



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

Date: 02/07/2022

Time: 03:20 PM

Location: CR 229 & Videoconference

Committee: Senate Education

Department: Education

Person Testifying: Keith T. Hayashi, Interim Superintendent of Education

Title of Bill: SB 2183 RELATING TO DEPARTMENT OF EDUCATION
RESIDENCY REQUIREMENTS.

Purpose of Bill: Exempts certain Department of Education employees from state
residency requirement under certain circumstances.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of SB 2183, which exempts certain Department employees from state residency requirements under certain circumstances and would like to provide the following comments.

This bill will allow the Department to expand its recruitment efforts to include qualified applicants from out of state who are unable to live in Hawaii.

The Department will require guidance from the relevant state agencies to determine and clarify how the proposed language will affect the Department as the employer of an out-of-state employee in terms of labor, employment, and tax laws (e.g., health, retirement, unemployment, and worker's compensation insurance).

The Department thanks you for your continued support during these unprecedented times as we work together to address our vacancies.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita.
Vice President

Lisa Morrison
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION

RE: SB 2183 - RELATING TO DEPARTMENT OF EDUCATION RESIDENCY REQUIREMENTS

MONDAY, FEBRUARY 7, 2022

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **opposes SB 2183**, relating to Department of Education Residency Requirements. This bill will exempt certain DOE employees from state residency requirements under certain circumstances.

It is unclear why this bill is necessary when, Hawai'i already has on its shores licensed teachers who can do this work. Licensed HSTA teachers have been pushing for more remote teaching since early on in the COVID-19 pandemic. It is the DOE that was originally slow to pivot. And today, the Department insists on in-classroom learning when the real threat of COVID-19 Omicron and other potential variants remain.

Amendments to the residency requirements aside, it seems the teachers targeted for recruitment from the mainland would still need to be licensed. HRS §302A-805 requires that:

No person shall serve as a half-time or full-time teacher in a public school without first having obtained a license from the board under this subpart.

It appears this bill may also be in conflict with Hawai'i Administrative Rules for the Hawai'i Teacher Standards Board,

As Hawai'i schools struggle to attract, hire, and retain, teachers for our classrooms, the DOE continues to resist distance learning with our local licensed teachers, this bill strikes us as unnecessary and contributes to a scattershot approach to teacher recruitment and standards, §8-54-3.1 Penalties:



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(a) Any person who engages in the profession of teaching as a classroom teacher, school librarian or school counselor in a public school without first being issued a license shall be fined \$500 per school year.

(b) Any employer who knowingly or intentionally violates this chapter by employing an individual as a public school classroom teacher, school librarian or school counselor who does not possess a valid license may be fined \$500 per school year.

To support our teachers right here in Hawai'i and signal a continued commitment to strengthening public education, the Hawaii State Teachers Association asks your committee to **oppose this bill.**

SB-2183

Submitted on: 2/4/2022 3:05:58 PM

Testimony for EDU on 2/7/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Vickie Parker Kam	Individual	Oppose	No

Comments:

As a decades long public school educator, I 100% OPPOSE this bill. This opens the door to hiring mainland firms or online educators and taking jobs away from local residents.

Mahalo, V. Kam