

SB 1308

Date of Hearing: Friday, February 6, 2009

Committee: Senate Committee on Education and
Housing

Board: Education

Person Testifying: Garrett Toguchi, Chairperson, Board of Education

Title of Bill: S.B. No. 1308, Relating to Education

Purpose of Bill: Transfers all rights, powers, functions, and duties of the Hawaii
Teacher Standards Board to the Board of Education.

Board's Position: Chairperson Sakamoto, Vice Chairperson Kidani, and members of
the Senate Committee on Education and Housing, thank you for the
opportunity to comment on S.B. No. 1308.

The Board of Education has not had an opportunity to discuss this
measure, and as such, **does not have a position on S.B. No. 1308**
at this time. This measure, as well as others, will be taken up by
the Board Committee on Legislation, Public Charter Schools &
Public Libraries next week.

Thank you for the opportunity to comment.



**TESTIMONY OF MARION M. HIGA, STATE AUDITOR,
ON SENATE BILL NO. 1308, RELATING TO EDUCATION**

Senate Committee on Education

February 6, 2009

Chair Sakamoto and Members of the Committee:

Thank you for this opportunity to testify in **support of Senate Bill No. 1308**. This bill changes the accountability structure of the Hawai'i Teacher Standards Board, which we were requested to study by the 2008 Legislature in Senate Concurrent Resolution No. 83, Senate Draft 1.

After hearing complaints from teachers and interested stakeholders that the Hawai'i Teacher Standards Board acts autonomously and has no oversight by, nor is accountable to, the Department of Education, the 2008 Legislature asked that we explore the possibility of reassignment. Recognizing that the Department of Commerce and Consumer Affairs serves as a model for regulation of professions, the Legislature offered that department as an alternative for us to analyze. We were also asked to examine other issues, such as the status of the online license renewal system and the fate of \$1 million in license fees.

We are currently preparing the final draft report for comment by the Hawai'i Teacher Standards Board, the Board of Education and the Department of Education. We expect to submit a final

report to the Legislature within the next two weeks. Senate Bill No. 1308 implements the recommendations in that report. We found significant weaknesses in the teacher licensure program administered by the Hawai'i Teacher Standards Board, which led us to the recommendations in S.B. No. 1308.

Upon closer examination of the bill, we would recommend certain minor amendments to the bill as follows:

1. Page 3, Line 11 – strike “exempt from” and add “in accordance with” to read:

The board shall adopt policies, in accordance with chapters 91 and 92, . . .

2. Page 5, Line 12 – strike “(1) Setting and administering its own budget;” and renumber paragraphs accordingly.

I respectfully request that this amended bill be allowed to move forward pending the release of our report. I would be pleased to answer any questions you may have.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Education and Housing

February 6, 2009, 1:45 pm, Room 225

By

Virginia S. Hinshaw, Chancellor

And

Christine Sorensen, Dean

College of Education, University of Hawai'i at Mānoa

SB 1308: Relating to Education

Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

The College of Education opposes SB 1308.

The National Commission on Teaching and America's Future Hawaii Policy Group actively lobbied for separating the licensing function from the Department of Education because of inherent conflict of interest, wherein, the employer is also the licensing agency. Such a relationship leads to lowering of professional standards when employment needs increase. It also does not address the needs of teachers in other than DOE schools to become professionally licensed.

One of the hallmarks of a profession is self governance. Under the provisions of SB 1308 the teaching profession would be governed by teachers' employer, not by the profession itself.

Employer as licensing agent also opens the door to potential abuse. It is conceivable that a teacher's license could be jeopardized because of employment issues such as not getting along with their administrator.

The bill deletes the establishment of licensing standards and instead relies on "policies" adopted by the BOE (§302A-802). This suggests a lowering of standards for teachers at the very time when we need to assure every student has a qualified teacher every year.

SB 1308 is not a good policy change for Hawai'i and the College of Education **opposes** it.

Thank you for the opportunity to provide testimony on SB 1308.



HAWAI'I EDUCATIONAL POLICY CENTER

Informing the Education Community

Testimony Presented Before the
Senate Committee on Education and Housing

February 6, 2009, 1:45 pm, Room 225

by
Donald B. Young, Director
Hawai'i Educational Policy Center

SB 1308: Relating to Education

Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

The Hawai'i Educational Policy Center (HEPC) **opposes SB 1308**, which transfers the functions and duties of the Hawaii Teachers Standards Board to the Board of Education.

