
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 Act 125, Session
2 Laws of Hawaii 2008, aligned Hawaii's teacher licensure
3 requirements with the criteria for highly qualified teachers as
4 prescribed by the No Child Left Behind Act.

5 The purpose of this Act is to amend and make permanent
6 those provisions related to emergency hires by clarifying that:

7 (1) No individual may be employed on an emergency basis
8 for more than three years in the aggregate; and

9 (2) Unlicensed teachers employed on an emergency basis
10 after June 30, 1997, but prior to July 1, 2008, may be
11 employed on an emergency basis for no more than four
12 years in the aggregate.

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

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



1 department's powers and duties under this subpart shall be
2 limited to:

3 (1) Hiring, except in emergency situations as described in
4 this chapter, licensed teachers to teach in their
5 fields of licensing;

6 (2) Reporting data annually to the board about the supply
7 of, and demand for, teachers, including the
8 identification of shortage areas, out-of-field
9 teaching assignments, numbers of teachers teaching
10 out-of-field, numbers and types of courses and classes
11 taught by out-of-field teachers, and numbers and types
12 of students taught by out-of-field teachers;

13 (3) On an emergency and case-by-case basis, hiring
14 unlicensed individuals; provided that:

15 (A) A list of the names, work sites, teaching
16 assignments, and progress toward licensing of
17 these individuals shall be reported to the board
18 and any changes shall be updated on a monthly
19 basis by the department;

20 (B) There are no properly licensed teachers for the
21 specific assignments for which the individuals
22 are being hired;



- 1 (C) No individual may be employed by the department
2 on an emergency basis for more than three
3 years[-] in the aggregate. During this time, the
4 individual shall demonstrate active pursuit of
5 licensing in each year of employment; and
- 6 (D) Notwithstanding subparagraph (3) (C), unlicensed
7 individuals who have been hired on an emergency
8 basis after June 30, 1997, but prior to July 1,
9 2008, [~~shall attain licensure no later than four~~
10 ~~years from the date of their employment;~~] may be
11 employed on an emergency basis for no more than
12 four years in the aggregate;
- 13 (4) Submitting an annual report to the board documenting:
- 14 (A) The number of emergency hires by subject matter
15 areas and by schools;
- 16 (B) The reasons and duration of employment for the
17 emergency hiring enumerated in subparagraph (A);
- 18 (C) Individual progress toward licensing; and
- 19 (D) The department's efforts to address the shortages
20 described in subparagraph (A);
- 21 and



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

3 SECTION 3. Act 125, Session Laws of Hawaii 2008, is
4 amended by amending section 4 to read as follows:

5 "SECTION 4. This Act shall take effect upon its approval[~~+~~
6 ~~provided that the amendments made to section 302A-804, Hawaii~~
7 ~~Revised Statutes, under section 2 of this Act shall be repealed~~
8 ~~on July 1, 2011, and section 302A-804, Hawaii Revised Statutes,~~
9 ~~shall be reenacted in the form in which it read on the day prior~~
10 ~~to the effective date of this Act]."~~

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Teachers; Emergency Hires

Description:

Clarifies that individuals hired after June 30, 2008, may be employed on an emergency basis, for no more than three years in the aggregate. Clarifies that individuals hired after June 30, 1997, but before July 1, 2008, may be employed on an emergency basis, for no more than four years in the aggregate. (SB1250 HD1)

