



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF TALENT MANAGEMENT

December 22, 2020

Certified Mail No. 7014 2870 0001 0904 4544
Return Receipt Requested

Mr. Randy Perreira
Executive Director
Hawaii Government Employees Association
888 Mililani Street, Suite 401
Honolulu, Hawaii 96813-2991

Re: Consult and Confer Regarding the Standard Practice 5200, Compensation for Teachers and Educational Officers

Dear Mr. Perreira:

The Hawaii Department of Education (HIDOE or Department) wishes to consult and confer regarding the Standard Practice (SP) 5200, Compensation for teachers and educational officers (EO). This SP supersedes School Code Regulation 5200, Compensation.

The SP 5200 provides compensation language in which teachers and educational officers are placed on the appropriate step on the applicable salary schedule. It is a mechanism that allows the HIDOE to compensate new hires with no prior experience in the Department, and EOs returning to an EO position in the Department. The SP was updated for clarity and consistency and also incorporates the Department's current practice. For your convenience, refer to the enclosed documents: School Code 5200, SP 5200 Change Document, SP 5200 - Ramseyer version, SP 5200- clean version.

Please provide us with your comments, if any, by February 5, 2021. If we do not receive response by that date, we assume that there are no comments.

If there are any questions, please contact Lauren Ladao at 636-8920 or via email at lauren.ladao@k12.hi.us.

Sincerely,

Jarnett Lono
Personnel Director
Employee Relations Branch

JL:ll

Enclosures

c: Dr. Christina M. Kishimoto, Superintendent
Phyllis Unebasami, Deputy Superintendent
Dr. Cynthia A. Covell, Assistant Superintendent, Office of Talent Management (OTM)
Kerry Tom, Director, Personnel Management Branch, OTM

RECEIVED
2020 DEC 24 AM 10:20
HGEA LOCAL 152
AFSCME, AFL CIO

COMPENSATION
ADMINISTRATIVE REGULATIONS

COMPENSATION

Teachers and educational officers shall be compensated as provided for by the laws of Hawaii and Department regulations.

A. Experience Credit for Salary Step Placement

1. Newly Hired Teachers

The maximum entry level for newly hired teachers is step 7. Newly hired teachers shall be placed on the appropriate step of the teachers' salary schedule as determined by their accumulated years of verified and allowable teaching experience. However, other provisions to the contrary notwithstanding, no new teacher shall enter the schedule at a higher salary step than incumbent teachers with identical years of experience who were prevented from earning normal annual increments (under the provisions of Act 164, S.L.H. 1975) because of negotiated collective bargaining pay raises.

a. Teaching Experience Allowable

Effective September 1, 1969 a maximum of six years of prior teaching experience is allowable for salary placement credit for full-time experience in a recognized public or private school (K-12) in the United States (including territories, possessions or Department of Defense Schools overseas). Teaching experience (K-12) outside the United States may be accepted for salary

Compensation - Compensation (continued)

credit under circumstances where sufficient verification is offered to adequately establish that such experience was comparable to that of regular classroom teachers in the public schools of Hawaii. Full-time teaching service with the Peace Corps, Vista and Teacher Corps is allowable provided such service had the same responsibilities as regular classroom teachers.

NOTE: When military service is combined with teaching experience, the maximum number of combined service shall not exceed six years.

b. Teaching Experience Not Allowable

Teaching experience of less than one semester shall not be allowable for salary placement credit (a semester is defined as either of the two continuous periods of instruction into which an academic year is divided or five continuous months of teaching). No salary placement credit shall be allowed for intern teaching or teaching compensated on an hourly pay rate. (Intern teaching is defined as teaching experience gained as part of a teacher training program or teaching experience which resulted in academic credit from an institution of learning.)

c. Military Experience

Active military service (reserve status is excluded) in the armed forces of the United States since December 7, 1941, shall be allowed to the extent of one step credit for each year of

Compensation - Compensation (continued)

verified service to a maximum of four steps. Six months of continuous active service shall count as one year - less service is not creditable.

2. Verification of Experience

All experience submitted for salary credit must be verified by official documents or statements from former employers.

