

**ACT 222**

S.B. NO. 2449

A Bill for an Act Relating to Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that, during the past round of negotiations for the 2007-2009 bargaining unit (5) collective bargaining agreement, the department of education and the Hawaii state teachers association bargained and reached an agreement in good faith on a provision to reduce the probationary period for non-tenured teachers from two consecutive years (four semesters) to one year

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(two semesters). Upon reaching a voluntary settlement on the unit (5) contract, the parties discovered that the negotiated provision was in direct conflict with section 302A-607, Hawaii Revised Statutes, which states in relevant part, that “[a]ll teachers, principals, and vice-principals entering the service of the department for the first time shall serve as probationary employees of the department for a minimum period of two consecutive years.”

The purpose of this Act is to repeal the statutorily established probationary provision of employment as these probationary periods are currently being, or have already been, negotiated between the department of education and the Hawaii State Teachers Association that represents bargaining unit (5) and the Hawaii Government Employees Association that represents bargaining unit (6). The department of education and the Hawaii State Teachers Association that represents bargaining unit (5) have recently clarified and simplified the process by which the probation period may be extended.

SECTION 2. Section 302A-607, Hawaii Revised Statutes, is repealed.

SECTION 3. Statutory material to be repealed is bracketed and stricken.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Became law on July 8, 2008, without the Governor’s signature, pursuant to Art. III, §16, State Constitution.)

### Note

1. Edited pursuant to HRS §23G-16.5.