

Date: 01/27/2010

Committee: House Education
House Labor & Public Employment

Department: Education

Person Testifying: Kathryn Matayoshi, Interim Superintendent of Education

Title of Bill: HB 2070 RELATING TO EDUCATION.

Purpose of Bill: Changes the terms of service for principals and vice principals from 12 months to 10 months. Returns principals and vice principals to 12-month terms of service if performance contracts for principals are established by the 2011-2012 school year.

Department's Position: The Department opposes the passage of this bill. Based on reform efforts as outlined in its Race to the Top application, the Race to the Top grant requires that systemic integrity and transparency are built into its plan, which includes the evaluation of an administrator's effectiveness in improving student growth and achievement. As such, the Department believes that the intent of the performance contracts will be addressed in the reforms as stated in its Race to the Top application.



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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Education
Committee on Labor and Public Employment

Testimony by
Hawaii Government Employees Association
January 27, 2010
H.B. 2070 – RELATING TO EDUCATION

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO opposes H.B. 2070.

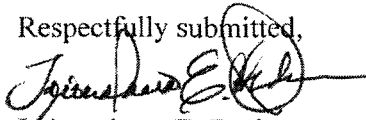
In part, Act 51, SLH 2004 required the conversion of principals to 12-month employees and the convening of a working group to create a plan for performance contracts for principals to be implemented beginning in SY 2006-2007. Public school principals were converted to 12-month employees on July 1, 2005.

The Performance Contract Work Group was established in 2004 and their report was submitted to the legislature in 2005. The department subsequently submitted its initial proposal for a performance contract to HGEA in January 2006. The parties were diligent in their efforts to negotiate the performance contract for principals but the department determined that it would implement a pilot performance contract in North Central District in January 2007. Their timeline indicated that the pilot would be evaluated in June 2008 and year II (January 2009-June 2010) was targeted for a statewide field test; however subsequent budget constraints required the termination of the pilot. While the department's efforts were well intended, HGEA was not a party to the pilot and we have not received any information from the department regarding the evaluation of the pilot.

Moving forward, the evaluation of principal effectiveness is embedded in the Federal Government's requirements for Race to the Top Grant. We are prepared to engage in discussions with the department but we maintain that it is inherently unfair to convert principals back to 10-month employees.


For these reasons we oppose this bill. Thank you for the opportunity to provide our testimony.

Respectfully submitted,



Leiomalama E. Desha
Executive Assistant

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee 
From: Jan Iwase, Principal of Hale Kula Elementary School
Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

A few years ago, the Legislature recognized the need for twelve-month principals and passed legislation to that effect. The leadership and administrative responsibilities of the principalship have not changed, and as more attention is focused on improving education at the federal and state level, the expectations of principals continue to increase.

The Department – not the principals -- was responsible for developing and implementing the principal performance contract in accordance with Act 51. Under HB2070, principals are being punished for the failure to implement a policy over which they have no jurisdiction or control. Moreover, it overturns, with no good reason, the sound public policy of year-round principals which the Legislature recognized just a few short years ago.

I was one of several principals in our district who participated in a two-year pilot program as part of a process for developing the principal performance contract. Recommendations were submitted to the Department. I have no objections to developing and implementing a sound, responsible performance contract for principals. However, questions regarding the delay in implementing performance contracts should be directed to the Department, not the principals.

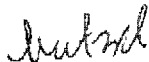
In conclusion, principals should not be punished because principal performance contracts have not yet been implemented. Therefore, I oppose passage of HB2070.

If you have any questions, please call me at 622-6380 or email me at jan_iwase@notes.k12.hi.us.

Thank you for this opportunity to provide testimony on HB2070.

TESTIMONY IN OPPOSITION TO HB 2070

To: Committee on Education
Labor and Public Employment Committee

From: Malaea Wetzel 
Principal, Haleiwa Elementary School

Re: HB 2070

I am submitting testimony in opposition to HB 2070 relating to principals and performance contracts.

During these challenging times, the legislature must examine every opportunity to make budget cuts, but in context of this legislative proposal, it is prudent to consider why it is imperative for principals to be twelve (12) month employees:

- The principal is responsible for the overall operations of the school plant. With that, is the need to effectively manage and supervise personnel who are directly responsible for these tasks (custodians, clerks, special education personnel)
- The principal is responsible for the certificated twelve (12) month / rainbow personnel (Student Services Coordinator, Athletic Director, Registrar, Student Activities Coordinator) and their actions and decisions. If these personnel are deemed essential by virtue of their extended status, so to must the individual who is ultimately responsible for their performance and subsequent consequence on the school be considered essential.
- Given the complexities and challenges of school renewal, curricular and instructional improvement and administration with fewer resources, it is essential that principals maintain their 12 month status for tasks that must be ongoing, systematic and evolving.

