

General Business Meeting

AGENDA

VII. B. Board Action on the School Community Council ("SCC") request for exceptions to collective bargaining agreements, statutory waivers, and waivers of Board policy for SY 2017-2018

SUBMISSION ROUND 3 - SUMMARY

1. REQUESTS - BOE Approval Required

NO	Topic	School	Complex Area	Waiver/Exception Type
1	Graduation Requirements	<u>Henry Perrine</u> <u>Baldwin High</u>	Baldwin-Kekaulike-Maui	BOE Policy 4540
2	Graduation Requirements	<u>Aiea High</u>	Aiea-Moanaloa-Radford	BOE Policy 4540
3	Graduation Requirements	<u>Maui High</u>	Baldwin-Kekaulike-Maui	BOE Policy 4540
4	Modified Assessment	<u>Maui High</u>	Baldwin-Kekaulike-Maui	HRS 302A-1124 to 1127



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

December 5, 2017

TO: The Honorable Lance A. Mizumoto,
Chairperson Board of Education

FROM: Sean Bacon, Board of Education Designee
Margaret Cox, Board of Education Designee

Handwritten signature of Sean Bacon in black ink.

Handwritten signature of Margaret Cox in black ink.

SUBJECT: **Board Action on the School Community Council ("SCC") Requests for Exceptions to Collective Bargaining Agreements, Statutory Waivers, and Waivers of Board Policy for School Year 2017-2018 for Henry Perrine Baldwin High School**

1. RECOMMENDATION

That the Board of Education (BOE) approves Henry Perrine Baldwin High School's SCC request for a waiver to change the date of commencement exercises for Aiea High School for the 2017-2018 school year.

2. RECOMMENDED EFFECTIVE DATE

Not applicable.

3. RECOMMENDED COMPLIANCE DATE

Not applicable.

4. DISCUSSION

a. Conditions leading to the recommendation:

BOE Policy 4540: Graduation and Related Policy, Section B which states that, "Commencement Exercises may be scheduled any time after the last day of school for seniors".

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

In previous years, the BOE has approved similar requests for early graduation.

c. Other policies affected:

State of Hawaii Department of Education 2017-2018 Official School calendar states
**Commencement Exercises: No Sooner than May 25, 2018*

d. Arguments in support of the recommendation:

In prior years, our Commencement Exercises were held the 3rd weekend in May. Because the 2017-2018 commencement has been scheduled for the 4th weekend in May we are unable to secure the venue we use. Henry Perrine Baldwin High School is therefore requesting a waiver to conduct Commencement exercises on May 22, 2018.

e. Arguments against the recommendation:

None

f. Findings and conclusions of the Board committee:

The BOE designees, Hawaii State Teachers Association BU 05 Committee on SCC Exception Review and the Hawaii Government Employees Association BU 06 Committee on SCC Exception Review have all agreed to this request.

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:

None

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.

SB/MC:MZ:pq

Attachments

c: Superintendent
Community Engagement Office

SchoolCommunityCouncilWaiver/ExceptionRequest

11/02/17	Request ID No.	0
1	School:	Henry Perrine Baldwin High
	School ID:	400
	Complex Area:	Baldwin-Kekaulike-Maui
	Complex:	Baldwin
	Strive HI Classification:	Continuous Improvement
	School Year request is for:	2017-2018
	Request Type:	New
	Time Period of Request:	1 Year
	Subject of Request:	Instructional Hours
	Principal:	Catherine Kilborn

2 Decision Making Process:

Provide a summary of meeting activities that demonstrates an inclusive, collaborative and consensus-building decision-making process. Please include information about the final outcome, including achievement of consensus or specific outcome of vote (e.g. 92 of 100 teachers voted in favor of the change).

9/21/2017	Faculty Meeting	Proposal to request earlier commencement dates (May 18, 2018) due to venue needs.
10/6/2017	Faculty Meeting	Proposal to request earlier commencement for May 22, 2018. 865 voted approval
10/16/2017	SCC Meeting	Proposal unanimously approved by SCC.
1/0/1900	0	0
1/0/1900	0	0
1/0/1900	0	0
1/0/1900	0	0
1/0/1900	0	0
1/0/1900	0	0
1/0/1900	0	0

3 Summarize your request:

HP Baldwin High School is requesting an earlier date for commencement exercises due to facilities needs. Normally, commencement has been scheduled for the third weekend in May. SY 17-18 is scheduled for the fourth weekend and the venue used/needed, is not available. We would like commencement to be held on May 22, 2018, instead of May 25, 2018. BHS does not have a facility that would accommodate our families and securing a facility outside is beyond the school's financial means. Attendance at this important academic celebration is important to our community and we want to continue the BHS tradition of including extended family and friends.