B. Teacher Returning After Prior Service with the Department

A teacher returning to the Department after prior service as a teacher shall be processed as follows for salary purposes:

1. The teacher shall be returned to the same salary classification unless the teacher qualifies for a higher class, in which case, upon verification of qualification, placement shall be made to the appropriate salary range.
2. The teacher shall be placed on the salary step equivalent to the salary step held immediately prior to termination. The teacher shall be granted allowable teaching experience obtained subsequent to employment termination. Such accumulated teaching experience shall be credited not to exceed Step 5 only to the extent that they are not offset by the total years of pay increment service credit that were denied (under Act 164, S.L.H. 1975) to inservice teachers during the employment absence period.

C. Administrative Interns

1. Certificated Department employees serving as administrative interns shall not suffer any loss in base salary.

Compensation - Compensation (continued)

2. Under certain circumstances, non-certificated personnel may be selected as administrative interns. In these instances, no salary placement credit will be permitted for previous work experience or salary earned. Such individuals will be placed on the Teacher Salary Schedule on the class and step for which they qualify under existing regulations concerning salary placement for newly employed teachers.

D. Newly Hired Educational Officers Not Having Prior Service with the Department

A newly appointed educational officer shall be placed on the initial step of the appropriate salary range for the position to which appointed.

E. Negotiated Salaries

The Superintendent, for the benefit of the Department, may negotiate within a salary range up to the seventh step for a particular position only. Any negotiation above step seven must have the prior approval of the Board of Education.

F. Former Employees Returning to the Department as Educational Officers

1. A person with prior service as a teacher returning to the Department as an educational officer shall have the salary determined in the manner established for newly hired educational officers not having prior service with the Department, or can be promoted from the teacher classification and step in accordance with the provisions established for promotion of teachers.
2. An educational officer returning to the Department with prior service in the Department as an educational officer shall have the salary determined as follows:

Compensation - Compensation (continued)

- a. The educational officer shall be placed on the same "permanent" salary range and step held immediately prior to employment termination.
- b. The educational officer shall then be promoted or demoted or transferred to the appropriate salary range in accordance with regulations established for in-service educational officers.

G. Trainees

Certificated (administrative and supervisory) employees may be reassigned to an instructional staff or other administrative duties as a trainee for a period not to exceed six months without loss of salary. Such temporary reassignment must be for the express purpose of gaining experience which will benefit the Department. Trainees shall have their salaries determined in accordance with paragraph C-1 of this regulation.

H. Maximum Credit in a Twelve-Month Period

Only one year of experience shall be granted within a twelve-month period.

Revised 9/1/70; Amended 7/11/74; Amended 10/74; Amended 8/76; Amended 6/86;
Amended 11/88

State of Hawaii
Department of Education
Standard Practices (SP) Project
Union Consultation Change Document

Date: 2020 October 01
Document: SP 5200
SP Title: Compensation
Lead Writer: Maile Horikawa
Telephone: 441-8364
Supersedes: Regulation 5200

School Code		Standard Practice		Actual Change		Explanation
Reference	Page	Reference	Page			
5200	5200-3	5200 1.	1	Rephrase paragraph, deleted 'Teachers and educational officers shall be compensated as provided for by the laws of Hawaii and Department regulations' Inserted 'To describe the salary placement for teachers and educational officers on the salary schedules in accordance with the laws of Hawaii, Department regulations and collective bargaining agreements (CBA); added 'collective bargaining agreements.'		For clarity
		5200.4	1	Inserted CBA		For consistency
5200	5200-3		1	New Section 'I Teachers'		Separate Teacher from Educational Officer

