



HAROLD K.L. CASTLE  
FOUNDATION

November 16, 2015

Dear Chair De Lima, Vice Chair Minn and Committee Members: I am pleased to submit testimony regarding the Leadership Institute.

The Harold K.L. Castle Foundation is a private foundation whose mission is to close the achievement and college attainment gaps in public education so that all of Hawaii's children, regardless of their socioeconomic background, have access to and benefit from high-quality education that prepares them for a successful future. We do this by helping develop instructional leaders, strengthen the conditions in which they work, and equip them with new teaching and learning ideas. Each year we invest \$3-4 Million in public education in Hawaii.

Hawaii's public schools are grappling with tremendous and important changes. Effective leaders make sense of change and chart a way forward. Consider that the achievement performance of students in two identical schools - with the exact same demographics and teachers – can differ by up to 25-35 percent when one school has a highly effective leadership team and the other does not.<sup>1</sup>

Offering transformative leadership programs outside the Department – as our Foundation did in the past – fails to provide a path towards long term, sustainable impact. So over the past two years we have worked alongside the Department to conceptualize, test and grow the Leadership Institute.

We are encouraged by the progress. A multi-stakeholder design team reviewed data, visited other leading districts to see emerging best practice, sought input from sixteen focus groups and surveyed all sitting principals. The result is a clear plan built around eight core competencies for all leaders that the Department has spent the past year executing.

In closing, I would like to highlight two hopes for the future. The first is that this progress has largely been fueled with the help of outside resources. Though appropriate in this early stage, my hope is that the Board will commit to fully supporting the operational cost of high quality leadership development in next year's Legislative biennium request.

My second hope is that these periodic updates regarding the Leadership Institute will soon shift from reviewing progress to looking at impact. The Leadership Institute Advisory Council has committed to spend the next several months preparing an impact framework. Being clear on what success looks like

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<sup>1</sup> American Institutes for Research (May 2012) *The Ripple Effect , A Synthesis of Research of Principal Influence to Inform Performance Evaluation Design*

should provide all partners with a north star to gauge whether we are seeing the results that we hope for – transformational leaders at every level of the system that together help prepare our children to succeed in an uncertain future.

Thank you for your own leadership in public education and for the opportunity to submit testimony.

Sincerely,

Alex Harris  
Senior Program Officer for Education

November 16, 2015

To: State of Hawai'i Board of Education Human Resources Committee Members

**re: 11/17/15 HR Agenda Item IV.C. - Update on procedures for Department of Education investigations of employee leave (Department Directed Leave ("DDL") and Leave Pending Investigation ("LPI")) and update on pending cases of Department of Education employees on DDL or LPI**

Aloha Board of Education HR Committee Members,

Referring to the table of data on pp. 4-5 of Superintendent Matayoshi's memo regarding Agenda Item IV.C.:

- 1) The column header "Complex" is an inappropriate label for that data. A more appropriate label is "Type of School."
- 2) There should be a column with Complex Area data. The buck has to stop somewhere, and when it comes to investigations extended beyond 30 days, it is the normally the CAS who makes that determination. I know a CAS can point the finger elsewhere with regard to delays, but in that case, the CAS needs to be responsible for lighting a fire under people to get it done. There is only one departmental identification in this data set – the CRCO. That is helpful data, and I hope that someday, the Board will address problems with that department which I, as an ex-teacher who requested disability accommodations, can attest to. With a Complex Area field added to each record in this report, areas in need of improvement can be identified. Without it, it's just data-lite.
- 3) Regarding cost, it looks like the current DDLs and LPIs are costing the DOE a million dollars a year just to pay for the salaries of people who are not working. That estimate comes from the "Months Range" data for each record. I estimated an average annual salary and assigned an average number to correlate with time on paid leave.

