

SB 1308



STATE OF HAWAII
HAWAII TEACHER STANDARDS BOARD
650 Iwilei Road, Suite 201
Honolulu, Hawai'i 96817

TESTIMONY BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

RE: SB 1308 SD1 Relating to Education

Friday, February 27, 2009

DR. JONATHAN GILLENLINE, CHAIRPERSON
Hawaii Teacher Standards Board

Chairman Kim and Members of the Committee:

The members of the Hawaii Teacher Standards Board are extremely disheartened by SB 1308 SD1 Relating to Education. It took at least 20 years of hard work by Hawaii's teachers starting in the 1970's through 1995 before we were finally granted a self-governing board like other professions have had for decades and, in some cases, even centuries earlier. It took another 6 years before our board was empowered with the same authority assigned to other boards. All appearance of a conflict of interest for the Employer as also licensing gatekeeper was removed.

In the 6 years that we have had full authority of a licensing board, we believe we have contributed greatly to teacher quality in Hawaii. But with this one bill, all that has been accomplished is set aside.

We raised standards for teachers by developing Hawaii's first Teacher Performance Standards and aligned them to national standards. We promoted National Board Certification for highly accomplished teachers, supported incentives for teachers pursuing board certification, and now provide support sessions for any teacher going through the process. We aligned the standards used for the State Approval of Teacher Education to the standards used by the National Council for the Accreditation of Teacher Education. And through the State Approval process candidates are assessed against our standards.

We promote the continued quality of licensed teachers through our license renewal process and through enforcement of our Code of Ethics. We also promote quality in Hawaii's teacher preparation programs by offering ongoing training for faculty in our local programs. We acknowledge the professional growth of teachers through our Advanced License, recruitment of National Board Certification candidates, allowing teachers to add fields to their license.

We have strongly advocated for matters related to teacher quality. We conducted the first and only inventory of State policies impacting teacher quality, made recommendations for improvement and partnered with others to push for legislation that supported or enhanced teacher

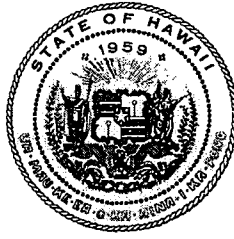
quality. The Hawaii Educator Loan program, Professional Development Schools funding, National Board Certification incentives and support, and establishment of a statewide mentoring and induction program are examples of bills we helped to draft and support. We have sponsored Teacher Quality Symposia so that interested stakeholders could lend their voices to the discussion.

While we have accomplished much, there is still more to be done. SB 1308 SD1 diminishes the accomplishments of the Hawaii Teacher Standards Board and reading through SB 1308 SD1, it is difficult to discern its intent. Is its purpose to take away from teachers an important hallmark of all professions—self-governance? If so, it successfully accomplishes this by returning the authority to set standards and issue licenses back to the Employer and by removing all representation by teachers in these functions. Is its purpose to get rid of standards for teachers? It clearly does this by deleting all references to the establishment of standards in §302A-802. Is its purpose to minimize the importance of a teaching license by removing all penalties against those who purport to have a license, but who do not? If so, Sec. 18 of the bill successfully does this. Or is its purpose to make teachers' license fees help pay for Board of Education expenses? This is clearly accomplished in Sec. 9 of the bill.

Students who complete programs at our local institutions who want to become licensed, but choose not to work for the Department of Education, will be denied the chance to become licensed because the BOE will only be concerned with DOE teachers just as it was 12 years ago and earlier. This will have repercussions on the enrollment in teacher preparation programs across our State. It will have repercussions on teachers who hold Hawaii licenses, but work outside of Hawaii, too.

In view of what is proposed in SB 1308 SD1 and the serious impact it will have, my colleagues and I strongly oppose this bill and urge you not to pass it out.

Thank you for this opportunity to testify.



