

# SB 806, SD 1

**Measure Title:** RELATING TO TEACHERS.

**Report Title:** Teacher Standards; Training

**Description:** 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)

**Companion:**

**Package:** None

**Current Referral:** EDU, CPN

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

**WRITTEN COMMENTS TO THE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

**Re: SB 806,SD1: Relating to Teachers**

**Hearing Date: Tuesday, March 1, 2011, 9:30 AM**

**Terry Lynn Holck, Chairperson, Hawaii Teacher Standards Board**

**Chairperson Baker, Vice Chair Taniguchi and Members of the Committee:**

**The Hawaii Teacher Standards Board strongly supports SB 806 but requests the following changes for SB806,SD1 which were recommended by the Board at their January 24, 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 written comments 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 with procedures set forth in this subsection. The board shall not delegate its discretionary functions resulting in a final decision in:

(1) Adopting, amending, or repealing rules;

(2) Ordering disciplinary action against a licensee, including license revocation or suspension, or the imposition of conditions or fines; provided that summary suspensions may be delegated; or

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

SECTION 3. Section 302A-805, Hawaii Revised Statutes, is amended to read as follows:

"**§302A-805 Teachers; license required; renewals.** Beginning July 1, 2002, all new licenses shall be issued by the board. No person shall serve as a half-time or full-time teacher in a public school without first having obtained a license from the board under this subpart. All licenses issued by the board shall be valid only for the fields specified on the licenses and shall be renewable every five years for a standard license and every ten years for an advanced license if the individual continues to:

(1) Satisfy the board's licensing standards and submits verification, in a form specified by the board, that the individual has completed activities specified by the board in fulfillment of each of the teacher performance standards established by the board;

(2) Show evidence of successful teaching in the previous five years through verification by a supervisor, in a form specified by the board;

(3) Meet the professional fitness requirements established by the board; [and]

(4) Satisfy the board's requirements for renewal of licenses[.]; and

~~(5) Attend training prior to applying for license renewal on new student standards and new teacher performance standards if these standards are adopted more than three years prior to a teacher's license renewal date.~~

The board shall randomly audit a licensee's compliance with paragraph (1) and may establish rules, pursuant to chapter 91, for the random audits.

Teachers whose licenses expire on June 30, 2002, or June 30, 2003, shall be granted an automatic extension of two years.

No person shall be issued a license or teach on an emergency basis in the public schools without having first paid the fees established by the board in accordance with chapter 91.

The failure to timely renew a license, the failure to pay all fees, the dishonoring of any check upon first deposit, or the failure to comply with any other requirement provided by law and the board's rules, shall cause the license to be automatically forfeited. A person with a forfeited license shall not engage in the profession of teaching until the license is restored.

Restoration of a license includes compliance with the renewal requirements provided by law and the board's rules and payment of all applicable renewal and late fees. Upon restoration the licensee may engage in the profession of teaching."

SECTION 4. Section 302A-805.5, Hawaii Revised Statutes, is amended to read as follows:

"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.

## WRITTEN COMMENTS

**Date:** 03/01/2011

**Committee:** Senate Commerce and  
Consumer Protection

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 0806,SD1(SSCR80)  
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 supports S.B. 0806, SD1(SSCR80) in its current form, amending the measure by removing: (1) The requirement for training in dealing with bullying of students for license renewal; and (2) Section 4 of this measure, which added national accreditation from a teacher education accrediting body approved by the United States Department of Education to the requirements for state approval of teacher education programs.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Commerce and Consumer Protection  
Tuesday, March 1, 2011, at 9:30am  
Conference Room 229  
Written Testimony

By  
Virginia Hinshaw, Chancellor  
and  
Christine K. Sorensen  
Dean, College of Education  
University of Hawai'i at Mānoa

### SB 806 SD1 RELATING TO EDUCATION

Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

The University of Hawai'i at Mānoa's College of Education supports sections of SB 806 SD1 that extend the term of renewable advanced licenses from five years to ten years, but oppose the remainder of the bill.

The University of Hawai'i at Mānoa finds this bill is unnecessary, because the Hawai'i Teacher Standards Board already allows those without bachelor's degrees to teach in technical, vocational, and career pathway programs. The Hawai'i Teacher Standards Board approved at its January 2011 meeting the following criteria for an alternative route to licensure for the Career and Technical Education (CTE) license fields:

Licensees obtaining a Standard License in the CTE field must meet the following criteria:

- Minimum of an Associate degree;
- 5 years of industry experience related to content area;
- 15 hours of pedagogy coursework from a SATEP in the grade level of the license  
or  
12 hours of pedagogy coursework from a SATEP in the grade level of the license and passing score on the Principles of Learning and Teaching (PLT) in the grade level of the license;
- Meet one of the following content knowledge testing options:
  - Praxis in content field, if one exists; or
  - Current valid National Industry Certification in content area; or
  - Current valid industry license in content area;
  - 30 hours coursework in the license field;

- Meet Professional Fitness Requirement;
- Pass Basic Skills tests (PPST Reading, Writing and Mathematics);
- Pay fees.

Licensees obtaining a CTE license via this alternative route shall not be eligible to teach in other classroom assignments nor be eligible to add any other field outside of the CTE license fields to this license.

In addition, the HTSB rules allow the DOE to hire those without bachelor's degrees to hold their teaching positions temporarily until all hiring standards are met. This would allow the hiring of those who did not meet the requirements set out above and provide time for them to meet those requirements and receive a standard CTE license. Therefore, this bill is not required to implement alternate licensing procedures for those without bachelor's degrees to enable them to teach in career and technical education areas.

The University of Hawai'i at Mānoa's College of Education also opposes sections of SB 806 that require additional training on new student and teacher standards prior to applying for a license renewal. While both are worthwhile training goals, the bill does not provide a source for funding either of these training sessions, nor does it specify the manner, place, or entity responsible for organizing the training sessions.

Training should not be mandated without adequate funding and defined agencies charged with providing the proposed training.

Thank you for the opportunity to testify.