

New Request

Renewal

**SCHOOL COMMUNITY COUNCIL  
WAIVER/EXCEPTION REQUEST FORM**

(Please use one form for each request)

SCHOOL: Kalakaua Middle School

DATE: March 8, 2014

DISTRICT: Honolulu

COMPLEX: Farrington

School Strive HI Status:

Recognition

Continuous Improvement

Focus

Priority

Superintendent's Zone

**\*\*\*Attach Trend Report and Strive HI Performance System School Report.**

List the specific policy, regulation, rule, procedure or the specific article within the collective bargaining agreement from which the school is seeking relief. HSTA Article VI: Teaching Conditions and Hours. Section X.3a- Length of Preparation Periods. The Bell Schedule for School Year 2014-2015 selected by Kalakaua Middle School exceeds prep time by 3 minutes. Required minutes by contract = 225 minutes. KMS Bell Schedule = 228 minutes. These minutes are used toward teacher passing time between end of instructional day and start of Teacher meeting on Tuesday & Thursday. The KMS schedule gives back 3 minutes to Teachers during the "Other time" for meetings (faculty, departmental, grade level, curriculum); passing, opening, and closing time; recess; homeroom; scheduled activity periods on a voluntary basis; and study hall. Required minutes by contract = 440 minutes. KMS Bell Schedule = 437 minutes. After five meetings on bell schedule, the school faculty came to consensus and selected and agreed upon this Bell Schedule option. The faculty understood that the +3 minutes of prep time and the -3 minutes in "other time" balanced out to 0 minutes meeting all of the requirements for the time required on the Teacher Section of the bell schedule and agreed that it met their needs and parameters of HSTA Article VI, Section X. 3.a.

B. Describe 1) the desired change, and 2) what the school hopes to accomplish as it relates to improving student learning and increasing student achievement. Include specific quantitative, qualitative and longitudinal data to support the need for the request.

Kalakaua Middle School would like the +3 minutes in Teacher prep time and the -3 minutes in teacher other time be considered as a reasonable adjustment so KMS can proceed with the implementation of the 2014-2015 Bell Schedule selected in order to be in Compliance with Act 167. This adjustment of 3 minutes in the teacher time of the Bell Schedule has no impact on student achievement.

C. If a renewal, describe and evaluate the outcomes of the requested change. Explain what was achieved and the impact on student learning. (Include specific quantitative and/or qualitative data.)

D. Please provide additional information (data and narrative) for the following type of request applicable:

**D1.) Parent-Teacher Conferences:**

For a waiver from the DOE Regulation 4510.3 Released Time for Conferences to Report Student Progress, the Superintendent requires that a parent satisfaction survey be conducted and the survey results submitted.

Number of surveys distributed	
Number of surveys returned	
Number of parents in favor	
Number of parents not in favor	
Number of parents undecided	

Summary:

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**D2.) School Attendance Procedures:**

For a waiver from the DOE School Attendance Procedures, Revised August 2001, a comparison of attendance data over a three (3) year period of time is required. Explain the

increase or decrease in attendance rates. Provide provisions for allowing students to make-up missed work.

School Year	% of average daily attendance

Rationale:

**D3.) Reporting of Quarterly Grades:**

For an exception from the collective bargaining contract for teachers for Reporting Quarterly Grades for Schools, an explanation of the interventions provided and the impact on student learning is required.

Number of students failing	
Number of students who received tutorial assistance/interventions	
Number of students whose grades improved after receiving tutorial assistance/interventions	

Explanation:

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**D4.) Modified Assessment Schedule:**

For an exception from the collective bargaining contract for teachers for a Modified Assessment Schedule, an explanation of the interventions provided and the impact on student learning is required. Describe tutorial opportunities provided for students during the assessment week.

Number of students failing	
Number of students who received tutorial assistance/interventions	
Number of students whose grades improved after receiving tutorial assistance/interventions	

Explanation:

**E. All Other Requests:**

Provide information and explanation as indicated in Sections A, B, and C, and other additional information applicable.

Kalakaua Middle School faculty and staff would like to implement this school selected Bell Schedule as we see that it will meet the needs of all school stakeholders and the requirements of Act. 167.

See attached Bell Schedule.

F. Provide a chronology and summary of discussions and activities that document an inclusive, collaborative and consensus-building decision-making process.

Date	Type of Meeting	Summary of Outcome
October 23, 2013	Faculty Meeting	Overview and Discussion of all Bell Schedule Options
October 30, 2013	Faculty Meeting	Discussion and selection of 2 Bell Schedule Options.

November 20, 2013	Faculty Meeting	Discussion of specifics of Bell Schedule Options (2 Models)
November 2, 2013	SCC Meeting	Overview & Discussion of 2 Bell Schedule Options
January 13, 2014	Faculty Meeting	Discussion of specifics of Bell Schedule Options (2 Models). Consensus not met on selection of 1. Faculty requests vote
January 15, 2014	Faculty vote	95% of faculty vote to select Option 1
January 23, 2014	SCC Meeting	Discussion of Option 1 Bell Schedule
January 23, 2014	Parent Meeting	Discussion of Option 1 Bell Schedule
February 19, 2014	Bell Schedule submitted for CAS approval	CAS request waiver for non compliance of teacher minutes.
February 20, 2014	SCC Meeting	SCC supports submittal of waiver.

