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# A BILL FOR AN ACT

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. As an example, for the 2018-2019 school year, the  
6 department of education experienced a qualified teacher shortage  
7 of one 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 access to a  
3 qualified, prepared special educator for all students who have  
4 disabilities continues to be a challenge in every state. Hawaii  
5 is no different and has been experiencing shortfalls in special  
6 education teachers for more than the past decade. Data show  
7 that over the last three school years, there have been 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 and are  
11 willing to fill those positions, and an increasing number of  
12 teachers having non-state-approved teacher education program  
13 credentials 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 geographical locations. This memorandum of understanding was  
20 agreed upon by the parties in an attempt to ensure stability and  
21 continuity in the learning communities of hard-to-staff schools



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

14 Criteria Levels:

- 15 (1) Complexes required under the current contract;  
16 (2) Complexes whose rate of teachers who have completed a  
17 state-approved teacher education program has been  
18 under the State's state-approved teacher education  
19 program average for the last three years;  
20 (3) Geographically isolated (more than twenty-five miles  
21 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 show a positive trend in many locations, 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 immersion teachers make up a large share of the shortage category of teaching positions within the



1 department of education. Of the department of education's one  
2 hundred sixty-one total Hawaiian language immersion teacher  
3 positions, one hundred seven, or about sixty-six per cent are  
4 filled. However, only fifty-four of the one hundred sixty-one,  
5 or about thirty-four per cent, are filled with qualified and  
6 licensed Hawaiian language immersion teachers. Qualified and  
7 licensed Hawaiian language immersion teachers require fluency in  
8 Olelo Hawaii, the Hawaiian language, as well as licensure by the  
9 Hawaii teacher standards board, which makes finding interested  
10 and qualified candidates very challenging for the department of  
11 education.

12 As 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 Hawaiian  
21 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  
11      a medium of instruction and Hawaiian as a medium  
12      of instruction and appropriately compensated for  
13      these additional qualifications.

14     The department is seeking approval from the board of  
15     education to provide an annual shortage differential of  
16     \$8,000 per each qualified and licensed Hawaiian language  
17     immersion classroom teacher.

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



1 legislature believes that the State should offer shortage  
2 differentials for these positions to address the high number of  
3 vacancies in these areas.

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

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

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



1       SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                   or so  
3 much thereof as may be necessary for fiscal year 2022-2023 for  
4 charter schools commission and administration (EDN 612) to fund  
5 classroom teacher shortage differentials, as negotiated between  
6 the governing boards of state public charter schools and the  
7 exclusive representative of collective bargaining unit (5) in a  
8 memorandum of understanding, for additional teacher pay for the  
9 areas of special education, hard-to-staff geographic locations,  
10 and Hawaiian language immersion programs; provided that the  
11 moneys shall not be released until the memorandum of  
12 understanding is executed between the governing boards of state  
13 public charter schools and the exclusive representative of  
14 collective bargaining unit (5).

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

17       SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

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

**Description:**

Appropriates funds for various teacher differentials to help  
address various labor shortages. Effective 7/1/2050 (SD2)

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not legislation or evidence of legislative intent.*

