

SB2139

DOE; Student Instructional

Hours

EDU, WAM



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

Date: 01/31/2014

Committee: Senate Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2139 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 and one thousand eighty student instructional hours for both elementary and secondary school grades. Clarifies that the definition of "student instructional hours" shall be determined by the board of education.

Department's Position:

The Department of Education supports SB 2139 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.



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

TESTIMONY FOR SENATE BILL 2139, RELATING TO EDUCATION

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

**Friday, January 31, 2014, 1:30 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 support of, with proposed amendments for Senate Bill 2139, 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 evolving science. For assessment purposes, it is important to ensure that all schools operate from the same baseline, which this bill, following Act 167, accomplishes. 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 school 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, to ensure the participation of teachers and educational officers in redefining instructional hours, we 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 appropriate exclusive representatives.” or something to that effect. We maintain that “student instructional hours” are not merely those minutes spent on direct instruction in the classroom, but also include and are not limited to project-based learning, technology-assisted learning, learning assessments, student advisory time, homeroom, directed study, any activity related to a general learner outcome, and statewide performance assessments. The definition also impacts the distribution of instructional time throughout the school day, touching on contractual matters related to bell schedules, the academic calendar, professional development, teacher preparation time, and evaluation protocols. For those reasons, we feel that participation of the exclusive representatives—HSTA and HGEA, specifically—should be mandated by this measure.

Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Legislative Director



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TESTIMONY BEFORE THE SENATE COMMITTEE
ON EDUCATION

DATE: FRIDAY, JANUARY 31, 2014

RE: S.B. 2139 – RELATING TO EDUCATION

PERSON TESTIFYING: WIL OKABE
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chair Jill Tokuda, The Honorable Vice-Chair Michelle Kidani and the Members of the Committee:

The Hawaii State Teachers Association (HSTA) **opposes SB 2139 Relating to instructional time.**

HSTA is the exclusive representative of more than 13,500 public and charter school teachers statewide. As the state affiliate of the 3.2 million members of the National Education Association, HSTA strongly affirms its collective bargaining process regarding instructional time. HSTA believes quality student instructional time requires preparation, delivery, and assessment that is focused and meaningful to achieve quality student learning and growth. Further, HSTA believes that quality instruction requires adequate time for teachers to plan, articulate, and collaborate. As a result, planning and preparation should be embedded in the school day.

Since the passage of Act 167, (session Laws of Hawaii 2010) schools across Hawaii have been working towards implementing a bell schedule to conform to Act 167. Numerous meetings, time, and plans have been spent trying to implement Act 167/52 by the school staff and school officials. The Department of Education has also tried to manage a plethora of different bell schedules which all resulted in numerous changes, redefining definitions of instructional time, and revised DOE memos stating issues and errors.

Additionally, Hawaii welcomed experts on Finnish's Education. Finland is a country that has worked towards exceeding international educational reform. The "We are Teachers" site provides the following information on instructional time. In the past decade, Finnish students have hit it out of the park. Their PISA scores in math, science, and reading have been at or very near the top year after year, while the US has floundered near the middle and bottom. In 2000, the Finnish surprised everyone when their students placed

first on the reading portion of the test. In the latest results released in 2010, Finland scored third in reading, sixth in math, and second in science. The US trailed coming in at seventeenth in reading, twenty-third in science, and thirty-first in math. Finland also tops the charts in PISA's "study effectiveness." **They spend less time in school and on homework than most nations but still see incredible results.**

With respect to the HSTA contract, appendix V, and the Memorandum of Understanding between the State of Hawaii, Board of Education, and HSTA, the enactment of Act 167 and Act 52, states that the parties agree to negotiate a supplemental agreement regarding the impacts of the Acts 167/52 have on teacher working conditions, and jointly pursue legislative appropriations necessary for funding. Therefore, the legislature must fully fund initiatives so students, teachers, and schools can be successful.

We urge the committee to oppose SB 2139 as HSTA strongly affirms its position with the Board of Education to negotiate instructional time.

Thank you for the opportunity to testify in **opposition on SB 2139.**

841 Bishop St., Suite 301
Honolulu, Hawaii 96813



Telephone: 808 926-1530
Contact@HEECoalition.org

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

January 31, 2014

Dear Chair Tokuda, Vice Chair Kidani, and Committee Members:

This testimony is submitted in opposition to SB2139, 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.

Rather than delete the 1080 instructional minutes, 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 only to secondary schools, which is consistent with instructional time for secondary schools nationally.

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 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 hours 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

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

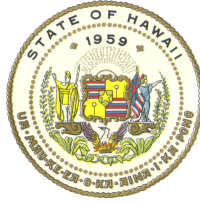
The Learning Coalition

US PACOM

University of Hawai'i College of Education

YMCA of Honolulu

Voting Members (*)



STATE OF HAWAII
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January 30, 2014

Rebecca Kapolei Kiili

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

Aloha Chair Tokuda and Vice Chair Kidani,

My name is Rebecca Kapolei Kiili and I am currently a high school teacher at King Kekaulike High School (KKHS) on Maui. I work specifically in the Hawaiian Language Immersion Program (HLIP) and have been teaching for a total of nine years; five at the elementary at Pā'ia School in Kindergarten and four years in high school.

