

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2789
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Education and Judiciary and Labor, to which was referred S.B. No. 2789 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to provide the directive, means, and flexibility to establish a performance management system that cultivates and supports highly effective educators and that implements the State's federal Race to the Top plan commitments by requiring the Department of Education to:

- (1) Review and revise, as appropriate and based on the principles and policy framework described in the State's Race to the Top plan, its recruitment, evaluation, support, tenure, incentive, classification, and compensation policies and practices to develop, measure, and hold educators accountable for facilitating student learning and growth;
- (2) Provide data to the Hawaii Teacher Standards Board for each state-approved teacher education program regarding the performance of each teacher that completes such a program and is employed by the Department; and
- (3) Report to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2013, 2014, and 2015 on the performance management system status and effectiveness, actions taken by the Board of



Education and Department with respect to the performance management system, and legislative action required to enable the system, as well as any other action required to enable implementation of the State's Race to the Top plan.

Your Committees received testimony in support of this measure from the Governor; Board of Education; Department of Education; National Governors Association; Kaneohe Ranch; Harold K.L. Castle Foundation; Hawaii Educational Policy Council; Kobayashi Development Group, LLC; and Hawaii Business Roundtable. Your Committees received testimony in opposition to this measure from IMUAlliance, and twenty-four individuals. Your Committees received comments on this measure from the Hawaii State Teachers Association and one individual.

Your Committees find that Hawaii's Race to the Top plan establishes clear principles, policy actions, and timetables for changes in policies, practices, and outcomes in areas critical to transforming Hawaii's public education system. At the time the Race to the Top plan was formulated, it received wide support from government, education, and community leaders, as well as from other education stakeholders.

Your Committees further find that ensuring educator effectiveness requires a comprehensive approach that sets forth clear expectations for students, aligned systems of support for educators, flexibility for innovation, and a performance-based management system for educational officers, principals, and teachers. In addition to the Race to the Top plan, measurements and supports to ensure educator effectiveness have been included in all versions of the reauthorization of the federal Elementary and Secondary Education Act and are likely to become core requirements for many federal title funds.

Your Committees have amended this measure by:

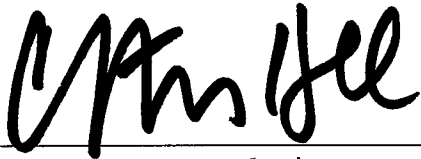
- (1) Adding a new section to chapter 89, Hawaii Revised Statutes, requiring that teachers be employed by the Department of Education for three years before being eligible for tenure, beginning with contracts negotiated for the contract period beginning July 1, 2013;
- (2) Making this measure effective on July 1, 2050, to encourage further discussion; and



- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2789, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2789, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Judiciary and Labor,



CLAYTON HEE, Chair



JILL TOKUDA, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2709</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">EDU/JDL, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-3-12</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne		✓		
NISHIHARA, Clarence K.		✓		
TANIGUCHI, Brian T.		✓		
SLOM, Sam	✓			
TOTAL	3	3	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; text-align: center;">Michelle N. Kidani</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB2789	Committee Referral: EDU/JDL, WAM	Date: 2/3/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike			✓	
IHARA, Jr., Les		✓		<i>MS</i>
SLOM, Sam	✓			
TOTAL	3	1	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

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