

SB806

Date: 02/07/2011

Committee: Senate Education

Department: Education

Person Testifying: Kathryn Matayoshi, Superintendent of Education

Title of Bill: SB 0806 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 in dealing with bullying of students and 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. Adds national accreditation to the requirement for state approval of teacher education programs.

Department's Position: The Department of Education supports S.B. 0806 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 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 bachelors degrees 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. The Department recommends removing the provision requiring that the training of teachers on bullying of students and standards be a part of

license renewal requirements, and allow the Board, rather than statute to determine what is necessary for license renewal. Instead, the Department suggests that these needs are better served through changes or additions into the university teacher education program curriculum and/or additional professional development.

Lastly, the Department recommends removing the new provision requiring the Hawaii Teacher Standards Board (HTSB) to only approve teacher education programs, "...that have attained national accreditation from a teacher education accrediting body approved by the United States Department of Education." The current statute allows HTSB to have some flexibility in determining how they choose to approve teacher education programs in Hawaii. This flexibility can be important for both HTSB and the Department as education needs and trends change over time.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Education

Monday, February 7, 2011 at 1:15 p.m.
Conference Room 225

Written Testimony
Virginia Hinshaw, Chancellor

By
Christine K. Sorensen
Dean, College of Education
University of Hawaii at Mānoa

SB 806: RELATING TO TEACHERS

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

The University of Hawai'i at Mānoa's College of Education supports sections of SB 806 which extend the term of renewable advanced licenses from five years to ten years.

However, the University opposes sections of SB 806 that require training on bullying of students and 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.

Without adequate funding and defined agencies charged with providing the proposed training, they should not be legislatively mandated.

Thank you for the opportunity to testify.

TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION

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

Hearing Date: **February 7, 2011**

Terry Lynn Holck, Chairperson, Hawaii Teacher Standards Board

Chairperson Tokuda, Vice Chair Kidani and Members of the Committee:

The Hawaii Teacher Standards Board strongly supports SB 806 but requests the following language, additions and deletions in SB806 which were approved for proposal at the Board's January 24, 2011 meeting.

§302A-801

HTSB agrees with the language in SB806.

§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.

HTSB suggests the following wording for §302A-803:

§302A-803

Powers and duties of the board.

(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 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;

(a) (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.

(d) (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.

§302A-805

HTSB recommends deletion of sections (5) and (6) in §302A-805. While training on bullying and new teacher performance standards are 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.

HTSB suggests the following wording for §302A-805:

§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.

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. [L 1996, c 89, pt of §2; am L 1997, c 195, §3; am L 2000, c 106, §§2, 4; am L 2001, c 312, pt of §10, §12; am L 2004, c 10, §9; am L Sp 2009, c 2, §§4, 12; am L 2010, c 184, §§3, 9]

§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.

HTSB suggests the following wording for §302A-805.5:

§302A-805.5

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. [L 2001, c 312, pt of §2]

§302A-807

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

HTSB suggests the following wording for §302A-807:

§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.

Thank you for the opportunity to testify.