
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 are 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. For the 2018-2019 school year, the department of
6 education experienced a qualified teacher shortage of one
7 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 also finds that an increasing number
14 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 additionally finds that teacher salaries
2 are unequal when experienced senior teachers are aligned with
3 less senior teachers in their placement within the existing
4 salary schedules. Unfair pay scales have driven experienced
5 senior teachers to either retire early or leave the profession,
6 due to the perception that their experience and dedication to
7 public education and the teaching profession will never be
8 adequately valued and recognized.

9 The legislature also finds that there is a nationwide
10 shortage of special education teachers. Providing all students
11 with disabilities access to a qualified, prepared special
12 educator continues to be a challenge in every state. Hawaii is
13 no different and has been experiencing shortfalls in special
14 education teachers for over a decade. Data shows that over the
15 last three school years, there is an increasing number of vacant
16 special education teacher positions, a lack of special education
17 teachers with a state-approved teacher education program willing
18 to fill those positions, and an increasing number of non-state-
19 approved teacher education program teachers assigned to these
20 positions.



1 In 2007, the Hawaii state teachers association and
2 department of education negotiated and continued to renew a
3 memorandum of understanding for a recruitment and retention
4 incentive that today provides an annual differential of \$3,000
5 for qualified and licensed teachers employed in hard-to-staff
6 locations. This memorandum of understanding was agreed upon by
7 the parties in an attempt to provide stability and continuity in
8 the learning communities of hard-to-staff schools by providing a
9 recruitment and retention incentive for qualified licensed
10 teachers employed at identified hard-to-staff locations, based
11 on geographic locations. While this recruitment and retention
12 incentive has relatively helped in filling vacancies in these
13 locations, it has not reduced or made any significant impact or
14 change, as vacancies continue to increase, especially in certain
15 geographical areas. A new recruitment and retention model
16 should be implemented through a shortage differential provided
17 to certain identified schools and complex areas in
18 geographically isolated locations to address those areas that
19 have higher rates of non-certified teachers and higher teacher
20 vacancies. The following tiers have been proposed, along with



1 the rationale of each tier, the criteria, and amounts for these
2 shortage differentials:

3 Criteria Levels:

- 4 (a) Complexes required under the current contract;
- 5 (b) Complexes whose rate of teachers who have completed a
6 state-approved teacher education program has been
7 under the State's state-approved teacher education
8 program average for the last three years;
- 9 (c) Geographically isolated complexes, which are defined
10 as complexes that are more than twenty-five miles from
11 an urban center; and
- 12 (d) Complexes whose combined vacancy and emergency hires
13 were higher than ten per cent in school years 2016-
14 2017 and 2017-2018.

15 Tiers:

- 16 (1) Tier 1 (\$3,000): Complexes required under the current
17 contract, which applies only to schools that are
18 required under contract and meet no other criteria;
- 19 (2) Tier 2 (\$5,000): Complexes that meet two of the
20 criteria levels;



1 (3) Tier 3 (\$7,500): Complexes that meet three of the
2 criteria levels; and

3 (4) Tier 4 (\$8,000): Complexes that meet all four of the
4 criteria levels, including Olomana school and Hawaii
5 school for the deaf and blind.

6 Although the data shows a positive trend in many areas,
7 areas such as the Hana-Lahainaluna-Lanai-Molokai and Nanakuli-
8 Waianae complex areas continue to show lower percentages of
9 positions filled by state-approved teacher education program
10 teachers and have persistent high vacancy rates. There is also
11 a shortage of Hawaiian language immersion teachers within the
12 department of education. Of the department of education's one
13 hundred sixty-one total Hawaiian language immersion teacher
14 positions, one hundred seven, or about sixty-six per cent are
15 filled. However, only fifty-four of the one hundred sixty-one
16 total positions, or about thirty-four per cent, are filled with
17 qualified and licensed Hawaiian language immersion teachers.
18 Qualified and licensed Hawaiian language immersion teachers
19 require fluency in the Hawaiian language as well as licensure by
20 the Hawaii teacher standards board, which make finding
21 interested and qualified candidates very challenging for the



1 department of education. As determined by the Hawaii supreme
2 court in 2019, the Hawaii State Constitution requires that the
3 department of education make reasonable efforts to provide
4 students access to Hawaiian language immersion education.
5 Currently, there are eighteen department of education Hawaiian
6 language immersion programs. Due to the 2019 Hawaii supreme
7 court ruling and the number of Hawaiian language immersion
8 teacher vacancies, the department of education requires the
9 flexibility to attract qualified and licensed Hawaiian language
10 immersion teachers to fill the labor shortage as the demands for
11 Olelo Hawaii or Hawaiian language education increases.