The State of Hawai'i separates the professional licensing of teachers from the Department of Education as primary employer. SB 1308 would have the State revert to the Board of Education as both the licensing agency and employer. While the transition of licensing functions to today's Hawaii Teacher Standards Board has not been without problems and controversy related to implementation, it is a preferred policy that should be continued as the State adjusts and corrects any perceived shortfalls.

The BOE is not equipped to handle the licensing responsibilities. The BOE has limited staff, and has been unable in recent years to increase that staff to support existing policy duties. Placing the licensing function within its purview may limit the issuing of teaching licenses to DOE employees as it was in the past. Under HTSB, any teacher in the State, whether a DOE employee or not, may obtain a teaching license. All of the institutions of higher education that prepare teachers in Hawaii are actively engaged with HTSB in aligning their teacher preparation programs with HTSB licensing requirements and reporting program completers to HTSB as they finish their preparation.

HEPC believes SB 1308 does not represent good education policy for Hawaii.

Thank you for the opportunity to provide testimony on SB 1308.



February 6, 2009
1:45 p.m.
Conference Room 225

TESTIMONY TO
THE SENATE COMMITTEE ON EDUCATION AND HOUSING

RE: SB 1308 – Relating to Education

Dear Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

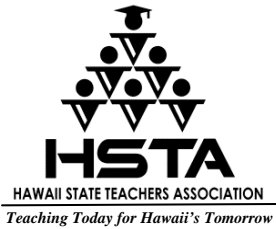
My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents approximately 97 private and independent schools across our state and is an active member of the Hawaii Teacher Standards Board (HTSB).

The Association is **opposed to Senate Bill 1308**, which intends to transfer the functions and duties of HTSB to the Board of Education.

It is our strong belief that the credentialing of Hawaii Department of Education teachers is best supervised by an autonomous entity which is separate from both the Department and the Board of Education. In any profession, it is not a suitable for an employer to be responsible for credentialing its own employees. We believe that, as in other professions such as law and medicine, the oversight of professional standards and licensing requirements for public school teachers should be handled by a peer review panel like HTSB. Only such a body – comprised of educators but independent of the State's educational system – is capable of assuring high standards, an objective and fair process, and a mission and philosophy aligned with best practices in teacher professionalism.

We understand that a State Auditor's Report containing information critical of HTSB is forthcoming. When the contents of this report are released, HAIS would be pleased to provide comments and engage in constructive dialogue with the Legislature and the local education community regarding its findings; however, until the report is made public, we believe it would be imprudent to deliberate on matters related to the management and operation of HTSB.

Thank you for this opportunity to testify.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON
EDUCATION AND HOUSING

RE: SB 1308 – RELATING TO EDUCATION

February 6, 2009

ROGER TAKABAYASHI, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Sakamoto and Members of the Committee:

The Hawaii State Teachers Association **opposes SB 1318**, which transfers functions and duties of the Hawaii Teacher Standards Board (HTSB) to the Board of Education (BOE).

HTSB functions as an independent standards board to regulate the licensing of teachers in Hawaii. The BOE's responsibilities include shaping policy for teachers in Hawaii, as well as overseeing the hiring process for teachers. These responsibilities do not include the BOE acting as a regulatory body. If the functions and duties of the HTSB are transferred to the BOE, there will be a direct conflict of interest regarding how the hiring agent (BOE) can regulate itself. Before the existence of HTSB, there was no accountability for the process of hiring non-licensed teachers and too often individuals were hired just to put someone in the classroom, regardless of their qualifications. Now, with the existence of HTSB, emergency hires can be properly qualified and there is procedural accountability.

The HTSB ensures that there continues to be a credible process for regulating the licensure and hiring of teachers in Hawaii. Should the committee choose to reassign the responsibilities of the HTSB, HSTA recommends that the HTSB report to the Department of Commerce and Consumer Affairs instead of the BOE. This will ensure that HTSB regulations remain independent from the BOE, thereby ensuring that there is no conflict of interest.

We urge the committee to not pass this bill.

Thank you for the opportunity to testify.



Hälau Wānana, Center for Higher Learning

Transforming thinking, learning and teaching in Hawai'i through indigenous knowledge systems and practices

February 4, 2009

To: Education and Housing Committee
Attention: Senator Norman Sakamoto, Chair
Hearing Scheduled for 2/6/09, 1:45pm, Room 225

Re: **Strong opposition to S.B. 1308**

From: Hälau Wānana - Center for Higher Learning

The State-Approved Teacher Education Program of the Hälau Wānana Center for Higher Learning strongly opposes Senate Bill 1308. In previous years, the Department of Education had responsibility for teacher licensing and the creation of the Hawai'i Teacher Standards Board was a strong positive step toward clarifying expectations and improving the quality of teacher preparation in Hawai'i. Why step backward now?

