

JAN 23 2009

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

14 The purpose of this Act is to respond to the auditor's
15 findings and recommendations by establishing an advisory
16 committee to provide oversight of the Hawaii teacher standards
17 board.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Advisory committee for the Hawaii teacher
5 standards board; established. (a) There is established the
6 advisory committee for the Hawaii teacher standards board to
7 provide oversight of the Hawaii teacher standards board. The
8 advisory committee shall consist of seven members to be
9 appointed without regard to section 26-34, with one member
10 representing each of the following:

- 11 (1) The Hawaii P-20;
- 12 (2) The Hawaii Business Roundtable;
- 13 (3) The Society for Human Resource Management Hawaii
14 Chapter;
- 15 (4) The workforce development council;
- 16 (5) The Hawaii Association of Independent Schools;
- 17 (6) A Hawaii recipient of the Milken Educator Award; and
- 18 (7) A national board certified Hawaii teacher.

19 The advisory committee shall be attached to the board of
20 education for administrative purposes.

21 (b) The advisory committee shall review and evaluate the
22 progress of the Hawaii teacher standards board in meeting its



1 statutory requirements pursuant to chapter 302A, part III,
2 subpart D.

3 (c) The advisory committee shall present to the governor
4 lists of qualified candidates from which the members of the
5 Hawaii teacher standards board shall be nominated and, by and
6 with the consent of the senate, appointed by the governor. The
7 advisory committee shall establish the criteria for qualifying,
8 screening, and presenting to the governor candidates for
9 membership on the Hawaii teacher standards board; provided that
10 the advisory committee shall adhere to the membership
11 requirements of section 302A-801.

12 (d) The advisory committee shall present to the board of
13 education a list of qualified candidates for the executive
14 director of the Hawaii teacher standards board and the board of
15 education shall appoint the executive director, pursuant to
16 section 302A-803.

17 (e) The advisory committee shall submit an annual report
18 to the board of education and to the legislature on the Hawaii
19 teacher standards board operations, including any deficiencies
20 in meeting the requirements of chapter 302A, part III,
21 subpart D."



1 SECTION 3. Section 302A-801, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

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

12 SECTION 4. 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;
19 (2) Adopting, amending, or repealing the rules of the
20 board in accordance with chapter 91;
21 (3) Receiving grants or donations from private
22 foundations, and state and federal funds;



- 1 (4) Submitting an annual report to the governor and the
2 legislature on the board's operations and from the
3 2007-2008 school year, submitting a summary report
4 every five years of the board's accomplishment of
5 objectives, efforts to improve or maintain teacher
6 quality, and efforts to keep its operations responsive
7 and efficient;
- 8 (5) Conducting a cyclical review of standards and
9 suggesting revisions for their improvement;
- 10 (6) Establishing licensing fees in accordance with chapter
11 91, including the collection of fees by means of
12 mandatory payroll deductions, which shall subsequently
13 be deposited into the state treasury and credited to
14 the Hawaii teacher standards board special fund;
- 15 (7) Establishing penalties in accordance with chapter 91;
- 16 (8) Issuing, renewing, revoking, suspending, and
17 reinstating licenses;
- 18 (9) Reviewing reports from the department on individuals
19 hired on an emergency basis;
- 20 (10) Applying licensing standards on a case-by-case basis
21 and conducting licensing evaluations;



- 1 (11) Preparing and disseminating teacher licensing
- 2 information to schools and operational personnel;
- 3 (12) Approving teacher preparation programs;
- 4 (13) Administering reciprocity agreements with other states
- 5 relative to licensing;
- 6 (14) Conducting research and development on teacher
- 7 licensure systems, beginning teacher programs, the
- 8 assessment of teaching skills, and other related
- 9 topics;
- 10 (15) Participating in efforts relating to teacher quality
- 11 issues, conducting professional development related to
- 12 the board's standards, and promotion of high teacher
- 13 standards and accomplished teaching; and
- 14 (16) Adopting applicable rules and procedures.
- 15 (b) If, in accordance with chapter 92, the board
- 16 determines, on a case-by-case basis, that extenuating
- 17 circumstances exist to justify the suspension, the board may
- 18 temporarily suspend its rules, or any portion thereof. The
- 19 board shall establish, in accordance with chapter 91, procedures
- 20 for the suspension of its rules. When determining whether to
- 21 suspend its rules, the board shall also establish the length of
- 22 time for which the suspension shall be in effect.



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

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

7 SECTION 5. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect upon its approval.

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Report Title:

Advisory Committee; Hawaii Teacher Standards Board; Executive Director

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.

