



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

OFFICE OF THE SUPERINTENDENT

January 21, 2011

TO: Assistant Superintendents
Complex Area Superintendents
Principals
Teachers
Public Charter School Program Offices
Personnel Regional Officers

FROM: 
Kathryn S. Matayoshi, Superintendent

SUBJECT: Revisions to the Guidelines Regarding the Movement of Teachers between the Department of Education and the Public Charter Schools

The Department of Education (DOE) has made revisions to its current guidelines and procedures, referenced in January 2008, regarding the movement of teachers between the DOE and the Public Charter Schools (PCS). The most recent revisions specify the procedures and guidelines involved whenever a DOE teacher leaves the Department for employment opportunities with the PCS. The revisions also detail the procedures of their subsequent re-employment with the DOE and the options that may be available to them.

The revisions will be effective with the 2010-2011 Teacher Assignment and Transfer Program (TATP) which commences February 28, 2011. Please review the following attachment containing these guidelines and procedures, along with the flow charts and forms that will be utilized.

Should you have any questions, concerns, or need additional information, please contact Wilfred Keola Jr., Certificated Personnel Specialist, by e-mail or at 587-8533.

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Attachments

c: Board of Education
Merlene M. Akau, Acting Assistant Superintendent, OHR
Wilfred Keola, Personnel Specialist, OHR
Maunalei Love, Executive Director, Charter School Administrative Office
Alvin Nagasako, Executive Director, Hawaii State Teacher Association

**EMPLOYMENT GUIDELINES PERTAINING TO THE MOVEMENT OF
TEACHERS EMPLOYED BY THE DEPARTMENT OF EDUCATION AND
PUBLIC CHARTER SCHOOLS**

(Revised 1/2011)

The Department of Education (DOE) has made significant revisions to the employment guidelines and procedures pertaining to the movement of teachers between the DOE and the public charter schools (PCS). The newly revised guidelines and procedures clarify the re-employment process of formerly employed DOE teachers and the employment of PCS teachers, with no previous employment in the DOE, to the DOE.

ELIGIBILITY

DOE and PCS teachers are eligible to participate in the movement of teachers between the DOE and the PCS. They should be mindful of the employment/re-employment practices associated with each category of movement.

FORMS

The four forms listed below can be downloaded from the Department's Standards Practice website: <http://sp.k12.hi.us/forms/ohr>.

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| Form CS-1 | Notification of Acceptance of a Charter School Position
This form needs to be completed by the DOE teacher and submitted to his/her current DOE principal. |
| Form 101B | Teacher Request for Transfer and/or Intra-School Reassignment
This form is submitted to the school that is posting the vacant position. |
| Form 101e | Transfer and Assignment Employment Information for PCS Teacher
This form needs to be completed by former DOE teachers as part of employment/re-employment process. |
| Form 190 | Separation From Service
This form needs to be completed by all teachers accepting teaching positions at a PCS. |

A. DOE TENURED TEACHERS

- 1. A DOE tenured teacher accepts a PCS position within the first posting of the Teacher Assignment and Transfer Program (TATP).**
 - Resignation will be required. A Form 190 and Form CS-1 must be completed.
 - PCS teachers may be eligible for subsequent re-employment, within the DOE, through the TATP, provided they have continually been employed in PCS position(s), which utilized the personnel/payroll services of the DOE.

- PCS teachers, who have not continually been employed in charter school position(s), which utilized the personnel/payroll services of the DOE, may also be eligible for subsequent re-employment through the TATP. However, their re-employment will be processed by the Department's Teacher Recruitment Section. All re-employment forms provided to the PCS teacher must be submitted to the Teacher Recruitment Section.

Note: Salary classification for all re-employed DOE teachers will be re-evaluated to ensure that any changes in classification that were awarded, while in the employment of the PCS, were in compliance with the Department's current teacher reclassification guidelines. Adjustments in salary classification may result.

2. A DOE tenured teacher accepts a PCS position outside of the first posting of TATP.

- Resignation will be required. A Form 190 and Form CS-1 must be completed.
- PCS teachers seeking re-employment with the DOE within two years of their resignation date must submit an updated application and satisfactory confidential report from their PCS and their last DOE school. The screening interview will be waived. Re-employment will be processed through the Department's Teacher Recruitment Section.
- PCS teachers seeking re-employment with the DOE after two years from their resignation date, must reapply as a new hire (new application and screening interview required) through the Department's Teacher Recruitment Section.

Note: Former DOE tenured teachers, who accepted PCS positions outside of the first posting, will not be eligible to participate in the TATP. In addition, any salary classification upgrades that were awarded, while in the employment of the PCS, will be re-evaluated to ensure compliance with the Department's current teacher reclassification guidelines. Adjustments in salary classification may result.

B. DOE TEACHERS IN THEIR LAST SEMESTER OF PROBATION

1. A DOE satisfactory probationary teacher in his/her last semester of probation accepts a charter school position within the first posting of TATP.

