

SB2331 SD1

Measure Title: RELATING TO TEACHERS.

Report Title: Hawaii Teacher Standards Board; Department of Education; State Public Charter School Commission; Teacher Licensing

Description: Adds a definition of "license" to clarify that teacher licenses are issued by the Hawaii teacher standards board. Clarifies the authority of employers or prospective employers to refuse to issue a certificate for school administrators or revoke a certificate for school administrators under certain circumstances. Makes clarifying amendments to the membership requirements for the Hawaii teacher standards board. Clarifies that charter schools fall under the purview of the requirements of the Hawaii teacher standards board. Makes housekeeping and conforming amendments. (SD1)

Companion:

Package: None

Current Referral: EDU, CPN

Introducer(s): TOKUDA, KIDANI, Gabbard



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

Testimony on SB2331_SD1, RELATING TO TEACHERS

Friday February 21, 2014

10:30 am, State Capitol Room 229

By LYNN HAMMONDS, EXECUTIVE DIRECTOR,
HAWAII TEACHER STANDARDS BOARD

February 19, 2014

Dear Chair Baker and Members of the Senate Committee on Commerce and Consumer Protection:

I am writing on behalf of the Hawaii Teacher Standards Board (HTSB) in strong support of SB2331_SD1, Relating to Teachers. The HTSB has reviewed and discussed these revisions at their regularly scheduled meeting in January 2014 and believes this bill will further support inclusiveness and diversity of board membership and strengthen the licensing and hiring process for teachers, school librarians and school counselors in our state.

Revisions to the requirements for HTSB membership make it clear that all interested constituent groups may submit nominations for the Governor's consideration, and will help ensure representation from diverse groups in Hawaii's educational departments, agencies, stakeholder groups, organizations and from the diverse populations and geographic areas of the state. The HTSB requests one additional requirement for a teacher member is added to SECTION 3 (a) by inserting the following language "one teacher member shall be engaged in teaching at a Hawaii public charter school at time of appointment and" as shown in the following sample:

SECTION 3. Section 302A-801, Hawaii Revised Statutes, is amended by amending subsections (a) to (c) to read as follows:

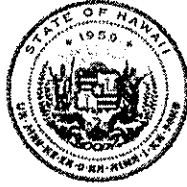
"(a) There is established the Hawaii teacher standards board, which shall be placed within the department for administrative purposes only. The board shall consist of fifteen members, including not less than six licensed teachers regularly engaged in teaching at the time of the appointment, three educational officers employed at the time of the

appointment, the chairperson of the board of education or the chairperson's designee, the superintendent or the superintendent's designee, a representative of independent schools, the dean of the University of Hawaii of Hawaii college of education or the dean's designee [~~and two members of the public~~]; provided that one teacher member shall be engaged in teaching at a Hawaii public charter school at time of appointment and the dean's designee shall be chosen from the member institutions of the teacher education coordinating committee established under section 304A-1202[.], and two members of the public.

This bill also reinforces the authority of the HTSB to require all public school teachers in the state to hold a current, valid teaching license as well as to monitor the emergency hire process when licensed teachers are not available. Responsibilities of the Department of Education and Hawaii Charter Schools are clearly defined in this revision to HTSB statute. HTSB is aware that the State Public Charter School Commission intends to submit suggested revisions to delegate reporting of emergency hire teachers to the charter school governing boards and we are willing to work with the Commission to ensure the appropriate entity is identified as the reporter.

The HTSB thanks you for your support and for this opportunity to testify.

NEIL ABERCROMBIE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)
<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

FOR: SB 2331, SD1 Relating to Teachers
DATE: Friday, February 21, 2014
TIME: 10:30am
COMMITTEE(S): Senate Committee on Commerce and Consumer Protection
ROOM: Conference Room 229
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Testimony in support

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

The State Public Charter School Commission appreciates the opportunity to offer these comments on SB 2331 SD1, Relating to Teachers, which would make various revisions to sections of Chapter 302A, Hawaii Revised Statutes (HRS), dealing with the Hawaii Teacher Standards Board (HTSB). Our comments are limited to those proposed revisions that concern the Commission and the public charter schools.

The Commission supports the intent of this measure, which among other things would provide that the Commission, in addition to the Department of Education (DOE) shall:

- Make recommendations to HTSB concerning the issuance of permits allowing individuals with trade or industry experience to teach in career and technical education programs, review the credentials of such individuals, and waive the requirement of a bachelor’s degree;
- Weigh in with HTSB as to facilitating the licensing of those who intend to teach in extraordinary situations warranting special consideration;
- Report to HTSB on emergency hiring, on teacher shortages, and on out-of-field teaching in public charter schools; and

- Hire licensed teachers to teach in their fields of licensing or, on an emergency and case-by-case basis, unlicensed individuals.

The Commission notes that HRS section 302A-804 currently addresses certain powers and duties of the DOE for which the equivalent functions in the charter school sector are separated between the charter schools as employers and the Commission as authorizer. As currently drafted, the bill fails to differentiate among these functions. In addition, addressing teacher shortages, as described at section 302A-804 (4)(D)), is beyond the authority and power of either the Commission or individual schools.