4 How will this serve to support student learning and outcomes?
 This request support BHS tradition. Comparatively speaking - even with the reduction in days, seniors will have more instruction days (81) as opposed to last SY (79).

5 (If renewal): What evidence exists to demonstrate the positive impact of the previously approved request?
 0

6 **Complete for Parent-Teacher Conference Waiver Requests Only**
 Required data: The Superintendent requires that the school conduct a parent survey to demonstrate parent support for this request.

Number of surveys distributed	0
Number of surveys returned	0
Number in favor	0
Number not in favor	0
Number undecided	0

7 **Complete for School Attendance Procedures Waiver Requests Only**
 Provide a comparison of chronic absenteeism data over a 3-year period.

School Year 1	0%
School Year 2	0%
School Year 3	0%

Explain data trend over these years.
 0

SCC Waiver/Exception Process Signature Page

Request ID:

0


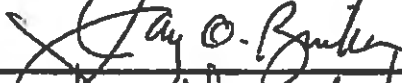
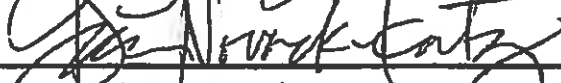




School: Henry Perrine Baldwin High

400

Waiver/Exception Request: Instructional Hours


School Community Council

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.)

Role	Signature	Date
Administration		10-16-17
Community Representative(s)		10/16/17
Parent Representative(s)		10/16/17
Student Representative(s)		10/16/17
Non-certificated Staff Representative(s)		10-16-17
Teacher Representative(s)		10-16-17
		10/17/17

Complex Area Superintendent (CAS)

This waiver/exception request serves to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.

Name	Signature	Date
Kathleen Dimino		11.6.17

Instructions:

- Schools must send the a) SCC Waiver/Exception Request Form as an excel file, b) pdf copy of the signed SCC Waiver/Exception Process Signature Page, and c) a pdf copy of the HSTA Waiver/Exception Process Checklist email to their CAS.
- CAS must review these documents to ensure they serve to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.
- If approved, CAS will sign the SCC Waiver/Exception Process Signature Page and scan as a pdf. Email the pdf SCC Waiver/Exception Process Signature Page to scc@hawaii.k12.hi.us.

Note: Failure to submit a complete and timely SCC Waiver/Exception Request Form may result in the request not being processed.

Hawaii Department of Education, November 2015



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

December 5, 2017

TO: The Honorable Lance A. Mizumoto,
Chairperson Board of Education

FROM: Sean Bacon, Board of Education Designee
Margaret Cox, Board of Education Designee

Handwritten signature of Sean Bacon in black ink.

Handwritten signature of Margaret Cox in black ink.

SUBJECT: **Board Action on the School Community Council (“SCC”) Requests for
Exceptions to Collective Bargaining Agreements, Statutory Waivers, and
Waivers of Board Policy for School Year 2017-2018 for Aiea High School**

1. RECOMMENDATION

That the Board of Education (BOE) approves Aiea High School’s SCC request for a waiver to change the date of commencement exercises for Aiea High School for the 2017-2018 school year.

2. RECOMMENDED EFFECTIVE DATE

Not applicable.

3. RECOMMENDED COMPLIANCE DATE

Not applicable.

4. DISCUSSION

a. Conditions leading to the recommendation:

BOE Policy 4540: Graduation and Related Policy, Section B which states that, “Commencement Exercises may be scheduled any time after the last day of school for seniors”.

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

In previous years, the BOE has approved similar requests for early graduation.

c. Other policies affected:

State of Hawaii Department of Education 2017-2018 Official School calendar states
**Commencement Exercises: No Sooner than May 25, 2018*

d. Arguments in support of the recommendation:

Since 2003, it has been a tradition that Aiea High School's Graduation Commencement Exercise be held at the Aloha Stadium. As is the case for many events and activities several other HIDEO schools began utilizing the Stadium and its services for their commencement exercises as well. Due to a conflict with other scheduled events at the stadium, Aiea High School is requesting a waiver to conduct Commencement exercises on May 24, 2018.

e. Arguments against the recommendation:

None

f. Findings and conclusions of the Board committee:

The BOE designees, Hawaii State Teachers Association BU 05 Committee on SCC Exception Review and the Hawaii Government Employees Association BU 06 Committee on SCC Exception Review have all agreed to this request.

