
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 is 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 further finds that an increasing
14 number 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 further finds that teacher salaries are
2 unequal when experienced senior teachers are aligned with less
3 senior teachers in their placement within the existing salary
4 schedules. Unfair pay scales have driven experienced senior
5 teachers to either retire early or leave the profession, due to
6 the perception that their experience and dedication to public
7 education and the teaching profession will never be adequately
8 valued and recognized.

9 The legislature also finds that there is a nationwide
10 shortage of special education teachers. Providing all students
11 who have disabilities with access to a qualified, prepared
12 special educator continues to be a challenge in every state.
13 Hawaii is no different, and it has been experiencing shortfalls
14 in special education teachers for more than the past decade.
15 Data shows that over the last three school years, there are an
16 increasing number of special education teacher positions, a lack
17 of special education teachers with a state-approved teacher
18 education program willing to fill those positions, and an
19 increasing number of non-state-approved teacher education
20 program teachers assigned to these 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 attempts 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 areas that have
19 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 (more than twenty-five miles
10 from an urban center) complexes; and
- 11 (d) Complexes whose combined vacancy and emergency hires
12 were higher than ten per cent in school years 2016-
13 2017 and 2017-2018.

14 Tiers:

- 15 (1) Tier 1 (\$3,000): Complexes required under the current
16 contract (this applies to only schools that are
17 required under contract and meet no other criteria);
- 18 (2) Tier 2 (\$5,000): Complexes that meet two of the
19 criteria levels;
- 20 (3) Tier 3 (\$7,500): Complexes that meet three of the
21 criteria levels; and



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

4 Although the data shows a positive trend in many areas,
5 areas such as the Hana-Lahainaluna-Lanai-Molokai and Nanakuli-
6 Waianae complex areas continue to show lower percentages of
7 positions filled by state-approved teacher education program
8 teachers and have persistent vacancy rates. Hawaiian language
9 immersion teachers are also a large shortage category of
10 teaching positions within the department of education. Of the
11 department of education's one hundred sixty-one total positions,
12 one hundred seven, or about sixty-six per cent are filled.
13 However, fifty-four of the one hundred sixty-one, or about
14 thirty-four per cent, are filled with qualified and licensed
15 Hawaiian language immersion teachers. Qualified and licensed
16 Hawaiian language immersion teachers require fluency in the
17 Hawaiian language as well as licensure by the Hawaii teacher
18 standards board, which makes finding interested and qualified
19 candidates very challenging for the department of education. As
20 determined by the Hawaii supreme court in 2019, Hawaii's
21 constitution requires that the department of education make



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

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

14 The Department will establish professional
15 qualifications and develop training programs
16 internally and/or in cooperation with stakeholder
17 groups/universities. The goal is for program
18 professionals to be qualified in both English as a
19 medium of instruction and Hawaiian as a medium of
20 instruction and appropriately compensated for these
21 additional qualifications. The Department is seeking



1 approval from the BOE to provide an annual shortage
2 differential of \$8,000 per each qualified and licensed
3 Hawaiian language immersion classroom teacher.

4 The legislature further finds that a labor shortage exists
5 within the department for licensed special education teachers,
6 licensed teachers in hard-to-staff geographical locations, and
7 licensed Hawaiian language immersion program teachers. The
8 legislature believes that the state should offer shortage
9 differentials for these positions to address the high number of
10 vacancies in these areas.

11 The purpose of this Act is to appropriate funds for various
12 teacher compensation incentives to help address various labor
13 shortages.

14 SECTION 2. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$26,769,500 or so
16 much thereof as may be necessary for fiscal year 2020-2021 to
17 fund teacher compensation as negotiated between the
18 superintendent of education and the exclusive representative of
19 collective bargaining unit (5) in a memorandum of understanding
20 that includes:

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

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

12 (3) A combination of paragraph (1) and paragraph (2);
 13 provided that the moneys shall not be released until the
 14 memorandum of understanding is executed between the
 15 superintendent of education and the exclusive representative of
 16 collective bargaining unit (5).

17 The sum appropriated shall be expended by the department of
 18 education for the purposes of this Act.

19 SECTION 3. There is appropriated out of the general
 20 revenues of the State of Hawaii the sum of \$1,933,500 or so much
 21 thereof as may be necessary for fiscal year 2020-2021 for

1 charter schools (EDN 600) to provide extra compensation for
2 classroom teacher shortage differentials.

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

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

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

14 SECTION 5. This Act shall take effect on July 1, 2020.



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 pursuant to section 78-3.5, Hawaii Revised Statutes, or special education, hard-to-staff geographic locations, and Hawaiian language immersion programs, or some combination thereof. Appropriates funds to help address classroom teacher shortage differentials and for teacher fringe benefit costs.
(SD2)

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