G. SCC Waiver/Exception Signature Page

**WAIVER/EXCEPTION SIGNATURE PAGE**

The signatures on this page acknowledge that the decision to request the attached waiver/exception was reached through a collaborative process. If this request is an exception to a collective bargaining agreement, the decision by members of the bargaining unit was achieved through consensus. (Because exceptions to collective bargaining agreements involve the rights of other employees, consensus, specifically by affected unit members, is necessary to waive those rights. It is possible for these unit members to agree on a fallback decision-making option provided that the agreement on the fallback option was reached through consensus.)

**WAIVER/EXCEPTION SIGNATURE**

Administration \_\_\_\_\_ Date \_\_\_\_\_

Community Representative(s) \_\_\_\_\_ Date \_\_\_\_\_

Parent Representative(s) \_\_\_\_\_ Date \_\_\_\_\_

*6. Unless otherwise specified by the Committee, all exceptions shall be renewed if all role groups at the school agree to continue them. The school shall submit a notification of renewal to the Committee.*

*7. If Bargaining Unit 5 members object to renewing an exception, they must go through the exception process before the request is submitted to the Committee.*

*8. If there are modifications to an exception, the role groups must go through the exception process before the request is submitted to the Committee.*

*9. The exceptions granted shall be applicable only to the school submitting the exception request.*

*10. Properly processed requests for exceptions granted by this Committee shall not be subject to the Grievance Procedure as provided for in the Agreement for the duration of the exception.*

*This Memorandum of Understanding shall expire on June 30, 2017."*

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**King David Kalakaua Middle**

**Trend Report:  
Educational and Fiscal Accountability**

**School Report for School Year 2012-2013**



A *Guide to Understanding Trend Reports* explains the educational and fiscal measures and lists schools in each of the complexes for the school year 2012-13. The *Guide* is available on-line at <http://arch.k12.hi.us>.

**Background**

Student Enrollment	Total	SPED		ELL		Free & Reduced-Cost Lunch Program		Kindergartners Who Attended Preschool
		#	%	#	%	#	%	
School Year	#	#	%	#	%	#	%	%
2010-2011	956	86	9.0%	263	27.5%	639	66.8%	na
2011-2012	1,005	90	9.0%	291	29.0%	723	71.9%	na
2012-2013	1,032	91	8.8%	261	25.3%	768	74.4%	na

Teachers	Total	Licensed	Years Experience	5+ Years at This School	Classes Taught by Teachers Meeting NCLB Requirements	Advanced Degree	Early Childhood Endorsement (Gr. K teachers)
School Year	#	%	Average	%	%	%	#
2010-2011	61	98.4%	11.2	36%	83%	36.1%	na
2011-2012	61	98.4%	10.3	51%	90%	42.6%	na
2012-2013	62	98.4%	12.4	60%	84%	45.2%	na

**Academic Achievement**

Hawaii State Assessment Standards-Based	Reading % Proficient by Grade Level							Math % Proficient by Grade Level						
	3	4	5	6	7	8	10	3	4	5	6	7	8	10
School Year														
2010-2011	na	na	na	46.8	47.1	61.5	na	na	na	na	32.2	43.0	48.5	na
2011-2012	na	na	na	58.5	60.6	59.0	na	na	na	na	50.1	50.9	53.5	na
2012-2013	na	na	na	55.0	66.0	67.6	na	na	na	na	53.2	53.2	56.8	na

Hawaii State Assessment Standards-Based	Science % Proficient by Grade Level			
School Year	4	8	10	HS
2010-2011	na	21.7	na	na
2011-2012	na	26.4	na	na
2012-2013	na	20.7	na	na

School Year	Proportion Ready for Kindergarten	Retention Rate %			Dropout Rate % (4-year rate)	Graduate On-Time %	Others %
		Elementary	Middle	Grade 9			
2010-2011	na	na	0%	na	na	na	na
2011-2012	na	na	0%	na	na	na	na
2012-2013	na	na	1%	na	na	na	na

\*Results suppressed to protect student identity, in accordance with the Family Educational Rights and Privacy Act (FERPA)

**Safety and Well-Being**

Students	Average Daily Attendance %		Offenses by Type of Incident (number of citations per 1,000 students)					
			Violence		Property		Illicit Substances	
			Elementary	Secondary	Elementary	Secondary	Elementary	Secondary
School Year	Elementary	Secondary	Elementary	Secondary	Elementary	Secondary	Elementary	Secondary
2010-2011	na	95.0%	na	43	na	14	na	33
2011-2012	na	94.9%	na	30	na	17	na	19
2012-2013	na	94.7%	na	60	na	8	na	4

School	Persistently Dangerous Schools (NCLB)	Workers' Compensation Claims		Student and Teacher Perceptions on School Quality Survey		Transition from home/preschool to Kindergarten
		Total # of claims	% of claims resulting in loss-time	Positive Responses		
				% of student	% of teacher	
School Year	Yes/No					
2010-2011	No	2	0.0%	57.8%	76.3%	na
2011-2012	No	3	0.0%	73.6%	98.8%	na
2012-2013	No	2	0.0%	84.2%	97.5%	na

**Civic Responsibility**

School Year	Young Voter Registration	Kids Voting Hawaii		Students Who Are Not Suspended	Volunteer Hours
	# of students participating	# of students participating	% of students participating	% of Enrollment	# of PCNC volunteer hours per 100 students
	2010-2011	na	747	78.1%	88.6%
2011-2012	na	--	--	90.5%	0
2012-2013	na	946	91.7%	92.1%	1