In the short nine years that I have been a teacher, public schools have faced so many changes; from restructuring under NCLB to the adoption of the Common Core State Standards under Race to the Top; to sweeping changes of the DOE's Top Six Priorities, etc. Research shows that teacher burnout occurs within the first five years of teaching. As I reflect back on my first five years of teaching, I realize why this is so. Teaching is an extremely demanding profession.

This year the Educator Effective System is at the forefront of implementation with many components that have yet to be completed. While I understand that this school year is being considered a 'practice' year by the DOE, there are many discrepancies and systematic challenges that the DOE needs to remedy to ensure fidelity to the original intent of this evaluation system. There are many questions unanswered by the employer and the work load has increased drastically for both teachers and administrators. Simply stated, we are all working so hard to work with integrity and respect to meet the new demands, however human resources are extremely limited to fully support teachers and administrators in the implementation on the DOE's initiatives.

In regards to SB2139, I believe quality student instructional time requires preparation, delivery, and assessment that is focused and meaningful to achieve quality student learning and growth. Furthermore, quality instruction requires adequate time for teachers to plan, articulate, and collaborate. If we are being asked to give our absolute best effort, then we need time to plan appropriately for our students. Planning and preparation should be embedded in the school day. Studies show that a simple "one size fits all" allocation of time will not result in mastery learning for most students. Teachers place a value on the process of allowing time to carefully plan lessons, provide quality-teaching time, and time to assess learning. I also believe that if our focus is on student success, teachers must be given the necessary tools and adequate time to create rigorous learning for our students.

Education needs to be a priority for our families, communities, and state. We have the opportunity to fully fund new school initiatives so students, teachers, and schools can be successful and I humbly urge you to support the embedding of planning and preparation time into the school day.

Thank you for your time and consideration.

Me ke aloha a me ka 'oia'i'o,

Rebecca Kapolei Kiili

Rebecca Kapolei Kiili

From: Wilfred_Murakami@notes.k12.hi.us
To: [EDU Testimony](#)
Subject: SB2139
Date: Friday, January 31, 2014 11:23:41 AM

Aloha Senator Tokuda:

Thank you for your letter informing me of SB2139. I am submitting this testimony in SUPPORT of SB2139. The primary goal of SB2139 is to eliminate the 1080 hour requirement for SY 2016 and to direct the BOE to define "instructional time".

I have worked diligently with teachers and colleagues at Kealakehe High School to develop a bell schedule to meet the 1080 hour requirement in SY 2016. I also worked on the high school DOE State work group to develop and/or review options. Through all of the deliberations, both groups found it highly improbable to develop a bell schedule to meet the 1080 requirement without increasing the school day and increasing personnel to accommodate the extended days.

The research done by the DOE states that there is very minimal amount of research data that supports a significant correlation between extending the school day and improving student learning. It is the quality of teacher instruction and administrative leadership that makes the significant difference. Rather than spending precious resources on lengthening the school day, I strongly support using resources to ensure the recruitment and monitoring of highly qualified teachers and educational officers.

Thank you for accepting my testimony,

Wilfred F Murakami

*Principal
Kealakehe High School
Cell #: 808-960-0459
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Kailua-Kona, HI 96750*

Senate Committee on Education
January 31, 2014
1:30 pm Room 414

SB 2139: Testimony in Opposition with proposed Amendments

Submitted by: Melanie Bailey and Kathy Bryant

Aloha Chair Tokuda, Vice Chair Kidani, and members of the Committee,

First, we would like to commend the Department, principals and SCCs who have been working diligently to comply with this law and are making great progress statewide. It has not been easy, and we want to acknowledge their efforts. Also, it should be noted that the compliance will take place within the existing contract at no additional cost.

In researching the most current data on instructional time in states across the nation, we find that our minimum instructional time, particularly at the secondary level (even with the increase to 990 hr/yr beginning in 2014-15), is still below the minimum time in the majority of states. As such, we oppose the elimination of the next phase, section(d) of the bill, which further increases the minimum student instructional time.

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 between 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 on the mainland. All Hawaii families would know that their child receives the same amount of instruction as every other student in the state.

Prior to Act 167, Hawaii was the only state that did not set by law a minimum number of student instructional days or hours per year. Instructional time has been determined through the collective bargaining process between the state and Hawaii State Teachers Association. In 1997, Ben Cayetano increased teacher salaries and the number of days of student instruction from 173 to 180.

In 2009, with the implementation of furlough Fridays, it became apparent that student classroom time could be a negotiable budget item. Without a state mandate to protect student instructional time or number of days, the state and unions could adjust the number to meet budget requirements. Act 167, establishes that schools must provide a minimum of 180 of student instructional days and a minimum number of instructional hours: 915 hours for elementary and 990 hours for secondary school per year, and expanding in the out years.

