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# A BILL FOR AN ACT

RELATING TO TEACHERS.

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

1 SECTION 1. Section 302A-801, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) Appointed board members shall serve not more than  
4 three consecutive three-year terms. Teacher and educational  
5 officer members who retire during a term may serve the remainder  
6 of their term up to three consecutive three-year terms."

7 SECTION 2. Section 302A-803, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9 "(a) In addition to establishing standards for the  
10 issuance and renewal of licenses and any other powers and duties  
11 authorized by law, the board's powers shall also include:

- 12 (1) Setting and administering its own budget;
- 13 (2) Adopting, amending, or repealing the rules of the  
14 board in accordance with chapter 91;
- 15 (3) Receiving grants or donations from private  
16 foundations, and state and federal funds;
- 17 (4) Submitting an annual report to the governor, the  
18 legislature, and the board of education on the board's



- 1 operations and expenditures, and from the 2007-2008  
2 school year, submitting a summary report every five  
3 years of the board's accomplishment of objectives,  
4 efforts to improve or maintain teacher quality, and  
5 efforts to keep its operations responsive and  
6 efficient;
- 7 (5) Conducting a cyclical review of standards and  
8 suggesting revisions for their improvement;
- 9 (6) Establishing licensing fees in accordance with chapter  
10 91 and determining the manner by which fees are  
11 collected and subsequently deposited into the state  
12 treasury and credited to the Hawaii teacher standards  
13 board special fund;
- 14 (7) Establishing penalties in accordance with chapter 91;
- 15 (8) Issuing, renewing, forfeiting, restoring,  
16 conditioning, revoking, suspending, and reinstating  
17 licenses;
- 18 (9) Developing criteria for a full career and technical  
19 education license, limited to career and technical  
20 education teaching assignments, allowing qualified  
21 individuals with at least an associate's degree,



- 1           pedagogy coursework, industry experience, and content  
2           expertise to teach;
- 3       ~~[(9)]~~ (10)   Reviewing reports from the department on  
4           individuals hired on an emergency basis;
- 5       ~~[(10)]~~ (11)   Applying licensing standards on a case-by-case  
6           basis and conducting licensing evaluations;
- 7       ~~[(11)]~~ (12)   Preparing and disseminating teacher licensing  
8           information to schools and operational personnel;
- 9       ~~[(12)]~~ (13)   Approving teacher preparation programs;
- 10       (14)   Establishing policies and procedures for approving  
11       alternative pathways to teaching;
- 12       ~~[(13)]~~ (15)   Administering reciprocity agreements with other  
13           states relative to licensing;
- 14       ~~[(14)]~~ (16)   Conducting research and development on teacher  
15           licensure systems, beginning teacher programs, the  
16           assessment of teaching skills, and other related  
17           topics;
- 18       ~~[(15)]~~ (17)   Participating in efforts relating to teacher  
19           quality issues, professional development related to  
20           the board's standards, and promotion of high teacher  
21           standards and accomplished teaching;
- 22       ~~[(16)]~~ (18)   Adopting applicable rules and procedures; and



1        [~~(17)~~] (19) Adopting, amending, repealing, or suspending the  
2                    policies and standards of the board."

3            SECTION 3. Section 302A-805, Hawaii Revised Statutes, is  
4 amended to read as follows:

5            "**§302A-805 Teachers; license required; renewals.**

6 Beginning July 1, 2002, all new licenses shall be issued by the  
7 board. No person shall serve as a half-time or full-time  
8 teacher in a public school without first having obtained a  
9 license from the board under this subpart. All licenses issued  
10 by the board shall be valid only for the fields specified on the  
11 licenses and shall be renewable every five years for a standard  
12 license and every ten years for an advanced license if the  
13 individual continues to:

14            (1) Satisfy the board's licensing standards and submits  
15 verification, in a form specified by the board, that  
16 the individual has completed activities specified by  
17 the board in fulfillment of each of the teacher  
18 performance standards established by the board;

19            (2) Show evidence of successful teaching in the previous  
20 five years through verification by a supervisor, in a  
21 form specified by the board;



- 1 (3) Meet the professional fitness requirements established  
2 by the board; [~~and~~]
- 3 (4) Satisfy the board's requirements for renewal of  
4 licenses [~~-~~]; and
- 5 (5) Pay all applicable license fees in a timely manner.

6 The board shall randomly audit a licensee's compliance with  
7 paragraph (1) and may establish rules, pursuant to chapter 91,  
8 for the random audits.

9 Teachers whose licenses expire on June 30, 2002, or  
10 June 30, 2003, shall be granted an automatic extension of two  
11 years.

12 No person shall be issued a license or teach on an  
13 emergency basis in the public schools without having first paid  
14 the fees established by the board in accordance with chapter 91.

15 The failure to timely renew a license, pay all fees in a  
16 timely manner, or comply with any other requirement provided by  
17 law or administrative rule shall result in the automatic  
18 forfeiture of the license. A person with a forfeited license  
19 shall not teach at a public school until that person's license  
20 is restored. Restoration of a license shall require compliance  
21 with the renewal requirements provided by law or administrative  
22 rule and payment of all applicable renewal and late fees. Upon



1 restoration of a person's license, the person may teach at a  
2 public school."

3 SECTION 4. Section 302A-807, Hawaii Revised Statutes, is  
4 amended by amending subsections (a), (b), and (c) to read as  
5 follows:

6 "(a) The board shall serve as the final adjudicator for  
7 appeals relating to licensing, including the issuance or  
8 nonissuance of licenses, and the condition, suspension,  
9 nonrenewal, and revocation of licenses.

10 (b) The board shall establish procedures for the conduct  
11 of proceedings for the consideration of requests filed with the  
12 board. In every case to condition, revoke, or suspend a  
13 license, the board shall give the person concerned written  
14 notice that a request has been filed with the board. The board  
15 shall conduct a hearing in conformity with chapter 91, and shall  
16 provide for confidentiality of the proceedings to protect the  
17 parties. In all proceedings before it, the board may administer  
18 oaths, compel the attendance of witnesses and production of  
19 documentary evidence, and examine witnesses. In case of  
20 disobedience by any person to any order of the board or to any  
21 subpoena issued by the board, or the refusal of any witness to  
22 testify to any matter that the person may be questioned



1 lawfully, any circuit judge, on application of the board or a  
2 member thereof, shall compel obedience in the case of  
3 disobedience of the requirements of a subpoena issued by a  
4 circuit court or a refusal to testify.

5 (c) Any applicant who has been refused a license, or any  
6 licensee whose license has been conditioned, suspended, or  
7 revoked, shall have the right to appeal the board's decision to  
8 the circuit court of the circuit in which the applicant or  
9 licensee resides in the manner provided in chapter 91; provided  
10 that out-of-state resident applicants shall file their appeals  
11 in the first circuit court."

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Hawaii Teacher Standards Board; Career and Technical Education

**Description:**

Allows teacher and educational officer HTSB members to continue to serve out up to three consecutive three-year terms even if they retire during a term. Adds certain powers and duties to HTSB. Adds timely payment of fees to the requirements for license renewal. Extends the term of the renewable advanced license from five to ten years. Allows for forfeiture of a teacher's license for failure to timely renew, pay all fees, or comply with any other requirements provided by law or administrative rule. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