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:

None

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.

SB/MC:MZ:pq
Attachments

c: Superintendent
Community Engagement Office

School Community Council Waiver/Exception Request

08/15/17	Request ID No.	0
1	School:	Aiea High
	School ID:	202
	Complex Area:	Aiea-Moanalua-Radford
	Complex:	Aiea
	Strive HI Classification:	Continuous Improvement
	School Year request is for:	2017-2018
	Request Type:	New
	Time Period of Request:	1 Year
	Subject of Request:	Other
	Principal:	David Tanuvasa

- 2 Decision Making Process:**
 Provide a summary of meeting activities that demonstrates an inclusive, collaborative and consensus-building decision-making process. Please include information about the final outcome, including achievement of consensus or specific outcome of vote (e.g. 92 of 100 teachers voted in favor of the change).

8/1/17	EMAIL NOTIFICATIONS	Informational Emails with Agendas to provide purpose of
8/7/17	School Community Council Meeting	All members, in attendance, in favor of the proposed
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0
1/0/00	0	0

- 3 Summarize your request:**
 Since 2003, it has become a tradition that Aiea High's Graduation Commencement Exercise be held at the Aloha Stadium. As in the case for many events and activities many other HIDOE schools began utilizing the Aloha Stadium and its services for their commencement exercises as well. With many more schools utilizing Aloha Stadium it has created scheduling conflicts between schools and/or the schools would seek other avenues such as this waiver/exception. The reason for this waiver is to request an exception toward the Graduation Date. Under HIDOE regulations and in the Official HIDOE School Calendar it is noted that graduating commencement exercises will be

conducted on or after May 25, 2018. We are requesting a waiver to conduct Aiea High's Class of 2018 Commencement exercises to held on May 24th, 2018. All SCC members present at our Aug 7th meeting was in favor of the May 24th date

4 How will this serve to support student learning and outcomes?

This is the epitome of a successful High School Career. The Graduation Ceremony Commencement Exercises acknowledges the students' successes in being able to fulfill the HIDOE credits requirements and to be awarded their High School Diploma.

5 (If renewal): What evidence exists to demonstrate the positive impact of the previously approved request?

This is the first year for this request.

Complete for Parent-Teacher Conference Waiver Requests Only

6 Required data: The Superintendent requires that the school conduct a parent survey to demonstrate parent support for this request.

Number of surveys distributed	0
Number of surveys returned	0
Number in favor	0
Number not in favor	0
Number undecided	0

Complete for School Attendance Procedures Waiver Requests Only

7 Provide a comparison of chronic absenteeism data over a 3-year period.

School Year 1	0%
School Year 2	0%
School Year 3	0%

Explain data trend over these years.

0

SCC Waiver/Exception Process Signature Page

Request ID:

0

School:	'Alea High	202
Waiver/Exception Request:	Other	

School Community Council

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.)

Role	Signature	Date
Administration		8/14/17
Community Representative(s)		8/16/17
Parent Representative(s)		08/16/17
Student Representative(s)		08/16/17
Non-certificated Staff Representative(s)		08/16/17
Teacher Representative(s)		08/16/17
		8/16/17

Complex Area Superintendent (CAS)

This waiver/exception request serves to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.

Name	Signature	Date
John Erickson		11/27/17

Instructions:

- Schools must send the a) SCC Waiver/Exception Request Form as an excel file, b) pdf copy of the signed SCC Waiver/Exception Process Signature Page, and c) a pdf copy of the HSTA Waiver/Exception Process Checklist email to their CAS.
- CAS must review these documents to ensure they serve to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.



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

December 5, 2017

TO: The Honorable Lance A. Mizumoto,
Chairperson Board of Education

FROM: Sean Bacon, Board of Education Designee
Margaret Cox, Board of Education Designee

Sean Bacon
Margaret Cox

SUBJECT: **Board Action on the School Community Council (“SCC”) Requests for Exceptions to Collective Bargaining Agreements, Statutory Waivers, and Waivers of Board Policy for School Year 2017-2018 for Maui High School**

1. RECOMMENDATION

That the Board of Education (BOE) approves Maui High School’s SCC request for a waiver to change the date of commencement exercises for Maui High School for the 2017-2018 school year.

