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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The purpose of this Act is to clarify Act 125,  
2 Session Laws of Hawaii 2008, by allowing unlicensed individuals  
3 hired on an emergency basis after June 30, 1997, but prior to  
4 July 1, 2008, to be employed as such for no more than four  
5 years, but requiring them to demonstrate active pursuit of  
6 licensing in each year of employment.

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

9           "**§302A-804 Powers and duties of the department.** The  
10 department shall retain all of its rights and powers except for  
11 the authority provided to the board under this subpart. The  
12 department's powers and duties under this subpart shall be  
13 limited to:

14           (1) Hiring, except in emergency situations as described in  
15 this chapter, licensed teachers to teach in their  
16 fields of licensing;

17           (2) Reporting data annually to the board about the supply  
18 of, and demand for, teachers, including the



1 identification of shortage areas, out-of-field  
2 teaching assignments, numbers of teachers teaching  
3 out-of-field, numbers and types of courses and classes  
4 taught by out-of-field teachers, and numbers and types  
5 of students taught by out-of-field teachers;

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

8 (A) A list of the names, work sites, teaching  
9 assignments, and progress toward licensing of  
10 these individuals shall be reported to the board  
11 and any changes shall be updated on a monthly  
12 basis by the department;

13 (B) There are no properly licensed teachers for the  
14 specific assignments for which the individuals  
15 are being hired;

16 (C) No individual may be employed by the department  
17 on an emergency basis for more than three years.  
18 During this time, the individual shall  
19 demonstrate active pursuit of licensing in each  
20 year of employment; and

21 (D) Notwithstanding subparagraph (3)(C), unlicensed  
22 individuals who have been hired on an emergency



1 basis after June 30, 1997, but prior to July 1,  
2 2008 [~~, shall attain licensure no later than four~~  
3 ~~years from the date of their employment;~~] may be  
4 employed on an emergency basis for no more than  
5 four years. During this time, the individual  
6 shall demonstrate active pursuit of licensing in  
7 each year of employment;

8 (4) Submitting an annual report to the board documenting:

9 (A) The number of emergency hires by subject matter  
10 areas and by schools;

11 (B) The reasons and duration of employment for the  
12 emergency hiring enumerated in subparagraph (A);

13 (C) Individual progress toward licensing; and

14 (D) The department's efforts to address the shortages  
15 described in subparagraph (A); [~~and~~]

16 and

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

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

21 "SECTION 4. This Act shall take effect upon its approval [~~+~~  
22 ~~provided that the amendments made to section 302A-804, Hawaii~~



1 ~~Revised Statutes, under section 2 of this Act shall be repealed~~  
2 ~~on July 1, 2011, and section 302A-804, Hawaii Revised Statutes,~~  
3 ~~shall be reenacted in the form in which it read on the day prior~~  
4 ~~to the effective date of this Act.]"~~

5 SECTION 4. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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



**Report Title:**

Teacher Licensure; Emergency Hires

**Description:**

Allows unlicensed individuals hired on an emergency basis after June 30, 1997, but prior to July 1, 2008, to be employed as such for no more than four years, but requires them to demonstrate active pursuit of licensing in each year of employment. (HB1690 HD1)

