

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.

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

1           SECTION 1. Section 302A-802, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§302A-802   Licensing and certification standards;  
4 policies. (a) The board shall establish licensing and  
5 certification standards that govern teacher licensing and  
6 certification in Hawaii. Licensing and certification standards  
7 established by the board shall be adopted as rules under chapter  
8 91 unless otherwise specified in this subpart.

9           (b) In the development of its standards, the board shall  
10 consider the existing teacher applicant pool that is available  
11 in the State and the level of the qualification of these  
12 applicants, as well as the nature and availability of existing  
13 preservice teacher training programs.

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,



1 technical, and career pathway programs, and criteria  
2 for the issuance of permits allowing qualified  
3 individuals to teach when recommended by the  
4 superintendent or the commission, when appropriate.  
5 The department or the commission, when appropriate,  
6 shall be responsible for the review and acceptance of  
7 the relevant licenses, certificates, or other  
8 qualifications related to an individual's vocational,  
9 technical, or career pathway education-related  
10 experience that the department or the commission, when  
11 appropriate, deems necessary for a permit. The  
12 department or the commission, when appropriate, shall  
13 have the authority to waive the requirement of a  
14 bachelor's degree to teach in a vocation, technical,  
15 or career pathway education program;

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



- 1           (3) Clarify the requirements, on a state-by-state basis,  
2                   for out-of-state licensed teachers to obtain a license  
3                   in Hawaii;
- 4           (4) Develop a plan to facilitate licensing for those who  
5                   intend to teach in Hawaii immersion programs, the  
6                   island of Niihau, or any other extraordinary situation  
7                   as defined by the superintendent or the  
8                   superintendent's designee, or by the commission, when  
9                   appropriate; [and]
- 10          (5) Pursue full teacher license reciprocity with all other  
11                   states [-]; and
- 12          (6) Develop a plan to facilitate a voluntary certification  
13                   for those who teach or intend to teach at private  
14                   schools."

15           SECTION 2. Section 302A-803, Hawaii Revised Statutes, is  
16 amended to read as follows:

17           "**§302A-803 Powers and duties of the board.** (a) In  
18 addition to establishing standards for the issuance and renewal  
19 of licenses and certificates and any other powers and duties  
20 authorized by law, the board's powers shall also include:

- 21           (1) Setting and administering its own budget;



- 1           (2) Adopting, amending, or repealing the rules of the  
2           board in accordance with chapter 91;
- 3           (3) Receiving grants or donations from private  
4           foundations, and state and federal funds;
- 5           (4) Submitting an annual report to the governor, the  
6           legislature, and the board of education on the board's  
7           operations and expenditures, and from the 2007-2008  
8           school year, submitting a summary report every five  
9           years of the board's accomplishment of objectives,  
10          efforts to improve or maintain teacher quality, and  
11          efforts to keep its operations responsive and  
12          efficient;
- 13          (5) Conducting a cyclical review of standards and  
14          suggesting revisions for their improvement;
- 15          (6) Establishing licensing and certification fees in  
16          accordance with chapter 91 and determining the manner  
17          by which fees are collected and subsequently deposited  
18          into the state treasury and credited to the general  
19          fund;
- 20          (7) Establishing penalties in accordance with chapter 91;



- 1           (8) Issuing, renewing, forfeiting, restoring,  
2                   conditioning, revoking, suspending, and reinstating  
3                   licenses and certificates;
- 4           (9) Developing criteria for a full career and technical  
5                   education license, limited to career and technical  
6                   education teaching assignments, allowing qualified  
7                   individuals with at least an associate's degree,  
8                   coursework, industry experience, and content expertise  
9                   to teach;
- 10          (10) Reviewing reports from the department and commission  
11                   on individuals hired on an emergency basis;
- 12          (11) Applying licensing and certification standards on a  
13                   case-by-case basis and conducting licensing and  
14                   certification evaluations;
- 15          (12) Preparing and disseminating teacher licensing and  
16                   certification information to schools and operational  
17                   personnel;
- 18          (13) Approving teacher preparation programs;
- 19          (14) Establishing policies and procedures for approving  
20                   alternative pathways to teaching;



1 (15) Administering reciprocity agreements with other states  
2 relative to licensing;

3 (16) Conducting research and development on teacher  
4 licensure systems, beginning teacher programs, the  
5 assessment of teaching skills, and other related  
6 topics;

7 (17) Participating in efforts relating to teacher quality  
8 issues, professional development related to the  
9 board's standards, and promotion of high teacher  
10 standards and accomplished teaching;

11 (18) Adopting applicable rules and procedures; [~~and~~]

12 (19) Adopting, amending, repealing, or suspending the  
13 policies and standards of the board[~~-~~]; and

14 (20) Issuing and renewing a voluntary certificate for those  
15 who teach or intend to teach at private schools.

16 (b) If, in accordance with chapter 92, the board  
17 determines, on a case-by-case basis, that extenuating  
18 circumstances exist to justify the suspension, the board may  
19 temporarily suspend its rules, or any portion thereof. The  
20 board shall establish, in accordance with chapter 91, procedures  
21 for the suspension of its rules. When determining whether to



1 suspend its rules, the board shall also establish the length of  
2 time for which the suspension shall be in effect.

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

6 (d) The board may delegate to its executive director, or  
7 other designee, any of its powers and duties as it deems  
8 reasonable and proper; provided that the delegation of powers  
9 and duties by the board shall be made in accordance with  
10 procedures set forth in this subsection. The board shall not  
11 delegate its discretionary functions resulting in a final  
12 decision in:

- 13 (1) Adopting, amending, or repealing rules;
- 14 (2) Ordering disciplinary action against a licensee,  
15 including license revocation or suspension, or the  
16 imposition of conditions or fines; provided that  
17 summary suspensions may be delegated; or
- 18 (3) Denying permits [~~or~~], licenses, or certificates,  
19 including license and certificate renewals and  
20 reinstatements, or otherwise conditioning permits  
21 [~~or~~], licenses, or certificates unless the denying, or






1 otherwise conditioning of a permit [ø], license, or  
 2 certificate does not require the exercise of the  
 3 board's expertise and discretion.


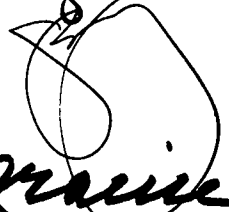

4 To delegate authority, the concurrence of a majority of the  
 5 members to which the board is entitled shall be necessary for  
 6 any action taken by the board to be valid. The board shall  
 7 conduct its meetings to delegate powers and duties to its  
 8 executive director, or other designee, in accordance with  
 9 chapters 91 and 92."

10 SECTION 3. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.  
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INTRODUCED BY:

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# S.B. NO. 226Z

**Report Title:**

Hawaii Teacher Standards Board; Powers and Duties; Certificates;  
Independent Schools

**Description:**

Amends the powers and duties of the Hawaii Teacher Standards Board to authorize the issuance of certificates for teachers at independent schools.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