Even in the absence of the implementation of a principal's performance contract, the current state of Hawaii's education system requires, more than ever, that principals be at the forefront of meaningful change initiatives that will lead to an innovative educational system that will serve as a model for the rest of the country. The lack of a performance contract for principals does not negate the overwhelming responsibilities that continue to be placed on all principals. **Please support this notion by NOT passing HB 2070. As a principal, I strongly oppose the passage of HB 2070.**

If you have any questions, please call me at 637-8237 or email me at malaea_wetzel@notes.k12.hi.us.

Thank you for this opportunity to provide testimony on HB 2070.

Testimony Re: HB2070

January 22, 2010

To: House Education Committee

From: Catherine Payne

My testimony is in opposition to HB2070 which returns principals to ten-month status.

For many years principal colleagues and I lobbied HGEA and the legislature for a contract that reflected the reality that we worked a twelve-month work year and were compensated as if we worked only ten months. We were pleased when policy-makers finally recognized the time that school leaders must invest in their schools in order to do their jobs.

It saddens me to think that this bill is even being considered. That it is, tells me that legislative leaders and DOE policy-makers who support it, have very little appreciation or understanding of what is required of effective school leaders. This being the case, it is not surprising that they have not been able to come up with a performance contract that does little more than count the minutes we observe classrooms.

I have been a school principal for twenty-four of my thirty-five years with the Department of Education. I have studied school leadership and the development of school leaders in Hawaii as part of my doctoral work. I know quite a bit about what is needed to recruit, develop, and sustain quality leadership. Presently our system is not doing a very effective job of developing and sustaining leaders. Your bill will only make things worse.

I have given my life to public education in Hawaii and will soon reach the end of my career. I had hoped to leave the system better for my having been a part of it. However, it seems as though forces, with the power to effect positive change from within and/or from without of the system, are promoting policies and practices that will hurt our faltering schools even more. It is a terrible legacy that is being crafted; public education and our public school students will not recover for decades.

I see this bill as one more tear in the fragile fabric of our public schools. It will not affect me personally as I will retire rather than return to a ten-month contract for twelve months of work. That is not a choice for many of our younger leaders, though some of our best are already being recruited by the private schools.

If your agenda is to do more harm to public education, or to force more people toward private schools and toward the advocacy of vouchers, this bill will help.

If you want a quality public school system, there are many things that could be done (some at little or no cost). There are many effective models throughout the nation so we would not even need to create something new. What is needed, and lacking, is a systemic commitment to organizational change and recognition that leadership is key.

I have watched the DOE, the BOE, and legislative policy makers talk about and tinker with the public schools since the mid-1970's. On a few occasions something innovative has been allowed and courageous voices have been heard. The few steps forward are being erased by many of the current conditions. This bill will be one more backward step on the path upon which our public schools and our students are being shoved.

We have the public school system that the policy makers and the public have created. I hope that someday it will get better and I hope you will not pass this bill.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Ernest Muh
Helemano Elementary School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

I became the principal of Helemano Elementary School on July 1, 2008. During the short time that I have been a principal, I have come to recognize the importance of having principals work as 12-month employees. Principals are constantly tasked to complete an on-going and extensive amount of administrative responsibilities that continue throughout the calendar year.

In my opinion, HB2070 is unfair for principals. HB2070 is unfair for principals because it requires principals (10-month employees) to manage 12-month employees at school sites. Furthermore, HB2070 is unfair for principals because it forces principals to complete considerable workloads within unjust timelines. Most concerning, HB2070 is unfair for principals because it does not compensate principals for the tremendous service they provide our local communities throughout the calendar year.

In conclusion, the legislature recognized just a few short years ago that principals should be valued as 12-month employees who extend themselves far beyond each workday. Please continue to support principals and the year round work they do for our local communities and students.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 622-6336 or email me at ernest_muh@notes.k12.hi.us.

Thank you for this opportunity to provide testimony against HB2070.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Heather Wilhelm
Mililani Uka Elementary School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

In the last eight years since I have become a principal each successive year has brought added responsibilities and their resulting challenges to our schools. The movement of responsibilities from the State to the Department of Education is being felt at the school level. Meeting the timelines of Federal mandates like No Child Left Behind (NCLB) has resulted in increased workloads.