**TESTIMONY OF MARION M. HIGA, STATE AUDITOR,
ON SENATE BILL NO. 1308, SENATE DRAFT 1, RELATING TO EDUCATION**

Senate Committee on Ways and Means

February 27, 2009

Chair Kim and Members of the Committee:

Thank you for this opportunity to testify in support of Senate Bill No. 1308, Senate Draft 1. This proposed bill changes the accountability structure of the Hawai'i Teacher Standards Board, which the 2008 Legislature asked us to study in Senate Concurrent Resolution No. 83, Senate Draft 1, because of complaints from teachers about the board's handling of teacher licensing. The bill implements our recommendations in our *Study on the Appropriate Accountability Structure of the Hawai'i Teacher Standards Board*, Report No. 09-05, scheduled for release to the public on March 1, 2009.

We found significant weaknesses in the teacher licensure program administered by the Hawai'i Teacher Standards Board, which led us to the recommendations in the proposed bill. Based on our findings, we concluded that creating an independent body composed of teachers employed by the DOE with a mission to provide qualified teachers, promote professionalism and teaching excellence, building public confidence in teachers and provide more accountability to the public, has not yield sufficient benefits to the teachers and students it was meant to serve to warrant its continuation.

Consistent with the recommendations in our study, we ask that Section 8 of Senate Bill No. 1308, Senate Draft 1, amending Section 302A-805, Hawai'i Revised Statute, be changed to delete the bracketed language, and add language underscored below, to read as follows:

“(d) Teachers whose licenses expire [on or after July 1, 2009, but before July 1, 2010] between January 1, 2009 and June 30, 2010, shall be granted an automatic extension of one year in which to obtain a renewal of their licenses. The board, at its discretion, may grant an additional one year extension of these licenses.”

I respectfully request that this bill be considered further by the Legislature with amendments as noted above, before allowing it to move forward, when the report is released. I would be pleased to answer any questions you may have.



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Testimony on SB1308 SD1 Relating to Education

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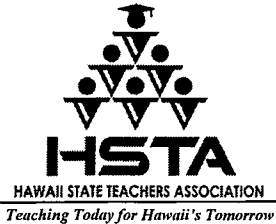
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Thank you for this opportunity to testify.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS

RE: SB 1308, SD1 – RELATING TO EDUCATION.

February 27, 2009

ROGER TAKABAYASHI, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Mercado and Members of the Committee:

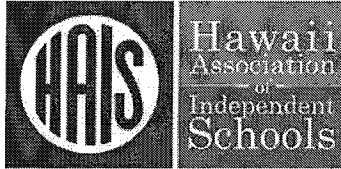
The Hawaii State Teachers Association opposes SB 1308, SD1, which transfers functions and duties of the Hawaii Teacher Standards Board (HTSB) to the Board of Education (BOE).

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.



February 27, 2009
9:00 a.m.
Conference Room 211

TESTIMONY TO
THE SENATE COMMITTEE ON WAYS AND MEANS

RE: SB 1308 SD1 – Relating to Education

Dear Chair Kim, Vice Chair Tsutsui, 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, Senate Draft 1 – Relating to Education, 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.

Date of Hearing: Friday, February 27, 2009

Committee: Senate Committee on Ways and Means

Board: Education

Person Testifying: Garrett Toguchi, Chairperson, Board of Education

Title of Bill: S.B. No. 1308, S.D. 1, 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 Kim, Vice Chairperson Tsutsui, and members of the Senate Committee on Ways and Means, thank you for the opportunity to submit written comments in support of S.B. No. 1308, S.D. 1.

On February 19, 2009, the Board of Education voted to support S.B. No. 1308, S.D. 1. In its discussion, the Board noted that pursuant to Senate Concurrent Resolution No. 83, S.D. 1, "Requesting the Auditor to Conduct a Study on the Appropriate Accountability Structure for the Hawaii Teacher Standards Board," which was adopted in the 2008 Regular Session, the Auditor is requested to conduct a study of the Hawaii Teacher Standards Board (HTSB). The concurrent resolution specifies that the study is to include whether the current organizational placement of HTSB as an administratively attached agency to the Department of

Education is conducive to timely and efficient service to those applying for licenses.

The Board of Education believes that supporting this bill at this time will enable further discussion on the merits of an appropriate accountability structure for HTSB, as the Board of Education awaits the findings of the audit pursuant to S.C.R. No. 83, S.D. 1 (2008).

Thank you for the opportunity to provide written comments on this measure.