A. 1.	5200-3	I. A	1	Deleted 'is step 7' and inserted 'determined in accordance with the laws of Hawaii, Department regulations and CBA.'; added 'or re-employed teacher'	For clarity; current practice
A. 1.	5200-3	I.A	1	Deleted 'Act 164, S.L.H. 1975' and inserted 'HRS 302A-627'	For clarity; current practice; HRS supercedes Act
A.1. a.	5200-3	I.A.a.	1	Deleted 'Effective September 1, 1969': added "classroom"; 'added those of'	Going forward and no need info; clarify type of teaching experience allowed
A.1.b	5200-4	I.A.b	2	deleted 'a', inserted 'A'	Formatting
A. 1.a. Note	5200-4	I.A. c.	2	Moved 'Note' info and combined under 'Military Experience'	Consolidated the info
5200.A.1.b	5200-4	I.A.1.b	2	Deleted 'or five continuous months of teaching; added 'or by stipend'; deleted entire last sentence beginning with '(Intern teaching is defined . . .'	The definition of "five continuous months" is not used in current practice to define a semester for this purpose. Added in "by stipend" and removed the last sentence because it is current practice to count experience for salary purposes provided the employing district verifies the experience is comparable to a DOE contracted teacher and they were salaried and confirms this on the Verification of Employment form.


A.1.c	5200-4,5	I. A. 1. c.	2	Deleted 'since December 7, 1941' and 'step credit', inserted 'year of teaching experience'; deleted 'steps', 'inserted years'; deleted 'less service is', inserted 'Less than six months of service is' inserted 'When military service is combined with teaching experience, the maximum number of combined service shall not exceed six years.'	For clarity; current practice; HRS 302A-627 Consolidated Note in related paragraph for clarity.
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Supersedes: Regulation 5200

School Code		Standard Practice		Actual Change		Explanation
Reference	Page	Reference	Page			
5200 B. 2.	5200-5	I. B. 2.	2	Deleted 'Step 5 only' and '(under Act 164, S.L.H. 1975)'; inserted 'six (6) years of verified non-DOE teaching experience.'; deleted 'Act 164, S>L.H 1975', inserted 'HRS 302A-627'		For clarity; current practice; HRS 302A-627
5200 C	5200-5			Deleted 'Section C' in its entirety		Not applicable to current practice.
		I.C	4	Inserted new sub section 'C' inserted 'Maximum Credit in a Twelve-Month Period'		New Heading (replaces former C)

			I.C	4	Inserted "Only one year of experience shall be granted within a twelve-month period."	Clarify year of experience granted
			II	4	Inserted new Section "II Educational Officers"	Separate Teacher from Educational Officer
5200 D	5200-6	II.A	4	Deleted 'D', replaced with 'A' inserted '(Unless subject to Paragraph C "Negotiated Salaries" for Excluded Educational Officers of this SP.)'	Formatting. New clarifying information for Excluded Educational Officers	
5200 E.	5200-6			Deleted Section E in its entirety	Deleted, new Section C Negotiated Salaries	
5200 F	5200-6	II.B	4	Deleted 'F', Inserted 'B'	Formatting	
5200 F.	5200-6	II.B.1	4	Deleted 'or can be promoted from the teacher classification and step in accordance with the provisions established for promotion of teachers'	Current practice	
5200 F.2	5200-6	II.B.2	4	Inserted' (Unless subject to Paragraph C "Negotiated Salaries" for Excluded Educational Officers of this SP)	New clarifying information for Excluded Educational Officers	
5200F.2.a	5200-7	II.B.2.a	4	Inserted 'the movement to a non-educational officer position, or	Clarify for Educational Officers who move to non-educational officer positions and return with no break in service	
		II.C	5	Inserted "C Negotiates Salaries"	New sub section	
(5200 E)	5200-6	II C	5	Inserted' The Superintendent for the benefit of the Department, may negotiate within a salary range up to the maximum step for a particular excluded position only.'	New sub section for excluded educational officers. School Code only allows the Supt. to negotiate the salary to the 7th step.	

(5200 C)	5200-5	II.D	5	New sub section 'D Administrative Interns'	New sub section
				Inserted '1. Certificated Department employees serving as administrative interns shall not suffer any loss in base salary.'	
(5200 C-1)	5200-5	II.D.1	5	Inserted '2 Under certain circumstances, non-certificated personnel may be elected as administrative interns. In these instances, no salary placement credit will be permitted for previous work experience or salary earned. Deleted 'Such individuals will be placed on the Teacher Salary Schedule on the class and step for which they qualify under existing regulations concerning salary placement for newly employed teachers.'	New sub section
(5200 C-2)	5200-5	II.D.2	5		New sub section
5200-G.	5200-7	II.E	5	Reformatted as II.E	Reformatted
5200-G	5200-7	II.E	5	Deleted 'C, inserted 'D'; deleted 'Regulation', inserted 'SP'	Formatting
5200-H	5200-4			Deleted in its entirety	See Section I.C
		6	6	Added "e. On-line Application for Educational Officer Positions"	New form reference