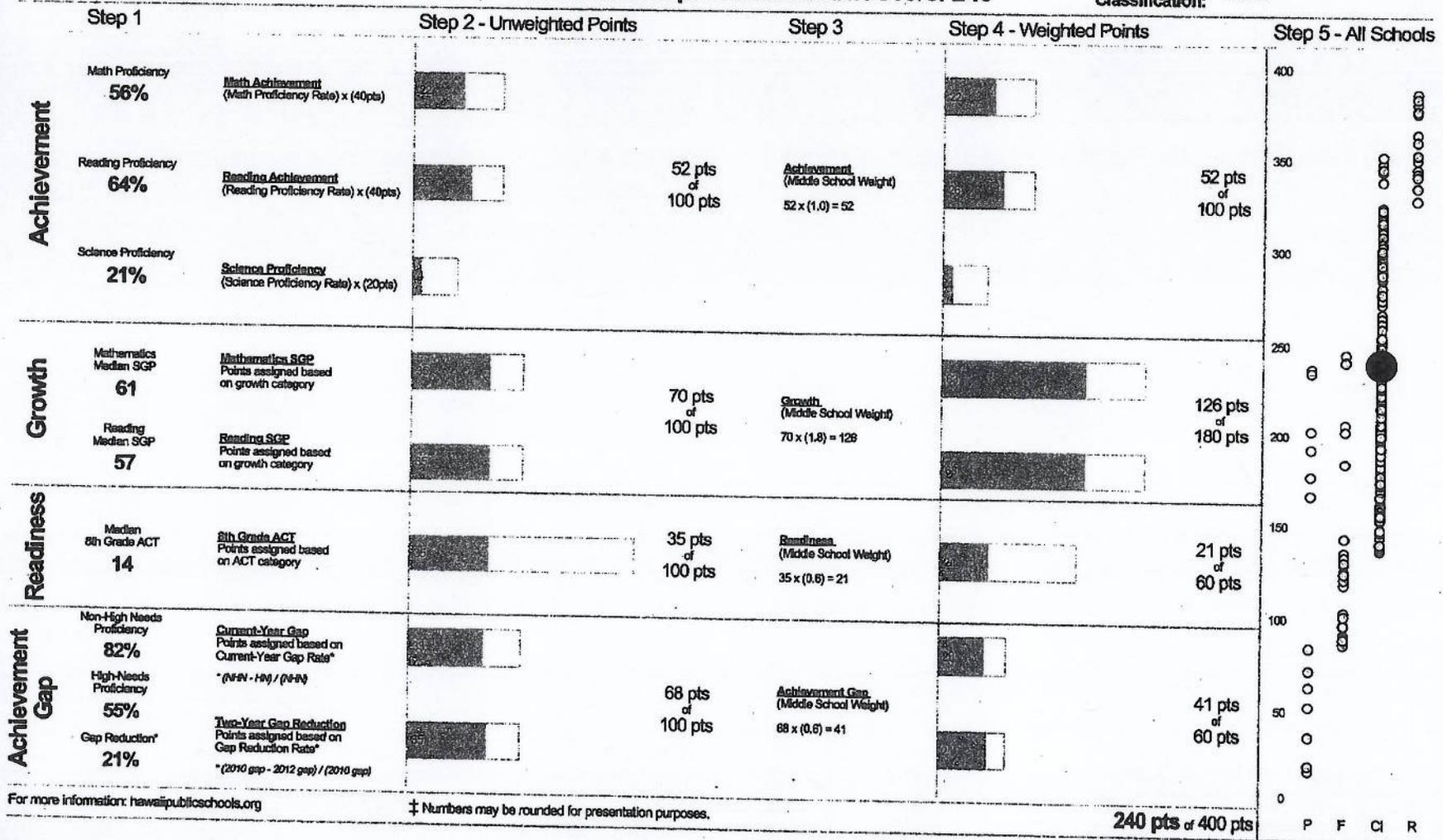
**Fiscal Accountability**

School Year	State General Funds				Significant Budget Changes*
	School Salaried Payroll	Allocation Excluding School Salaried Payroll	Expended	Carryover	
2010-2011	\$4,616,915	\$444,098	\$407,989	\$36,109	none
2011-2012	\$4,668,282	\$479,287	\$402,981	\$76,306	none
2012-2013	\$4,768,984	\$485,671	\$359,544	\$126,127	none

\*Explanation of Significant Budget Changes

# Kalakaua Middle Strive HI 2012-13 Step: Continuous Improvement Index Score: 240

Automatic Classification: None



For more information: [hawaiipublicschools.org](http://hawaiipublicschools.org)

‡ Numbers may be rounded for presentation purposes.

P F C I R

Student Representative(s) \_\_\_\_\_ Date \_\_\_\_\_

Noncertificated Staff Representative(s) \_\_\_\_\_ Date \_\_\_\_\_

Teacher Representative(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Complex Area Superintendent (CAS): \_\_\_\_\_ (print name)

This waiver/exception request aligns with the goals and objectives of the school's strategic plan/academic and financial plan.

