
A BILL FOR AN ACT

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the thirteen-member
2 Hawaii teacher standards board is responsible for establishing
3 standards for the issuance and renewal of licenses for teachers;
4 serves as the final adjudicator for appeals relating to
5 licensing, including issuance or nonissuance of licenses, and
6 the suspension, nonrenewal, and revocation of licenses; and
7 approves teacher education programs and the professional
8 development of teachers.

9 **PART I**

10 SECTION 2. In 2008, Senate Concurrent Resolution No. 83,
11 S.D. 1, requested the auditor to conduct a study on the
12 appropriate accountability structure for the Hawaii teacher
13 standards board, and to report the findings and recommendations
14 to the 2009 legislature.

15 The purpose of this part is to:

- 1 (1) Respond to the auditor's findings and recommendations
- 2 by establishing an advisory committee to provide
- 3 oversight of the Hawaii teacher standards board; and
- 4 (2) Authorize the Hawaii teacher standards board to
- 5 suspend its policies, rules, and standards when
- 6 required by extenuating circumstances, determine how
- 7 it collects license fees, and appoint an executive
- 8 director.

9 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
 10 amended by adding a new section to be appropriately designated
 11 and to read as follows:

12 **"§302A- Advisory committee for the Hawaii teacher**
 13 **standards board; established.** (a) There is established the
 14 advisory committee for the Hawaii teacher standards board to
 15 provide oversight of the Hawaii teacher standards board. The
 16 advisory committee shall consist of seven members to be
 17 appointed without regard to section 26-34, with one member
 18 representing each of the following:

- 19 (1) The Hawaii P-20;
- 20 (2) The Hawaii Business Roundtable;
- 21 (3) The Society for Human Resource Management Hawaii
 22 Chapter;

- 1 (4) The workforce development council;
2 (5) The Hawaii Association of Independent Schools;
3 (6) A Hawaii recipient of the Milken Educator Award; and
4 (7) A national board certified Hawaii teacher.

5 The advisory committee shall be attached to the board of
6 education for administrative purposes.

7 (b) The advisory committee shall review and evaluate the
8 progress of the Hawaii teacher standards board in meeting its
9 statutory requirements pursuant to chapter 302A, part III,
10 subpart D.

11 (c) The advisory committee shall present to the governor
12 lists of qualified candidates from which the members of the
13 Hawaii teacher standards board shall be nominated and, by and
14 with the consent of the senate, appointed by the governor. The
15 advisory committee shall establish the criteria for qualifying,
16 screening, and presenting to the governor candidates for
17 membership on the Hawaii teacher standards board; provided that
18 the advisory committee shall adhere to the membership
19 requirements of section 302A-801.

20 (d) The advisory committee shall present to the board of
21 education a list of qualified candidates for the executive
22 director of the Hawaii teacher standards board and the board of

1 education shall appoint the executive director, pursuant to
2 section 302A-803.

3 (e) The advisory committee shall submit an annual report
4 to the board of education and to the legislature on the Hawaii
5 teacher standards board operations, including any deficiencies
6 in meeting the requirements of chapter 302A, part III,
7 subpart D."

8 SECTION 4. Section 302A-801, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) Except for the chairperson of the board of education,
11 the superintendent, and the dean of the college of education,
12 the governor shall appoint the members of the board pursuant to
13 section 26-34, from a list of qualified nominees submitted to
14 the governor by the [~~departments, agencies, and organizations~~
15 ~~representative of the constituencies of the~~] advisory committee
16 for the Hawaii teacher standards board. To the extent possible,
17 the board membership shall reflect representation of elementary
18 and secondary school personnel from all islands."

19 SECTION 5. Section 302A-803, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§302A-803 Powers and duties of the board.** (a) In
22 addition to establishing standards for the issuance and renewal

1 of licenses and any other powers and duties authorized by law,
2 the board's powers shall also include:

- 3 (1) Setting and administering its own budget;
- 4 (2) Adopting, amending, or repealing the rules of the
5 board in accordance with chapter 91;
- 6 (3) Receiving grants or donations from private
7 foundations, and state and federal funds;
- 8 (4) Submitting an annual report to the governor and the
9 legislature on the board's operations and from the
10 2007-2008 school year, submitting a summary report
11 every five years of the board's accomplishment of
12 objectives, efforts to improve or maintain teacher
13 quality, and efforts to keep its operations responsive
14 and efficient;
- 15 (5) Conducting a cyclical review of standards and
16 suggesting revisions for their improvement;
- 17 (6) Establishing licensing fees in accordance with chapter
18 91 [~~including the collection of fees by means of~~
19 ~~mandatory payroll deductions, which shall] and
20 determining the manner by which fees are collected and
21 subsequently ~~be~~ deposited into the state treasury~~

