

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO TEACHER COMPENSATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the recruitment and  
2 retention of qualified teachers is essential to the success of  
3 Hawaii's public education system. The State continues to face a  
4 chronic teacher shortage, which undermines student learning and  
5 achievement. For the 2018-2019 school year, the department of  
6 education experienced a qualified teacher shortage of one  
7 thousand twenty-nine positions.

8       The legislature further finds that research indicates that  
9 competitive and equitable compensation correlates with greater  
10 success in recruiting and retaining qualified educators. Yet,  
11 numerous studies have shown that Hawaii's teacher salaries are  
12 the lowest in the nation when adjusted for the State's high cost  
13 of living. The legislature further finds that an increasing  
14 number of school districts around the country are utilizing  
15 compensation methods and strategies designed to improve the  
16 recruitment and retention of qualified teachers.



1       The legislature also finds that there is a nationwide  
2 shortage of special education teachers. Providing all students  
3 who have disabilities with access to a qualified, prepared  
4 special educator continues to be a challenge in every state.  
5 Hawaii is no different, and it has been experiencing shortfalls  
6 in special education teachers for more than the past decade.  
7 Data shows that over the last three school years, there are an  
8 increasing number of unfilled special education teacher  
9 positions, a lack of special education teachers who have  
10 completed a state-approved teacher education program willing to  
11 fill those positions, and an increasing number of teachers with  
12 non-state-approved teacher education program credentials  
13 assigned to these positions.

14       In 2007, the Hawaii state teachers association and  
15 department of education negotiated and continued to renew a  
16 memorandum of understanding for a recruitment and retention  
17 incentive that today provides an annual differential of \$3,000  
18 for qualified and licensed teachers employed in hard-to-staff  
19 locations. This memorandum of understanding was agreed upon by  
20 the parties in attempts to provide stability and continuity in  
21 the learning communities of hard-to-staff schools by providing a



1 recruitment and retention incentive for qualified licensed  
2 teachers employed at identified hard-to-staff locations, based  
3 on geographic locations. While this recruitment and retention  
4 incentive has relatively helped in filling vacancies in these  
5 locations, it has not reduced or made any significant impact or  
6 change as vacancies continue to increase, especially in certain  
7 geographical areas. A new recruitment and retention model  
8 should be implemented through a shortage differential provided  
9 to certain identified schools and complex areas in  
10 geographically isolated locations to address areas that have  
11 higher rates of non-certified teachers and higher teacher  
12 vacancies. The following tiers have been proposed, along with  
13 the rationale of each tier, the criteria, and amounts for these  
14 shortage differentials:

15 Criteria Levels:

- 16 (1) Complexes required under the current contract;  
17 (2) Complexes whose rate of teachers who have completed a  
18 state-approved teacher education program has been  
19 under the State's state-approved teacher education  
20 program average for the last three years;



(3) Geographically isolated (more than twenty-five miles from an urban center) complexes; and

(4) Complexes whose combined vacancy and emergency hires were higher than ten per cent in school years 2016-2017 and 2017-2018.

Tiers:

(1) Tier 1 (\$3,000): Complexes required under the current contract (this applies only to schools that are required under contract and meet no other criteria);

(2) Tier 2 (\$5,000): Complexes that meet two of the criteria levels;

(3) Tier 3 (\$7,500): Complexes that meet three of the criteria levels; and

(4) Tier 4 (\$8,000): Complexes that meet four of the criteria levels and Olomana school and Hawaii school for the deaf and blind.