CAS Signature: \_\_\_\_\_ Date \_\_\_\_\_

**HSTA PROCESS CHECK REQUIREMENT:**

To ensure that the process to reach the decision for a contract exception request was followed, (the faculty either reached consensus or failing to reach consensus, the faculty held a secret ballot vote that resulted in active faculty members casting a ballot with 66-2/3% or higher affirmative vote), **the Teacher Representative should email the UniServ Director with a cc to Raymond Camacho (rcamacho@hsta.org). Please attach a copy of the email sent to the UniServ Director.**

**RETURN FORM TO:** OCISS, School Renewal and Redesign Section  
475 22<sup>nd</sup> Avenue, Room 109  
Honolulu, Hawaii 96816  
**OR FAX TO:** 735-8379

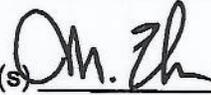
**FAILURE TO SUBMIT A COMPLETE AND TIMELY WAIVER/EXCEPTION REQUEST MAY RESULT IN THE REQUEST NOT BEING PROCESSED.**

G. SCC Waiver/Exception Signature Page

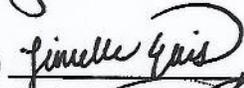
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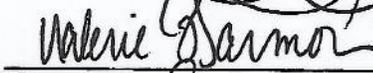
Administration  Date 02-20-14

Community Representative(s)  Date \_\_\_\_\_

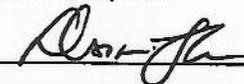
Parent Representative(s)  Date \_\_\_\_\_

Student Representative(s)  Date 02-20-14

Noncertificated Staff Representative(s)  Date \_\_\_\_\_

Teacher Representative(s)  Date 2-20-14  
 Date \_\_\_\_\_

Complex Area Superintendent (CAS): Donna Lum Kagawa (print name)  
This waiver/exception request aligns with the goals and objectives of the school's strategic plan/academic and financial plan.

CAS Signature:  Date 2/10/14

**HSTA PROCESS CHECK REQUIREMENT:**

To ensure that the process to reach the decision for a contract exception request was followed, (the faculty either reached consensus or failing to reach consensus, the faculty held a secret ballot vote that resulted in active faculty members casting a ballot with 66-2/3% or higher affirmative vote), the Teacher Representative should email the UniServ Director with a cc to Raymond Camacho (rcamacho@hsta.org). Please attach a copy of the email sent to the UniServ Director.

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**Fw: Bell Schedule Waiver Vote.**  
Lorelei Aiwohi to: Jill Zodrow

04/09/2014 12:23 PM

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History: This message has been replied to and forwarded.

Jill,

Please add to Kalakaua Middle School Bell Schedule Waiver packet.

This is the document that you requested as it was missing.

Please let me know if you need me to resubmit entire packet.

thank you for your assistance

Lorelei Aiwohi  
Principal  
Kalakaua Middle School  
821 Kalia Street  
Honolulu, HI 96819  
Phone: 832-3130

"Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message."

— Forwarded by Lorelei Aiwohi/KALAKAUA/HIDOE on 04/09/2014 12:18 PM —

From: Henry Choy/KALAKAUA/HIDOE  
To: rcamacho@hsta.org  
Cc: Lorelei Aiwohi/KALAKAUA/HIDOE@HIDOE, David Powell/KALAKAUA/HIDOE@HIDOE, Valerie Pires/KALAKAUA/HIDOE@HIDOE, Rochelle Shiraki/KALAKAUA/HIDOE@HIDOE  
Date: 04/09/2014 10:50 AM  
Subject: Grading Waiver Vote.

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April 8, 2014

TO: Raymond Camacho UniServ Director HSTA  
From: Henry Choy Kalakaua Middle School Faculty Rep.  
RE: Request for Waiver Bell Schedule

These are results of the Bell schedule vote for the upcoming school year 2014-2015 and were submitted to the Principal of Kalakaua Middle school on January 12, 2014.

73 total teachers voted

69 Option 1	95%	(this is the option submitted for waiver)
2 Option 2	3%	

1 Blank

1 Excused.



Hawaii Department of Education  
 School Schedule Submission Form - School Year 2014-15 (Secondary)

SCHOOL INFORMATION

Complex Area Name Farrington-Kaiser-Kalani		Complex Name Farrington	School Name Kalakaua Middle	
Principal	Select one: <input type="checkbox"/> The submitted schedule is in compliance with requirements. <input checked="" type="checkbox"/> The submitted schedule is not in compliance with requirements and we will seek a BOE waiver or contract exception.		Signature <i>[Signature]</i>	Date 2/19/14
Complex Area Superintendent	Select one: <input type="checkbox"/> The submitted schedule is in compliance with requirements. <input type="checkbox"/> The submitted schedule is not in compliance with requirements and the school will need to seek a BOE waiver or contract exception.		Signature	Date

SUMMARY OF SCHEDULE

TEACHER CALENDAR - TEACHER DAYS		Scheduled (Date or Description)
Work days without students	2 days at beginning of school year for administrator-initiated activities	7/28/14; 7/30/14
	2 days at beginning of school year for teacher-initiated activities	7/29/14; 7/31/14
	1 day scheduled between semesters for grading and other teacher-initiated activities	1/9/15
	2 days for school planning and collaboration	9/12/14; 2/27/15
	1 day at the end of the school year	6/4/15
	Other days without students	
Hours contiguous to the teacher work day for collaboration & professional development	21 hours for use in 1 hour increments	To be used for Learning Team Meetings to focus on analysis of student work, lesson planning and data collection.
	6 hours for use in multiples of 1/2 hour increments	To be used for EES conferences.
	Additional information (if applicable)	

OTHER REQUIREMENTS	DESCRIBE
Secondary students have access to coursework in order to earn more than 6 credits per year.	Students are scheduled to earn 7 credits (6 on 7 schedule for teachers)

**ADDITIONAL COMMENTS FROM PRINCIPAL (OPTIONAL)**

\*Faculty consensus to select this school-made Bell Schedule rather than the State options was primarily to address the closing of school for students. This selected schedule dismisses students before Meetings start on Tuesdays & Thursdays. The state plans dismissed students after the meetings – (option A on Tues and option B on Tues/Thurs/Fri). KMS could not find the resources to supervise students while teacher meetings took place.

