill's proposed revision of §302A-251(e) to read: "For purposes of this section, "student instructional hours" shall be defined by the Board in consultation with the representatives of the affected collective bargaining units." It is imperative that this notable difference that constitutes actual instructional minutes be addressed since the current interpretation of the HSTA contract requiring 1285 instructional minutes for teachers was never designed to be an absolute number of minutes "on stage" with students.

Teachers are leaving the profession in droves, and many who are staying are losing their zeal for teaching. The future looks grim if Hawaii cannot put the residual effects of the furloughs and the national reformist movement aside and make intelligent choices with the understanding that students and teachers are in a unique relationship that must be cherished and appreciated. That begins with trusting teachers to do what they do best, strive to encourage each student to find his or her own excellence.

From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: nadiars@hawaii.edu
Subject: Submitted testimony for HB1675 on Mar 19, 2014 13:15PM
Date: Saturday, March 15, 2014 10:29:09 PM

HB1675

Submitted on: 3/15/2014

Testimony for EDU on Mar 19, 2014 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Nadia Schlosser	Individual	Support	No

Comments: As a teacher within the community, I witness that the furlough Fridays that were previously enforced placed a huge strain on both the students and parents within the community. Since the furlough requirements have been removed, the strain has been decreased however I still overhear parents concerned that their children are not receiving enough days of education throughout the year. Knowledge cannot be thrown at young people, or adults for that matter. New ideas and topics take time to absorb and process. More required daily academic hours of education throughout the year will allow children an opportunity to achieve a better education and comprehension of difficult material.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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