
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 sets forth various requirements and for many states
3 the federal requirements have created contradictions and
4 misunderstanding about what constitutes a qualified teaching
5 workforce. The legislature further finds that the state-federal
6 licensure conflict can lead to confusion among teachers and
7 administrators.

8 The purpose of this Act is to better align Hawaii's
9 emergency licensure requirements with the prescriptive highly
10 qualified teacher criteria in the No Child Left Behind Act.

11 SECTION 2. Section 302A-804, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§302A-804 Powers and duties of the department.** The
14 department shall retain all of its rights and powers except for
15 the authority provided to the board under this subpart. The
16 department's powers and duties under this subpart shall be
17 limited to:



- 1 (1) Hiring, except in emergency situations as described in
2 this chapter, licensed teachers to teach in their
3 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~~] three



1 years. During this time the individual [~~must~~]
2 shall demonstrate active pursuit of licensing in
3 each year of employment; and

4 (D) Notwithstanding section (3)(C), unlicensed
5 individuals who have been hired on an emergency
6 basis and are teaching only non-core subject
7 areas prior to the approval of this Act shall
8 attain licensure no later than four years from
9 the date of their employment;

10 (4) Submitting an annual report to the board documenting:

11 (A) The number of emergency hires by subject matter
12 areas and by schools;

13 (B) The reasons and duration of employment for the
14 emergency hiring enumerated in subparagraph (A);

15 (C) Individual progress toward licensing; and

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

18 (5) Providing any other information requested by the board
19 that is pertinent to its powers and duties."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 4. This Act shall take effect upon its approval.



Report Title:

HTSB; DOE; Teacher Licensure Requirements; Emergency Hire
Employment Duration

Description:

Limits the duration of employment of an emergency unlicensed hire of the department of education to three years; allows unlicensed individuals who have been hired on an emergency basis and are teaching only non-core subject areas prior to the approval of this Act to attain licensure no later than four years from the date of their employment. (SD1)

