

# Hawaii Public Schools (HI)\*

**GPA: 1.28**

**Rank: 43rd place out of 50**

*Document Examined: Collective bargaining agreement, July 1, 2005 – June 30, 2007†*

Data from the NCTQ database were drawn from Hawaii's July 1, 2005 – June 30, 2007 bargaining agreement. The authors have confirmed that a new contract has been approved. In the interest of maintaining a clear, consistent, and reliable standard for the data analyzed in this report, however, we have adhered to NCTQ's coding. Find a more detailed explanation of this approach on page 14.

HIGHLY FLEXIBLE
FLEXIBLE
SOMEWHAT FLEXIBLE
SOMEWHAT RESTRICTIVE
RESTRICTIVE
<b>HIGHLY RESTRICTIVE</b>

## Introduction

This study of the nation's fifty largest school districts starts from a simple premise: district labor agreements should not make it difficult for schools to be nimble, smart, flexible, high-performing organizations.

In particular, the study focuses on provisions that may limit school leaders' ability to attract and retain excellent teachers, to identify and remove ineffective instructors, to use professional development as a tool of organizational improvement, and to manage school operations in a professional manner—i.e., to run the most effective school possible in terms of core instructional and educational activities, crucial areas where school leaders need enough authority to match their mounting accountability obligations and executive responsibilities in a results-based era.

## The Grades

The scale on which districts were graded reflects the approach outlined above. Grades of A or B generally indicate provisions that confer on school leaders the latitude to manage their schools in a professional manner. A grade of C generally means the agreement is silent regarding the provision in question—i.e., it neither affirms nor denies a school leader's right to take a specific course of action. Grades of D and F generally indicate provisions that impede or explicitly bar school leaders from exercising discretion in a given area. Hawaii's overall grade, therefore, reflects the degree to which district policies constrain school leaders' ability to make decisions on important management issues. It is in no way a holistic assessment of local education policy or school leadership, much less of school effectiveness.

## Overall GPA: 1.28 (43rd place out of 50)

Hawaii's GPA is the average of its scores in three areas: Compensation, Personnel Policies, and Work Rules.

Hawaii receives a Highly Restrictive rating, the lowest possible, for its 1.28 GPA, ranking forty-third among the fifty districts studied. Although it earned one B+, Hawaii's report card is dominated by Cs and Fs, indicating much room for improvement.

## Compensation: D+ (24th percentile)

The Compensation grade combines four components: Credit for Previous Experience, Performance Pay, Hardship Pay for High-Needs Schools, and Extra Pay for Shortage Subjects.

Hawaii's bargaining agreement allows schools to raise starting teacher salaries based on previous experience teaching in a private school, but is silent on whether they may do so for previous experience teaching in college or working in a subject-related field. The agreement is also silent on whether

<b>Compensation</b> . . . . .	<b>D +</b>
1. Credit for Previous Experience . . . . .	B+
2. Performance Pay . . . . .	C
3. Hardship Pay for High-Needs Schools . . . . .	F
4. Extra Pay for Shortage Subjects . . . . .	F
<b>Personnel Policies</b> . . . . .	<b>D +</b>
5. Tenure . . . . .	N/A
6. Evaluation. . . . .	D+
7. Layoffs . . . . .	C
8. Transfers . . . . .	F
<b>Work Rules</b> . . . . .	<b>D</b>
9. Professional Development . . . . .	C
10. Subcontracting Operations‡ . . . . .	F
11. Faculty Meetings . . . . .	F
12. Teacher Leave . . . . .	C

schools may reward teachers on the basis of performance. The district receives two Fs in this category for barring schools from rewarding teachers in high-needs schools and in shortage subjects.

### **Personnel Policies: D+ (35th percentile)**

The Personnel Policies grade combines four components: Tenure, Evaluation, Layoffs, and Transfers.

Hawaii's bargaining agreement is silent on whether school leaders may factor student performance, including test scores, into teacher evaluations. However, the district reported to NCTQ that in practice school leaders may not consider student performance for tenured teachers, giving Hawaii a D+ for this component. The agreement is silent on whether school leaders may retain an outstanding young teacher over one with greater seniority during layoffs, and is unclear on whether school leaders must give internal applicants priority over new hires for vacant positions. It does allow transferring teachers to "bump" less senior teachers from their jobs and requires schools to select the most junior teacher in a certification area if transfers are necessary, giving it an F for that indicator. Tenure rules in Hawaii, as in most places, are set by the state legislature, not the district; therefore, Hawaii Public Schools did not receive a grade for that component.

### **Work Rules: D (47th percentile)**

The Work Rules grade combines four components: Professional Development, Subcontracting Operations, Faculty Meetings, and Teacher Leave.

Hawaii's bargaining agreement is silent on whether schools must give teachers salary credit and/or stipends for professional development activities outside the scheduled workday and whether school leaders may subcontract operations to nonunion workers. However, the district reported to NCTQ that in practice school leaders may not subcontract operations, giving Hawaii an F for that component. The contract also receives low marks for capping the length of faculty meetings and requiring time at faculty meetings to be allotted to union matters. Hawaii's agreement is silent on whether school leaders must grant teachers leave to attend union activities.

### **Conclusion**

Hawaii receives five Fs and only one grade above a C, indicating much room for improvement. To better equip its school leaders with the flexibility they need to manage their schools effectively, the Hawaii Board of Education should negotiate aggressively to make contract changes that explicitly confer on school leaders the right to:

1. raise the starting salaries of teachers with all forms of relevant prior experience. (The bargaining agreement allows this for some forms but is silent on others.)
2. reward teachers on the basis of performance. (The bargaining agreement is silent on this issue.)
3. reward teachers in high-needs schools and teachers of shortage subjects. (The bargaining agreement bars both practices.)
4. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
5. base decisions regarding teacher layoffs on individual merit and performance rather than seniority. (The bargaining agreement is silent on this issue.)
6. base decisions regarding teacher transfers on individual merit and performance rather than seniority. (Of the three indicators directly addressing teacher transfers, the bargaining agreement requires school leaders to consider seniority on two and is unclear on one.)
7. subcontract (i.e., outsource) certain school operations. (The bargaining agreement is silent on this issue.)

### **In addition, the board should amend provisions that:**

8. cap the time allowed for faculty meetings and that require time at faculty meetings to be allotted to union matters. (While long meetings are not necessarily preferable, principals should have some discretion.)

\* The Hawaii Department of Education administers all public schools in the state, effectively functioning as a single district. Even so, state laws and codes, such as tenure rulings, are distinct from provisions in the collective bargaining agreement.

† The data examined in this report come from the National Council on Teacher Quality (NCTQ) database, "Teacher Roles, Rules and Rights." All data were culled from the NCTQ database in November 2007. In states that permit collective bargaining, NCTQ examined collective bargaining agreements, with the exception of Jordan School District in Utah, which does not have a bargaining agreement. In states where collective bargaining is either illegal or otherwise not practiced, NCTQ examined school board policies. Where a provision in state law precludes the possibility of a collective bargaining agreement or school board policy addressing a certain component in our study, we excluded it from our analysis, marking the component "N/A." Find a more detailed explanation of this report's methodology starting on page 14.

‡ This indicator refers to the right of school leaders to outsource school operations to nonunion workers. NCTQ uses the term "subcontracting" in its database, which we retain here in the interest of consistency.