

JAN 23 2009

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 there is no shortage
2 of people who want to become teachers in Hawaii's public
3 schools. However, under the Hawaii teacher standards board,
4 requirements have been erected that serve as barriers to
5 becoming a public school teacher. While the legislature
6 supports high standards for teachers, those standards can be met
7 through alternative licensing qualifications that are not
8 prohibitive to qualified individuals seeking to teach in Hawaii.

9 Under the existing standards, people with higher education
10 degrees are found to be not qualified to teach in Hawaii public
11 schools if they do not hold a degree from a college of
12 education. In addition, teachers who taught on the mainland,
13 come to Hawaii, and seek to continue teaching receive limited
14 credit for their practical prior experience. No credit is given
15 for time taught in private schools or at the university level.

16 The legislature finds that Hawaii can significantly reduce
17 the teacher "shortage" by eliminating the unnecessary barriers



1 to teaching and putting more of the increased federal moneys
2 from the No Child Left Behind Act into supporting teachers and
3 preparing those who enter the field from another profession.

4 The purpose of this Act is to allow the department of
5 education to hire individuals with professional experience and
6 university degrees as exceptional teachers and to authorize
7 alternative licensing routes based on performance-based
8 standards commensurate with professional experience in or
9 utilizing the subject area or program to be taught, and giving
10 credit toward licensing for prior teaching experience in public
11 schools outside of Hawaii and at accredited private schools,
12 colleges, or universities.

13 SECTION 2. Section 302A-501, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) For the purposes of subpart D:

16 "Board" means the Hawaii teacher standards board.

17 "Emergency hire" or "exceptional hire" means an unlicensed
18 employee of the department paid under the salary schedule
19 contained in the unit 5 collective bargaining agreement.

20 "License" means the document signifying the board's grant
21 of permission to practice the profession of teaching.



1 "Teacher" means a licensed employee of the department paid
2 under the salary schedule contained in the unit 5 collective
3 bargaining agreement."

4 SECTION 3. Section 302A-602, Hawaii Revised Statutes, is
5 amended by amending subsection (c) to read as follows:

6 "(c) [~~Beginning with the 2002-2003 school year, the~~] The
7 department may employ unlicensed individuals as emergency hires
8 or as exceptional hires pursuant to sections 302A-801 to 302A-
9 808[-]; provided that all exceptional hires shall have a college
10 degree from a college or university accredited by an accrediting
11 agency listed with the United States Secretary of Education in a
12 subject that is appropriate to the subject area or program that
13 they will teach in the department, and all full-time and part-
14 time exceptional hires shall have adequate professional
15 experience in, or utilizing the skills of, the subject area or
16 program that they will teach in the department, as determined by
17 the department."

18 SECTION 4. Section 302A-603, Hawaii Revised Statutes, is
19 amended by amending subsection (d) to read as follows:

20 "(d) [~~Beginning with the 2002-2003 school year, emergency~~]
21 Emergency hires and exceptional hires shall not be subject to
22 this penalty."



1 SECTION 5. Section 302A-802, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) In the development of its standards, the board shall
4 consider the existing teacher applicant pool that is available
5 in the State and the level of the qualification of these
6 applicants, as well as the nature and availability of existing
7 preservice higher education teacher training programs. The
8 board shall also authorize alternative routes to licensing, such
9 as national teacher examinations that certify competency in
10 subject areas or programs taught in the public schools, and
11 including performance-based standards commensurate with
12 professional experience in or utilizing the subject area or
13 program to be taught, and giving credit toward licensing for
14 prior teaching experience in public schools outside of Hawaii
15 and at accredited private schools, colleges, and universities."

16 SECTION 6. Section 302A-804, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§302A-804 Powers and duties of the department.** The
19 department shall retain all of its rights and powers except for
20 the authority provided to the board under this subpart. The
21 department's powers and duties under this subpart shall be
22 limited to:



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



1 (C) No individual may be employed by the department
2 on an emergency basis for more than three years.
3 During this time, the individual shall
4 demonstrate active pursuit of licensing in each
5 year of employment; and

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

11 (4) On an exceptional 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;



1 (C) The individual completes a department-approved
2 teacher training program for exceptional hires;
3 and

4 (D) No individual may be employed by the department
5 on an exceptional hire basis for more than three
6 years. During this time, the individual shall
7 demonstrate active pursuit of alternative
8 licensing in each year of employment;

9 ~~(4)~~ (5) Submitting an annual report to the board
10 documenting:

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

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

16 (C) Individual progress toward licensing; and

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

19 ~~(5)~~ (6) Providing any other information requested by the
20 board that is pertinent to its powers and duties."

21 SECTION 7. Section 302A-805, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "~~§302A-805~~ **Teachers; license required; renewals.**

2 ~~[Beginning July 1, 2002, all]~~ All new licenses shall be issued
3 by the board. No person shall serve as a half-time or full-time
4 teacher in a public school without first having obtained a
5 license from the board under this subpart. All licenses issued
6 by the board shall be valid only for the fields specified on the
7 licenses and shall be renewable every five years if the
8 individual continues to:

- 9 (1) Satisfy the board's licensing standards;
- 10 (2) Show evidence of successful teaching in the previous
11 five years; and
- 12 (3) Satisfy the board's requirements for renewal of
13 licenses.

14 Teachers whose licenses expire on June 30, 2002, or June
15 30, 2003, shall be granted an automatic extension of two years.
16 No person shall be issued a license or teach either on an
17 emergency basis or exceptional basis in the public schools
18 without having first paid the fees established by the board in
19 accordance with chapter 91."

20 SECTION 8. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect upon its approval;
2 provided that when the amendments made to section 302A-804,
3 Hawaii Revised Statutes, by section 2 of Act 125, Session Laws
4 of Hawaii 2008, are repealed on July 1, 2011, and section 302A-
5 804, Hawaii Revised Statutes, is reenacted in the form in which
6 it read on the day prior to the effective date of Act 125,
7 Session Laws of Hawaii 2008, the amendments made to section
8 302A-804, Hawaii Revised Statutes, by this Act shall be
9 retained.

10

INTRODUCED BY: *Clemente J. Ikehara*



Report Title:

Education; Exceptional Hires; Alternative Teacher Licensing

Description:

Allows the Department of Education to hire individuals with professional experience and university degrees as exceptional teachers. Authorizes alternative ways to become licensed, based on performance-based standards and giving credit for prior teaching experience in public schools outside of Hawaii and at accredited private schools, colleges, or universities.