Although the data shows a positive trend in many areas, areas such as the Hana-Lahainaluna-Lanai-Molokai and Nanakuli-Waianae complex areas continue to show lower percentages of positions filled by state-approved teacher education program teachers and have persistent vacancy rates. Hawaiian language



1 immersion teachers are also a large shortage category of  
2 teaching positions within the department of education. Of the  
3 department of education's one hundred sixty-one total positions,  
4 one hundred seven, or about sixty-six per cent are filled.  
5 However, fifty-four of the one hundred sixty-one, or about  
6 thirty-four per cent, are filled with qualified and licensed  
7 Hawaiian language immersion teachers. Qualified and licensed  
8 Hawaiian language immersion teachers require fluency in the  
9 Hawaiian language as well as licensure by the Hawaii teacher  
10 standards board, which makes finding interested and qualified  
11 candidates very challenging for the department of education. As  
12 determined by the Hawaii supreme court in 2019, Hawaii's  
13 constitution requires that the department of education make  
14 "reasonable efforts" to provide students access to Hawaiian  
15 language immersion education. Currently, there are eighteen  
16 department of education Hawaiian language immersion programs.  
17 Due to the 2019 Hawaii supreme court ruling and the number of  
18 vacancies, the department of education requires the flexibility  
19 to attract qualified and licensed Hawaiian language immersion  
20 teachers to fill the labor shortage as the demands for Olelo  
21 Hawaii or Hawaiian language education increases.



1       The legislature further finds that pursuant to board of  
2       education policy 105-8, the board of education has recognized  
3       the additional demands and qualifications of Hawaiian language  
4       immersion teachers and directed the department to address  
5       compensation accordingly by stating:

6       The Department will establish professional  
7       qualifications and develop training programs  
8       internally and/or in cooperation with stakeholder  
9       groups/universities. The goal is for program  
10      professionals to be qualified in both English as a  
11      medium of instruction and Hawaiian as a medium of  
12      instruction and appropriately compensated for these  
13      additional qualifications. The Department is seeking  
14      approval from the BOE to provide an annual shortage  
15      differential of \$8,000 per each qualified and licensed  
16      Hawaiian language immersion classroom teacher.

17      The legislature further finds that a labor shortage exists  
18      within the department for licensed special education teachers,  
19      licensed teachers in hard-to-staff geographical locations, and  
20      licensed Hawaiian language immersion program teachers. The  
21      legislature believes that the State should offer shortage



1 differentials for these positions to address the high number of  
2 vacancies in these areas.

3       Accordingly, the purpose of this Act is to appropriate  
4 funds for various teacher differentials to help address various  
5 labor shortages.

6       SECTION 2. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$                   or so  
8 much thereof as may be necessary for fiscal year 2022-2023 to  
9 fund teacher differentials as negotiated between the  
10 superintendent of education and the exclusive representative of  
11 collective bargaining unit (5) in a memorandum of understanding  
12 for additional teacher pay for the areas of special education,  
13 hard-to-staff geographic locations, and Hawaiian language  
14 immersion programs; provided that the moneys shall not be  
15 released until the memorandum of understanding is executed  
16 between the superintendent of education and the exclusive  
17 representative of collective bargaining unit (5).

18       The sum appropriated shall be expended by the department of  
19 education for the purposes of this Act.

20       SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$                   or so



1 much thereof as may be necessary for fiscal year 2022-2023 for  
2 charter schools (EDN 600) to fund classroom teacher shortage  
3 differentials as negotiated between the public charter school  
4 commission and the exclusive representative of collective  
5 bargaining unit (5) in a memorandum of understanding for  
6 additional teacher pay for the areas of special education, hard-  
7 to-staff geographic locations, and Hawaiian language immersion  
8 programs; provided that the moneys shall not be released until  
9 the memorandum of understanding is executed between the state  
10 public charter school commission and the exclusive  
11 representative of collective bargaining unit (5).

12 The sum appropriated shall be expended by the state public  
13 charter school commission for the purposes of this Act.

14 SECTION 4. This Act shall take effect on July 1, 2022.

15  
INTRODUCED BY:

*Michelle D. Tidani*





# S.B. NO. 2020

**Report Title:**

Department of Education; Charter Schools; Teacher Compensation;  
Differentials; Appropriation

**Description:**

Appropriates funds for various teacher differentials to help  
address various labor shortages.

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