



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

Date: 02/02/2016
Time: 09:30 AM
Location: 309
Committee: House Labor & Public
Employment

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 2204 RELATING TO EDUCATION.

Purpose of Bill:

Department's Position:

The Department of Education ("Department") strongly supports HB 2204 and its repeal of a statutory provision for annual increment and step salary increases for the Department's teachers and educational officers.

Wages, which include incremental and longevity steps and movements between steps within the salary range, are mandatory subjects of bargaining pursuant to the collective bargaining law contained in chapter 89, HRS. As a result, the statutory provision that would be repealed by this bill, section 302A-626, is obsolete and confusing.

The statutory provision was initially enacted under a different section number in 1953, before public sector collective bargaining was established. At the time of its enactment, salary schedule increases were determined by statutes implemented via legislation. This continued throughout the next two decades, with the addition of the terms "increments" and "longevity steps" to the schedules.

Following the implementation of the collective bargaining law, and by amendment of chapter 89 in 1986, annual increments and longevity steps were made mandatory subjects of negotiation. As a result, the statutory provision is no longer applicable and should be repealed.

For the reasons summarized above, the Department strongly supports HB 2204.

LABtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 11:34 AM
To: LABtestimony
Cc: burgharc@gmail.com
Subject: Submitted testimony for HB2204 on Feb 2, 2016 09:30AM

HB2204

Submitted on: 2/1/2016

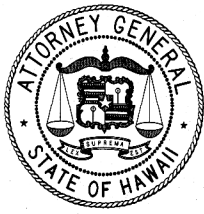
Testimony for LAB on Feb 2, 2016 09:30AM in Conference Room 309

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

Comments: Questions? So there will be no cost of living or any other ways other than through bargaining with the HSTA? While I am happy to see that the Union will remain involved in the salary and wages, who will they be negotiating with? The BOE which is really in need of the funds from the legislature? The salary of DOE teachers is already the lowest in the country when you add cost of living. Are you adding any other bills to help support rent rates etc? Why shouldn't a teacher count on some kind of increase every year? Most businesses with professionals have this? I will be waiting to see where this goes.

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**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 2204, RELATING TO EDUCATION.

BEFORE THE:

HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

DATE: Tuesday, February 2, 2016

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): Douglas S. Chin, Attorney General, or
James E. Halvorson, Deputy Attorney General or
Maria C. Cook, Deputy Attorney General

Chair Nakashima, and Members of the Committee:

The Department of the Attorney General supports H.B. No. 2204 and its repeal of section 302A-626, Hawaii Revised Statutes (HRS). Section 302A-626, HRS, is an automatic statutory entitlement to annual increments and longevity step movements for teachers and educational officers.

Section 302A-626, formerly section 297-34, was enacted in 1953, prior to the collective bargaining laws in public employment. Following the implementation of the collective bargaining laws, wages became a mandatory subject of negotiations under section 89-9(a), HRS. Pursuant to section 89-9(a), the term “wages” includes the number of incremental and longevity steps. As a result, section 302A-626 is no longer necessary in the State’s education laws and should be repealed.

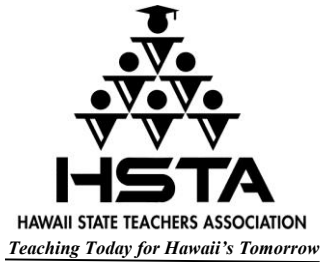
Historical background. Prior to passage of the collective bargaining law in 1970, statutes determined salary increases for public employees through the salary schedules. The Legislature regularly enacted new salary schedules that gave public employees incremental raises.

In 1953, the Legislature amended the education laws and enacted section 297-34 (currently section 302A-626) to allow for automatic annual increments for teachers and educational officers, and in 1962 the longevity step increases were added in the salary schedules. Similarly, section 77-12, HRS, was amended to allow annual increments and longevity steps to civil servants.