	<p align="center">State of Hawaii Department of Education Standard Practice (SP) Document</p>	<p align="center">Office of Talent Management</p>
<p>Document No. SP 5200</p>	<p>Distribution: Certificated Employees</p>	<p>Release Date: [Click to enter a date.]</p>
<p>SUBJECT</p>	<p>Compensation</p>	

1. Purpose

To describe the salary placement for teachers and educational officers on the salary schedules in accordance with the laws of Hawaii, Department regulations and collective bargaining agreements (CBA)

2. Effective

Immediately. This SP supersedes School Code Regulation 5200.

3. Applies to

Teachers and educational officers.

4. Key Information

Teachers and educational officers shall be compensated as provided for by the laws of Hawaii and Department regulations.

I. Teachers

A. Experience Credit for Salary Step Placement

1. Newly Hired Teachers

The maximum entry level for newly hired teachers is ~~step 7~~ determined in accordance with the laws of Hawaii, Department regulations and CBA. Newly hired teachers shall be placed on the appropriate step of the teachers' salary schedule as determined by their accumulated years of verified and allowable teaching experience. However, other provisions to the contrary notwithstanding, no new teacher or re-employed teacher shall enter the schedule at a higher salary

step than incumbent teachers with identical years of experience who were prevented from earning normal annual increments (under the provisions of Act 164, S.L.H. 1975 HRS 302A-627) because of negotiated collective bargaining CBA pay raises.

a. Teaching Experience Allowable

~~Effective September 1, 1969 a~~ A maximum of six years of prior classroom teaching experience is allowable for salary placement credit for full-time experience in a recognized public or private school (K-12) in the United States (including territories, possessions or Department of Defense Schools overseas). Teaching experience (K-12) outside the United States may be accepted for salary credit under circumstances where sufficient verification is offered to adequately establish that such experience was comparable to that of regular classroom teachers in the public schools of Hawaii. Full-time teaching service with the Peace Corps, Vista and Teacher Corps is allowable provided such service had the same responsibilities as those of regular classroom teachers.

~~NOTE: When military service is combined with teaching experience, the maximum number of combined service shall not exceed six years.~~

b. Teaching Experience Not Allowable

Teaching experience of less than one semester shall not be allowable for salary placement credit (a A semester is defined as either of the two continuous periods of instruction into which an academic year is divided, or five continuous months of teaching). No salary placement credit shall be allowed for intern teaching or teaching compensated on an hourly pay rate. (Intern teaching is defined as teaching experience gained as part of a teacher training program or teaching experience which resulted in academic credit from an institution of learning).

c. Military Experience

Active military service (reserve status is excluded) in the armed forces of the United States ~~since December 7, 1941~~, shall be allowed to the extent of one ~~step credit~~ year of teaching experience for each year of verified service to a

maximum of four ~~steps~~ years. Six months of continuous active service shall count as one year. ~~Less than six months of service is not creditable. When military service is combined with teaching experience, the maximum number of combined service shall not exceed six years.~~

2. **Verification of Experience**

All experience submitted for salary credit must be verified by official documents or statements from former employers.

B. Teacher Returning After Prior Service with the Department

A teacher returning to the Department after prior service as a teacher shall be processed as follows for salary purposes:

1. The teacher shall be returned to the same salary classification unless the teacher qualifies for a higher class, in which case, upon verification of qualification, placement shall be made to the appropriate salary range.
2. The teacher shall be placed on the salary step equivalent to the salary step held immediately prior to termination. The teacher shall be granted allowable teaching experience obtained subsequent to employment termination. Such accumulated teaching experience shall be credited not to exceed ~~Step 5 only~~ six years of verified non-DOE teaching experience to the extent that they are not offset by the total years of pay increment service credit that were denied (under Act 164, S.L.H. 1975 HRS 302A-627) to inservice teachers during the employment absence period.

