
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 fifteen-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 adjudicator for appeals relating to licensing,
5 including issuance or non-issuance of licenses, and the
6 suspension, non-renewal, and revocation of licenses; and
7 approves teacher education programs.

8 The purpose of this Act is to make clarifying and other
9 amendments to the powers and duties of the Hawaii teacher
10 standards board to authorize the board to delegate certain
11 powers and duties to its executive director or other designee.

12 SECTION 2. Section 302A-803, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§302A-803 Powers and duties of the board.** (a) In
15 addition to establishing standards for the issuance and renewal
16 of licenses and any other powers and duties authorized by law,
17 the board's powers shall also include:

18 (1) Setting and administering its own budget;



- 1 (2) Adopting, amending, or repealing the rules of the
2 board in accordance with chapter 91;
- 3 (3) Receiving grants or donations from private
4 foundations, and state and federal funds;
- 5 (4) Submitting an annual report to the governor, the
6 legislature, and the board of education on the board's
7 operations, and from the 2007-2008 school year,
8 submitting a summary report every five years of the
9 board's accomplishment of objectives, efforts to
10 improve or maintain teacher quality, and efforts to
11 keep its operations responsive and efficient;
- 12 (5) Conducting a cyclical review of standards and
13 suggesting revisions for their improvement;
- 14 (6) Establishing licensing fees in accordance with chapter
15 91 and determining the manner by which fees are
16 collected and subsequently deposited into the state
17 treasury and credited to the Hawaii teacher standards
18 board special fund;
- 19 (7) Establishing penalties in accordance with chapter 91;
- 20 (8) Issuing, renewing, revoking, suspending, and
21 reinstating licenses;



- 1 (9) Reviewing reports from the department on individuals
2 hired on an emergency basis;
- 3 (10) Applying licensing standards on a case-by-case basis
4 and conducting licensing evaluations;
- 5 (11) Preparing and disseminating teacher licensing
6 information to schools and operational personnel;
- 7 (12) Approving teacher preparation programs;
- 8 (13) Administering reciprocity agreements with other states
9 relative to licensing;
- 10 (14) Conducting research and development on teacher
11 licensure systems, beginning teacher programs, the
12 assessment of teaching skills, and other related
13 topics;
- 14 (15) Participating in efforts relating to teacher quality
15 issues, professional development related to the
16 board's standards, and promotion of high teacher
17 standards and accomplished teaching;
- 18 (16) Adopting applicable rules and procedures; and
- 19 (17) Adopting, amending, repealing, or suspending the
20 policies and standards of the board.

21 (b) If, in accordance with chapter 92, the board
22 determines, on a case-by-case basis, that extenuating



1 circumstances exist to justify the suspension, the board may
2 temporarily suspend its rules, or any portion thereof. The
3 board shall establish, in accordance with chapter 91, procedures
4 for the suspension of its rules. When determining whether to
5 suspend its rules, the board shall also establish the length of
6 time for which the suspension shall be in effect.

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

10 (d) The board may delegate to its executive director, or
11 other designee, any of its powers and duties as it deems
12 reasonable and proper; provided that the delegation of powers
13 and duties by the board shall be made in accordance with
14 procedures set forth in this subsection. The board shall not
15 delegate its discretionary functions resulting in a final
16 decision in:

- 17 (1) Adopting, amending, or repealing rules;
18 (2) Ordering disciplinary action against a licensee,
19 including license revocation or suspension, or the
20 imposition of conditions or fines; provided that
21 summary suspensions may be delegated; or



1 (3) Granting or denying permits or licenses, including
2 license renewals and reinstatements, or otherwise
3 conditioning permits or licenses, unless the granting,
4 denying, or otherwise conditioning of a permit or
5 license does not require the exercise of the board's
6 expertise and discretion.

7 To delegate authority, the concurrence of a majority of the
8 members to which the board is entitled shall be necessary for
9 any action taken by the board to be valid. The board shall
10 conduct meetings to delegate powers and duties to its executive
11 director in accordance with chapters 91 and 92."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14



Report Title:

Education; Hawaii Teacher Standards Board

Description:

Authorizes the Hawaii teacher standards board to delegate certain duties to the executive director or other designee.
(SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