- 1 and credited to the Hawaii teacher standards board
2 special fund;
- 3 (7) Establishing penalties in accordance with chapter 91;
4 (8) Issuing, renewing, revoking, suspending, and
5 reinstating licenses;
- 6 (9) Reviewing reports from the department on individuals
7 hired on an emergency basis;
- 8 (10) Applying licensing standards on a case-by-case basis
9 and conducting licensing evaluations;
- 10 (11) Preparing and disseminating teacher licensing
11 information to schools and operational personnel;
- 12 (12) Approving teacher preparation programs;
- 13 (13) Administering reciprocity agreements with other states
14 relative to licensing;
- 15 (14) Conducting research and development on teacher
16 licensure systems, beginning teacher programs, the
17 assessment of teaching skills, and other related
18 topics;
- 19 (15) Participating in efforts relating to teacher quality
20 issues, conducting professional development related to
21 the board's standards, and promotion of high teacher
22 standards and accomplished teaching; [~~and~~]

1 (16) Adopting applicable rules and procedures~~[-]~~; and

2 (17) Adopting, amending, repealing, or suspending the
3 policies and standards of the board.

4 (b) If, in accordance with chapter 92, the board
5 determines, on a case-by-case basis, that extenuating
6 circumstances exist to justify the suspension, the board may
7 temporarily suspend its rules, or any portion thereof. The
8 board shall establish, in accordance with chapter 91, procedures
9 for the suspension of its rules. When determining whether to
10 suspend its rules, the board shall also establish the length of
11 time for which the suspension shall be in effect.

12 (c) The board, in accordance with chapter 92, may also
13 amend licensing-related fees and set or amend other charges
14 related to the performance of its duties.

15 (d) The board may employ an executive director, exempt
16 from chapters 76 and 78, who shall be appointed by the board of
17 education pursuant to section 302A- (d)."

18 SECTION 6. Act 263, Session Laws of Hawaii 2007, is
19 amended by amending section 4 to read as follows:

20 "SECTION 4. This Act shall take effect on July 1, 2007~~[-]~~
21 ~~provided that on July 1, 2009, section 2 of this Act shall be~~

1 ~~repealed and section 302A-803, Hawaii Revised Statutes, shall be~~
2 ~~reenacted in the form in which it read on June 30, 2007]."~~

3 **PART II**

4 SECTION 7. The purpose of this part is to authorize the
5 Hawaii teacher standards board to coordinate the creation of a
6 data interface network consisting of teacher education
7 institutions and the department of education in order to support
8 the free interchange of information valuable to all of the
9 participating organizations.

10 SECTION 8. The Hawaii teacher standards board shall
11 coordinate a data-sharing effort that shall involve technology,
12 functionality, and project management and coordination. The
13 Hawaii teacher standards board shall use simple object access
14 protocol-based web services as the technology base for the
15 interface between its network partners. All parties shall
16 implement simple object access protocol-based web services or
17 install turnkey hardware, software, and communications
18 translation solutions to interface existing systems to the
19 information network without changing those existing systems.

20 Over the next several months, the participating
21 organizations shall work to agree on a list of transactions that
22 each will be prepared to service and originate. These

1 transactions shall include all information that each
2 participating institution or agency stores in its automated
3 systems, including data from the department of education, that
4 may support teacher licensing, re-licensing, teacher education
5 and hiring, including, but not limited to:

- 6 (1) License information for any current licensee, license
7 application information for any applicant;
- 8 (2) State-approved teacher education program completion
9 information;
- 10 (3) University course completion information for any
11 licensee;
- 12 (4) Higher education degree information;
- 13 (5) Teacher employment and worksite information; and
- 14 (6) Teacher termination, resignation, retirement, or leave
15 status data records.

16 Based on discussions among all participating organizations,
17 an assessment of available internal resources and additional
18 resources required shall be used to determine the funding needed
19 to implement this Act.

20 The Hawaii teacher standards board shall submit findings
21 and recommendations to the legislature not later than twenty
22 days before the convening of the regular session of 2010.

1 SECTION 9. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2009-2010 and
4 the same sum or so much thereof as may be necessary for fiscal
5 year 2010-2011 for the Hawaii teacher standards board to
6 coordinate an effort that creates a data interface network among
7 public and private Hawaii teacher education institutions and the
8 department of education; provided that funds are used or
9 disbursed in consultation with the participating organizations.

10 The sums appropriated shall be expended by the department
11 of education for the purposes of this part.

12 **PART III**

13 SECTION 10. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 11. This Act shall take effect on July 1, 2050.

Report Title:

Hawaii Teacher Standards Board; Omnibus Bill

Description:

Establishes an advisory committee to provide oversight of the Hawaii teacher standards board and provide the governor with lists of nominees for appointment to the board; requires annual report of the advisory committee to the board of education and the legislature; authorizes the board to hire an executive director; authorizes the Hawaii teacher standards board to suspend its policies, rules, and standards when required by extenuating circumstances, and determine how it collects license fees (part I); authorizes the Hawaii teacher standards board to coordinate an effort that creates a data interface network to promote the free interchange of information among public and private Hawaii teacher education institutions and the department of education; appropriates funds (part II). (SD1)