- Resignation will be required. A Form 190 and Form CS-1 must be completed.
- PCS teachers may be eligible for subsequent re-employment, within the DOE, through the TATP, provided they have continually been employed in a PCS position, which utilized the personnel/payroll services of the DOE. They may participate in the first posting of the TATP.
- PCS teachers, who have not continually been employed in a PCS position, which utilized the personnel/payroll services of the DOE, may also be eligible for

subsequent re-employment through the TATP. However, their re-employment will be processed through the Department's Teacher Recruitment Section. All re-employment forms provided to the PCS teacher must be submitted to the Teacher Recruitment Section.

Note: Salary classification for all re-employed DOE teachers will be re-evaluated to ensure that any changes in classification that were awarded, while in the employment of the PCS, were in compliance with the Department's current teacher reclassification guidelines. Adjustments in salary classification may result.

2. A DOE satisfactory probationary teacher in his/her last semester of probation accepts a PCS position outside of the first posting of TATP.

- Resignation will be required. Form 190 and Form CS-1 must be completed.
- PCS teachers seeking re-employment with the DOE within two years of their resignation date must submit an updated application and satisfactory confidential report from their PCS and their last DOE school. The screening interview will be waived. Re-employment will be processed through the Department's Teacher Recruitment Section.
- PCS teachers seeking re-employment with the DOE after two years from their resignation date, must reapply as a new hire (new application and screening interview required) through the Teacher Recruitment Section.

Note: Former DOE satisfactory probationary teachers, in their last year of probation, who accepted a PCS position outside of the first posting, will not be eligible to participate in the TATP process. In addition, any salary classification upgrades that were awarded, while in the employment of the PCS, will be re-evaluated to ensure compliance with the Department's current teacher reclassification guidelines. Adjustments in salary classification may result.

C. OTHER CATEGORIES OF NON-TENURED DOE TEACHERS

1. A less-than-satisfactory probationary DOE teacher serving his/her last semester of probation.

A less-than-satisfactory DOE probationary teacher serving his/her last semester of probation, accepts a PCS position. The teacher will be required to resign and complete a Form 190 and Form CS-1. The teacher may subsequently re-apply as a new hire with the DOE by completing a new application and successfully passing the Department's screening process and intake interview.

2. A DOE probationary teacher not serving his/her last semester of probation.

A DOE probationary teacher, not serving his/her last semester of probation, accepts a PCS position. The teacher will be required to resign and complete a Form 190 and Form CS-1. The teacher may subsequently re-apply as a new hire with the DOE by completing a new application and successfully passing the Department’s screening process and intake interview.

3. Code “W” Teacher

A code “W” teacher (*one who has completed a state approved teacher education (SATE) program, but has not acquired a Hawaii teaching license*) accepts a PCS position. The teacher will be required to resign and complete a Form 190 and Form CS-1. The teacher may subsequently re-apply as a new hire with the DOE by completing a new application and successfully passing the Department’s screening process and intake interview.

4. Code “5” Teacher

A code “5” teacher (*one who has not completed a SATE*) accepts a PCS position. The teacher will be required to resign and complete a Form 190 and Form CS-1. The teacher may subsequently re-apply as a new hire with the DOE by completing a new application and successfully passing the Department’s screening process and intake interview.

Note: The three categories of teachers mentioned above will be subject to one year of DOE probationary status (*Act 298, Session Law 2006*), upon re-employment, if the following conditions are met:

- a. The teacher completed one school year of full-time licensed teaching experience at the PCS;
- b. The teacher maintains a current Hawaii teaching license; and
- c. The teacher has received satisfactory evaluations.

Note: Salary classification for all re-employed DOE teachers will be re-evaluated to ensure that any changes in classification that were awarded, while in the employment of the PCS, were in compliance with the Department’s current teacher reclassification guidelines. Adjustments in salary classification may result.

D. HAWAII LICENSED CHARTER SCHOOL TEACHERS

A Hawaii licensed PCS teacher with no previous DOE experience wants to be employed with the DOE.

- 1. The teacher may apply as a new hire with the DOE. An application and screening interview are required.

2. The teacher will be subject to one year of DOE probationary status (*Act 298, Session Law 2006*) if the following conditions are met:

- The teacher completed one school year of full-time licensed teaching experience at the public charter school;
- The teacher maintains a current Hawaii teaching license; and
- The teacher has received satisfactory evaluations.

3. Salary and Classification

- Hawaii licensed PCS teachers who were continually employed in teaching positions, which utilized the personnel/payroll services of the DOE, will have their current salary classification re-evaluated to ensure that their awarded classification upgrades were in compliance with the Department's current teacher reclassification guidelines. Adjustments in salary classification may result.
- Hawaii licensed PCS teachers who were employed in teaching positions, which did not utilize the personnel/payroll services of the DOE, will be categorized as a new hire and placed at Class II, III or VII on the teacher salary scale. Placement will be based on the Department's current teacher recruitment guidelines.