Annual Salary	Months Range	Years on Paid Leave	QTY	Cost
\$40,000	12+	1.25	14	\$700,000
\$40,000	7-11	0.75	7	\$210,000
\$40,000	0-6	0.25	17	\$170,000
<b>Totals:</b>			<b>38</b>	<b>\$1,080,000</b>

But, I should not have to rely on estimates from nebulous data. I think public reports on paid leave and investigations should include a summary of how much it is costing each

month for salaries of employees on paid leave for the entire state, and figure should be subdivided by Complex Area so we can see how much paid leave is costing per department/area.

- 4) I know that as a member of the public, I am not privy to the details of allegations. However, I sincerely hope that the HR committee will take a very close look at the details of these investigations. I would like to know what percentage of the “Inappropriate Conduct Toward Students” investigations truly merit removal from school grounds for months on end.

As some of you may know, I was put on paid leave for four months because I got angry about the way a visitor to the school was treating me and I said “I don’t have to take this kind of shit.” You may not know that another time I was put on paid leave for four months, and given a 30-day unpaid suspension for preventing a student from leaving the classroom and screaming obscenities as he had a habit of doing until I was able to turn him over to a Security officer to escort him to the office. Months of unpaid leave to investigate was unwarranted when the facts could have gotten worked out in one afternoon of conversation with all parties involved and a QUALIFIED mediator.

I wonder how many costly investigations can be avoided by just having people sit down in a non-threatening environment (i.e. a place where employees can’t be bullied) and talking about what happened, and what is a fair and reasonable solution to the problem.

- 5) Lastly, I’d like to reiterate a sentiment that I believe a Board member said at the September BOE HR meeting. The longer an investigation goes on, the less likely any new information will be forthcoming. So why are they taking so long? I suspect because the cost is not coming out of the investigator’s pocket, and no one is being held accountable for dealing with issues in an effective an efficient manner.

Mahalo,



Vanessa Ott

**Senator Michelle Kidani**

Chair, Education

Vice-Chair  
Commerce, Consumer Protection  
and Health

Member  
Higher Education  
Transportation

November 16, 2015

Board of Education  
P. O. Box 2360  
Honolulu, Hawaii 96804

Attention: Human Resources Committee

Subject: Department Directed Leave

During your last Board meeting on October 20th, I was in the audience when former principal John Sosa read his very moving testimony related to the Department Directed Leave (DDL) that led him to resign. While I was very moved, I took time to verify and clarify some of his comments because I felt a duty to do so. Not only did I take time to meet personally with Mr. Sosa to discuss details of his DDL to verify facts of his case, but I also met with four other individuals, three of whom themselves were put on DDLs.

It is an understatement to say that I was appalled and horrified at this pattern of disregard for the civil rights and due process of the DOE employees with whom I spoke. If in fact there is reasonable cause, a thorough investigation should happen as soon as possible with the specific allegations stated in writing. One employee was on DDL for three years and investigated three times (the first two times no misconduct was found). This appears to be a gross misuse of the Superintendent's authority and office at the expense of our taxpayers and the students. Therefore, I urge the Committee and the Board to please refer this issue to the Attorney General's office for review and investigation.

I have serious concerns about how the DOE is currently conducting investigations. Beyond the issue of potential due process violations, I have doubts about whether the current processes and procedures concerning how investigations are being handled and conducted are proper or may violate union agreements.

This pattern of misuse of the DDL process is only assuring that DOE employees will be less likely to question wrong doing and not care for our students and our funds in the way that is healthy for our state for fear of retaliation. If nothing else, I suggest that you seek out others who have been put on DDLs to hear their stories and the reasons they believe they were targeted.

November 17, 2015  
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For your information, I have already discussed this issue with the Attorney General and requested that his office look into this matter. I hope you will consider joining me in this request.

With Aloha,

A handwritten signature in black ink that reads "Michelle Kidani". The signature is written in a cursive style with a large initial "M".

Senator Michelle Kidani  
Chair, Senate Committee on Education

cc: Governor David Y. Ige  
Attorney General Doug Chin  
Superintendent Kathryn Matayoshi  
Representative Roy Takumi, House Committee on Education