2. RECOMMENDED EFFECTIVE DATE

Not applicable.

3. RECOMMENDED COMPLIANCE DATE

Not applicable.

4. DISCUSSION

a. Conditions leading to the recommendation:

BOE Policy 4540: Graduation and Related Policy, Section B which states that, “Commencement Exercises may be scheduled any time after the last day of school for seniors”.

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

In previous years, the BOE has approved similar requests for early graduation.

c. Other policies affected:

State of Hawaii Department of Education 2017-2018 Official School calendar states **Commencement Exercises: No Sooner than May 25, 2018*

d. Arguments in support of the recommendation:

Because the County of Maui Parks and Recreation Department will not allow Maui High School to have Commencement Exercises on May 26, 2018 due to other activities, and there is no other venue on the island to accommodate Commencement Ceremonies 2018, Maui High School is requesting that graduation be held on Saturday, May 19, 2018.

e. Arguments against the recommendation:

None

f. Findings and conclusions of the Board committee:

The BOE designees, Hawaii State Teachers Association BU 05 Committee on SCC Exception Review and the Hawaii Government Employees Association BU 06 Committee on SCC Exception Review have all agreed to this request.

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:

None

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.

SB/MC:MZ:pq

Attachments

c: Superintendent
Community Engagement Office

received 11/7/17

School Community Council Waiver/Exception Request

10/26/17	Request ID/No.	8
1	School:	Maui High
	School ID:	418
	Complex Area:	Baldwin-Kekaulike-Maui
	Complex:	Maui
	Strive HI Classification:	Continuous Improvement
	School Year request is for:	2017-2018
	Request Type:	New
	Time Period of Request:	1 Year
	Subject of Request:	Instructional Hours
	Principal:	#REF!

- 2 Decision Making Process:
 Provide a summary of meeting activities that demonstrates an inclusive, collaborative and consensus-building decision-making process. Please include information about the final outcome, including achievement of consensus or specific outcome of vote (e.g. 92 of 100 teachers voted in favor of the change).

8/31/17	Coordination	Graduation Chair met Department of Parks & Recreation of the County of Maui to discuss options for Graduation date, 2018
9/5/17	Grad Chair & Admin	with Baldwin High School bcz of Stadium use
9/19 & 20/17	Grad Chair met with Seniors and Parents	moving-up the date; following a letter home
9/6/17	Principal and CAS	Kishimoto
10/17/17	Met with APC members	Discussed the situation
10/25/17	Met with Staff	Discussion, Q & A, voting

- 3 Summarize your request:
 Because the County of Maui Parks and Recreation Department will not allow MHS to have Commencement Exercises on May 26, 2018, due to other activities and there is no other venue on the island to accommodate Commencement Ceremonies 2018, we are requesting to have Commencement Exercises on Saturday, May 19, 2018, and the County of Maui Parks and Recreation department has approved.

- 4 How will this serve to support student learning and outcomes?
 Commencement Exercises support learning and outcomes because it is a display of the achievements of students receiving their High School Diplomas.

(If renewal): What evidence exists to demonstrate the positive impact of the previously approved request?

5

The County of Maui Parks and Recreation Department has denied our request to have Commencement Exercises 2019 on May 25, 2019 due to other activities at the same venue. Due to lack of another venue to accommodate commnecent, we are requesting to hold Commencement Exercises on May 18, 2019.

Complete for Parent-Teacher Conference Waiver Requests Only

6

Required data: The Superintendent requires that the school conduct a parent survey to demonstrate parent support for this request.

Number of surveys distributed

0

Number of surveys returned

0

Number in favor

0

Number not in favor

0

Number undecided

0

Complete for School Attendance Procedures Waiver Requests Only

7

Provide a comparison of chronic absenteeism data over a 3-year period.

School Year 1

0%

School Year 2

0%

School Year 3

0%

Explain data trend over these years.

0

SCC Waiver/Exception Process Signature Page

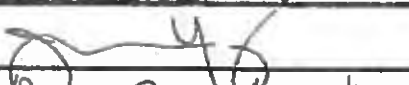

Request ID:

0

School:	Maui High	418
Waiver/Exception Request:	Instructional Hours	

School Community Council

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.)

