
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 teachers' 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
18 to teaching and putting more of the increased federal moneys



1 from the No Child Left Behind Act into supporting teachers and
2 preparing those who enter the field from another profession.

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

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

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

15 "Board" means the Hawaii teacher standards board.

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

19 "License" means the document signifying the board's grant
20 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[~~7~~]; provided that all exceptional hires shall have a college
10 degree from an accredited college or university in a subject
11 that is appropriate to the subject area or program that they
12 will teach in the department, and all full-time and part-time
13 exceptional hires shall have adequate professional experience
14 in, or utilizing the skills of, the subject area or program that
15 they will teach in the department, as determined by the
16 department."

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

19 "(d) [~~Beginning with the 2002-2003 school year, emergency~~]
20 Emergency hires and exceptional hires shall not be subject to
21 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, or 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 in emergency and exceptional situations
- 2 as described in this chapter, licensed teachers to
- 3 teach in their 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; and
- 21 (C) No individual may be employed by the department
- 22 on an emergency basis for more than four years.



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

4 (4) On an exceptional and case-by-case basis, hiring
5 unlicensed individuals; provided that:

6 (A) A list of the names, work sites, teaching
7 assignments, and progress toward licensing of
8 these individuals shall be reported to the board
9 and any changes shall be updated on a monthly
10 basis by the department;

11 (B) There are no properly licensed teachers for the
12 specific assignments for which the individuals
13 are being hired;

14 (C) The individual completes a department-approved
15 teacher training program for exceptional hires;
16 and

17 (D) No individual may be employed by the department
18 on an exceptional hire basis for more than four
19 years. During this time, the individual shall
20 demonstrate active pursuit of alternative
21 licensing in each year of employment.



1 [~~4~~] (5) Submitting an annual report to the board

2 documenting:

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

5 (B) The reasons and duration of employment for the
6 emergency and exceptional hiring enumerated in
7 subparagraph (A);

8 (C) Individual progress toward licensing; and

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

11 [~~5~~] (6) Providing any other information requested by the
12 board that is pertinent to its powers and duties."

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

15 **"§302A-805 Teachers; license required; renewals.**

16 Beginning July 1, 2002, all new licenses shall be issued by the
17 board. No person shall serve as a half-time or full-time

18 teacher in a public school without first having obtained a

19 license from the board under this subpart. All licenses issued

20 by the board shall be valid only for the fields specified on the

21 licenses and shall be renewable every five years if the

22 individual continues to:



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

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

12 SECTION 8. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

14 SECTION 9. This Act shall take effect upon its approval.

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Report Title:

Education; Exceptional Hires; Alternative Teacher Licensing

Description:

Allows the department to hire individuals with professional experience and university degrees as exceptional teachers and to authorize alternative licensing routes based on performance-based standards and giving credit toward licensing for prior teaching experience in public schools outside of Hawaii and at accredited private schools, colleges, or universities.

