



LATE TESTIMONY

STATE OF HAWAII
HAWAII TEACHER STANDARDS BOARD
650 Iwilei Road, Suite 201
Honolulu, Hawaii 96817

TESTIMONY BEFORE THE HOUSE COMMITTEE ON EDUCATION

RE: HB3266 Relating to the Hawaii Teacher Standards Board

Wednesday, February 6, 2008

DR. JONATHAN GILLENLINE, CHAIRPERSON
Hawaii Teacher Standards Board

Chairman Takumi and Members of the Committee:

In light of the increase in nationally reported cases of crimes committed against children by teachers, the Hawaii Teacher Standards Board supports the intent of HB3266 Relating to the Hawaii Teacher Standards Board, which proposes that the Board develop procedures for obtaining information about the criminal history of applicants seeking a teaching license.

However, the Office of the Attorney General has previously advised us that criminal history checks conducted through fingerprinting are confined to Hawaii employers. For this reason, our board currently confines our review to a series of questions that each applicant must answer and sign truthfully as well as to a search that we conduct on a national database maintained by teacher licensing agencies across the country. This database contains information about any license denials, suspensions, revocations or reinstatements.

Because the Department of Education conducts all criminal history checks via fingerprints, etc., we feel that having both agencies conduct checks would be a duplication of effort. What we think would be extremely useful, though, is if the language in HB3266 is amended to authorize the DOE to share its findings with HTSB. Currently, the DOE contends that this is confidential information and will not share it with us when we have requested it after getting questionable responses from an applicant or after "red flags" are raised while consulting our national database.

For the above reasons, we ask that you consider amending Section 1 (b) as follows:

(b) The department of education shall share the results of its criminal history and employee background checks with the Hawaii Teacher Standards Board to enable the board to more fully complete its professional fitness review of persons who hold or are seeking a license under this section.

Information obtained pursuant to this subsection shall be used exclusively by the board for the purpose of determining whether a teacher's license shall be issued, renewed, suspended, or revoked. These determinations shall be subject to applicable federal laws and regulations currently or hereafter in effect.

The board shall adopt rules pursuant to chapter 91 necessary for the purposes of this subsection.

Thank you for this opportunity to testify.