However, since 1970, wages have been determined through collective bargaining. In 1986, section 89-9 (a) and (d), HRS, was amended to include within subjects of negotiation the “number of incremental and longevity steps and movements between steps within the salary range.” The purpose of the amendment was “to assist the public employers in containing costs.” House Journal Conf. Com. Rep. No. 7-86, at 908 (1986); Senate Journal Conf. Com. Rep. No. 48-86, at 746 (1986). The legislative history shows that the Legislature intended increments and longevity step increases to be negotiated and not be automatic, and that such increases be included as part of the overall cost package that is subject to appropriation by the Legislature. Simultaneous to amending the collective bargaining law in 1986, the Legislature also repealed section 77-12, which is the statutory authority for automatic annual increments and longevity steps for civil service employees. However, section 297-34 (currently section 302A-626) was not repealed, which may have been a legislative oversight.

Section 302A-626, HRS, was rendered irrelevant by the collective bargaining laws. It also contradicts chapter 89 insofar as chapter 89 requires increments and step increases to be negotiated. Pursuant to section 89C-6, HRS, adjustments made in accordance with chapter 89 shall take precedence over all contrary legislation.

Accordingly, the Department supports H.B. No. 2204 and its repeal of section 302A-626.



LATE

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TESTIMONY BEFORE THE HOUSE COMMITTEE ON
LABOR

RE: HB 1228 - RELATING TO TEACHER LEADERS.

TUESDAY, FEBRUARY 2, 2016

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Nakashima and Members of the Committee:

The Hawaii State Teachers Association **supports HB 1228**, relating to teacher leaders, **with suggested amendments**.

Approximately 10 percent of the state's teachers switch schools, relocate, or leave the profession each year, with only 50 to 60 percent of current teachers having worked at their school for five years or more. Chronic teacher turnover forces the department of education to rely on emergency hires and long-term substitute teachers to fill vacancies. Teacher turnover is especially high and impacting on hard-to-staff, largely rural or impoverished, schools, where as few as 56 percent of teachers have obtained full state certification and bachelor's degree. Recruitment and retention is additionally worsened by Hawai'i's high cost of living. According to a WalletHub study, the islands ranked fifty-first out of fifty states and the District of Columbia for starting and median teacher salary adjusted for cost of living.

To recruit and retain effective educators, we must incentivize the teaching profession by recognizing educators who have demonstrated leadership within their schools. Not all educational leadership is administrative. In April of 2014, the Hawaii Teacher Standards Board (HTSB) recognized this by creating the licensing field of "teacher leader," which can be achieved by a teacher who has fulfilled a leadership role that supports teaching and learning for at least four semesters within the last five years, and who satisfies one of the following:

- Completes a preparation program in teacher leadership;

- Receives a license, certificate, or endorsement from another state as a teacher leader;
- Receives a passing score on the ETS Praxis Instructional Facilitator Assessment;
- Obtains an NBPT Certification (national board certification) in any field offered by the National Board for Professional Teaching Standards; or
- Has job-embedded experience verifying leadership expertise as identified by HTSB.

The first “teacher leader” license was awarded in 2014 to Jonathan Gillentine, a national board certified early childhood educator and winner of the 2012 Horace Mann Award from the National Education Association Foundation.

We believe that this measure may be improved, however, by **making the \$2,500 bonus established for teacher leaders permanent**, which can be achieved by amending page 1, line 5 to read: “...shall provide a bonus of \$2,500 **per year** to each teacher in the department...”. We note that a similar bonus for national board certified teachers is provided annually under §302A-706. We further request that the measure be **amended to provide an additional \$2,500 bonus for teacher leaders who teach at schools with high turnover rates or hard-to-fill schools** (schools most in need of teacher leaders to boost capacity and learning growth), again reflecting similar bonuses codified into state law for national board certified teachers.

Leadership is an essential skill to building successful schools and increasing student achievement. Thus, the Hawaii State Teachers Association asks your committee to **support** this bill, rewarding the valuable leadership skills our public school educators have harnessed.



From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 2:38 AM
To: LABtestimony
Cc: starmer@hawaii.edu
Subject: *Submitted testimony for HB2204 on Feb 2, 2016 09:30AM*

Follow Up Flag: Follow up
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HB2204

Submitted on: 2/2/2016

Testimony for LAB on Feb 2, 2016 09:30AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Kaelan	Individual	Oppose	No

Comments:

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