

JAN 24 2019

A BILL FOR AN ACT

RELATING TO CAREER AND TECHNICAL EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. The legislature finds that the State has an
3 obligation to prepare its students with the tools necessary for
4 successful futures in the modern economy. In 2017, seventeen
5 per cent of the State's high school students did not graduate.
6 Further, only fifty-five per cent of the State's high school
7 students eventually enroll in post-secondary education after
8 high school, with only thirty-two per cent enrolling in a four-
9 year university. Accordingly, the legislature believes that it
10 is the department of education's responsibility to provide
11 students with additional career options that do not require
12 bachelor's degrees.

13 The legislature also finds that a traditional four-year
14 bachelor's degree is becoming increasingly irrelevant for
15 earning potential and job placement, especially in regards to
16 the debt-to-income ratio incurred by many students at private
17 colleges and universities. The legislature further finds that



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1 more than forty-four million borrowers currently owe a total of
2 \$1,500,000,000,000 in student loan debt, with the average
3 college graduate owing \$37,172 in student loans in 2016. The
4 legislature notes that nationwide, three out of ten high school
5 graduates from four-year public universities have not earned
6 degrees within six years. Further, a bachelor's degree is no
7 longer the sole path to economic self-sufficiency that it once
8 was. Many well-paying jobs do not require any level of higher
9 education, as evidenced by the nearly thirty million jobs in the
10 United States that pay an average of \$55,000 per year without
11 requiring a bachelor's degrees.

12 The legislature recognizes that trade jobs are a growing
13 area of opportunity for high school graduates. According the
14 United States Department of Labor, there were 6,600,000 trade
15 job openings in early 2018, with the number of openings expected
16 to outpace the number of available employees in the near future.
17 Moreover, the United States Department of Education reports that
18 in the next five years there will be sixty-eight per cent more
19 job openings in infrastructure-related fields than there are
20 people trained to fill them. Some states already have more job
21 vacancies than qualified workers in certain trade jobs,



1 including but not limited to carpentry, electrical, plumbing,
2 sheet-metal work, and pipe-fitting. Additionally, the United
3 States Bureau of Labor Statistics projects that in four years,
4 careers in construction, health care, and personal care will
5 account for one-third of all new jobs in the nation.

6 The legislature notes that many high school graduates are
7 currently benefitting from trade jobs. For some industries, a
8 technical program graduate can earn an income that is above the
9 national average, plus benefits, after just a few semesters of
10 certificate training that costs just a fraction of a comparable
11 undergraduate education. The legislature also notes that the
12 tuition and fees for community or technical colleges are also
13 significantly cheaper than four-year universities.

14 The legislature also believes that encouraging vocational
15 training in department of education schools and providing
16 additional resources to these programs will benefit those
17 students for whom a four-year university is not the right fit.
18 The legislature further believes that the State must help its
19 students take advantage of a historically strong national
20 economy by preparing them for family wage jobs that do not
21 require a bachelor's degree.



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1 Accordingly, the purpose of this Act is to require the
2 department of education to hire individuals to teach vocational,
3 technical, or career pathway classes, and to amend the private,
4 trade, vocational, and technical school licensure special fund
5 to further develop training and career opportunities for
6 students in the State.

7 PART II

8 SECTION 2. Section 302A-602, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§302A-602 Teachers; licenses and certificates.** (a) No
11 person shall serve as a teacher in the department without first
12 having obtained a license from the Hawaii teacher standards
13 board in such form as the Hawaii teacher standards board
14 determines. The department shall establish types of
15 certificates in the educational field and the requirements to
16 qualify for those certificates issued to individuals who are not
17 required to obtain a license pursuant to sections 302A-801 to
18 302A-808.

19 (b) Beginning with the 2002-2003 school year, no person
20 paid under the salary schedule contained in the unit 5
21 collective bargaining agreement shall serve as a teacher in the



1 department without first having obtained a license pursuant to
2 sections 302A-801 to 302A-808 from the Hawaii teacher standards
3 board in such form as the Hawaii teacher standards board
4 determines.

5 (c) Beginning with the 2002-2003 school year, the
6 department may employ unlicensed individuals as emergency hires
7 pursuant to sections 302A-801 to 302A-808.

8 (d) Beginning with the 2020-2021 school year, the
9 department shall employ individuals in accordance with section
10 302A-802(c)(1) as vocational, technical, or career pathway
11 teachers."

12 SECTION 3. Section 302A-802, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) The board shall adopt policies, exempt from chapters
15 91 and 92, to initiate the following:

16 (1) Develop criteria allowing more individuals with trade
17 or industry experience to teach in vocational,
18 technical, and career pathway programs, and criteria
19 for the issuance of permits allowing qualified
20 individuals to teach when recommended by the
21 superintendent or the commission, when appropriate.



1 The department or the commission, when appropriate,
2 shall be responsible for the review and acceptance of
3 the relevant licenses, certificates, or other
4 qualifications related to an individual's vocational,
5 technical, or career pathway education-related
6 experience that the department or the commission, when
7 appropriate, deems necessary for a permit. The
8 department or the commission~~[, when appropriate,]~~
9 shall ~~[have the authority to]~~ waive the requirement of
10 a bachelor's degree to teach in a vocation, technical,
11 or career pathway education program;

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

16 (3) Clarify the requirements, on a state-by-state basis,
17 for out-of-state licensed teachers to obtain a license
18 in Hawaii;

19 (4) Develop a plan to facilitate licensing for those who
20 intend to teach in Hawaii immersion programs, the
21 island of Niihau, or any other extraordinary situation



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1 as defined by the superintendent or the
2 superintendent's designee, or by the commission, when
3 appropriate; and

4 (5) Pursue full teacher license reciprocity with all other
5 states."

