
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 facing
2 serious 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 after a completed
5 investigation. This practice not only obstructs the pursuit of
6 justice but also allows these teachers to potentially continue
7 their careers in other states or private schools without any
8 consequences. Requiring teachers who have resigned or retired
9 in lieu of termination during the pendency of the investigation
10 to have their teaching license revoked is imperative to address
11 a critical issue within the State's 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 The purpose of this Act is to require that licensed
12 teachers have their license revoked by the Hawaii teachers
13 standards board if the teacher resigned or retired during the
14 pendency of any investigation into allegations of sexual
15 assault, sexual harassment, or other physical abuse of a
16 student.

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

19 **"§302A-602 Teachers; licenses and certificates.** (a) No
20 person shall serve as a teacher in the department without first
21 having obtained a license from the Hawaii teacher standards



1 board in such form as the Hawaii teacher standards board
2 determines. The department shall establish types of
3 certificates in the educational field and the requirements to
4 qualify for those certificates issued to individuals who are not
5 required to obtain a license pursuant to sections 302A-801 to
6 302A-808.

7 (b) Beginning with the 2002-2003 school year, no person
8 paid under the salary schedule contained in the unit 5
9 collective bargaining agreement shall serve as a teacher in the
10 department without first having obtained a license pursuant to
11 sections 302A-801 to 302A-808 from the Hawaii teacher standards
12 board in such form as the Hawaii teacher standards board
13 determines.

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

17 (d) Any person paid under the salary schedule contained in
18 the unit 5 collective bargaining agreement shall have the
19 person's license revoked by the Hawaii teacher standards board
20 if the person resigns or retires during the pendency of any
21 investigation into allegations of sexual assault, sexual



1 harassment, or other physical abuse of a student, including
2 criminal and workplace investigations."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Department of Education; Hawaii Teacher Standards Board; License Revocation

Description:

Requires that licensed teachers have their license revoked by the Hawaii Teachers Standards Board if the teacher resigned or retired during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student. Effective 7/1/3000. (HD1)

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