**\*\*One 5-min passing time is added on to the teacher's scheduled preparation time so each prep period is 57 minutes. One 5-min passing time is added on for teachers between the closing and meeting time. Therefore, students have 120 min. passing time, but teachers have 110 min. passing time (120 – 20 min prep + 10 min meeting passing time = 110).**

**\*\* According to School Schedule Criteria School Year 2014-2015, Attachment A: Teacher Schedule: For departmental classes, during regular work day, per week: -1285 minutes of instructional time.**

PAUL SCHIRMAN

In the "Time" column, insert the time period. In the "Mins" column, insert the number of minutes that time period includes. In the "Description" column, use a descriptor from the first column on the third page (e.g. passing, homeroom, recess, etc.).

Mon			Tue			Wed			Thurs			Fri		
Teacher Start Time														
Student Start Time			Student Start Time			Student Start Time			Student Start Time			Student Start Time		
Time	Mins	Description												
8:00 – 8:05 am	5	Homeroom	8:00 – 8:05 am	5	Homeroom	8:00 – 8:05 am	5	Homeroom	8:00 – 8:05 am	5	Homeroom	8:00 – 8:05 am	5	Homeroom
8:05 – 8:57 am	52	Instructional Time	8:05 – 8:57 am	52	Instructional Time	8:05 – 8:57 am	52	Instructional Time	8:05 – 8:57 am	52	Instructional Time	8:05 – 8:57 am	52	Instructional Time
8:57 – 9:02 am	5	Passing	8:57 – 9:02 am	5	Passing	8:57 – 9:02 am	5	Passing	8:57 – 9:02 am	5	Passing	8:57 – 9:02 am	5	Passing
9:02 – 9:54 am	52	Instructional Time	9:02 – 9:54 am	52	Instructional Time	9:02 – 9:54 am	52	Instructional Time	9:02 – 9:54 am	52	Instructional Time	9:02 – 9:54 am	52	Instructional Time
9:54 – 10:09 am	15	Recess	9:54 – 10:09 am	15	Recess	9:54 – 10:09 am	15	Recess	9:54 – 10:09 am	15	Recess	9:54 – 10:09 am	15	Recess
10:09 – 10:14 am	5	Passing	10:09 – 10:14 am	5	Passing	10:09 – 10:14 am	5	Passing	10:09 – 10:14 am	5	Passing	10:09 – 10:14 am	5	Passing
10:14 – 11:06 am	52	Instructional Time	10:14 – 11:06 am	52	Instructional Time	10:14 – 11:06 am	52	Instructional Time	10:14 – 11:06 am	52	Instructional Time	10:14 – 11:06 am	52	Instructional Time
11:06 – 11:11 am	5	Passing	11:06 – 11:11 am	5	Passing	11:06 – 11:11 am	5	Passing	11:06 – 11:11 am	5	Passing	11:06 – 11:11 am	5	Passing
11:11 am – 12:03 pm	52	Instructional Time	11:11 am – 12:03 pm	52	Instructional Time	11:11 am – 12:03 pm	52	Instructional Time	11:11 am – 12:03 pm	52	Instructional Time	11:11 am – 12:03 pm	52	Instructional Time
12:03 – 12:33 pm	30	Lunch	12:03 – 12:33 pm	30	Lunch	12:03 – 12:33 pm	30	Lunch	12:03 – 12:33 pm	30	Lunch	12:03 – 12:33 pm	30	Lunch
12:33 – 12:38 pm	5	Passing	12:33 – 12:38 pm	5	Passing	12:33 – 12:38 pm	5	Passing	12:33 – 12:38 pm	5	Passing	12:33 – 12:38 pm	5	Passing
12:38 – 1:30 pm	52	Instructional Time	12:38 – 1:30 pm	52	Instructional Time	12:38 – 1:30 pm	52	Instructional Time	12:38 – 1:30 pm	52	Instructional Time	12:38 – 1:30 pm	52	Instructional Time

1:30 – 1:35 pm	5	Passing	1:30 – 1:35 pm	5	Passing	1:30 – 1:35 pm	5	Passing	1:30 – 1:45 pm	15	Study Hall	1:30 – 1:35 pm	5	Passing
1:35 – 2:27 pm	52	Instructional Time	1:35 – 2:12 pm	37	Instructional Time	1:35 – 2:27 pm	52	Instructional Time	1:45 – 1:55 pm	10	Closing	1:35 – 2:27 pm	52	Instructional Time
2:27 – 2:50 pm	23	Study Hall	2:12 – 2:22 pm	10	Closing	2:27 – 2:50 pm	23	Study Hall	1:55 – 2:00 pm	5	Passing for Teachers**	2:27 – 2:50 pm	23	Study Hall
2:50 – 3:00 pm	10	Closing	2:22 – 2:27 pm	5	Passing for Teachers**	2:50 – 3:00 pm	10	Closing	2:00 – 3:00 pm	60	Meeting	2:50 – 3:00 pm	10	Closing
			2:27 – 3:00 pm	33	Meeting									
Student End Time	3:00 pm		Student End Time	2:22 pm		Student End Time	3:00 pm		Student End Time	1:55 pm		Student End Time	3:00 pm	
Teacher End Time	3:00 pm		Teacher End Time	3:00 pm		Teacher End Time	3:00 pm		Teacher End Time	3:00 pm		Teacher End Time	3:00 pm	

Revised: 02/19/14

## SUMMARY OF SCHEDULE

In the "Number of Actual Minutes..." column, insert the number of minutes scheduled. Repeat that number in the applicable blue and green columns. In the "Total" row, tally the total number of minutes in the blue and green columns. In the "Difference" row, indicate the difference in minutes between the Total scheduled minutes and the Required minutes.

