

Date: 03/16/2011

Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

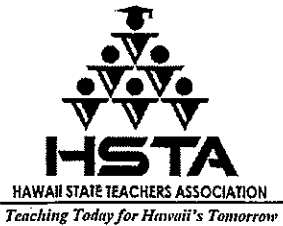
Title of Bill: SB 0806,SD1(SSCR552) RELATING TO TEACHERS.

Purpose of Bill: Allows teacher and educational officer board members to continue to serve out up to three consecutive three-year terms even if they retire during a term. Adds training on revised student and teacher performance standards to the requirements for license renewal. Extends the term of the renewable advanced licensed from five to ten years. Creates a new career and technical education license available to those with appropriate industry experience with no bachelor's degree. (SD1)

Department's Position: The Department of Education continues to support S.B. 0806, SD 1 and the provision of allowing teachers and educational officers to continue to serve up to three (3) consecutive three (3) year terms even if they retire during a term. This allows for continuity and stability. The provision of extending advanced license renewal from five (5) to ten (10) years is also strongly supported by the Department because it provides an incentive for teachers to apply and attain the advanced license. The provision developing criteria for Career and Technical Education (CTE) license for individuals with appropriate industry experience with no bachelor's degree is also strongly supported by the Department because it provides an optional pathway for individuals who currently hold a CTE permit to obtain a standard CTE license.

However, the Department recommends amending S.B. 0806, SD 1 by deleting the provision that would require additional training on new student and teacher standards prior to applying for a license renewal. There

needs to be more clarity on the need of such training sessions, who would be providing them, and the potential additional costs involved in implementing this provision.



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**TESTIMONY BEFORE THE HOUSE COMMITTEE ON
EDUCATION**

RE: SB 806, SD1 -- RELATING TO TEACHERS.

March 16, 2011

**WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION**

Chair Takumi and Members of the Committee:

The Hawaii State Teachers Association (HSTA) supports the intent of SB 806, SD1, that allows teacher and educational officer board members to continue to serve out up to three consecutive three-year terms even if they retire during a term.

However, HSTA has concerns with the qualifications for licensure in career and technical education licensing.

Thank you for the opportunity to testify.



STATE OF HAWAII
HAWAII TEACHER STANDARDS BOARD
650 WILEI ROAD, SUITE 201
HONOLULU, HAWAII 96817

**TESTIMONY TO THE HOUSE OF REPRESENTATIVES COMMITTEE ON EDUCATION
Re: SB 806,SD1: Relating to Teachers**

Hearing Date: Wednesday, March 16, 2011, 2:00 PM, Conference Room 309

Terry Lynn Holck, Chairperson, Hawaii Teacher Standards Board

Chairperson Takumi, Vice Chair Au Belatti and Members of the Committee:

The Hawaii Teacher Standards Board strongly supports SB 806, SD1, but requests the following changes which were recommended by the Board at their January 2011 meeting:

§302A-802: HTSB suggests no change to existing statute in this section but recommends making changes regarding Career and Technical Education (CTE) licenses in §302A-803 instead.

§302A-803: HTSB requests that the Committee amend §302A-803. In §302A-803, HTSB adds establishing the CTE license; establishing policies and procedures for an alternative pathway to teaching; adds "conditioning a license" for instances when more severe action is not warranted; "forfeiting" a license for instances when a teacher fails to pay license fees; and "restoring" for teachers who meet criteria to reinstate their license.

§302A-805: HTSB recommends deletion of the new section (5) in §302A-805. While training on new teacher performance standards is desirable, it is felt that specific requirements for license renewal would be better addressed in Administrative Rules and policies in order to more easily reflect current best practices as they are implemented in the field. The Board also recommends addition of language to address timely payment of license fees.

§302A-805.5: HTSB suggests that teacher education programs should attain national accreditation *and* approval from HTSB, *as well as* meet any other standards established by the Board.

§302A-807: HTSB recommends addition of the term "condition" to §302A-807 for consistency with §302A-803.

The Board thanks you for the opportunity to submit testimony and offers the following as suggested wording for SB806,SD1:

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

"(c) Appointed board members shall serve not more than three consecutive three-year terms. Teacher and educational officer members who retire during a term may serve the remainder of their term up to three consecutive three-year terms."

