

# HAWAII

OVERALL RANK: 1ST<sup>1</sup>  
TIER 1 (STRONGEST)

STRONGER  WEAKER

OVERALL	1				
1. RESOURCES AND MEMBERSHIP	3				
2. INVOLVEMENT IN POLITICS	1				
3. SCOPE OF BARGAINING		9			
4. STATE POLICIES		9			
5. PERCEIVED INFLUENCE				23	

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 3RD

Hawaii’s state teacher union, the Hawaii State Teachers Association (HSTA), benefits from abundant resources and a high membership rate. It is also Hawaii’s only teacher union—the state consists of a single school district—and 96.7 percent of teachers are members (the 7th-highest unionization rate of 51 jurisdictions nationwide). The HTSA brings in \$705 annually per teacher in the state, also the 7th-highest. In addition, per-pupil expenditures in the Aloha state are 13th-highest across the country at \$13,090 per student, and 54.4 percent of those expenditures go toward teacher salaries and benefits (23rd).

## AREA 2: INVOLVEMENT IN POLITICS<sup>2</sup> TIED FOR 1ST

Hawaii’s teacher union has been a major player in state politics in the past ten years. Its donations accounted for 1.5 percent of total contributions received by candidates for state office (9th); those contributions equaled 15.4 percent of all contributions from the ten highest-giving sectors in the state (7th). In addition, a full 20.2 percent of Hawaii’s delegates to the Democratic and Republican national conventions were teacher union members (9th).<sup>3</sup>

## AREA 3: SCOPE OF BARGAINING 9TH

Hawaii is one of twenty-one states that require collective bargaining and permit unions to automatically collect agency

fees from non-member teachers—a key source of union revenue. Still, the state limits the scope of bargaining in some ways: Of twenty-one subjects examined in this analysis, Hawaii law explicitly prohibits bargaining over four: management rights, transfers, layoffs, and pension/retirement benefits. On the other hand, the remaining seventeen items are either required (wages, hours, insurance benefits, fringe benefits, and terms and conditions of employment) or permitted bargaining subjects.

#### *AREA 4: STATE POLICIES 9TH*

In part because they tend to protect teacher job security, Hawaii policies are closely aligned with traditional union interests. State law does not require that teacher evaluations include student achievement data. Further, it grants tenure virtually automatically after just two years (one of only six states that confer tenure in fewer than three years), and layoff decisions are based solely on seniority rather than teacher performance. Compared to most other states, Hawaii teachers contribute less to their pensions than their employers do, and the state's teacher-dismissal rate is the 12th-lowest in the country, with just 1.1 percent dismissed each year because of poor performance. Hawaii law also does not favor charter schools: The state places a cap with limited room for growth on the number of charters that can operate, allows for only a single authorizer, and requires that all charter schools be part of existing collective bargaining agreements (although they can apply for exemptions).

#### *AREA 5: PERCEIVED INFLUENCE 23RD*

Despite the union's considerable resources, when compared to respondents in other states, Hawaii stakeholders perceive the strength of their union to be moderate, on par with that of the state school board and association of school administrators. They agree that the HSTA fought hard in light of recent budgetary constraints to prevent reductions in pay and benefits and that the union is generally effective in protecting dollars for education. But they report that policies proposed by the governor in the latest legislative session and those actually enacted were only somewhat in line with union priorities.<sup>4</sup> The perception of limited influence despite substantial resources could indicate that the state union is maintaining a low profile in a favorable environment, may reflect the union's recent clashes with state leaders (see sidebar), or potentially illustrates the union's waning reputation after the state famously (or infamously) briefly implemented a four-day week in the fall of 2009 as a belt-tightening measure.

#### *OVERALL 1ST*

Hawaii's teacher union enjoys substantial financial resources, a large, unified membership, and a favorable policy climate. It is actively involved in state politics, and—despite its local reputation for only moderate influence—it is the strongest state union in the nation.

In December 2011, Hawaii received a letter from the U.S. Department of Education warning that it risked losing the \$75 million that the Aloha State had won through the Race to the Top (RTTT) competition because it had failed to make significant progress on the goals outlined in its application.<sup>5</sup> In response, the state and its union leaders quickly drafted a tentative contract that included a new teacher evaluation system incorporating student growth, thus fulfilling one of the main components of the state's RTTT plan.<sup>6</sup> However, union members rejected the proposed contract by a two to one margin, the first time in the history of the Hawaii State Teachers Association that the "rank and file" refused a recommendation by their leaders.<sup>7</sup> Legislation intended to pave the way for the new evaluation system died in the Senate in April 2012.<sup>8,9</sup>

The following month, the Department of Education announced that while it would remain on "high-risk" status, Hawaii would keep its RTTT grant for now. After visiting Hawaii, Department officials commended state and local leaders for their attempts to fulfill their RTTT plan. Later that month, the HSTA re-voted on the original contract deal—and this time, the members of this strongest state union in the nation approved it by 66 to 34 percent. (One reporter covering the story wrote, "In reconsidering the contract, the union stressed to members that it's the best deal they can get.")<sup>10</sup> It isn't clear whether Governor Neil Abercrombie will accept the union's second-chance approval, as he had previously insisted that after HSTA rejected the contract the first time, the offer was no longer valid.<sup>11</sup> But it may behoove both sides to come to an agreement soon, unless they'd like more visitors from Washington.

