

LEGISLATIVE REPORT

SUBJECT: Substitute Teacher Classification and Compensation

REFERENCE: Act 70, Public School Substitute Teachers, SLH 2005

ACTION REQUESTED:

Findings and recommendations to establish a classification schedule for public school substitute teachers.

DOE REPORT:

The issue of public school substitute teacher salaries and related benefits has been an on-going source of controversy and is currently in litigation. If the litigation is not resolved quickly, it can adversely impact substitute teachers, as well as public school students who depend on substitute teachers on a daily basis. As such, the intent of this report is to comply with the requirements of Act 70, SLH 2005, which requires the Department of Education to submit its findings and recommendations to establish and fund a classification and compensation schedule for public school substitute teachers.

FINDINGS:

See attached.

RECOMMENDATIONS:

See attached.

A REPORT TO THE LEGISLATURE ON THE DEPARTMENT OF EDUCATION'S RESPONSE TO ACT 70

Background:

On May 23, 2005 the Hawai'i State Legislature passed Act 70: Relating to Public School Substitute Teachers. The Act amended Subsection 302A-624(e), Hawaii Revised Statutes, which (1) provided the Legislature authority to determine the minimum hourly or minimum per diem rate for substitute teachers; (2) required the Department of Education (DOE) to develop a classification and compensation schedule; and (3) provided a pro-rated compensation schedule for individuals who work less than a full seven-hour work day. In addition, the Act classified substitute teachers into three (3) classes of employees and three (3) compensation rates, as follows:

- Class I: Individuals who do not possess a bachelor's degree shall be compensated at a rate of not less than \$119.80 for a full work day.
- Class II: Individuals with a bachelor's degree shall be compensated at a rate of not less than \$130.00 for a full work day.
- Class III: Individuals who are Department of Education teachers, or licensed or highly qualified teachers, shall be compensated at a rate of not less than \$140.00 for a full work day.

On June 9, 2005, the DOE convened the first meeting of the Substitute Teacher Task Force (Task Force). Members included representatives from the Hawaii State Teachers Association, Hawaii Government Employees Association, Office of Human Resources, substitute teachers, and parents.

The Task Force recognized the important role substitute teachers play in providing quality education to students when regular classroom teachers are absent or unable to perform their duties. After brainstorming the issues relating to substitute teachers, the Task Force categorized the concerns into four (4) areas: (1) initial training; (2) professional development; (3) compensation; and (4) benefits.

To determine the type of training, compensation, and benefits, the following information was provided to members of the Task Force:

(a) Number of Substitute Teachers Employed:

SY 2003 – 2004 Substitute Teacher Count

District	Class I	Class II	Class III	Total
Honolulu	24	362	492	878
Central	42	394	366	802
Leeward	323	286	234	843
Windward	40	305	173	518
Hawaii	266	391	292	949
Maui	67	233	187	487
Lanai	2	12	9	23
Molokai	26	27	15	68
Kauai	92	134	111	337
Total	882 (17.98%)	2144 (43.7%)	1879 (38.3%)	4905

SY 2004 – 2005 Substitute Teacher Count

District	Class I	Class II	Class III	Total
Honolulu	16	348	464	828
Central	22	401	379	802
Leeward	188	333	239	760
Windward	19	318	170	507
Hawaii	136	407	278	821
Maui	45	237	182	464
Lanai	1	15	9	25
Molokai	10	34	19	63
Kauai	48	132	116	296
Total	484 (10.6%)	2226 (48.7%)	1857 (40.7%)	4568

(b) Number of Days Substitute Teachers Employed: SY 2004 - 2005

Number of Substitute Teachers	Number of Days Worked
977	0
1,832	1-30
746	31-60
460	61-89
741	90+

(c) Number of Days Employed by Class: SY 2004 - 2005

Class	Total Number of Days Worked	Total Number of Subs	Total Number of Subs That Worked	Percent of Subs That Worked	Average Number of Workdays per Sub (Working Subs Only)
I	35,428	485	466	96%	76
II	82,467	2,275	1,809	80%	46
III	66,537	1,900	1,533	81%	43
Total	184,432	4,660	3,808	82%	48

Findings and Recommendations:

(1) Initial Training

All Class I and II substitute teachers will take the 30-hour Substitute Teacher Course at a cost of \$50.00. The Task Force felt that the course would provide general information on the DOE system, teaching strategies, standards-based instruction, grading, assessment, behavior management, and working with diverse students. The substitute course completion certificate is good for five (5) years. Thereafter, in order to renew their application, all substitutes in Class I and Class II must complete the refresher course.

