

Honolulu, Hawaii

May 1, 2009

RE: H.B. No. 183
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 183, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to improve the administration and operations of the Hawaii Teacher Standards Board (HTSB) by:

- (1) Establishing an advisory committee to:
 - (A) Provide oversight of HTSB;
 - (B) Provide to the Governor lists of qualified candidates from which HTSB members shall be nominated and, by and with the consent of the Senate, appointed by the Governor;



- (C) Present to the Board of Education (BOE) a list of qualified candidates from which an executive director of HTSB shall be appointed; and
 - (D) Submit an annual report to BOE and the Legislature on HTSB operations;
- (2) Allowing HTSB to:
- (A) Determine the manner by which teacher licensing fees are collected; and
 - (B) Adopt, amend, repeal, or suspend HTSB policies and standards;
- (3) Making permanent HTSB's authority to temporarily suspend its rules in extenuating circumstances;
- (4) Making permanent HTSB's authority to amend licensing-related fees and set or amend other charges related to the performance of HTSB's duties; and
- (5) Authorizing and appropriating funds for HTSB to coordinate the creation of a data interface network consisting of public and private teacher education institutions and the Department of Education (DOE) to support the free interchange of information valuable to all of the participating organizations.

Your Committee on Conference has amended this bill by:

- (1) Deleting the provisions establishing an advisory committee for HTSB;
- (2) Changing HTSB membership as follows:
 - (A) Increasing membership from 13 to 15 members by adding two members of the public, who shall be appointed by the Governor from lists of qualified nominees submitted to the Governor by the Hawaii Business Roundtable, Hawaii P-20 Council, and Hawaii Workforce Development Council;
 - (B) Clarifying that HTSB shall consist of not less than six licensed teachers regularly engaged in teaching at the time of the appointment; and



- (C) Clarifying that HTSB shall consist of three educational officers employed at the time of the appointment;
- (3) Continuing to require the Governor to appoint HTSB members from a list of qualified nominees submitted to the Governor by the departments, agencies, and organizations representative of the constituencies of HTSB, but also requiring current HTSB members to be involved in the submission of the list;
- (4) Repealing statutory provisions regarding the initial terms of the appointed members to allow for staggered appointments;
- (5) Allowing HTSB to employ an executive director for a term of up to four years, who shall be appointed by BOE, and also allowing HTSB to terminate the executive director's contract for cause;
- (6) Requiring HTSB to submit its annual report to BOE;
- (7) Authorizing HTSB, through June 30, 2010, to grant additional licensing extensions;
- (8) Deleting provisions relating to the authorization for HTSB to coordinate the creation of a data interface network to support the free interchange of information valuable to all of the participating organizations;
- (9) Adding provisions requiring HTSB, DOE, and the Charter School Administrative Office to, beginning on July 1, 2009, implement interim policies and procedures for the mutual sharing of data necessary for licensing and verifying the status of teachers;
- (10) Deleting the appropriation for HTSB to coordinate the creation of the data interface network;
- (11) Requiring the Legislative Reference Bureau to review the findings of the auditor's Report No. 09-05 and make recommendations, including proposed legislation, regarding:



- (A) Whether there is a need for oversight of HTSB, and how oversight is provided for similar boards; and
 - (B) How to strengthen and clarify interagency roles, responsibilities, and relationships between HTSB, DOE, and the Teacher Education Coordinating Committee;
- (12) Requiring the dean of the University of Hawaii at Manoa College of Education to convene a working group to review and make recommendations to address various licensing and relicensing issues, teacher preparation program alignment with national standards and the role of national accreditation of teacher preparation programs in Hawaii, and the role of higher education institutions in assisting teachers in achieving National Board certification;
- (13) Requiring HTSB to review the findings of the auditor's Report No. 09-05, and make recommendations for policy and procedural changes necessary to refocus and support the purpose of HTSB;
- (14) Changing its effective date to July 1, 2009; provided that on July 1, 2010, the provisions authorizing HTSB to grant additional licensing extensions through June 30, 2010, shall be repealed and section 302A-805, Hawaii Revised Statutes, shall be reenacted in the form in which it read on June 30, 2009; and
- (15) Making technical, nonsubstantive amendments for clarity, consistency, and style, including adding to the purpose section to reflect the contents of the bill.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 183, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 183, H.D. 1, S.D. 2, C.D. 1.




Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE



NORMAN SAKAMOTO, Chair



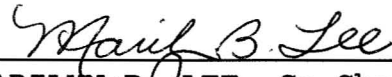
ROY TAKUMI, Co-Chair



SHAN S. TSUTSUI, Co-Chair



KARL RHOADS, Co-Chair



MARILYN B. LEE, Co-Chair