	Actual Minutes Scheduled per Week	STUDENT (Act. 10752)	TEACHER (2013-17 Agreement)			
		STUDENT LEARNING TIME <sup>1</sup>	TEACHER INSTRUCTIONAL TIME <sup>1</sup>	PREP TIME <sup>2</sup>	LUNCH <sup>3</sup>	"OTHER TIME" <sup>4</sup>
Instructional Time	1493	1493	1285			
Homeroom	25	25				25
Study hall	84	84				84
Opening	0	0				0
Closing	50	50				50
Recess	75					75
Passing	120					110
Meetings <sup>5</sup>	93					93
Lunch	150				150	
Teacher Prep	228			228		
<b>TOTAL</b>		1652	1285	228	150	437
<b>REQUIREMENT</b>		1650	1285	225	150	440
<b>DIFFERENCE</b>		+2	0	+3	0	-3

<sup>1</sup> Contract: Article IV (CC) (1) (a)

<sup>2</sup> Contract: Article IV (CC) (1) (b)

<sup>3</sup> Contract: Article IV (CC) (1) (c)

<sup>4</sup> Contract: Article IV (CC) (1) (d)

<sup>5</sup> Including all faculty, departmental, grade level, and curriculum meetings.

## School Schedule Criteria School Year 2014-15

This document serves as a reference document for schools and Complex Area Superintendents as they create, approve, and submit School Schedules for School Year (SY) 2014-15 that are in compliance with the 2013-17 Agreement (Agreement) with the Hawaii State Teachers Association (HSTA) and legislative requirements regarding student learning time. It includes information about: 1) Schedule Criteria, 2) Terminology, 3) Process Requirements, 4) Board of Education (BOE) Exceptions and Waivers, and 5) Exceptions to the Agreement.

1. **SCHEDULE CRITERIA:** School schedules -- including school calendars; teacher schedules; and bell schedules -- for School Year 2014-15 must meet the criteria in the table below.

<b>Teacher Work Year</b>	<ul style="list-style-type: none"> <li>• <b>No more than 190 work days.</b> (This includes 189 full work days and 6 hours for use in multiples of 1/2 hour increments contiguous to their work day described below.)</li> <li>• <b>Work days without students:</b> <ul style="list-style-type: none"> <li>• <u>First 4 days</u> (including 2 days for administrator-initiated activities and 2 days for teacher-initiated activities)</li> <li>• <u>1 day scheduled between semesters</u> for grading and other teacher-initiated activities</li> <li>• <u>2 days for school planning and collaboration</u> (determined by school's leadership group and administrators, with input from faculty); (encouraged to align days across complex areas to support common planning)</li> <li>• <u>1 day at the end of the school year</u></li> <li>• <u>1 day for participation in Teacher Institute Day</u> (dates set by HSTA)</li> </ul> </li> <li>• <b>Hours contiguous to the teacher work day for collaboration and professional development</b> <ul style="list-style-type: none"> <li>• <u>21 hours, for use in 1 hour increments</u>, for DOE-directed job-embedded professional development that extends the work day of teachers (focused on Common Core State Standards, data teams and formative instruction, response to intervention, and teacher evaluation)</li> <li>• <u>6 hours for use in multiples of 1/2 hour increments</u> for DOE-directed in-service training, school program planning and assessment, or principal-teacher evaluation conferences beyond the regular work day of teachers               <ul style="list-style-type: none"> <li>○ not to exceed 1 ½ hours; scheduled in advance; and contiguous to the teacher's work day</li> <li>○ teachers must have input on the training activities</li> </ul> </li> </ul> </li> </ul>
<b>Teacher Schedule</b>	<p><b>Per day:</b></p> <ul style="list-style-type: none"> <li>• 7-hour day</li> <li>• Work day may not extend beyond 4:30 p.m.</li> <li>• Duty-free lunch period of no less than 30 minutes</li> <li>• No more than 180 consecutive minutes without a break, lunch or recess of no less than 15 minutes.</li> </ul> <p><b>Per week:</b></p> <ul style="list-style-type: none"> <li>• 5-day week</li> <li>• Schools may use rotating, block, or other non-traditional schedules, as long as teachers' work time does not exceed a 35-hour work week</li> <li>• <b>For self-contained classes, during regular work day, per week:</b> <ul style="list-style-type: none"> <li>• 1,415 minutes of instructional time</li> <li>• 225 minutes of preparation time in blocks of not less than 45 continuous minutes during regular work day</li> <li>• 150 minutes of duty free lunch periods in blocks of not less than 30 continuous minutes during the teachers' regular work day</li> <li>• 310 minutes to be used exclusively for meetings (faculty, departmental, grade level, curriculum); passing, opening, and closing time; recess; homeroom; scheduled activity periods on a voluntary basis; and study hall</li> </ul> </li> <li>• <b>For departmental classes, during regular work day, per week:</b> <ul style="list-style-type: none"> <li>• 1,285 minutes of instructional time</li> <li>• 225 minutes of preparation time in blocks of not less than 45 continuous minutes</li> <li>• 150 minutes of duty free lunch periods in blocks of not less than 30 continuous minutes during the</li> </ul> </li> </ul>