In order to resolve this problem, the Commission respectfully recommends that the bill be amended to clarify that:

1. The employer powers and duties currently described under section 302A-804 (1) and (3) are those of the department and, as applicable, the individual public charter schools;
2. The oversight powers and duties currently described under section 302A-804 (2) and (4) are those of the department and the Commission as applicable, except that item (4)(D) on addressing teacher shortages is not applicable to the Commission; and
3. The duty currently set forth under section 302A-804 (5) to provide other necessary information to HTSB applies to the department, the Commission, and the individual public charter schools, as appropriate.

We have attached proposed revisions to Sections 1 and 6 of the bill in order to accomplish this needed clarification and will be pleased to work with Committee staff to provide any additional assistance needed.

Thank you for the opportunity to provide this testimony.

PROPOSED CLARIFICATION TO
SB 2331 SD1, RELATING TO TEACHERS

...

SECTION 1. Section 302A-101, Hawaii Revised Statutes, is amended by adding ~~a new definitions~~ to be appropriately inserted and to read as follows:

"Department school" means any school that falls within the definition of public school as defined in section 302A-101 and that is not a charter school."

"License" means the recognition granted by the Hawaii teacher standards board to an individual to practice the profession of teaching. This definition shall not apply to the term "license" as it is used in sections 302A-425 to 302A-427."

...

SECTION 6. Section 302A-804, Hawaii Revised Statutes, is amended to read as follows:

"§302A-804 Powers and duties of the department, ~~the~~ and commission, and charter schools. The department, ~~the~~ and commission, and the charter schools shall retain all of ~~its~~ their rights and powers except for the authority provided to the board under this subpart.

- (a) The department's ~~and commission's~~ powers and duties under this subpart shall be limited to:

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- (1) Hiring, except in emergency situations as described in this chapter, licensed teachers to teach in their fields of licensing;
- (2) Reporting data annually to the board about the supply of, and demand for, teachers in department schools, including the identification of shortage areas, out-of-field teaching assignments, numbers of teachers teaching out-of-field, numbers and types of courses and classes taught by out-of-field teachers, and numbers and types of students taught by out-of-field teachers;
- (3) On an emergency and case-by-case basis, hiring unlicensed individuals; provided that:
 - (A) A list of the names, work sites, teaching assignments, and progress toward licensing of these individuals shall be reported to the board and any changes shall be updated on a monthly basis by the department ~~[7]~~ ~~and~~ commission;
 - (B) There are no properly licensed teachers for the specific assignments for which the individuals are being hired; and
 - (C) No individual may be employed by the department ~~or~~, charter school on an emergency basis for more than three years. During this time, the individual shall demonstrate active pursuit of licensing in each year of employment; ~~and~~

~~(D) Notwithstanding [subparagraph (C)], unlicensed individuals who have been hired on an emergency basis prior to July 1, 2008, shall attain licensure no later than four years from the date of their employment.]~~

(4) Submitting an annual report to the board documenting:

(A) The number of emergency hires in department schools by subject matter areas and by schools;

(B) The reasons and duration of employment for the emergency hiring enumerated in subparagraph (A);

(C) Individual progress toward licensing; and

(D) The department's ~~or commission's~~ efforts to address the shortages described in subparagraph (A); and

(5) Providing any other information requested by the board that is pertinent to its powers and duties."

(D) The commission's powers and duties under this subpart shall be limited to:

(1) Reporting data annually to the board about the supply of, and demand for, teachers in charter schools, including the identification of shortage areas, out-of-field teaching assignments, numbers of teachers teaching out-of-field, numbers and types of courses and classes taught by out-of-field teachers, and numbers and types of students taught by out-of-field teachers;

(2) Submitting an annual report to the board documenting;

(A) The number of emergency hires in charter schools by subject matter areas and by school;

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(B) The reasons and duration of employment for the
emergency hiring enumerated in subparagraph (A); and

(C) Individual progress toward licensing; and

(3) Providing any other information requested by the board that
is pertinent to its powers and duties."

(c) The charter schools' powers and duties under this subpart
shall be limited to:

(1) Hiring, except in emergency situations as described in this
chapter, licensed teachers to teach in their fields of
licensing;

(2) On an emergency and case-by-case basis, hiring unlicensed
individuals; provided that:

(A) A list of the names, work sites, teaching assignments,
and progress toward licensing of these individuals
shall be reported to the board and any changes shall
be updated on a monthly basis by the charter
school(+);

(B) There are no properly licensed teachers for the specific
assignments for which the individuals are being hired;
and

(C) No individual may be employed by the charter school on
an emergency basis for more than three years. During
this time, the individual shall demonstrate active
pursuit of licensing in each year of employment; and
(and

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~~(B) Notwithstanding [subparagraph (C)], unlicensed~~

~~individuals who have been hired on an emergency basis
prior to July 1, 2008, shall attain licensure no later
than four years from the date of their employment]~~

(3) Providing any other information requested by the board that
is pertinent to its powers and duties."

SB2331

Submitted on: 2/20/2014

Testimony for CPN on Feb 21, 2014 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Abalos-Arceneaux	HSTA	Oppose	No

Comments: HSTA opposes SB 2331 due to the proposed language in section 2b and 3b. At this time, we believe that section 2b does not support teachers who may need further assistance for improvement. Section 3b does not empower teaching excellence in schools by allowing the governor to request additional members to HTSB. HSTA respectfully requests to work with the HTSB to assist them on the definition of a license as we want to ensure that each teacher is given fair treatment in regards to licensure.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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