In spite of the increased workload and unrealistic timelines of these mandates, principals have continued to put forth their best effort. I know of many principals who already leave work in the late evening, take home work, work till the early morning and on weekends to meet these timelines.

You may ask why this is necessary. Don't we have enough time during the school day? The answer is definitely not. Principals need to be curriculum leaders and as such we need to spend more time, not less time in classrooms. The majority of our school day should be spent on campus being available for our students, teachers and parents, not in our offices doing "paper work." That is how it should be but surely won't be if HB2070 is passed.

Federal and State mandates and timelines, especially for our special needs students do not recognize "breaks". The needs of all of our families and students do not stop for spring, summer, fall and winter breaks. And so our schools must be able to meet their needs during spring, summer, fall and winter breaks. Our 12 month as well as our 10 month employees needs the support of 12 month administrators. Our families need 12 month administrators.

A few years ago, the legislature recognized that principals should be valued as 12-month employees who extend themselves far beyond each workday. Please continue to support principals and the work they do for our students and their families.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 627-7303 or email me at heather_wilhelm@notes.k12.hi.us.

Thank you for this opportunity to provide testimony against HB2070.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Scott Moore
Waialua Elementary School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

There are three primary aspects to being a principal: first, there is curriculum leadership; second, there is the need to develop and maintain relationships among the school stakeholders; third, there are operational and compliance issues.

We have been told, time and time again, that our primary role is to be educational leaders (aspects “one” and “two”), not just managers (aspect “three”).

Yet the trend here in Hawaii has been to dramatically increase our operational and compliance responsibilities. The movement of responsibilities from the State to the Department of Education is being felt at the school level. Meeting the timelines of Federal mandates like No Child Left Behind (NCLB) has resulted in increased workloads.

I doubt that most people understand just how much time and effort go into improving instruction and learning within a school. To say, “we want you to make schools more effective and rigorous, and handle a great deal more operational and compliance responsibilities, **and** work two months less a year,” is, frankly, unreasonable.

I embrace accountability wholeheartedly. There should be a system in place that demands I do my job well or be replaced by someone who can. But don't hold me accountable while simultaneously cutting me off at the knees. Federal and State mandates and timelines, especially for our special needs students, do not recognize “breaks”.

A few years ago, the legislature recognized that principals should be valued as 12-month employees who extend themselves far beyond each workday. Please continue to support principals and the work they do for our students and their families.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 637-8228 or email me at Scott_Moore@notes.k12.hi.us

Thank you for this opportunity to provide testimony.

TESTIMONY IN OPPOSITION TO HB 2070

TO: Committee on Education
Labor and Public Employment Committee

FROM: Elynne E. Chung, Principal, Pearl Harbor Kai Elementary School
elynne_chung@notes.k12.hi.us

RE: HB 2070

I am submitting testimony in opposition to HB 2070 relating to principals and principal performance contracts as required by Act 51.

The HGEA and principals have worked towards this movement. Principals have served in workgroups as well as piloted components of the principal performance contract and provided feedback to the Department. Countless hours were dedicated towards working to the development of the performance contract. Principals continuously asked the Department leadership as to the status of the performance contract. Principals understand the need to develop and implement a reasonable performance contract.

With the conversion of principals from 10 to 12 month employees five years ago, there was recognition on behalf of the Legislature of the work that principals continue to do for our students. Administrative responsibilities of the principalship have not changed nor lessened and has as always, required the full 12 months to effectively operate and run a school.

Principals should not suffer the consequences because performance contracts have not yet been implemented. Therefore, I oppose the passage of HB 2070.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Lauren O'Leary
Holualoa Elementary School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

In the last five years since I have become a principal each successive year has brought added responsibilities and their resulting challenges to our schools. The movement of responsibilities from the State to the Department of Education is being felt at the school level. Meeting the timelines of Federal mandates like No Child Left Behind (NCLB) has resulted in increased workloads.

In spite of the increased workload and unrealistic timelines of these mandates, principals have continued to put forth their best effort. I am like many principals who already leave work in the late evening, take work home, and work until the early morning and on weekends to meet these timelines.

You may ask why this is necessary. Don't we have enough time during the school day? The answer is definitely not. Principals need to be instructional and operational leaders of our schools. We need to spend more time, not less time in classrooms. The majority of our school day should be spent on campus being available for our students, teachers and parents, not in our offices doing "paper work." That is how it should be but surely won't be if HB2070 is passed.