	<p>teachers' regular work day</p> <ul style="list-style-type: none"> <li>440 minutes to be used exclusively for meetings (faculty, departmental, grade level, curriculum); passing, opening, and closing time; recess; homeroom; scheduled activity periods on a voluntary basis; and study hall</li> </ul> <p><b>Per semester:</b> 6 teacher preparation periods per semester may be used at discretion of Employer for training, planning and assessment, or principal-teacher conferences.</p>
<b>Student learning time</b>	<p>For all schools, excluding charter schools and multi-track public schools:</p> <ul style="list-style-type: none"> <li><b>School Year 2013-14</b> <ul style="list-style-type: none"> <li>All schools: 180 days</li> <li>Elementary schools: 915 student instructional hours (1,525 student instructional minutes per week)</li> </ul> </li> <li><b>School Years 2014-15 and 2015-16</b> <ul style="list-style-type: none"> <li>All schools: 180 days</li> <li>Elementary schools: 915 student instructional hours (1,525 student instructional minutes per week)</li> <li>Secondary schools: 990 student instructional hours (1,650 student instructional minutes per week)</li> </ul> </li> <li><b>School Years 2016-17 and 2017-18</b> <ul style="list-style-type: none"> <li>All schools: 180 days</li> <li>All schools: 1,080 student instructional hours (1,800 student instructional minutes per week)</li> </ul> </li> <li><b>School Year 2018-19</b> <ul style="list-style-type: none"> <li>All schools: 190 days</li> <li>All schools: 1,146 student instructional hours (1,800 student instructional minutes per week)</li> </ul> </li> <li><b>Course offerings</b> <ul style="list-style-type: none"> <li>Secondary students have access to coursework in order to earn more than 6 credits per year.</li> <li>Elementary students have expanded course offerings.</li> </ul> </li> </ul>

2. **Terminology:** The table below clarifies the source of terminology used. It is drawn from Act 167/Act 52, the Agreement, and the Joint Interpretation of New Provisions.

Term	Definition	Source
Student learning time	Time during which students are engaged in learning activities including regularly-scheduled instruction and learning assessments within the curriculum, and does not include lunch, recess, or passing time.	Act 167/Act 52
	Student learning time includes opening, closing, homeroom, and study hall.	DOE interpretation of Act 167/Act 52
Teacher instructional time	Teacher instructional time does not include faculty meetings, departmental meetings, grade level meetings, curriculum meetings, passing time, opening and closing time, recess, homeroom, scheduled activity periods on a voluntary basis or study hall.	Agreement, Article VI, CC.
Teacher prep time	A preparation period shall be for the pursuit of personally initiated school tasks in preparing for instruction, evaluation students and performing other instructional related activities. A preparation period shall not be used for personal or Association business or activities.	Agreement, Article VI, X, 1
Teacher "other" time	Teacher "other" time includes faculty meetings, departmental meetings, grade level meetings, curriculum meetings, passing time, opening and closing time, recess, homeroom, scheduled activity periods on a voluntary basis or study hall.	Agreement, Article VI, CC.
Coursework in order to earn more than 6 credits per year	The DOE intended that this provision would help ensure students had access to opportunities for enrichment or credit recovery, including online learning opportunities.	DOE interpretation of Agreement
	Many secondary schools offer an advisory period. Advisory is not a contractual block, and therefore cannot be used in the School Schedule Submission Form. Schools	

	<p>offering an advisory period should describe it in the Submission Form as the contractual time blocks that is most consistent with how the time is used: e.g. instructional block or homeroom.</p> <p>If a school chooses to offer students credits for work completed during an advisory period (e.g. Personal Transition Plan), those credits may count toward the "more than 6 credits per year" requirement.</p>	
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### 3. PROCESS REQUIREMENTS

School schedules must be determined through a collaborative process involving all active bargaining unit members at the school and the administration, per Article VI (DD) (5-8) and Article VII (B).

- Principals shall work with the leadership group to develop a schedule for the school that meets the above criteria and the needs of the particular school.
- If all active bargaining unit members and the administration achieve consensus, the schedule will be adopted. Consensus has been reached when all bargaining members in the school agree that their points of view have been heard and understood and that they can live with the decision.
- If consensus is not achieved, then the principal must put the proposed schedule to a vote of the active bargaining unit members. The schedule will be adopted if approved by 66-2/3% of the members voting.
- If the vote is not approved by 66 2/3%, the principal shall select a schedule from the DOE-developed Optional Model Bell Schedules.
- By the last day of the school year, the Tentative Master schedules for the following year must be posted and teachers must be notified in writing of their assignments.

### 4. BOE SCHOOL COMMUNITY COUNCIL EXCEPTIONS AND WAIVERS

The following section serves as a reminder of existing Hawaii State BOE policies regarding BOE School Community Council waivers and exceptions policies. The annual memo announcing the process and deadlines for submitting BOE waivers and exceptions, "[School Community Council \(SCC\) Waiver/Exception Requests for SY 2014-2015](#)," was posted on October 30, 2013. SCC Waivers/Exceptions requests that do not impact the school calendar must be submitted by March 14, 2014. Questions regarding this process should be directed to Jill Zodrow, SCC Educational Specialist, at 203-5571 or via Lotus Notes.

