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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 the No Child Left  
2 Behind Act of 2001, Public Law 107-110 (NCLB), sets forth  
3 various requirements that, for many states, have created  
4 contradictions and misunderstanding regarding the criteria for a  
5 qualified teaching workforce. The differing requirements  
6 potentially jeopardize federal Title IIA funding, which  
7 stipulates that all teachers in each state who teach core  
8 academic subjects meet federal requirements.

9           The purpose of this Act to better align Hawaii's emergency  
10 licensure requirements with NCLB criteria for highly qualified  
11 teachers.

12           SECTION 2. The department of education and the Hawaii  
13 teacher standards board shall share data and collaborate on the  
14 progress of aligning state and federal teacher licensure  
15 requirements.

16           SECTION 3. Section 302A-804, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           **"§302A-804 Powers and duties of the department.** The  
2 department shall retain all of its rights and powers except for  
3 the authority provided to the board under this subpart. The  
4 department's powers and duties under this subpart shall be  
5 limited to:

6           (1) Hiring, except in emergency situations as described in  
7 this chapter, licensed teachers to teach in their  
8 fields of licensing;

9           (2) Reporting data annually to the board about the supply  
10 of, and demand for, teachers, including the  
11 identification of shortage areas, out-of-field  
12 teaching assignments, numbers of teachers teaching  
13 out-of-field, numbers and types of courses and classes  
14 taught by out-of-field teachers, and numbers and types  
15 of students taught by out-of-field teachers;

16           (3) On an emergency and case-by-case basis, hiring  
17 unlicensed individuals; provided that:

18           (A) A list of the names, work sites, teaching  
19 assignments, and progress toward licensing of  
20 these individuals shall be reported to the board  
21 and any changes shall be updated on a monthly  
22 basis by the department;



- 1 (B) There are no properly licensed teachers for the  
2 specific assignments for which the individuals  
3 are being hired; and
- 4 (C) No individual may be employed by the department  
5 on an emergency basis for more than [~~four~~] three  
6 years. During this time the individual must  
7 demonstrate active pursuit of licensing in each  
8 year of employment;
- 9 (4) Submitting an annual report to the board documenting:
- 10 (A) The number of emergency hires by subject matter  
11 areas and by schools;
- 12 (B) The reasons and duration of employment for the  
13 emergency hiring enumerated in subparagraph (A);
- 14 (C) Individual progress toward licensing; and
- 15 (D) The department's efforts to address the shortages  
16 described in subparagraph (A);
- 17 and
- 18 (5) Providing any other information requested by the board  
19 that is pertinent to its powers and duties."

20 SECTION 4. Notwithstanding section 302A-804(3)(C),  
21 unlicensed individuals who have been hired on an emergency basis  
22 and are teaching non-core subject areas prior to the approval of



1 this Act shall attain licensure no later than four years from  
2 the date of their employment.

3 SECTION 5. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

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



**Report Title:**

Education; Teacher Licensing; Teacher Standards

**Description:**

Directs the DOE and Hawaii Teacher Standards Board to work collaboratively to align state and federal teacher licensure requirements; reduces the years an individual may be employed as a teacher on an emergency basis from 4 to 3; allows unlicensed teachers hired on an emergency basis before the effective date of the Act to become licensed no later than four years from the date of their employment. (HB2368 HD1)