6 SECTION 4. Section 302A-804, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending subsection (b) to read:

9 "(b) The department's powers and duties under this subpart
10 shall be limited to:

11 (1) Hiring, except in emergency situations or for
12 vocational, technical, or career pathway teacher
13 positions as described in this chapter, licensed
14 teachers to teach in their fields of licensing;

15 (2) Reporting data annually to the board about the supply
16 of, and demand for, teachers in department schools,
17 including the identification of shortage areas, out-
18 of-field teaching assignments, numbers of teachers
19 teaching out-of-field, numbers and types of courses
20 and classes taught by out-of-field teachers, and



- 1 numbers and types of students taught by out-of-field
2 teachers;
- 3 (3) On an emergency and case-by-case basis, hiring
4 unlicensed individuals; provided that:
- 5 (A) A list of the names, work sites, teaching
6 assignments, and progress toward licensing of
7 these individuals shall be reported to the board
8 and any changes shall be updated on a monthly
9 basis by the department;
- 10 (B) There are no properly licensed teachers for the
11 specific assignments for which the individuals
12 are being hired; and
- 13 (C) No individual may be employed by the department
14 on an emergency basis for more than three years.
15 During this time, the individual shall
16 demonstrate active pursuit of licensing in each
17 year of employment;
- 18 (4) Submitting an annual report to the board documenting:
- 19 (A) The number of emergency hires in department
20 schools by subject matter areas and by school;



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- 1 (B) The reasons and duration of employment for the
- 2 emergency hiring enumerated in subparagraph (A);
- 3 (C) Individual progress toward licensing; and
- 4 (D) The department's efforts to address the shortages
- 5 described in subparagraph (A); and

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

8 2. By amending subsection (d) to read:

9 "(d) A charter school's powers and duties under this
10 subpart shall be limited to:

11 (1) Except in emergency situations or for vocational,
12 technical, or career pathway teacher positions as
13 described in this chapter, hiring licensed teachers to
14 teach in their fields of licensing;

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

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



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

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

9 (3) Providing any other information requested by the board
10 that is pertinent to the charter school's powers and
11 duties."

12 SECTION 5. Section 302A-808, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§302A-808 Penalty. Any person who engages in the
15 profession of teaching in a public school without first being
16 issued a license [æ]; hired on an emergency basis as defined in
17 this chapter; or hired as a vocational, technical, or career
18 pathway teacher pursuant to section 302A-801(d), shall be fined
19 not more than \$500. Any person who knowingly or intentionally
20 violates this subpart by employing an individual as a public
21 school teacher who does not possess a valid license [æ]; is not



1 a department of education or charter school emergency hire as
2 defined in this chapter; or is not hired as a vocational,
3 technical, or career pathway teacher pursuant to section
4 302A-801(d), may be fined not more than \$500. All fines shall
5 be deposited into the Hawaii teacher standards board special
6 fund."

PART III

8 SECTION 6. Section 302A-425, Hawaii Revised Statutes, is
9 amended by amending subsection (f) to read as follows:

10 "(f) Fees collected pursuant to this section shall be
11 deposited into the private trade, vocational, and technical
12 school [~~licensure~~] special fund."

13 SECTION 7. Section 302A-425.5, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~§~~302A-425.5~~]~~ Private trade, vocational, and
16 technical school [~~licensure~~] special fund. (a) There is
17 created in the state treasury a special fund to be designated as
18 the private trade, vocational, and technical school [~~licensure~~]
19 special fund into which shall be deposited:

- 20 (1) All revenues and fees collected by the department
21 pursuant to section 302A-425; [~~and~~]



1 (2) Appropriations from the general fund of the State~~[-]~~;

2 (3) Federal funds granted by Congress or executive order;

3 and

4 (4) Grants, donations, and contributions from private or

5 public sources.

6 (b) Moneys in the private trade, vocational, and technical

7 school [~~licensure~~] special fund shall be used [~~to fund~~

8 ~~activities~~] for the following purposes:

9 (1) Activities related to the licensure requirements

10 established under section 302A-425, including funding

11 for permanent staff positions and administrative and

12 operational costs~~[-]~~;

13 (2) Creating and maintaining vocational, technical, and

14 career pathway classes and programs;

15 (3) Funding the administrative costs, program fees,

16 equipment costs, and other costs for students enrolled

17 in career or technical courses pursuant to section

18 304A-803; and

19 (4) Any and all costs related to any vocational,

20 technical, and career pathway classes or programs,

21 including personnel, equipment, and facilities costs.



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1 SECTION 11. This Act shall take effect on July 1, 2019.

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Report Title:

DOE; Private Trade, Vocational, and Technical School Special Fund; Vocational, Trade, and Career Pathway Training; Appropriation

Description:

Authorizes teachers to instruct vocation, technical, or career pathway classes without possessing an applicable bachelor's degree. Expands the sources of moneys that may be deposited into the Private Trade, Vocational, and Technical School Special Fund, and the purposes for which the fund may be used.

Appropriates moneys.

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