
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that some teachers who
2 face severe allegations, such as sexual harassment of a student,
3 exploit the existing education system by resigning or retiring
4 before they can be formally terminated. This practice not only
5 obstructs the pursuit of justice but also allows these teachers
6 to potentially continue their careers in other states or private
7 schools without any consequences. Requiring teachers who have
8 resigned or retired in lieu of termination during the pendency
9 of the investigation to have their teaching license revoked is
10 imperative to address a critical issue within the State's
11 education system.

12 The legislature recognizes that it is essential to rectify
13 this dangerous loophole. It is unacceptable for teachers
14 accused of serious misconduct to evade accountability by
15 relocating to different jurisdictions or institutions.
16 Requiring the revocation of these teachers' teaching licenses
17 ensures that their names are added to the National Association



1 of State Directors of Teacher Education and Certification
2 database, which maintains an interstate agreement with the
3 Hawaii teacher standards board. This, in turn, will ensure that
4 potential employers are aware of the unlicensed status of these
5 teachers, making it significantly more challenging for these
6 teachers to secure employment in any educational setting. This
7 Act is a necessary step to preserve the integrity of the
8 teaching profession and protect students from potential harm,
9 and thus uphold ethical standards and accountability within the
10 education system.

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

13 "**§302A-602 Teachers; licenses and certificates.** (a) No
14 person shall serve as a teacher in the department without first
15 having obtained a license from the Hawaii teacher standards
16 board in [~~such~~] the form as the Hawaii teacher standards board
17 determines. The department shall establish types of
18 certificates in the educational field and the requirements to
19 qualify for those certificates issued to individuals who are not
20 required to obtain a license pursuant to sections 302A-801 to
21 302A-808.



1 (b) Beginning with the 2002-2003 school year, no person
2 paid under the salary schedule contained in the unit 5
3 collective bargaining agreement shall serve as a teacher in the
4 department without first having obtained a license pursuant to
5 sections 302A-801 to 302A-808 from the Hawaii teacher standards
6 board in [~~such~~] the form as the Hawaii teacher standards board
7 determines.

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

11 (d) Any person paid under the salary schedule contained in
12 the unit 5 collective bargaining agreement shall have the
13 person's license revoked by the Hawaii teacher standards board
14 if the person resigns or retires during the pendency of any
15 investigation into allegations of sexual assault, sexual
16 harassment, or other physical abuse of a student, including
17 criminal and workplace investigations.

18 (e) Any individual who retires or resigns from teaching
19 before the completion of any investigation into allegations of
20 sexual assault, sexual harassment, or other physical abuse of a
21 student, shall surrender their Hawaii teaching license and the



1 Hawaii teacher standards board shall report the surrender to the
2 National Association of State Directors of Teacher Education and
3 Certification."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Department of Education; HTSB; License Revocation

Description:

Requires that licensed teachers have their license revoked by the Hawaii Teacher Standards Board if the teacher is resigning or retiring during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student. Requires a licensed teacher to surrender their license if the teacher retires or resigns from teaching before the completion of an investigation. Requires the Hawaii Teacher Standards Board to report the surrendered license to the National Association of State Directors of Teacher Education and Certification. (SD1)

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