12 The legislature further finds that pursuant to board of
13 education policy 105-8, the board of education has recognized
14 the additional demands and qualifications of Hawaiian language
15 immersion teachers and directed the department of education to
16 address compensation accordingly by stating:

17 *The Department will establish professional*
18 *qualifications and develop training programs*
19 *internally and/or in cooperation with stakeholder*
20 *groups/universities. The goal is for program*
21 *professionals to be qualified in both English as a*



1 *medium of instruction and Hawaiian as a medium of*
2 *instruction and appropriately compensated for these*
3 *additional qualifications.*

4 Based on board of education policy 105-8, the department of
5 education is seeking approval from the board of education to
6 provide an annual shortage differential of \$8,000 per each
7 qualified and licensed Hawaiian language immersion classroom
8 teacher.

9 Due to the labor shortage within the department of
10 education for licensed special education teachers, licensed
11 teachers in hard-to-staff geographical locations, and licensed
12 Hawaiian language immersion program teachers, the legislature
13 believes that the State should offer shortage differentials for
14 these positions to address the high number of vacancies.

15 The purpose of this Act is to appropriate funds for various
16 teacher compensation incentives to help address various teacher
17 shortages in the State.

18 SECTION 2. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$26,769,500 or so
20 much thereof as may be necessary for fiscal year 2020-2021 to
21 fund teacher compensation as negotiated between the



1 superintendent of education and the exclusive representative of
2 collective bargaining unit (5) in a memorandum of understanding
3 that includes:

4 (1) An experimental modernization project pursuant to
5 section 78-3.5, Hawaii Revised Statutes, to address
6 compensation equity issues and to make the necessary
7 discretionary salary adjustments for approximately six
8 thousand three hundred experienced senior teachers by
9 recognizing their professional service to the
10 department of education through discretionary salary
11 adjustments;

12 (2) Additional teacher pay for the areas of special
13 education, hard-to-staff geographic locations, and
14 Hawaiian language immersion programs; or

15 (3) A combination of paragraph (1) and paragraph (2);

16 provided that the moneys shall not be released until the
17 memorandum of understanding is executed between the
18 superintendent of education and the exclusive representative of
19 collective bargaining unit (5).

20 The sum appropriated shall be expended by the department of
21 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 \$1,933,500 or so much
3 thereof as may be necessary for fiscal year 2020-2021 for
4 charter schools (EDN 600) to provide extra compensation for
5 classroom teacher shortage differentials.

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

8 SECTION 4. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$9,082,380 or so much
10 thereof as may be necessary for fiscal year 2020-2021 for fringe
11 benefit costs for teacher compensation, including the state
12 employer's share of the employees' retirement pension
13 accumulation and social security and medicare payments for
14 employees (BUF 745).

15 The sum appropriated shall be expended by the department of
16 budget and finance for the purposes of this Act.

17 SECTION 5. This Act shall take effect on January 1, 2050.



Report Title:

DOE; Teacher Compensation; Experimental Modernization Project;
Appropriation

Description:

Appropriates funds for teacher compensation as negotiated and executed in a memorandum of understanding between the superintendent of education and the exclusive representative of collective bargaining unit (5) for an experimental modernization project to address compensation equity issues and make discretionary salary adjustments; additional teacher pay for special education, hard-to-staff geographic locations, and Hawaiian language immersion programs; or some combination. Appropriates funds for classroom teacher shortage differentials for charter schools and fringe benefit costs for teacher compensation. Effective January 1, 2050. (HD1)

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