
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. As an example, for the 2018-2019 school year, the
6 department of education experienced a qualified teacher shortage
7 of one 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 additionally finds that an
14 increasing number of school districts around the country are
15 utilizing compensation methods and strategies designed to
16 improve the recruitment and retention of qualified teachers.



1 The legislature also finds that there is a nationwide
2 shortage of special education teachers. Providing access to a
3 qualified, prepared special educator for all students who have
4 disabilities continues to be a challenge in every state. Hawaii
5 is no different and has been experiencing shortfalls in special
6 education teachers for more than the past decade. Data shows,
7 over the last three school years, an increasing number of
8 unfilled special education teacher positions, a lack of special
9 education teachers who have completed a state-approved teacher
10 education program and are willing to fill those positions, and
11 an increasing number of teachers having non-state-approved
12 teacher education program credentials assigned to these
13 positions.

14 The legislature additionally finds that, in 2007, the
15 Hawaii state teachers association and department of education
16 negotiated and continued to renew a memorandum of understanding
17 for a recruitment and retention incentive that today provides an
18 annual differential of \$3,000 for qualified and licensed
19 teachers employed in hard-to-staff geographical locations. This
20 memorandum of understanding was agreed upon by the parties in an
21 attempt to ensure stability and continuity in the learning



1 communities of hard-to-staff schools by providing a recruitment
2 and retention incentive for qualified licensed teachers employed
3 at identified hard-to-staff locations. While this recruitment
4 and retention incentive has helped fill vacancies in these
5 locations, it has not reduced or made any significant impact or
6 change as vacancies continue to increase, especially in certain
7 geographical areas. A new recruitment and retention model
8 should be implemented through a shortage differential provided
9 to certain identified schools and complex areas in
10 geographically isolated locations to address areas that have
11 higher rates of non-certified teachers and higher teacher
12 vacancies. The following tiers have been proposed, along with
13 the rationale for each tier, the criteria, and amounts for these
14 shortage differentials:

15 Criteria Levels:

- 16 (1) Complexes required under the current contract;
17 (2) Complexes whose rate of teachers who have completed a
18 state-approved teacher education program has been
19 under the State's state-approved teacher education
20 program average for the last three years;



1 (3) Geographically isolated (more than twenty-five miles
2 from an urban center) complexes; and

3 (4) Complexes whose combined vacancy and emergency hires
4 were higher than ten per cent in school years
5 2016-2017 and 2017-2018.

6 Tiers:

7 (1) Tier 1 (\$3,000): Complexes required under the current
8 contract (this applies only to schools that are
9 required under contract and meet no other criteria);

10 (2) Tier 2 (\$5,000): Complexes that meet two of the
11 criteria levels;

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

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

17 The legislature notes that, although the data shows a
18 positive trend in many locations, areas such as the Hana-
19 Lahainaluna-Lanai-Molokai and Nanakuli-Waianae complex areas
20 continue to show lower percentages of positions filled by state-
21 approved teacher education program teachers and have persistent



1 vacancy rates. Hawaiian language immersion teachers make up a
2 large share of the shortage of teaching positions within the
3 department of education. Of the department of education's one
4 hundred sixty-one total Hawaiian language immersion teacher
5 positions, one hundred seven, or about sixty-six per cent, are
6 filled, and only fifty-four are filled with qualified and
7 licensed Hawaiian language immersion teachers. Qualified and
8 licensed Hawaiian language immersion teachers require fluency in
9 Olelo Hawaii, the Hawaiian language, and licensure by the Hawaii
10 teacher standards board.

11 As determined by the Hawaii supreme court in 2019, the
12 Hawaii State Constitution requires that the department of
13 education make "reasonable efforts" to provide students access
14 to Hawaiian language immersion education. Currently, there are
15 eighteen department of education Hawaiian language immersion
16 programs. The legislature finds that, in light of the 2019
17 Hawaii supreme court ruling and the number of vacancies, the
18 department of education requires the flexibility to attract
19 qualified and licensed Hawaiian language immersion teachers to
20 fill this labor shortage.



1 The legislature further finds that pursuant to board of
2 education policy 105-8, the board of education has recognized
3 the demand for Hawaiian language immersion teachers and directed
4 the department to address compensation, stating:

5 The Department will establish professional
6 qualifications and develop training programs
7 internally and/or in cooperation with stakeholder
8 groups/universities. The goal is for program
9 professionals to be qualified in both English as a
10 medium of instruction and Hawaiian as a medium of
11 instruction and appropriately compensated for these
12 additional qualifications.

13 The department is seeking approval from the board of
14 education to provide an annual shortage differential of
15 \$8,000 per qualified and licensed Hawaiian language
16 immersion classroom teacher.

