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OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**TESTIMONY BY RODERICK K. BECKER
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1143, H.D. 1**

**February 22, 2019
12:30 p.m.
Room 308**

RELATING TO TEACHER SALARIES

This measure amends Chapter 302A, HRS, to require that classroom teachers, who accept long-term assignments at hard-to-staff schools, be paid the greater of: a salary that equals at least the national average salary of classroom teachers with similar experience in a similar position and forgo the annual differential paid to teachers employed at hard-to-staff locations; or the salary and benefits statutorily established under the teachers' salary schedule.

The Department of Budget and Finance has concerns about possible disruptions to the collective bargaining (CB) process. Pursuant to Chapter 89, HRS, teacher salaries are mandatory subjects of CB. Consequently, these types of increases should be negotiated through CB.

Currently, incentives for teachers employed at hard-to-staff schools are negotiated through CB by means of a Memorandum of Understanding. We believe continuing to negotiate this incentive through CB would be more consistent with the intent of Chapter 89, HRS, and best allow the employer and exclusive representative to adapt to changing circumstances.

In addition, the provision specifying “national average salary of classroom teachers with similar experience in a similar position” would be difficult to determine and would likely still require negotiation through CB to reach a common understanding of these amounts.

Thank you for your consideration of our comments.



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

Date: 02/22/2019
Time: 12:30 PM
Location: 308
Committee: House Finance

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 1143, HD1 RELATING TO TEACHER SALARIES.

Purpose of Bill: Requires that classroom teachers who accept long-term assignments at hard-to-staff schools be paid the greater of a salary that equals at least the national average salary of classroom teachers with similar experience in a similar position, or paid the salary benefits statutorily established under the teachers' salary schedule; and forgo the annual differential paid to teachers employed at hard-to-staff locations. (HB1143 HD1)

Department's Position:

The Department of Education (Department) respectfully opposes HB 1143, HD1 for the following reasons:

- Hard to staff differential and the complexes to which it applies are subjects of collective bargaining that have been bargained in the past, and are contained in the current HSTA Unit 5 Agreement. Moreover, Chapter 89-9 HRS requires the parties to negotiate in good faith with respect to "wages."
- The proposed language invalidates the laws of collective bargaining by having teachers forego the previously bargained \$3,000 differential.
- It is not clear what "long term assignment" means for salaried teachers, and whether it applies to substitute teachers and part time temporary teachers who are frequently employed for a significant portion of the school year.
- The definition of "classroom teacher" requiring at least 75% of instructional time does not identify if the percentage is based upon the teacher's 7 hour work day (including or not including duty free lunch), the student instructional day, or the instructional time per week per the HSTA Unit 5 Agreement. The definition may result in a negative impact to teachers who have more than one preparation period or who are assigned an additional non-instructional period by their principal, resulting in no incentive because of not meeting the threshold of 75%. The principals may change the teaching lines throughout the year, which would impact operational ability to pay an incentive based upon a percentage of instructional time.
- The current HSTA Unit 5 Agreement contains a breakdown of teacher work time

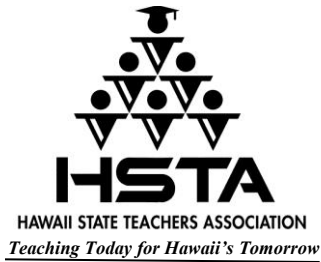
distribution, which is different for elementary and secondary teachers. Thus, if 75% is based upon the instructional time in the Agreement, it will have different thresholds for elementary and secondary teachers.

- Defining "Classroom Teacher" in statute could have unintended consequences on the application of the teacher evaluation system and other programs. Currently schools are given broad autonomy in defining "Classroom Teachers."

- The U.S. Department of Education does not establish average national teacher salaries. That information is published through the National Center for Education Statistics (NCES), which does not differentiate based on experience level, assignment, or cost-of-living in their data reporting.

Thus, the Department respectfully opposes this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



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President

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Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE

RE: HB 1143, HD1 - RELATING TO TEACHER SALARIES

FRIDAY, FEBRUARY 22, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

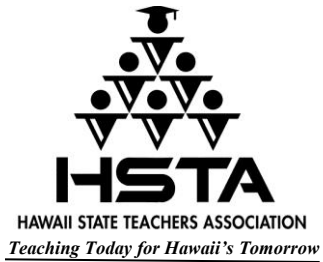
Chair Luke and Members of the Committee:

The Hawaii State Teachers Association **opposes HB 1143, HD1**, relating to teacher salaries.

Collective bargaining is especially important to public school teachers. It is in the best interest of both the employer and the union to ensure that bargaining occurs in a way that supports an employee's ability to enhance their professionalism, leads to a workplace free from health and safety risks, and is conducted in a fair and equitable manner. Though we appreciate the intent of this bill to help our teachers, salaries and benefits of our teachers are subject to collective bargaining, and this bill would undermine the collective bargaining process.

We also want to note that there is not an established "average national teacher salary", and it would be impossible to determine what the national average with benefits is across states without an extensive study that would include, as this bill suggests, the average salary for teachers based on experience, assignment, and this study would also need to include an adjustment for cost-of-living not just by state, but by district, as we are the only state with only one state level Department of Education that negotiates teacher salaries for the entire state. All other states have collective bargaining by their district or group of districts, not their entire state. Average teacher salaries mentioned in new articles, and on websites with education data statistics, do not take these factors into consideration at all, and most often, are reported without a cost-of-living adjustment which makes it seem as if our teachers are already making the "average teacher salary"; however, when actually calculated with the high cost of living in Hawaii, our teachers are bottom of the pay scale, pretty close to the San Francisco Bay Area high cost of living (not the entire state of California, as their salaries differ by districts).

Collective bargaining has also outlined in our contract specifically which areas are "hard-to-staff" based on geographic areas (Complexes) and provides the bargained



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differential of \$3,000 to teachers in those defined areas. This bill would undermine what has already been bargained in our contract. Lastly, this bill also doesn't define what a "long-term assignment" is, and if that applies to substitutes, half-time teachers, or even emergency hires who are not certified teachers. "Classroom teachers" and which teachers those might be is also not currently defined in statute.

The Hawaii State Teachers Association asks your committee to **oppose** HB 1143, HD1.

HB-1143-HD-1

Submitted on: 2/21/2019 12:13:06 PM

Testimony for FIN on 2/22/2019 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: