

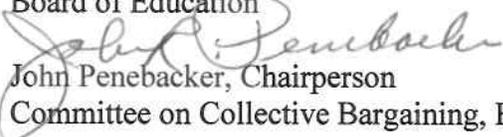


**STATE OF HAWAII  
BOARD OF EDUCATION**

P. O. BOX 2360  
HONOLULU, HAWAII 96804

February 17, 2011

TO: The Honorable Garrett Toguchi, Chairperson  
Board of Education

FROM:   
John Penebacker, Chairperson  
Committee on Collective Bargaining, BU 05

SUBJECT: Approval of Konawaena Middle School's School Community Council  
(SCC) Exception Regarding its Assessment Schedule

1. **RECOMMENDATION**

That the Board of Education (BOE) approve Konawaena Middle School's SCC Exception Request allowing the school to implement a modified school schedule to accommodate testing for the 2011-2012 school year.

Note: BOE approval of exceptions to the BU 05 Collective Bargaining agreement must include all stipulations agreed upon by its two (2) committee members to the SCC Exception Review Committee. The status quo shall remain should the BOE not agree with its committee members' recommendation(s).

2. **RECOMMENDED EFFECTIVE DATE**

Upon approval by the BOE.

3. **RECOMMENDED COMPLIANCE DATE**

Not applicable.

4. **DISCUSSION**

a. Conditions leading to the recommendation

Section 302A-1124 to 1127, Hawaii Revised Statutes (HRS), authorizes schools to request waivers from existing state agency rules, policies, regulations, and procedures as well as exceptions to collective bargaining agreements as negotiated in accordance with current collective bargaining agreements and the provisions of Chapter 89, HRS.

b. Previous action of the Board on the same or similar matter

Similar SCC exceptions were approved for Leilehua High, Pearl City High School and Waiakea High School.

c. Other policies affected

Article VI, Teaching Conditions and Hours; Section R, Evaluation of Students/Grading Preparation.

Article VI, Teaching Conditions and Hours, Section CC, Work Time Distribution, Weekly Totals Within the 7-Hour Day, 5-Day Week.

Article XII, Academic Freedom.

Board Policy 1710-3, School Calendar Policy.

Board Policy 2412, School Community Council Waivers and Exceptions Policy.

d. Arguments in support of the recommendation

The change in bell schedule requested by Konawaena Middle School for 2011-2012 school year will allow the school to:

- Provide two (2) days for assessment of student learning through performance activities. One (1) day is designated for students in 7<sup>th</sup> grade, and one (1) day for students in the 8<sup>th</sup> grade.
- Require that only the grade level being evaluated attend school to present their research findings to a panel of judges who will determine student academic progress as well as achievement of the General Learner Outcomes (GLO).
- Conduct culminating activities that require students to provide evidence of their work presented orally.

e. Arguments against the recommendation

None.

f. Findings and conclusions of the Board committee

The BU 05 Committee on SCC Exception Review agreed to this exception on February 3, 2011.

g. Other agencies or departments of the State of Hawaii involved in the action

None.

h. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendations

Positive.

i. Educational implications

As stated in the school's SCC exception request.

j. Personnel implications

None.

k. Facilities implications

None.

l. Financial implications

None.

**5. OTHER SUPPLEMENTARY RECOMMENDATIONS**

None.

JP:JZ:lt

Attachments

c: Superintendent  
Office of Curriculum, Instruction and Student Support

\_\_\_\_\_ New Request

X  Renewal

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

(Please use one form for each request)

SCHOOL: Konawaena Middle

DATE:

DISTRICT: Hawaii

COMPLEX: Konawaena

Achieved AYP: \_\_\_ Yes \_ **X** \_\_\_ No

School Status:

School Proficiency Levels:

Reading Gr 8 70% Gr 7 74% Gr 6 59%

Math Gr 8 37% Gr 7 50% Gr 6 54%

\_\_\_ In Good Standing, Unconditional  
\_\_\_ In Good Standing, Pending  
\_\_\_ Needs improvement Yr. 1  
\_\_\_ Needs improvement Yr. 2  
\_\_\_ Corrective Action  
 X  Planning for Restructuring  
\_\_\_ Restructuring

**\*\*\*Attach Trend Report.**

A. List the specific policy, regulation, rule, procedure or the specific article within the collective bargaining agreement from which the school is seeking relief.

HSTA-BU05 Collective Bargaining Agreement: Article VI:

*"Teaching Conditions and Hours," Section CC, "Work Time Distribution, Weekly Totals within the 7-Hour Day, 5-Day Week,"*

*Paragraph 1a, "Self-Contained Classes." "Fourteen hundred fifteen (1415) minutes of instructional time per work week."*

*Paragraph 1d, "Three hundred thirty five (335) minutes to be used during the work week exclusively for: (various times)."*

*Paragraph 2a, "Departmental Classes." "Twelve hundred eighty-five (1285) minutes of instructional time per work week,"*

*Paragraph 2d, "Four hundred sixty-five (465) minutes to be used during the work week exclusively for: (various times)."*

Policy #1710-3 School Calendar. "...The school calendar for student attendance shall set the maximum number of days of classroom instruction. Student attendance shall be limited to those days specified in the school calendar."

- 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.

Provide 2 days for assessment of student learning through performance activities.

One day for students in 8th grade on April 27, 2012 and one day for students in 7th grade on May 4, 2012. These assessment days require that only the grade level being evaluated attend school to present their research findings to a panel of judges who will determine student academic progress as well as achievement of the general learner outcomes. These are culminating activities that require students to provide evidence of their work presented orally.

- 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.)

In the previous school year, 98% of the 7th graders and 95% of the 8th graders presented their research to the panels and were evaluated using a rubric that incorporated the requirements for the projects as well as how well they were able to communicate their results to the panel. The evidence of their work included reflection on how well they thought they accomplished the general learner outcomes. 90% of the students achieved a satisfactory rating on the rubric used for the assessment.

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

Since 1998 Konawaena Middle School has required 8<sup>th</sup> grade students to complete an exit project called, "Kulia I Ka Nu'u". This continues to be a rigorous and relevant activity for our students and will prepare them to complete the Senior Project and attain the BOE Diploma.

Each year, Konawaena Middle School has asked for the waiver to allow us to convene the panels to which the students present their findings. It is an integral part of the project which holds students accountable for their research and allows them to reflect on their future. Without the faculty participation as panelists, we would not be able to complete the assessment part of the Kulia I Ka Nu'u project. Our 7<sup>th</sup> graders complete a more guided research and career exploration project which also includes a presentation to panelists. This project called, Ka Honua Maoli, "Real World" provides them with the experience they will need to complete the more independent Kulia project as 8<sup>th</sup> graders. To do this effectively, Konawaena Middle School needs the time to complete the assessments by having school days where only the students presenting to the panels are present at school, freeing the faculty to serve on the panels that assess the students' projects.

With the addition of new objectives to the Superintendent's Strategic Plan that address rigor, relevance and relationships in curriculum, instruction and assessment these projects and the assessment of them meet the criteria of measuring "learner engagement", "personal skill development" and "stretch learning."

**D5.) 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	2
Number of students who received tutorial assistance/interventions	2
Number of students whose grades improved after receiving tutorial assistance/interventions	2

**Explanation:**

Students with failing grades receive tutorial services daily through the guided study hall with their teachers. The one day they were out of school for grade level assessments did not impact their improvement. The assessment days are in fact another way that students are able to show what they know, and helps to improve their grades.

- 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
9/13/2010	Coordinating Council And grade level teams	Waiver Request discussed
9/21/2010	School Community Council	Waiver Request discussed
9/22/10	Faculty	Waiver Request approved
9/24/2010	Leadership Team	Waiver Request approved
10/19/10	School Community Council	Waiver Request approved

### 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.)

Administration Nancy Soderberg Date 10/19/10  
*Nancy Soderberg*

Community Representative(s) Georgia Goetz Date 10/19/10  
*Georgia Goetz*

Parent Representative Stacy Brown Date 10-19-10  
*Stacy Brown*

Student Representative(s) Simon Ellis Date 10-19-10  
*Simon Ellis*

Kuuipo Bettencourt Date 10/19/10  
*Kuuipo Bettencourt*

Noncertificated Staff Representative Norma Chadband Date 10-19-10  
*Norma Chadband*

Teacher Representative(s) Colleen Masukawa Date 10/19/10  
*Colleen Masukawa*

Marybeth Murphy Date 10/19/10  
*Marybeth Murphy*

Complex Area Superintendent (CAS): Art Souza  
This waiver/exception request aligns with the goals and objectives of the school's strategic plan/academic and financial plan.

CAS Signature: *Art Souza* Date 10/25/10

#### **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 75% or higher affirmative vote), **the Teacher Representative should email the UniServ Director with a cc to Kate MacPherson (kmacpherson@hsta.org). Please attach a copy of the email sent to the UniServ Director.**

**RETURN FORM TO:** School and Community Leadership Branch  
475 22<sup>nd</sup> Avenue, Building 302, Room 109  
Honolulu, Hawaii 96816

**Or FAX: 735-8379**

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

Kevin  
Hoag/KONAWM/HIDOE  
10/19/2010 02:07 PM

To <tsymons@hsta.org>  
cc  
bcc  
Subject RE: HSTA prcess check requirement

Hi Toni,  
I made a mistake about the year. The faculty reached consensus with a 100% affirmative vote to have the waiver day next school year, 2011-2012.  
Thanks,  
Kevin

<tsymons@hsta.org>



<tsymons@hsta.org>  
10/19/2010 12:33 PM

To Kevin\_Hoag/KONAWM/HIDOE<Kevin\_Hoag/KONAWM/HIDOE@notes.k12.hi.us>  
cc <rcamacho@hsta.org>  
Subject RE: HSTA prcess check requirement

Hi Kevin

I will forward this on to Ray Camacho who is now handling the exception requests. Did you complete the checklist? We will need a copy of that too.