Class III substitutes are not required to take the Substitute Teacher Course. Retired DOE teachers will need to take a refresher course ten (10) years after the date of retirement.

The Substitute Teacher Course will be offered at the Adult Community Schools. The online course will be piloted at McKinley Community School in June 2006.

(2) Professional Development

The expectation of substitute teachers is that they are knowledgeable in the initiatives of the DOE and proficient in the content areas.

The Task Force outlined the following professional development programs recommended for all substitutes:

- Profile of an Effective Teacher

- Laws/Policies Governing the Department
- Instructional Planning
 - a. Assessment
 - b. Data Collection
 - c. Data Interpretation
 - d. Data Analysis
- Teaching Tips and Strategies
 - a. Classroom Management
 - b. Discipline
 - c. Dealing with Difficult Students
 - d. Motivating Students
- Content Specific Courses (i.e. science, math, reading, etc.)

The professional development courses will be offered through the Adult Community Schools. Courses will be offered online, through web-based or special sessions. The length of each course will range between four (4) to eight (8) hours depending on the content. The tuition cost will be approximately \$20.00 per teacher for a four (4) hour course.

(3) Compensation

The Task Force reviewed two (2) issues relating to compensation: (1) bases of salary increase; and (2) equity in salary increase.

Recommendations shared by the group for salary increases included:

- salary increase be given annually; and
- increase based on the percent increase given to BU05 employees;
or
- increase based on average percent given to other bargaining units;
or
- increase based on the cost of living increases; or
- increase based on the national trend.

The Task Force recommended that salary increases should be across-the-board regardless of the class.

The following is a sample of a salary increase based upon the 3.5% across-the-board increase given to the various bargaining unit members:

	Total Number of Days Worked	FY 2006 3.5% Increase in Pay	Amount of Increase	Total Yearly Cost of 3.5% Increase	Total Yearly Salary Cost
Class I	35,428	\$123.99	\$4.19	\$148,443.32	\$4,392,717.70
Class II	82,467	\$134.55	\$4.55	\$375,224.85	\$11,095,934.00
Class III	66,537	\$144.90	\$4.90	\$326,031.30	\$9,641,211.30
Total	184,432			\$849,699.47	\$25,129,862.00

The following chart shows the cost of substitute salaries over the last three (3) years.

FY2002-03	FY2003-04	FY2004-05
\$14,024,492.71	\$22,058,158.59	\$21,299,512.14

(4) Benefits

During the discussion on benefits, the Task Force focused primarily on health and medical benefits. However, there are a number of retired teachers and other retired employees in the substitute pool who currently receive “free” medical benefits, i.e., premium costs of the medical benefits paid for by the State. For these retirees, the Task Force recommended that they receive a bonus equal to the cost of the health benefits.

As to who should receive these health benefits, the Task Force recommended that substitute teachers who worked 90+ days should be eligible for benefits. This recommendation was based on states that provide benefits for employees employed 700 hours+; Hawaii’s civil service system that provides benefits for anyone employed 89+ days; and the California system that provides a one time compensation of \$700.00 for substitute teachers who work 100 days within a given year.

Based on the varying cost of health care and the majority of substitutes who would not participate in the health care program, the Task Force recommended that a one-time, end-of-the-year bonus be provided to those substitutes who work 90+ days. The \$700.00 would provide funds for those who wish to participate in a health care program (private plan or the state plan). The total cost to the State based on School Year 2004 - 2005 data is **\$518,700**. The Task Force felt that this would be an incentive for other substitutes who teach less than 90 days a year, which will increase the number of active substitutes.

Summary of Task Force Recommendations:

The Task Force recommends the following:

- Initial Training
 - a. All Class I and II substitute teachers will take the 30-hour Substitute Training Course.

- b. All Class III substitutes will take a refresher course every ten (10) years.
 - c. All retired teachers will take a refresher course ten (10) years after their retirement date.
 - d. All Class I and II substitute teachers will take the refresher course five (5) years after the initial certificate of completion.
- Professional Development
 - a. Professional development courses will be made available for all substitute teachers.
 - b. Courses will pertain to current initiatives in the DOE.
- Compensation
 - a. Salary increases will reflect current negotiated rates by various bargaining units.
 - b. Salary increases will be across-the-board.
- Benefits
 - a. Benefits will relate to health and medical.
 - b. Retirees who do not participate in the health and medical program will receive an amount equal to the cost of the health/medical cost.
 - c. A recommended once-a-year “bonus” of \$700.00 be given to all substitute teachers who are employed 90+ days.

DOE Recommendations:

The DOE recommends that the Board of Education adopt these recommendations for implementation.