Finally, Act 167 was implemented to bring transparency and clarity to student instructional time statewide. At the time of implementation research from elementary and secondary schools, showed that student instructional time varied considerably, particularly at the secondary level. This, despite the fact, that Hawaii operates as one school district, with one funding source and one contract for all teachers statewide. Now, after a few years of research and information gathering, the DOE and the schools are all moving to successfully comply with the law by the 2014-15 school year. This is a great accomplishment, one that should be acknowledged and appreciated. It was also accomplished without additional resources and within the current contract.

SB2139 proposes to set the minimum days at 180, and 915 student instructional hours per year for elementary schools and 990 student instructional hours for secondary schools. The bill eliminates the increase to 1080 student instructional hours per year in the year 2016-18 years. We oppose the deletion of this section (d) and propose the following amendment:

(d) Notwithstanding any other law to the contrary, for the 2018-20 school years, all public elementary schools will implement a school year that includes nine hundred ninety student instructional hours; all public secondary schools will implement a school year that includes one thousand eighty student instructional hours, excluding charter schools and multi-track public schools, excluding professional development days and other non-instructional days negotiated pursuant to Chapter 89.

According to the Education Commission of the States, in their March 13, 2013 update titled "Number of Instructional Days/Hours in the School Year", <http://www.ecs.org/clearinghouse/01/06/68/10668.pdf> they provide the following information for all states:

1. Every state/DC, except Maine, now mandates a minimum number of days and minimum amount of instructional time per year
2. Maine is the only state that mandates a minimum amount of days and not instructional time.
3. Of the 43 states that set the days in a year, 28 states set their year at 180 days
4. 35 states include a minimum time for any day to count as an instructional day

5. 34 states mandate instructional time per year, of those, 22 separate elementary and secondary time
6. 27 states, over 53%, have instructional time that exceeds 990 hr/yr or 5.5 hr a day, primarily at the secondary level.
7. Hawaii is the only state that exempts Charter Schools and multi-track schools by statute

The report shows that Hawaii's 180 day year is on par with the majority of states. Hawaii's decision to separate elementary and secondary school instructional time, is also consistent with efforts across the nation. Where Hawaii falls behind the nation, is in instructional time particularly at the secondary level, where more states in the country are exceeding 990 hr/yr or 5.5 hrs a day. The current law proposes increasing the minimum to 1080 hrs/yr or a 6 hr student instructional day for secondary students, that should remain our target, and keeps the state on par with the national average. As an example, this means that public secondary students would attend school from 8:00 am to 3:00 pm: 6 hr of instruction, plus time for lunch, recess, and passing. This would still allow students time for after school sports, extracurricular activities, employment, etc.

Pushing the implementation date forward would align the increase in student instructional time with the next contract negotiation. This would allow the Department and the unions to address any additional costs associated with the increase in instructional time particularly at the secondary level. Hawaii is fortunate that as one state, one district, one contract, the implementation should be much more manageable than in other states with hundreds of districts and multiple contracts. In addition, the creation of model bell schedules and master schedules has assisted the Principals, teachers and SCCs in developing schedules that work for them. Finally, the law does allow for schools to seek a waiver from the BOE. This is an important and valuable option for schools that can demonstrate a need to be exempt.

We encourage you to consider our proposed amendment and we look forward to working with the Committee and the DOE on this issue.

Thank you.

SB2139

Submitted on: 1/30/2014

Testimony for EDU on Jan 31, 2014 13:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Rizor	Individual	Oppose	No

I would like to state that I think increasing the length of the school year to at least 180 instructional days and requiring at least 1080 instructional minutes is an excellent idea that SHOULD be implemented, rather than repealed. I am a public charter school teacher who has taught in Hawaii for six years now, and it saddens me that the school day is almost an hour shorter for my students than it would be on the mainland. However, I also realize that by 2:17 in the afternoon, students are tired and hot, because most schools are not air conditioned, and many students get up very early to ride the bus or catch a ride to school. Because of this, I think it would be a good idea to encourage schools to experiment with alternative calendars that account for more instructional days for students, while acknowledging the realities of the classroom environment as described above.

Respectfully,
Tina Rizor

SB2139

Submitted on: 1/28/2014

Testimony for EDU on Jan 31, 2014 13:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Hairgrove	Individual	Support	No

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa	Individual	Comments Only	No

Comments: Teachers need adequate time to prepare, correct papers, contact parents, input grades, and participate in IEP and 504 meetings. Requiring students to receive so many instructional hours cuts into time for teachers to do all the above listed things. Students who participate in extra curricular activities will also have less time to do so. Adding more instructional minutes does not guarantee more learning. Student test scores actually increased back when Furlow Fridays were being implemented. We should be considering how to improve the quality of education not the quantity.