The most troubling changes proposed by S.B. 1308 are related to the following three issues:

1) An employer should not have primary responsibility for the licensing of the professionals it hires. This is true for all the professions (doctors, lawyers, counselors etc.), but it is of particular note for teachers in a state where a single employer hires such a high percentage of all teachers— and of even greater concern during a time when teacher shortages are on the horizon. Giving the Board of Education direction over teacher licensing creates a 'fox in charge of the henhouse' condition where, in spite of good intentions, it is just too easy to cut corners when faced with mounting external pressures for accountability and federal demands for "highly-qualified teachers." The quality of teaching and learning is of vital importance for our state and for our nation's future at this time. Why jeopardize the tremendous progress that has been made since the DOE turned over responsibility for licensing to the independent entity of the Hawai'i Teacher Standards Board several years ago?

2) An employer should not have primary responsibility for the approval and evaluation of the teacher education programs that exist across the state. Teacher education programs serve teachers who work at charter schools, private schools, alternative education programs, nonprofit organizations, as well as many teachers who move out of state. Teacher education has a broad responsibility to expose novice teachers to professional knowledge, theory and research-based practices that deliver the most advanced ideas in the field. If the Board of Education were given the responsibility for approving teacher education programs, it would be empowered to encourage teacher education programs to cleave to existing DOE policies and could passively or actively discourage them from introducing cutting-edge practices and new approaches in the profession that could help children learn in Hawai'i. Why take the chance that the kinds of research-based

professional knowledge that teacher education programs impart could be narrowed by this proposed structure?

3) S.B. 1308 would abolish the Ten Teacher Standards by which teachers and teacher education programs in Hawai'i are currently evaluated, replacing them with "policies" created by the Board of Education— and thus making teacher/program evaluation subject to political winds of change. To do this would be to step away from an affirmed set of worthy goals, and set sail for an unknown destination. Were S.B. 1308 to teacher licensing and teacher education program approval over to the BOE, it would throw current efforts to build teacher quality into chaos for years—causing, in turn, negative effects for a generation of learners. The Ten Teacher Standards form a foundational template for excellence; they are supported by a vast body of educational research and teacher education programs have integrated the standards already, with the result of building consistency and accountability. The strength of the Ten Teacher Standards is that their requirements can be enacted in a variety of ways to suit Hawai'i's diverse teaching contexts and communities. Why cast aside a research-based practice that works for us in Hawai'i without regard for its positive effect on teacher quality?

For these reasons and others we would be happy to discuss in another forum, Hälau Wänana is staunchly opposed to the passage of S.B. 1308. We do recognize value in the bill's suggestion to reconsider some of the criteria for granting licenses to prospective teachers outside of core academic content areas, as well as its idea to formally consider alternatives to standardized testing requirements, and we will continue to support such changes by communicating with the Hawai'i Teacher Standards Board.

Mahalo for hearing our concerns and taking action to stop the passage of S.B. 1308.

Me ke aloha,



Zanette Johnson, on behalf of Hälau Wänana

Zanette Johnson
Director, Teacher Education & Research
Hälau Wänana - Center for Higher Learning
P.O. Box 6511
Kamuela, HI 96743
808-887-1117

From: [David Grossman](#)
To: [EDH Testimony](#)
Subject: SB1308
Date: Thursday, February 05, 2009 2:50:31 PM

SB 1308: Relating to Education

Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

The Education Division of Chaminade University **opposes SB 1308**, which transfers the functions and duties of the Hawaii Teachers Standards Board to the Board of Education.

It is a national and international trend to separate teacher licensing from the employing department or ministry. There is a long history in the U.S. of the separation of professional licensure from employers, e.g., law and medicine. To revert to a system where the BOE would be both employer and licensing agency would be a step backward in the progress toward having a highly qualified teaching profession in Hawai'i. Moreover, BOE is not equipped to handle this process after the many years of development of HTSB. Like the other institutions of higher education that prepare teachers in Hawaii Chaminade University is actively engaged with HTSB in trying to achieve the highest standards in teacher preparation.

The Education Division does not believe that SB1308 represents a forward-looking policy for the preparation of Hawai'i's teachers. In addition, it is our information that the Hawai'i DOE does not support this bill. Please avoid a backward step in the development of the teaching profession.

Thank you for your consideration of our comment on SB 1308.

David Grossman, Ph.D.
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