

Date of Hearing: January 25, 2008

Committee: House Committee on
Education

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: H.B. 2368 Relating to Education

Purpose: Directs the Department of Education and the Hawaii Teacher Standards Board to adopt new administrative rules to align state and federal teacher licensing requirements. Reduces the number of years an individual may be employed as a teacher on an emergency basis.

Department's Position: The Department does not support this bill in its current form and respectfully requests the following changes.

Section 1 – The No Child Left Behind (NCLB) specifies criteria for determining Highly Qualified Teachers and not federal licensure requirements. The Department believes the purpose of the act be changed to read “the purpose of this act is to better align Hawaii’s emergency licensure requirements with the highly qualified teacher criteria in NCLB.”

Section 2 – The Department is pleased to announce that this section is no longer required. The Department and the Hawaii Teacher Standards Board (HTSB) have worked hard of the past 6 months to improve the alignment of Hawaii

teachers licensing requirements to the highly qualified teacher criteria in NCLB. The adoption of new administrative rules by HTSB and the clarification that existing alternative routes to licensure do meet federal requirements under NCLB preclude the need for the legislation in this area at this time.

The Department supports the language in Section 3 requiring the sharing of data between the Department and HTSB.

The Department supports the change in the reduction of the number of years an individual may be employed by the Department from four (4) to three (3) years. This reduction is in line with the requirements in NCLB.

The Department requests that the Committee amend this bill as requested and act favorably.

UNIVERSITY OF HAWAI‘I SYSTEM LEGISLATIVE TESTIMONY



HB 2368 – RELATING TO EDUCATION

Testimony Presented Before the
House Committee on Education

January 25, 2008 at 2:00pm

by
Donald B. Young, Acting Dean
College of Education
University of Hawai'i at Mānoa

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HB 2368: Relating to Education

Chair Takumi, Vice Chair Berg, and Members of the Committee:

The University of Hawai'i supports HB 2368, which requires Hawaii teacher licensure requirements to align with Federal ESEA requirements and changes the number of years that the Department of Education can employ a teacher on an emergency basis from four to three years.

The State of Hawaii's 18th Legislature enacted Act 240, which required a license to teach and transferred the authority for setting public school teacher licensing standards from the Department of Education (DOE) to the Hawaii Teacher Standards Board (HTSB), an independent governing body like those that exist for other professions.

The 21st Legislature enacted Act 312, which transferred from the DOE to the HTSB the authority for issuing, renewing, suspending, revoking, and reinstating teacher licenses. Thus, the licensing and employment functions were separated as they are in other states to eliminate the inherent conflict of interest. Since July 1, 2002, the HTSB has been responsible for teacher licensing.

The changes identified in HB 2368 will result in aligning federal and state requirements and reduce confusion in the teacher workforce.

Thank you for this opportunity to testify.



HAWAII TEACHER
STANDARDS BOARD

650 Iwilei Road, Suite 201
Honolulu, Hawaii 96817

TESTIMONY BEFORE THE HOUSE COMMITTEE ON EDUCATION

RE: HB2368 RELATING TO EDUCATION

Friday, January 25, 2008

DR. JONATHAN GILLENLINE, CHAIRPERSON
Hawaii Teacher Standards Board

Chairman Takumi and Members of the Committee:

The Hawaii Teacher Standards Board would like to first suggest that Section 1 is inaccurate. The No Child Left Behind (NCLB) law does not contain licensing requirements. We, therefore, suggest that Section 1 be replaced with the following:

“The No Child Left Behind law sets forth various requirements and for many states the federal requirements have created contradictions and misunderstanding about what constitutes a qualified teaching workforce.

The purpose of this Act is to enable the Department of Education to comply with the requirements made by the federal government.”

The Board recommends deletion of Section 2. In September 2007 when the Department requested that we make this change in our rules, the Board cooperated fully and drafted rules to accomplish this. We are, therefore, perplexed as to why the Department proceeded to introduce a bill that mandates us to do what we have already done at its request. Such duplication is unnecessary.

The Board strongly supports Section 3 of the bill. We have been advocating for the sharing of data with the Department for the past seven years and we are hopeful that there will be progress this year.

The Hawaii Teacher Standards Board understands the rationale for the change proposed in Section 4 of HB2368 Relating to Education. Compared to the federal government’s No Child Left Behind (NCLB) law’s restriction of emergency hires to only three (3) years of employment, the provisions of the Hawaii Teacher Standards Board are deemed too generous, i.e. we currently allow emergency hires to be employed for up to four (4) years as long as they annually demonstrate active pursuit of a license. NCLB renders our emergency hires out of compliance unless this statutory change is made. We believe, however, that if this provision is passed, it will not sit well with the Department of Education’s emergency hires.

Thank you for this opportunity to testify.



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TESTIMONY BEFORE THE HOUSE COMMITTEE ON
EDUCATION

RE: HB 2368 - RELATING TO EDUCATION

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January 25, 2008

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ROGER TAKABAYASHI, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

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Chair Takumi and Members of the Committee:

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The Hawaii State Teachers Association is in agreement with the HB 2368 in that we believe our state law should conform to the federal law of three years to obtain a teacher license. We believe that all teachers should be licensed prior to being hired by the department. However, we are cognizant of the shortage of teachers and that the department must hire non-licensed personnel to fill the vacancies.

The reason for the change from four years to three years is to conform with the highly qualified teacher requirements of No Child Left Behind. However, not all teachers have to be highly qualified by the NCLB definition. Only teachers of core subjects have to meet the three-year requirement if they are presently not highly qualified. Teachers of non-core subjects do not have to meet the federal test of being highly qualified. We are concerned that incumbent teachers who were hired on an emergency basis are working toward their license with the understanding that they will have the four years to work toward becoming licensed. Often they space the classes and tests needed to obtain their license over the four-year period.

We are suggesting that incumbent emergency hires who are not in core subject areas be grandfathered and be given four years to complete their licensure.

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Thank you for the opportunity to testify.

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