
A BILL FOR AN ACT

RELATING TO TEACHER LICENSURE.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to subpart D of part III to be
3 appropriately designated and to read as follows:
4 "§302A- Conviction of teacher for sexual offense;
5 license revocation. (a) The board shall automatically revoke
6 an individual's license to teach without the right to a hearing
7 upon verification of the identity of the teacher and receipt of
8 a certified copy of a judgment of conviction indicating that a
9 teacher has been convicted of a sexual offense against a minor
10 pursuant to section 707-730, 707-731, 707-732, 707-733,
11 707-733.6, 707-741, 707-750, 707-751, 707-752, 707-753, or
12 707-756, or under a similar law of another state of the United
13 States. For purposes of this section, the term "minor" shall
14 mean a person under the age of eighteen years and the term
15 "board" shall mean the Hawaii teacher standards board.
16 (b) The board shall mail notice of its intent to revoke
17 the license by certified mail, return receipt requested,



1 directed to the teacher at the teacher's last known address.
2 The notice shall inform the teacher that the board shall revoke
3 the teacher's license unless the teacher notifies the board in
4 writing within ten days after receipt of the notice that the
5 defendant identified in the criminal record is not the same
6 person as the teacher. Upon written notice to the board, the
7 board shall not revoke the license unless it can otherwise
8 establish that the defendant and the teacher are the same
9 person.

10 (c) A person whose license to teach has been revoked
11 pursuant to subsection (a) may petition the board to reconsider
12 the revocation if the person's conviction is reversed by a final
13 decision of the appellate court or supreme court. The
14 petitioner shall attach to the petition a certified copy of the
15 appellate court's final decision. Upon receipt of the petition,
16 the board shall conduct a hearing on the matter, unless waived
17 by the petitioner, and may reverse or affirm its previous
18 decision to revoke, notwithstanding the reversal of conviction.

19 (d) The clerk of any court in this state in which the
20 conviction of a teacher for any sexual offense against a minor,
21 as described in subsection (a), was entered shall transmit to
22 the board, within ten days after the date of the conviction, a



1 certified copy of the judgment of conviction; provided that the
2 department of education, and any independent school agency or
3 charter school agency in the state shall notify the board of any
4 teacher falling within subsection (a); provided further that when
5 any individual is being tried by a court of an offense listed in
6 subsection (a) the board shall notify the clerk of the court that
7 the individual is a teacher."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Teacher Licensure; Sexual Offenses

Description:

Requires the Hawaii Teacher Standards Board to revoke a teacher's license when the teacher has been convicted of certain sexual offenses against a minor. (SB2080 HD1)