~~SECTION 2. Section 302A-802, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:~~

~~"(c) The board shall adopt policies, exempt from chapters 91 and 92, to initiate the following:~~

~~—(1) Develop criteria allowing more individuals with trade or industry experience to teach in vocational, technical, and career pathway programs, and criteria for the issuance of permits and career and technical education licenses allowing qualified individuals to teach when recommended by the superintendent[,] even if the individuals do not possess a bachelor's degree. The department shall be responsible for the review and acceptance of the relevant licenses, certificates, or other qualifications related to an individual's vocational, technical, or career pathway education related experience that the department deems necessary for a permit. The department shall have the authority to waive the requirement of a bachelor's degree to teach in a vocation, technical, or career pathway education program;~~

~~—(2) Develop a plan to accept teachers from any state as long as they have completed state approved teacher education programs and pass relevant Hawaii teacher examinations or their equivalent;~~

~~—(3) Clarify the requirements, on a state by state basis, for out of state licensed teachers to obtain a license in Hawaii;~~

~~—(4) Develop a plan to facilitate licensing for those who intend to teach in Hawaii immersion programs, the island of Niihau, or any other extraordinary situation as defined by the superintendent or the superintendent's designee;~~

~~—(5) Pursue full teacher license reciprocity with all other states; and~~

~~—(6) Issue a license to a teacher with a valid out-of-state license who has passed similar, though not identical, tests in basic skills, pedagogy, and subject matter to those required for licensure in the State; provided that upon the effective date of the adoption of administrative rules addressing the recognition of out-of-state teacher licenses, those administrative rules shall supersede the requirements of this paragraph.~~"

Section 302A-803, Hawaii Revised Statutes, is amended to read as follows:

"(a) In addition to establishing standards for the issuance and renewal of licenses and any other powers and duties authorized by law, the board's powers shall also include:

- (1) Setting and administering its own budget;
- (2) Adopting, amending, or repealing the rules of the board in accordance with chapter 91;
- (3) Receiving grants or donations from private foundations, and state and federal funds;
- (4) Submitting an annual report to the governor, the legislature, and the board of education on the board's operations and expenditures, and from the 2007-2008 school year, submitting a summary report every five years of the board's accomplishment of objectives, efforts to improve or maintain teacher quality, and efforts to keep its operations responsive and efficient;
- (5) Conducting a cyclical review of standards and suggesting revisions for their improvement;
- (6) Establishing licensing fees in accordance with chapter 91 and determining the manner by which fees are collected and subsequently deposited into the state treasury and credited to the Hawaii teacher standards board special fund;
- (7) Establishing penalties in accordance with chapter 91;
- (8) Issuing, renewing, forfeiting, restoring, conditioning, revoking, suspending, and reinstating licenses;
- (9) Develop criteria for a full Career and Technical Education license allowing qualified individuals with at least an associate's degree, pedagogy coursework, industry experience and content expertise to receive this license limited to CTE teaching assignments.

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

(b) If, in accordance with chapter 92, the board determines, on a case-by-case basis, that extenuating circumstances exist to justify the suspension, the board may temporarily suspend its rules, or any portion thereof. The board shall establish, in accordance with chapter 91, procedures for the suspension of its rules. When determining whether to suspend its rules, the board shall also establish the length of time for which the suspension shall be in effect.

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

(d) The board may delegate to its executive director, or other designee, any of its powers and duties as it deems reasonable and proper; provided that the delegation of powers and duties by the board shall be made in accordance

"Approval of teacher education programs; professional development of teachers. The board shall be responsible for approving teacher education programs that have attained national accreditation from a teacher education accrediting body approved by the US Department of Education and HTSB and meet the any other standards established by the board. The board may engage in efforts relating to the improvement of instruction through teacher education and professional development, and to attract qualified candidates for teacher training from among the high school graduates of the State."

SECTION 5. Section 302A-807, Hawaii Revised Statutes, is amended by amending sections (a) through (c) to read as follows:

"§302A-807: Refusal, condition, suspension, revocation, and reinstatement of licenses. (a) The board shall serve as the final adjudicator for appeals relating to licensing, including the issuance or nonissuance of licenses, and the condition, suspension, nonrenewal, and revocation of licenses.

(b) The board shall establish procedures for the conduct of proceedings for the consideration of requests filed with the board. In every case to condition, revoke or suspend a license, the board shall give the person concerned written notice that a request has been filed with the board. The board shall conduct a hearing in conformity with chapter 91, and shall provide for confidentiality of the proceedings to protect the parties. In all proceedings before it, the board may administer oaths, compel the attendance of witnesses and production of documentary evidence, and examine witnesses. In case of disobedience by any person to any order of the board or to any subpoena issued by the board, or the refusal of any witness to testify to any matter that the person may be questioned lawfully, any circuit judge, on application of the board or a member thereof, shall compel obedience in the case of disobedience of the requirements of a subpoena issued by a circuit court or a refusal to testify.

(c) Any applicant who has been refused a license, or any licensee whose license has been conditioned, suspended or revoked, shall have the right to appeal the board's decision to the circuit court of the circuit in which the applicant or licensee resides in the manner provided in chapter 91; provided that out-of-state resident applicants shall file their appeals in the first circuit court."

SECTION ~~46~~. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION ~~57~~. This Act shall take effect upon its approval.