

1 review process established by the department. The review
2 process shall take into consideration the following:

- 3 (1) Teacher input;
- 4 (2) Parent input; and
- 5 (3) Student achievement, as measured by school report
6 cards.

7 (b) If the contract of a principal is not renewed or is
8 terminated, and the department determines that the principal
9 would benefit from professional development assistance, the
10 department shall offer professional development assistance
11 through the University of Hawaii college of education.

12 **§302A- Compensation.** Compensation for a principal
13 under performance-based contracts shall be no higher than
14 per cent of the highest salary of a teacher at the public
15 school at which the principal works.

16 **§302A- Tenure.** Notwithstanding any law to the
17 contrary, principals shall retain any tenure that they may have
18 earned as teachers but shall not accrue any tenure as
19 principals."

20 SECTION 2. Section 89-6, Hawaii Revised Statutes, is
21 amended by amending subsection (f) to read as follows:



1 "(f) The following individuals shall not be included in
2 any appropriate bargaining unit or be entitled to coverage under
3 this chapter:

4 (1) Elected or appointed official;

5 (2) Member of any board or commission; provided that
6 nothing in this paragraph shall prohibit a member of a
7 collective bargaining unit from serving on a governing
8 board of a charter school, on the state public charter
9 school commission, or as a charter school authorizer
10 established under chapter 302D;

11 (3) Top-level managerial and administrative personnel,
12 including the department head, deputy or assistant to
13 a department head, administrative officer, director,
14 or chief of a state or county agency or major
15 division, and legal counsel;

16 (4) Secretary to top-level managerial and administrative
17 personnel under paragraph (3);

18 (5) Individual concerned with confidential matters
19 affecting employee-employer relations;

20 (6) Part-time employee working less than twenty hours per
21 week, except part-time employees included in unit (5);

22 (7) Temporary employee of three months' duration or less;



- 1 (8) Employee of the executive office of the governor or a
2 household employee at Washington Place;
- 3 (9) Employee of the executive office of the lieutenant
4 governor;
- 5 (10) Employee of the executive office of the mayor;
- 6 (11) Staff of the legislative branch of the State;
- 7 (12) Staff of the legislative branches of the counties,
8 except employees of the clerks' offices of the
9 counties;
- 10 (13) Any commissioned and enlisted personnel of the Hawaii
11 national guard;
- 12 (14) Inmate, kokua, patient, ward, or student of a state
13 institution;
- 14 (15) Student help;
- 15 (16) Staff of the Hawaii labor relations board;
- 16 (17) Employees of the Hawaii national guard youth challenge
17 academy; [øø]
- 18 (18) Employees of the office of elections[-]; or
- 19 (19) Principals retained under performance-based contracts
20 with the department of education."

21 SECTION 3. Section 302A-625, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "**§302A-625 Educational officers' salary schedules.** The
2 salary schedule for all educational officers of the department,
3 except for principals retained under performance-based
4 contracts, shall be negotiated pursuant to section 89-9."

5 SECTION 4. Section 302A-626, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§302A-626 Salary increases; annual, longevity.** (a)
8 Teachers and educational officers, except for principals
9 retained under performance-based contracts, who have completed a
10 year's satisfactory service and who have complied with the other
11 requirements of sections 302A-602 to 302A-639, and 302A-701,
12 shall be entitled to an annual increment.

13 (b) Teachers and educational officers, except for
14 principals retained under performance-based contracts, who have
15 served satisfactorily for three years in their maximum increment
16 step or in any longevity step and who have complied with the
17 other requirements of sections 302A-602 to 302A-639, and 302A-
18 701, shall receive longevity step increases; provided that the
19 board may grant [~~principals and~~] vice-principals longevity step
20 increases more frequently than once every three years pursuant
21 to section 302A-625."



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1 SECTION 5. This Act shall apply to any contract to take
2 effect upon the expiration of the collective bargaining
3 agreement between the board of education and collective
4 bargaining unit 6 that is in effect on the effective date of
5 this Act.

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect upon its approval.

9

INTRODUCED BY: *RL McEntt*

JAN 22 2013



H.B. NO. 681

Report Title:

DOE; Principals; Contracts

Description:

Requires DOE to employ principals through performance-based contracts. Exempts principals from collective bargaining rights.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