C. Administrative Interns

- ~~1. Certificated Department employees serving as administrative interns shall not suffer any loss in base salary.~~
- ~~2. Under certain circumstances, non-certificated personnel may be selected as administrative interns. In these instances, no salary placement credit will be permitted for previous work experience or salary earned. Such individuals will be placed on the Teacher Salary Schedule on the class and step for which they qualify under existing regulations concerning salary placement for newly employed teachers.~~

C. Maximum Credit in a Twelve-Month Period

Only one year of experience shall be granted within a twelve-month period.

II. Educational Officers

A. ~~D.~~ Newly Hired Educational Officers Not Having Prior Service with the Department

A newly appointed educational officer shall be placed on the initial step of the appropriate salary range for the position to which appointed. (Unless subject to Paragraph C “Negotiated Salaries” for Excluded Educational Officers of this SP).

~~E. Negotiated Salaries~~

~~The Superintendent, for the benefit of the Department, may negotiate within a salary range up to the seventh step for a particular position only. Any negotiation above step seven must have the prior approval of the Board of Education.~~

B. ~~F.~~ Former Employees Returning to the Department as Educational Officers

1. A person with prior service as a teacher returning to the Department as an educational officer shall have the salary determined in the manner established for newly hired educational officers not having prior service with the Department, ~~or can be promoted from the teacher classification and step in accordance with the provisions established for promotion of teachers.~~
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E. Trainees

Certificated (administrative and supervisory) employees may be reassigned to an instructional staff or other administrative duties as a trainee for a period not to exceed six months without loss of salary. Such temporary reassignment must be for the express purpose of gaining experience which will benefit the Department. Trainees shall have their salaries determined in accordance with paragraph ~~C~~ D-1 of this Regulation SP.

H. Maximum Credit in a Twelve Month Period

~~Only one year of experience shall be granted within a twelve month period.~~

5. SP Maintenance Responsibility

The Personnel Specialist for Employee Records and Transactions in the Office of Talent Management is responsible for maintenance, administration, and questions regarding this SP.

6. References, Resources, and Forms

The following resources may provide access to statutory, policy, contractual authorities; and closely related SPs, procedures, and forms when posted.

- a. HRS, 302A-625, Educational Officers' Salary Schedules
- b. HRS, 302A-627, Salary Ratings of Entering or Reentering Teachers; Credit for Military Experience
- c. Act 286, SLH 2006, Public Employees; Reemployment of Retirees
- d. Unit 05 Bargaining Agreement, Article XX – Salaries

- e. [Unit 06 Bargaining Agreement, Article 30 – Salaries](#)

Forms

- a. [Form DD-214 Active United States Military Service](#)
- b. [DOE OTM 600-005 Retired State/County Employee Application](#)
- c. [DOE OTM 600-008 Verification of Employment](#)
- d. [On-line Application for Professional Employment for Teachers, School Librarians, and School Counselors](#)
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- f. [On-line Application for School Level Leadership Positions](#)



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF TALENT MANAGEMENT

October 9, 2020

TO: Jim Halvorson
Deputy Attorney General

FROM: Dr. Cynthia A. Covell *Cynthia A. Covell*
Cynthia A. Covell (Oct 8, 2020 12:28 HST)
Assistant Superintendent

SUBJECT: **Review of Proposed Standard Practice 5200**


The Department of Education has developed Standard Practice (SP) 5200, which would replace the current Department regulations. This SP will be the first in a series to come that will provide schools and employees an efficient and effective way of gaining access to information and services, as well as ensuring their compliance with applicable laws, policies, and administrative directives.

Before this SP is sent through the collective bargaining process of "consult and confer" and the possibility of litigation from the collective bargaining units, I would like to request your assistance in having a legal review of SP 5200.

I have attached both hard and digital copies of the above referenced SP. I appreciate your assistance in this matter and look forward to your Department's review. If you have any questions, please contact me at (808) 260-6247.

CAC:sb
Attachments

c: Office of Talent Management: Jarnett Lono, Personnel Director; Sean Bacon,
Executive Assistant

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