17 To address the shortage within the department of licensed
18 special education teachers, licensed teachers in hard-to-staff
19 geographical locations, and licensed Hawaiian language immersion
20 program teachers, the legislature further finds that the State
21 should offer shortage differentials for these positions.



1 Accordingly, the purpose of this Act is to:

2 (1) Provide automatic step increases in salaries for each
3 year of satisfactory service completed by educational
4 assistants, public school teachers, and principals and
5 vice principals and increase the amount of time
6 available to teachers for collaboration, preparation,
7 and planning; and

8 (2) Appropriate funds for differentials to help address
9 various categories of teacher shortages.

10 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 **"§302A- Teacher effectiveness support system. (a)**

14 Pursuant to a collective bargaining agreement negotiated for
15 bargaining unit (3), bargaining unit (5), and bargaining unit
16 (6):

17 (1) Educational assistants;

18 (2) Teachers and educational officers who have complied
19 with the other requirements of sections 302A-602 to
20 302A-639 and section 302A-701, as applicable; and

21 (3) Principals and vice principals,



1 who have completed a year's satisfactory service shall be
2 entitled to an annual step increase; provided that this section
3 shall not apply if the governor determines that the State is
4 experiencing an economic downturn.

5 (b) Every teacher assigned to a school-level classroom
6 instructional position shall be provided no less than two
7 hundred twenty-five aggregate minutes of preparation periods
8 scheduled by the employer during the teacher's regular work
9 week. A preparation period shall consist of a continuous block
10 of time of no less than forty-five minutes. The preparation
11 periods shall be used for the pursuit of personally initiated
12 school tasks in preparing for instruction, evaluating students,
13 and performing other instruction-related activities, as included
14 in and funded by a collective bargaining agreement negotiated
15 with the exclusive representative of bargaining unit (5).

16 (c) Every teacher assigned to a school-level classroom
17 instructional position may be provided a minimum of two hundred
18 twenty-five aggregate minutes per week to assist students who
19 need additional support in meeting the standards relating to the
20 subject area for which the teacher is responsible.



1 (d) Beginning with the 2023-2024 school year, every
2 teacher assigned to a school-level classroom instructional
3 position shall be provided a minimum of forty-five continuous
4 minutes per week, two times per week, for collaboration with
5 peers at the same grade level or peers of similar subject areas
6 regarding the development of effective instructional practices
7 and other student support systems.

8 (e) Nothing in this section shall be construed to prohibit
9 additional collaboration, preparation, and planning time from
10 being included in a collective bargaining agreement negotiated
11 with the exclusive representative for bargaining unit (5).
12 Nothing in this section shall replace or infringe upon any
13 existing protected time for members of bargaining unit (5)
14 consisting of a continuous block of time of no less than forty-
15 five minutes for a minimum of two hundred twenty-five aggregate
16 minutes per week for the pursuit of personally initiated school
17 tasks in preparing for instruction, evaluating students, and
18 performing other instruction-related activities."

19 SECTION 3. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2022-2023 for



1 the teacher effectiveness support system program established
2 pursuant to section 2 of this Act.

3 The sum appropriated shall be expended by the department of
4 education 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 \$ or so
7 much thereof as may be necessary for fiscal year 2022-2023 to
8 fund teacher differentials, as negotiated between the
9 superintendent of education and the exclusive representative of
10 collective bargaining unit (5) in a memorandum of understanding,
11 for additional teacher pay in the areas of special education,
12 hard-to-staff geographic locations, and Hawaiian language
13 immersion programs; provided that the moneys shall not be
14 released until the memorandum of understanding is executed
15 between the superintendent of education and the exclusive
16 representative of 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 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2022-2023 for



1 charter schools commission and administration (EDN 612) to fund
2 classroom teacher shortage differentials, as negotiated between
3 the governing boards of state public charter schools and the
4 exclusive representative of collective bargaining unit (5) in a
5 memorandum of understanding, for additional teacher pay in the
6 areas of special education, hard-to-staff geographic locations,
7 and Hawaiian language immersion programs; provided that the
8 moneys shall not be released until the memorandum of
9 understanding is executed between the governing boards of state
10 public charter schools and the exclusive representative of
11 collective bargaining unit (5).

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

14 SECTION 6. New statutory material is underscored.

15 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Department of Education; Charter Schools; Teacher Compensation; Step Increases; Collaboration, Preparation, and Planning Time; Differentials; Appropriation

Description:

Provides automatic step increases in salaries for each year of satisfactory service completed by educational assistants, public school teachers, and principals and vice principals and increases the amount of time available to teachers for collaboration, preparation, and planning. Appropriates funds for the automatic step increases and increase of time for teachers to collaborate and plan. Appropriates funds for various teacher differentials to help address labor shortages in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion programs. Effective 7/1/2050 (HD1)

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