# HAWAII RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 1ST			
Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  3*	Membership	By rank, what percentage of public-school teachers in the state are union members?	7th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	7th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	35th*
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	13th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	23rd
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  1*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	9th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	26th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	7th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	9th
<b>AREA 3: SCOPE OF BARGAINING</b>  9	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	31st
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Permitted
	Right to strike	What is the legal status of teacher strikes?	Permitted
<b>AREA 4: STATE POLICIES</b>  9	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	10th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Eligible for dismissal
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Not required
	Terms of employment	How long before a teacher earns tenure?	Two years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Not included
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Required; Sole factor
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Not required
		By rank, what percentage of the teaching workforce was dismissed due to poor performance?	12th
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	No restriction	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
<b>AREA 4: STATE POLICIES</b>  <b>9</b>  (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	State cap with limited room for growth
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Single option; No or limited activity
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	Yes
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	No; Schools cannot apply for exemptions
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	No; Schools can apply for exemptions
<b>AREA 5: PERCEIVED INFLUENCE<sup>c</sup></b>  <b>23</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Second- or third-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Sometimes
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Neutral
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Fight
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/ Somewhat in line
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Somewhat in line
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Sometimes
		Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Sometimes compromise, sometimes do not need to concede

\* Tied with another state

<sup>a</sup> Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

<sup>b</sup> Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Hawaii has the 7th-highest percentage of teachers who are union members. Otherwise, we report a status: Hawaii has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net).

<sup>c</sup> For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

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## ENDNOTES

<sup>1</sup> A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Hawaii are shown in the table, *Hawaii Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we then use that average to place the states in rank order. For example, in Area 1: Resources and Membership, Hawaii is ranked 3rd of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

<sup>2</sup> Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

<sup>3</sup> At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

<sup>4</sup> We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

<sup>5</sup> Michele McNeil, "Ed Dept. Takes Action Against Hawaii For Race To Top Stumbles," *Education Week*, December 22, 2011, [http://blogs.edweek.org/edweek/campaign-k-12/2011/12/\\_this\\_is\\_the\\_departments.html](http://blogs.edweek.org/edweek/campaign-k-12/2011/12/_this_is_the_departments.html).

<sup>6</sup> Michele McNeil, "In Big Setback For Race To Top, Hawaii Teachers Reject Contract," *Education Week*, January 20, 2012, [http://blogs.edweek.org/edweek/campaign-k-12/2012/01/big\\_setback\\_for\\_hawaiis\\_race\\_t.html](http://blogs.edweek.org/edweek/campaign-k-12/2012/01/big_setback_for_hawaiis_race_t.html).

<sup>7</sup> Katherine Poythress, "Hawaii Teachers Reject New Contract With State," *Honolulu Civil Beat*, January 19, 2012, <http://www.civilbeat.com/articles/2012/01/19/14624-hawaii-teachers-reject-new-contract-with-state/>.

<sup>8</sup> Michele McNeil, "Is Hawaii One Step Closer To Losing Race To Top Grant?" *Education Week*, April 13, 2012, [http://blogs.edweek.org/edweek/campaign-k-12/2012/04/with\\_the\\_fate\\_of\\_hawaiis.html](http://blogs.edweek.org/edweek/campaign-k-12/2012/04/with_the_fate_of_hawaiis.html).

<sup>9</sup> Alyson Klein, "Hawaii Hangs On To Race To The Top Grant, For Now," *Education Week*, May 4, 2012, [http://blogs.edweek.org/edweek/campaign-k-12/2012/05/hawaii\\_hangs\\_on\\_to\\_race\\_to\\_the.html](http://blogs.edweek.org/edweek/campaign-k-12/2012/05/hawaii_hangs_on_to_race_to_the.html).

<sup>10</sup> Jennifer Sinco Kelleher, "Hawaii Teachers Union Approves Union Contract," *BusinessWeek.com*, May 24, 2012, <http://www.businessweek.com/ap/2012-05-24/hawaii-teachers-union-approves-union-contract>.

<sup>11</sup> *Ibid.*