Federal and State mandates and timelines, especially for our special needs students do not recognize "breaks". The needs of all of our families and students do not stop for spring, summer, fall and winter breaks. And so our schools must be able to meet their needs during spring, summer, fall and winter breaks. Our 12 month as well as our 10 month employees needs the support of 12 month administrators. Our families need 12-month administrators.

There is a great deal of work that continues on through summer such class placements, facilities adjustments, enrollment decisions, gauging the need to possibly adjust the number of teachers needed, completing the hiring process, and coordination of our recurring summer programs for tutorial and enrichment. Clerical, custodial and cafeteria staff work as 12-month employees. Having no oversight, decision-making capacity and monitoring means then the expectation is that the principal comes to work anyway to monitor work and sign payroll, complete the purchase orders of state and federal funds so all funds are expended according the approved academic and financial plans

A few years ago, the legislature recognized that principals should be valued as 12-month employees who extend themselves far beyond each workday. Please continue to support principals and the work they do for our students and their families.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 322-4800 or at
lauren_o'leary@notes.k12.hi.us

Thank you for this opportunity to provide testimony against HB2070.

Testimony in Opposition to HB 2070

To: Committee on Education
Labor and Public Employment Committee

From: Raymond K. Fujii, Principal, Makalapa Elementary School
Ray_Fujii@notes.k12.hi.us

Date: January 25, 2010

Re: HB 2070

I am in opposition to HB 2070 which intends to change the terms of service for principals and vice principals from 12 months to 10 months because no performance contracts for principals have been established as required by Act 51. I oppose the bill for the following reasons:

1. Principals understand and desire the development and implementation of a fair and reasonable performance contract.
2. Principals have demonstrated a good faith effort by:
 - Serving on performance contract work groups to devise a pilot performance contract.
 - Voluntarily dedicating time and effort to pilot components of a performance contract by going through the process and providing feedback to the Department of Education.
 - Continuing to ask the Department, "what is the status for implementing a principal's performance contract?"
3. We are also disappointed that we do not have a performance contract in place.
4. Five years ago, principals were converted from 10 to 12 month employees. We appreciated the recognition given by legislators regarding the work that principals continue to do for their students and school. Given this fact, our responsibilities and obligations have not lessened. In fact, it has increased. We remain committed to do our best for our students.

In short, principals are not the reason for the non-implementation of a performance contract. As a result, they should not suffer the consequences. Measures should be taken to see that a performance contract be developed and implemented but not at the expense of principals. Therefore, I oppose the passage of HB 2070.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Noel Richardson
Principal Waimanalo Elementary and Intermediate School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

As a relatively new Principal, I took on a job with the understanding that I would be required to take on added responsibilities. Little did I know the extent of these responsibilities and the burden it would place on my time as an administrator. No Child Left Behind (NCLB) as well other State mandates, have increased workloads beyond the normal workday.

As the instructional leader of school, my primary responsibility is to be in the classroom, observing, coaching and providing support, not sitting in the office completing paperwork and other mandates. These entire administrative tasks occur after the school day has ended, late into the evening and sometimes into the weekend.

There are not enough hours in the school day to accomplish this mission. Planning, reporting and preparing are tasks which are non-stop during winter, spring and summer breaks. These days are especially crucial times for administrators to prep, plan and move our schools forward, especially in the lieu of new initiatives that will be coming down to the school level in the upcoming years.

Now more than ever, this system needs 12 month administrators. Please support the outstanding work principals do and continue to do for our students, families and communities.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 259-0460 or email me at noel_richardson@notes.k12.hi.us.

Thank you for this opportunity to provide testimony against HB2070.

TESTIMONY IN OPPOSITION TO HB2070

To: Committee on Education
Labor and Public Employment Committee

From: Nancy Soderberg
Principal, Konawaena Middle School

Re: HB2070

I am submitting testimony in opposition to HB2070 relating to principals and performance contracts.

I have been the principal at Konawaena Middle School for 12 years. Each successive year has brought added responsibilities and their resulting challenges to our school. Many responsibilities at the State to the Department of Education have been moved to the school level. Meeting the timelines of Federal mandates like No Child Left Behind (NCLB) and special education has also resulted in increased workloads. The Legislature increased the principals' contract from 10 months to 12 months in response to the ever increasing demands, as well as the need to supervise educational programs that are offered in the summer (Special Education) supervise classified employees and participate in professional development. The 12 month contract has allowed for the time to plan and complete the required work.

Even with the 12 month contract the increased workload and ever increasing timelines of mandates, requires that principals spend many hours after school and on the weekends in order to meet all work expected of them. Our job as curriculum leaders and support for staff and students requires our full attention during the school day. To revert to a 10 month contract would hamper principals ability to absorb all the tasks and responsibilities that the department requires of us.