Mahalo!

Toni

**From:** Kevin\_Hoag/KONAWM/HIDOE@notes.k12.hi.us  
[mailto:Kevin\_Hoag/KONAWM/HIDOE@notes.k12.hi.us]  
**Sent:** Tuesday, October 19, 2010 12:00 PM  
**To:** Symons, Toni  
**Cc:** kmacpherson@hsta.org  
**Subject:** HSTA prcess check requirement

Hi Toni,  
I am emailing to inform you that the faculty reached consensus with a 100% affirmative vote to have the waiver/exception days for this year.  
Thanks,  
Kevin Hoag  
Teacher Representative

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**Konawaena Middle**

**Trend Report:  
Educational and Fiscal Accountability**



A *Guide to Understanding Trend Reports* explains the educational and fiscal measures and lists schools in each of the 42 complexes for school year 2009-10. 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	#	#	%	#	%	#	%	%
2007-2008	415	58	14.0%	51	12.3%	189	45.5%	na
2008-2009	426	51	12.0%	57	13.4%	209	49.1%	na
2009-2010	454	37	8.1%	62	13.7%	266	58.6%	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	%	%	%	#
2007-2008	32	84.4%	10.0	34%	39%	31.3%	na
2008-2009	32	93.8%	11.2	47%	61%	28.1%	na
2009-2010	31	90.3%	11.2	55%	69%	29.0%	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																
2007-2008	na	na	na	57.0	65.0	63.6	na	na	na	na	37.1	40.0	25.6	na		
2008-2009	na	na	na	70.1	69.8	71.4	na	na	na	na	38.8	47.0	28.6	na		
2009-2010	na	na	na	58.8	73.8	69.8	na	na	na	na	54.1	50.7	37.6	na		

Hawaii State Assessment Standards-Based	Science % Proficient by Grade Level					
	4	5	6	7	10	11
School Year						
2007-2008	na	na	--	34.8	na	na
2008-2009	na	na	--	40.4	na	na
2009-2010	na	na	45.6	--	na	na

TerraNova Assessment National sample scoring at Average & above = 77	Grade Level	Reading % Average & Above								Math % Average & Above							
		3	4	5	6	7	8	10	3	4	5	6	7	8	10		
School Year																	
2007-2008		na	na	na	74.3	72.7	80.8	na	na	na	na	65.5	67.6	63.9	na		
2008-2009		na	na	na	85.7	70.5	84.3	na	na	na	na	69.9	59.3	75.0	na		
2009-2010		na	na	na	78.8	80.3	82.6	na	na	na	na	74.7	70.9	70.5	na		

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

### Academic Achievement (continued)

School Year	Proportion Ready for Kindergarten	Retention Rate %			Dropout Rate % (4-year rate)	Graduate On-Time %	Others %
		Elementary	Middle	Grade 9			
2007-2008	na	na	1%	na	na	na	na
2008-2009	na	na	0%	na	na	na	na
2009-2010	na	na	0%	na	na	na	na

### 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
2007-2008	na	93.7%	na	27	na	5	na	10
2008-2009	na	93.3%	na	40	na	5	na	19
2009-2010	na	94.4%	na	26	na	4	na	22

School	Facilities Inspection	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	% of student	% of teacher	
School Year	Passed?	Yes/No	Total # of claims	% of claims resulting in loss-time	Positive Responses		School mean (range 1-3)
2007-2008	Yes	No	3	0.0%	24.7%	79.2%	na
2008-2009	Yes	No	2	100.0%	53.8%	70.4%	na
2009-2010	Yes	No	1	0.0%	63.4%	80.0%	na

### Civic Responsibility

School Year	Young Voter Registration	Kids Voting Hawaii		Students Who Are Not Suspended	Service to School/Community	Volunteer Hours
	# of students participating	# of students participating	% of students participating	% of Enrollment	# of projects	# of PCNC volunteer hours per 100 students
2007-2008	na	--	--	90.1%	25	--
2008-2009	na	314	73.7%	91.1%	20	--
2009-2010	na	--	--	91.9%	19	--

### Fiscal Accountability

School Year	State General Funds				Significant Budget Changes*
	School Salaried Payroll	Allocation Excluding School Salaried Payroll	Expended	Carryover	
2007-2008	\$2,460,749	\$255,852	\$240,441	\$15,411	none
2008-2009	\$2,505,009	\$314,642	\$307,091	\$7,551	none
2009-2010	\$2,286,171	\$94,860	\$91,560	\$3,300	none

\*Explanation of Significant Budget Changes