#### **Board Policy 2412 - "SCHOOL COMMUNITY COUNCIL WAIVERS AND SCHOOL COMMUNITY COUNCIL EXCEPTIONS POLICY"**

*The Board of Education (Board) has established procedures whereby School Community Councils (SCC), upon application to the Board, may be granted waivers from specific Board policies or rules and/or may be granted exceptions to specific provisions of labor agreements to which the Board is a signatory. The Department of Education (Department) shall administer the procedures and make them widely available to the public.*

*Requests for waivers from rules not under the direct control of the Board shall be forwarded to the appropriate governmental agency by the Department.*

*Waivers and exceptions are designed to enhance flexibility in order to facilitate school improvement. Schools are encouraged to explore alternate solutions before seeking waivers or exceptions to collective bargaining agreements.*

*Schools shall ensure that requests for waivers and exceptions align with their respective school's Academic and Financial Plan and demonstrate how the waiver or exception will improve student learning and increase student achievement.*

*To facilitate its commitment to School Community Councils and to make the process of obtaining waivers less burdensome and less time-consuming, the Board hereby establishes the category, "Generic Waiver and/or Exception" to which the Board may assign any request.*

*Generic waivers and/or exceptions have been found by the Board to have sufficient merit or be sufficiently routine so as to justify automatic approval\* upon application by a school. The Superintendent shall maintain an up-to-date list of SCC Waivers and SCC Exceptions that have been designated "Generic" by the Board, and shall approve upon receipt, all requests from schools for such waivers or exceptions.\* A list of SCC Waivers and SCC Exceptions, along with the stipulations for automatic approval, that have been designated "Generic" by the Board, is provided in the attachment.*

*The Board, for reasons it finds appropriate, may remove the "Generic" designation from a waiver or exception at any time without necessarily affecting the status of schools previously granted such waivers or exceptions under this policy.*

*All requests for waivers or exceptions not designated by the Board to be "Generic" shall require Board approval.*

*\*In the case of SCC exceptions to the provisions of a labor agreement to which the Board is a signatory, such approval indicates only Board agreement. The exception also requires union agreement.*

*Approved: 10/07/04; Amended: 05/05/05; 01/19/06*

**Board Policy 2413 – "STUDENT INSTRUCTIONAL HOURS AND SCHOOL YEAR REQUIREMENTS POLICY AND WAIVER PROCESS"**

*Upon application to the Board of Education (Board) a school may be granted waivers from student instructional hours and school year requirements pursuant to HRS 302A-251. The Department of Education shall administer such procedures as may be adopted by the board.*

*Notwithstanding the multi-track public schools exemption from HRS 302A-251 requirements, multi-track public schools shall adhere to no less than 95% of the statutorily required days in a school year pursuant to HRS 302A-251. Multi-track public schools may, however, request a waiver under this policy.*

*Waivers shall be granted only in extraordinary circumstances. Waivers are intended to facilitate student learning and student achievement by enhancing school-level flexibility. Schools are expected to explore alternate solutions before seeking waivers.*

*Any school requesting a waiver shall ensure that such waiver aligns with its Academic and Financial Plan and demonstrate, with specificity, (1) the circumstances unique to the school justifying the waiver, (2) significant harm to students' learning and students' achievement should the waiver not be granted, (3) the school's plan to exit the waiver and achieve full compliance with the statutory requirements, (4) whether the complex area superintendent and the superintendent concur with the request, (5) whether other applicable processes noted in the Board Policy entitled "School Community Council Waivers and School Community Council Exceptions Policy" were completed, and (6) alternatives considered or implemented by the school prior to requesting the waiver.*

*The Board may grant waivers for no longer than one school year.*

*Due to the scope of the justification for the waiver, the principal of the applicant school shall present the request to the Board.*

*Approved: 7/16/13*

**5. HSTA AGREEMENT APPENDIX III (EXCEPTIONS TO THE AGREEMENT)**

The following section serves as a reminder of Appendix III of the Agreement - the Memorandum of Understanding (MOU) between the BOE and HSTA regarding exceptions to the Agreement.

*"Appendix III*

*This Memorandum of Understanding is effective as of July 1, 2013 by and between the State of Hawaii, Board of Education and the Hawaii State Teachers Association.*

*The Board and the Association believe that the most effective decisions are those made closest to the point of implementation. They further acknowledge that bargaining unit 5 members have a right and an obligation to engage and participate actively in open dialogue where issues are presented, defined, discussed and resolved. In accordance with Hawaii Revised Statutes, the Board has established, at each school, a School Community Council (SCC). The SCC assumes a collaborative approach to decision making.*

*The Board and the Association acknowledge that as part of school-level decision making, exceptions to the Bargaining Unit 5 Agreement (hereinafter called "the Agreement") may be requested by a SCC.*

***Bargaining Unit 5 Exception Process***

*When exceptions to the Agreement are being requested, Bargaining Unit 5 members shall use a consensus decision-making process. For the purpose of this Memorandum, consensus has been reached when all bargaining members in the school agree that their points of view have been heard and understood and that they can live with the decision. If, after good faith efforts have been exhausted and consensus has not been reached, bargaining unit members shall move to the fallback decision-making process.*

- 1. This process requires all active bargaining unit members at the school be provided the opportunity to vote by secret ballot. The Association Policy Committee at the school shall be responsible for contacting Bargaining Unit 5 members on paid and unpaid leave with return rights to the school.*
- 2. Bargaining Unit 5 members shall be provided five (5) working days to cast their ballot.*
- 3. In order for the vote to be valid, 66-2/3% of all of the ballots cast must be affirmative.*
- 4. Bargaining Unit 5 members shall then report the results to the SCC. All contract exceptions are binding on all bargaining unit members at the school.*

***School Community Council Exception Review Committee***

*A State Committee to be called the SCC Exception Review Committee shall be established.*

- 1. This Committee shall be comprised of two (2) representatives appointed by the Association and two (2) representatives appointed by the Board.*
- 2. This Committee shall establish its own rules of operation.*
- 3. This Committee shall review SCC's requests for exceptions to the Agreement, including those items incorporated by reference.*
- 4. Both parties must approve exceptions to the Agreement.*
- 5. Any exceptions to the Agreement shall not extend past the duration of the Agreement.*