Tying job performance with 10 or 12 month contracts does not make sense, nor does it lessen the work load for principals.

Therefore, I strongly oppose the passage of HB2070.

If you have any questions, please call me at 323-4566 or email me at Nancy_Soderberg@notes.k12.hi.us.

Thank you for this opportunity to provide testimony against HB2070.

TESTIMONY IN OPPOSITION TO HB 2070

To: Committee on Education
Labor and Public Employment Committee
From: Randiann Porras-Tang
Principal, Waialua High and Intermediate School.

Re: HB 2070

I am submitting testimony in opposition to HB 2070 relating to principals and performance contracts.

A few years ago, the Department and Legislature recognized that principals' responsibilities were year round and therefore supported and passed legislation that converted principals from 10 month to 12 month employees. The leadership and administrative duties of the principalship have not changed. In fact, with the continued focus on improving student learning and achievement, implementing and sustaining best practices in the classroom, and meeting the mandates at the state and federal level, the expectations, duties, responsibilities and accountability of the principals have increase.

During these challenging times, the legislature must examine every opportunity to make budget cuts, but in context of this legislative proposal, it is prudent to consider why it is imperative for principals to be twelve (12) month employees:

- The principal is responsible for the overall operations of the school plant. With that is the need to effectively manage and supervise personnel who are directly responsible for these tasks (custodians, clerks, special education personnel)
- The principal is responsible for the certificated twelve (12) month / rainbow personnel (Student Services Coordinator, Athletic Director, Registrar, Student Activities Coordinator) and their actions and decisions. If these personnel are deemed essential by virtue of their extended status, so to must the individual who is ultimately responsible for their performance and subsequent consequence on the school be considered essential.
- Given the complexities and challenges of school renewal, curricular and instructional improvement and administration with fewer resources, it is essential that principals maintain their 12 month status for tasks that must be ongoing, systematic and evolving.

In addition, principals in the north central district participated in a two-year pilot project towards the development of a principal's performance contract. As part of the process, principals implemented the tool, met with trainers, and submitted recommendations to the Department. The principals who participated in the project did not object to the project or the idea of a principal's performance contract. They understood that their feedback would assist the Department in developing and selecting the tool or process (principals' performance contract) that would be implemented for all principals.

Even in the absence of the implementation of a principal's performance contract, the current state of Hawaii's education system requires, more than ever, that principals be at the forefront of meaningful change initiatives that will lead to an innovative educational system that will serve as a model for the rest of the country. The lack of a performance contract for principals does not negate the overwhelming responsibilities that continue to be placed on all principals. Please continue to support principals as 12 month employees who extend themselves far beyond the work day.

As a principal, I strongly oppose the passage of HB 2070.

If you have any questions, please call me at 637-8200 or email me at Randiann_Porras-Tang@notes.k12.hi.us.

Thank you for this opportunity to provide testimony on HB 2070.

Date: 1/27/2010

TO: House Education, House Labor & Public Employment Committee

Department: Education

FROM: Lani Kapololu, Principal of Fern Elementary School

RE: HB 2070 proposes to change terms of service of principals from 12
~~month-employees-to-10-month-employees-as-failure-to-implement~~
performance contract has yet to be established as part of original law, Act
51.

Testimony: I am testifying in opposition of this bill. I quote from Act 51,

"However, establishing a weighted student formula cannot be effective in a vacuum. Other reform measures must be implemented as well. Principals will be empowered to act as the educational leaders of their schools, with more authority relating to budgeting, and more flexibility to expend funds. With these expanded powers, principals will be held accountable for their performance through a system that includes rewards, assistance and sanctions. Principals will also need training and support if they are required to take on additional duties, and are expected to advance student success. Furthermore, community involvement and support of schools will need to be enhanced if schools are to work effectively."

According to Act 51, principals' service term was changed from 10 months to 12 months in order to:

- Empower principals to be the educational leaders of their schools.
 - Empower principals with more authority relating to budget
 - Empower principals with more flexibility to expend funds
 - Be held accountable through their performance and a system of rewards, assistance and sanctions
1. If service term changes from 12 months to 10 months, all of these added responsibilities should also be changed. The original change to 12 months was made to accommodate the addition of responsibilities
 2. If you look at the four conditions of this law, you will see that the department immediately initiated the first three bullets. The last bullet is being negotiated by the department and the HGEA Bargaining Unit 5. As yet, negotiations are continuing to attain a reasonable performance contract for all interested parties.