Role	Signature	Date
Administration		11/1/17
Community Representative(s)	Rico San Agustin	11/1/17
Parent Representative(s)	Sherryl San Agustin	11/1/17
Student Representative(s)	Camryn Bm	11/1/17
Non-certificated Staff Representative(s)	Sherry Skwonek	11/1/17
Teacher Representative(s)	Jane Antea	11/1/2017
		11/1/2017

Complex Area Superintendent (CAS)

This waiver/exception request serves to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.

Name	Signature	Date
Kathleen Dimino		11.6.17

Instructions:

- Schools must send the a) SCC Waiver/Exception Request Form as an excel file, b) pdf copy of the signed SCC Waiver/Exception Process Signature Page, and c) a pdf copy of the HSTA Waiver/Exception Process Checklist email to their CAS.
- CAS must review these documents to ensure they serve to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.
- If approved, CAS will sign the SCC Waiver/Exception Process Signature Page and scan as a pdf. Email the pdf SCC Waiver/Exception Process Signature Page to scc@hawaii.k12.hi.us.

Note: Failure to submit a complete and timely SCC Waiver/Exception Request Form may result in the request not being processed.

HSTA WAIVER/EXCEPTION PROCESS CHECKLIST

The HSTA Waiver/Exception Process Checklist is used when a collective bargaining agreement or school schedule exception is being requested through the School Community Council (SCC) waiver/exception process. See page 3 for more information.

IMPORTANT: The Association Policy Committee (APC) should complete and return this form, a copy of the SCC Waiver/Exception Request Form, supporting documents, school schedule if applicable and SCC Waiver/Exception Process Signature Page to your UniServ Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org). See steps 8 & 9.

School:	Maui High		
Name:	Keith Imada	Phone:	727-4055
E-mail:	Keith.imada@mauihigh.org		
Position on APC:	Chair		
If Other - explain:			

Request ID: #####

Step	Action Needed by APC	Completed	
		Yes	No
1	<p>A meeting with the faculty should be called by the APC to discuss the proposed collective bargaining agreement exception on the school's SCC Waiver/Exception Request Form and achieve consensus.</p> <p>At least 48 hours-notice should be given to faculty.</p> <p>The discussion should be open and collaborative and reserved for Bargaining Unit 05 members only to avoid the appearance of undue influence.</p> <p>Date of meeting: 10/25/2017</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	If consensus is reached, please check the YES box and go to step 8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	<p>If no consensus has been reached, prepare a secret ballot for each exception requested on the SCC Waiver/Exception Request Form.</p> <p>Make sure the ballot question is clearly worded.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4	<p>Make the ballots available to all faculty members.</p> <p>Contact all BU 05 members on paid or unpaid leave informing them of the vote.</p>	<input type="checkbox"/>	<input type="checkbox"/>
5	Notify the faculty of the voting deadline and provide for five (5) working days to cast their votes.	<input type="checkbox"/>	<input type="checkbox"/>

6	Have a roster to check off names for ballots. This helps to ensure all Bargaining Unit 05 members had an opportunity to vote.	<input type="checkbox"/>	<input type="checkbox"/>
7	<p>Count the votes after all ballots are in, including any ballots from teachers that were absent.</p> <p>Keep the ballot box in a secure place until ballots are ready to be counted.</p> <p>Make sure a witness is present during the counting of ballots.</p> <p>Report the vote results to your UniServ Director.</p> <p>YES votes: <u>107</u> NO votes: <u>12</u> Blanks: <u>0</u></p> <p>Total votes cast: <u>119</u></p> <p>Percentage of votes in the Affirmative: <input type="checkbox"/> <u>90</u> <input type="checkbox"/> %</p> <p>66-2/3% or higher affirmative votes required for the waiver/exception request to be submitted to the Complex Area Superintendent.</p>	<input type="checkbox"/>	<input type="checkbox"/>
8	<p>To ensure that the process to reach the decision for a contract exception request was followed, the APC will email the following to the UniServ Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org):</p> <ul style="list-style-type: none"> • a copy of this form • the SCC Waiver/Exception Request Form • supporting documents • school schedule, if applicable • signed SCC Waiver/Exception Process Signature Page 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	A copy of the email to the UniServe Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org) must be saved as a PDF and included as part of the SCC Waiver/Exception Request Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

