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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. In 2001, the twenty-first legislature of the  
2 State of Hawaii transferred the responsibility for licensing  
3 teachers from the department of education to the Hawaii teacher  
4 standards board. This was based on the recommendations made by  
5 the Hawaii Policy Group of the National Commission on Teaching  
6 and America's Future, a national organization with twenty-three  
7 partner states, including Hawaii. By authorizing the Hawaii  
8 teacher standards board to assume responsibility for teacher  
9 licensing, the legislature sought to strengthen the teaching  
10 profession by making it self-governing and accountable for who  
11 becomes and remains licensed to teach in Hawaii. Like its  
12 professional counterparts, the board of medical examiners for  
13 doctors and the Hawaii state bar association for lawyers, the  
14 Hawaii teacher standards board was authorized to issue, renew,  
15 revoke, suspend, and reinstate licenses for individuals desiring  
16 to teach in our State.



1 Over the past four years, the Hawaii teacher standards  
2 board has carried out its licensing responsibilities as  
3 described by law and, in doing so, has learned that powers and  
4 duties that appeared to be enumerated in statute now seem to  
5 require clarification. Specifically, the power to suspend its  
6 policies, rules, and standards needs to be further described.  
7 Allowing this to occur, in accordance with chapter 92, Hawaii  
8 Revised Statutes, will help to expedite the Hawaii teacher  
9 standards board's ability to perform its duties.

10 The purpose of this Act is to:

- 11 (1) Authorize the Hawaii teacher standards board to  
12 suspend its policies, rules, and standards when  
13 extenuating circumstances require it to do so; and  
14 (2) Enable the Hawaii teacher standards board to amend  
15 certain fees and set or amend other charges related to  
16 the performance of its duties;  
17 provided that these actions shall be in accordance with chapter  
18 92, Hawaii Revised Statutes.

19 SECTION 2. Section 302A-803, Hawaii Revised Statutes, is  
20 amended to read as follows:

21 "§302A-803 Powers and duties of the board. (a) In  
22 addition to establishing standards for the issuance and renewal



1 of licenses and any other powers and duties authorized by law,  
2 the board's powers shall also include:

- 3 (1) Setting and administering its own budget;
- 4 (2) Adopting, amending, or repealing [~~, or suspending the~~  
5 ~~policies, standards, or~~] the rules of the board in  
6 accordance with chapter 91;
- 7 (3) Receiving grants or donations from private  
8 foundations, and state and federal funds;
- 9 (4) Submitting an annual report to the governor and the  
10 legislature on the board's operations and from the  
11 2007-2008 school year, submitting a summary report  
12 every five years of the board's accomplishment of  
13 objectives, efforts to improve or maintain teacher  
14 quality, and efforts to keep its operations responsive  
15 and efficient;
- 16 (5) Conducting a cyclical review of standards and  
17 suggesting revisions for their improvement;
- 18 (6) Establishing licensing fees in accordance with chapter  
19 91, including the collection of fees by means of  
20 mandatory payroll deductions, which shall subsequently  
21 be deposited into the state treasury and credited to  
22 the Hawaii teacher standards board special fund;



- 1 (7) Establishing penalties in accordance with chapter 91;
- 2 (8) Issuing, renewing, revoking, suspending, and
- 3 reinstating licenses;
- 4 (9) Reviewing reports from the department on individuals
- 5 hired on an emergency basis;
- 6 (10) Applying licensing standards on a case-by-case basis
- 7 and conducting licensing evaluations;
- 8 (11) Preparing and disseminating teacher licensing
- 9 information to schools and operational personnel;
- 10 (12) Approving teacher preparation programs;
- 11 (13) Administering reciprocity agreements with other states
- 12 relative to licensing;
- 13 (14) Conducting research and development on teacher
- 14 licensure systems, beginning teacher programs, the
- 15 assessment of teaching skills, and other related
- 16 topics;
- 17 (15) Participating in efforts relating to teacher quality
- 18 issues, conducting professional development related to
- 19 the board's standards, and promotion of high teacher
- 20 standards and accomplished teaching; and
- 21 (16) Adopting applicable rules and procedures.



1        (b) If, in accordance with chapter 92, the board  
2 determines that extenuating circumstances exist, the board may  
3 temporarily suspend its rules, or any portion thereof. The  
4 board shall establish, in accordance with chapter 91, procedures  
5 for the suspension of its rules. When determining whether to  
6 suspend its rules, the board shall also establish the length of  
7 time for which the suspension shall be in effect.

8        (c) The board, in accordance with chapter 92, may also  
9 amend licensing-related fees and set or amend other charges  
10 related to the performance of its duties."

11        SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13        SECTION 4. This Act shall take effect on July 1, 2050;  
14 provided that on July 1, 2009, section 2 of this Act shall be  
15 repealed and section 302A-803, Hawaii Revised Statutes, shall be  
16 reenacted in the form in which it read on June 30, 2007.



**Report Title:**

Hawaii Teacher Standards Board; Powers and Duties

**Description:**

Authorizes the Hawaii teacher standards board to suspend its rules, in cases where extenuating circumstances exist, and to amend licensing-related fees and charges relating to the performance of the board's duties. (SD1)

