

JAN 28 2009

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Act 125, Session  
2 Laws of Hawaii 2008, aligned Hawaii's teacher licensure  
3 requirements with the criteria for highly qualified teachers as  
4 prescribed by the No Child Left Behind Act.

5           The purpose of this Act is to amend those provisions  
6 related to unlicensed teachers employed as emergency hires prior  
7 to July 1, 2008, by clarifying that they may be employed on an  
8 emergency basis for no more than four years.

9           SECTION 2. Section 302A-804, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§302A-804 Powers and duties of the department.** The  
12 department shall retain all of its rights and powers except for  
13 the authority provided to the board under this subpart. The  
14 department's powers and duties under this subpart shall be  
15 limited to:



- 1           (1) Hiring, except in emergency situations as described in  
2           this chapter, licensed teachers to teach in their  
3           fields of licensing;
- 4           (2) Reporting data annually to the board about the supply  
5           of, and demand for, teachers, including the  
6           identification of shortage areas, out-of-field  
7           teaching assignments, numbers of teachers teaching  
8           out-of-field, numbers and types of courses and classes  
9           taught by out-of-field teachers, and numbers and types  
10          of students taught by out-of-field teachers;
- 11          (3) On an emergency and case-by-case basis, hiring  
12          unlicensed individuals; provided that:
- 13           (A) A list of the names, work sites, teaching  
14           assignments, and progress toward licensing of  
15           these individuals shall be reported to the board  
16           and any changes shall be updated on a monthly  
17           basis by the department;
- 18           (B) There are no properly licensed teachers for the  
19           specific assignments for which the individuals  
20           are being hired;
- 21           (C) No individual may be employed by the department  
22           on an emergency basis for more than three years.



1           During this time, the individual shall  
2           demonstrate active pursuit of licensing in each  
3           year of employment; and

4           (D) Notwithstanding subparagraph (3)(C), unlicensed  
5           individuals who have been hired on an emergency  
6           basis prior to July 1, 2008, [~~shall attain~~  
7           ~~licensure no later than four years from the date~~  
8           ~~of their employment;~~] may be employed on an  
9           emergency basis for no more than four years;

10          (4) Submitting an annual report to the board documenting:

11           (A) The number of emergency hires by subject matter  
12           areas and by schools;

13           (B) The reasons and duration of employment for the  
14           emergency hiring enumerated in subparagraph (A);

15           (C) Individual progress toward licensing; and

16           (D) The department's efforts to address the shortages  
17           described in subparagraph (A); and

18          (5) Providing any other information requested by the board  
19           that is pertinent to its powers and duties."

20          SECTION 3. Statutory material to be repealed is bracketed  
21          and stricken. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Norman Sobanjo



**Report Title:**

Education; Teachers; Emergency Hires

**Description:**

Clarifies that unlicensed teachers employed as emergency hires prior to July 1, 2008, may be employed on an emergency basis for no more than four years.