December 5, 2017

TO: The Honorable Lance A. Mizumoto
Chairperson, Board of Education

FROM: Sean Bacon, Board of Education Designee *Sean Bacon*
Margaret Cox, Board of Education Designee *Margaret Cox*

SUBJECT: **Board Action on the School Community Council ("SCC") Requests for Exceptions to Collective Bargaining Agreements, Statutory Waivers, and Waivers of Board Policy for School Year 2017-2018 for Maui High School**

1. RECOMMENDATION

That the Board of Education approves Maui High School's SCC Exception request allowing the school to implement a modified school schedule to accommodate testing for the 2017-2018 school year.

2. RECOMMENDED EFFECTIVE DATE

Upon approval by the BOE, School Year 2017-2018.

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 XIII, 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:

In order to allow 11th grade students to benefit from taking the State ACT test in a conducive testing environment, Maui High requests permission to excuse all 9th, 10th, and 12th graders from attending school on Tuesday, February 27, 2018.

e. Arguments against the recommendation:

None.

f. Findings and conclusions of the Board committee:

The BOE designees, Hawaii State Teachers Association BU 05 Committee on SCC Exception Review and the Hawaii Government Employees Association BU 06 Committee on SCC Exception Review have all agreed to this request.

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.

SB/MC:MZ:pq

Attachment

c: Superintendent
Community Engagement Office

received 11/7/17

School Community Council Waiver/Exception Request

Requesting School	
1 School:	Mau High
School ID:	418
Complex Area:	Baldwin-Kekaulike-Mau
Complex:	Mau
Strive HI Classification:	Continuous Improvement
School Year request is for:	2017-2018
Request Type:	New
Time Period of Request:	1 Year
Subject of Request:	Other
Principal:	Enter name

2 Decision Making Process:
Provide a summary of meeting activities that demonstrates an inclusive, collaborative and consensus-building decision-making process. Please include information about the final outcome, including achievement of consensus or specific outcome of vote (e.g. 92 of 100 teachers voted in favor of the change).

9/1/17	Admin + CAS	Support ACT test day; plan on what the day will look like and to solicit staff/SCC support
9/1/17	Principal, Testing Coord., CAO	Plan on what ACT day will look like and how it will benefit students
9/6/17	Admin & CCs	Plan on what ACT day will look like and how it will benefit students
9/6/17	Department Heads	Plan on what ACT day will look like and how it will benefit students
9/14/17	Design Team	Plan on what ACT day will look like and how it will benefit students
9/18/17	Admin, CCs, & TC	Plan on what ACT day will look like and how it will benefit students
9/20/17	Staff meeting	Announce ACT day plans
10/18/17	Design Team	Discuss voting on ACT day
10/18/17	Admin & CCs	Create voting format
10/25/17	Staff meeting	Vote on ACT day before presenting it to SCC for final approval.

3 Summarize your request:
In order to allow 11th grade students to benefit from taking the State ACT test in a conducive testing environment, we request to have all 11th graders on campus and to excuse all 9th, 10th, and 12th graders from attending on Tuesday, February 27, 2018.

4 How will this serve to support student learning and outcomes?
The ACT® test is the nation's most popular college entrance exam accepted and valued by all universities and colleges in the United States. The ACT is based on what students learn in

high school and provides personalized information about their strengths for education and career planning." Source - ACT website. By providing time for students to participate in this assessment, we are supporting their plans to go to college and further their education and skills.

5

(If renewal): What evidence exists to demonstrate the positive impact of the previously approved request?

0

6

Complete for Parent-Teacher Conference Waiver Requests Only

Required data: The Superintendent requires that the school conduct a parent survey to demonstrate parent support for this request.

Number of surveys distributed

0

Number of surveys returned

0

Number in favor

0

Number not in favor

0

Number undecided

0

7

Complete for School Attendance Procedures Waiver Requests Only

Provide a comparison of chronic absenteeism data over a 3-year period.

School Year 1

0%

School Year 2

0%

School Year 3

0%

Explain data trend over these years.

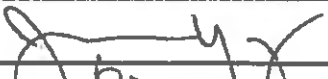


0

SCC Waiver/Exception Process Signature Page

Request ID:	0	
School:	Maul High	418
Waiver/Exception Request:	Other	

School Community Council

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.)

Role	Signature	Date
Administration		10/25/17
Community Representative(s)	Rico San Agustin	11/1/17
Parent Representative(s)	Sherryl San Agustin	11/11/17
Student Representative(s)	Amya Bm	11/1/17
Non-certificated Staff Representative(s)	Harold Kaboran	11/1/17
Teacher Representative(s)		10-25-17
		10/25/17

Complex Area Superintendent (CAS)

This waiver/exception request serves to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.

Name	Signature	Date
Kathleen Dimino		11-6-17

Instructions:

- Schools must send the a) SCC Waiver/Exception Request Form as an excel file, b) pdf copy of the signed SCC Waiver/Exception Process Signature Page, and c) a pdf copy of the HSTA Waiver/Exception Process Checklist email to their CAS.
- CAS must review these documents to ensure they serve to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.
- If approved, CAS will sign the SCC Waiver/Exception Process Signature Page and scan as a pdf. Email the pdf SCC Waiver/Exception Process Signature Page to scc@hawaii DOE.k12.hi.us.

Note: Failure to submit a complete and timely SCC Waiver/Exception Request Form may result in the request not being processed.

HSTA WAIVER/EXCEPTION PROCESS CHECKLIST

The HSTA Waiver/Exception Process Checklist is used when a collective bargaining agreement or school schedule exception is being requested through the School Community Council (SCC) waiver/exception process. See page 3 for more information.

IMPORTANT: The Association Policy Committee (APC) should complete and return this form, a copy of the SCC Waiver/Exception Request Form, supporting documents, school schedule if applicable and SCC Waiver/Exception Process Signature Page to your UniServ Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org). See steps 8 & 9.

School:	Maui High		
Name:	Keith Imada	Phone:	727-4055
E-mail:	Keith.imada@mauihigh.org		
Position on APC:	Committee Chair		
If Other - explain:			

Request ID: #####

Step	Action Needed by APC	Completed	
		Yes	No
1	<p>A meeting with the faculty should be called by the APC to discuss the proposed collective bargaining agreement exception on the school's SCC Waiver/Exception Request Form and achieve consensus.</p> <p>At least 48 hours-notice should be given to faculty.</p> <p>The discussion should be open and collaborative and reserved for Bargaining Unit 05 members only to avoid the appearance of undue influence.</p> <p>Date of meeting: 10/25/2017</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	If consensus is reached, please check the YES box and go to step 8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	<p>If no consensus has been reached, prepare a secret ballot for each exception requested on the SCC Waiver/Exception Request Form.</p> <p>Make sure the ballot question is clearly worded.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4	<p>Make the ballots available to all faculty members.</p> <p>Contact all BU 05 members on paid or unpaid leave informing them of the vote.</p>	<input type="checkbox"/>	<input type="checkbox"/>
5	Notify the faculty of the voting deadline and provide for five (5) working days to cast their votes.	<input type="checkbox"/>	<input type="checkbox"/>

6	<p>Have a roster to check off names for ballots. This helps to ensure all Bargaining Unit 05 members had an opportunity to vote.</p>	<input type="checkbox"/>	<input type="checkbox"/>
7	<p>Count the votes after all ballots are in, including any ballots from teachers that were absent.</p> <p>Keep the ballot box in a secure place until ballots are ready to be counted.</p> <p>Make sure a witness is present during the counting of ballots.</p> <p>Report the vote results to your UniServ Director.</p> <p>YES votes: <u>108</u> NO votes: <u>11</u> Blanks: <u>0</u></p> <p>Total votes cast: <u>119</u></p> <p>Percentage of votes in the Affirmative: <input type="text" value="91"/>%</p> <p>66-2/3% or higher affirmative votes required for the waiver/exception request to be submitted to the Complex Area Superintendent.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	<p>To ensure that the process to reach the decision for a contract exception request was followed, the APC will email the following to the UniServ Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org):</p> <ul style="list-style-type: none"> • a copy of this form • the SCC Waiver/Exception Request Form • supporting documents • school schedule, if applicable • signed SCC Waiver/Exception Process Signature Page 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	<p>A copy of the email to the UniServe Director with a cc: to HSTA's Raymond Camacho (rcamacho@hsta.org) must be saved as a PDF and included as part of the SCC Waiver/Exception Request Form.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>