

JAN 19 2023

A BILL FOR AN ACT

RELATING TO CAREER AND TECHNICAL EDUCATION.

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

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

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



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

11 The legislature recognizes that trade jobs are a growing
12 area of opportunity for high school graduates. According to the
13 United States Department of Labor, there were 6,600,000 trade
14 job openings in early 2018, with the number of openings expected
15 to outpace the number of available employees in the near future.
16 Moreover, the United States Department of Education reports that
17 there will soon be sixty-eight per cent more job openings in
18 infrastructure-related fields than there are people trained to
19 fill them. Some states already have more job vacancies than
20 qualified workers for certain trade jobs, including but not
21 limited to carpentry, electrical, plumbing, sheet-metal work,



1 and pipe-fitting. Additionally, the United States Bureau of
2 Labor Statistics projects that by 2031, the construction,
3 healthcare support, and personal care and service sectors will
4 grow by a combined 24.4 per cent.

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

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

21 Accordingly, the purpose of this Act is to:



- 1 (1) Require the department of education to hire
2 individuals to teach vocational, technical, or career
3 pathway classes; and
- 4 (2) Authorize department of education teachers to instruct
5 vocation, technical, or career pathway classes without
6 possessing an applicable bachelor's degree.

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

9 "**§302A-602 Teachers; licenses and certificates.** (a) No
10 person shall serve as a teacher in the department without first
11 having obtained a license from the Hawaii teacher standards
12 board in [~~such~~] a form as the Hawaii teacher standards board
13 determines. The department shall establish types of
14 certificates in the educational field and the requirements to
15 qualify for those certificates issued to individuals who are not
16 required to obtain a license pursuant to sections 302A-801 to
17 302A-808.

18 (b) Beginning with the 2002-2003 school year, no person
19 paid under the salary schedule contained in the unit 5
20 collective bargaining agreement shall serve as a teacher in the
21 department without first having obtained a license pursuant to



1 sections 302A-801 to 302A-808 from the Hawaii teacher standards
2 board in such form as the Hawaii teacher standards board
3 determines.

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

7 (d) Beginning with the 2023-2024 school year, the department
8 shall employ individuals as vocational, technical, or career
9 pathway teachers in accordance with section 302A-802(c)(1)."

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

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

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



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

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

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

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



- 1 superintendent's designee, or by the commission, when
2 appropriate;
- 3 (5) Pursue full teacher license reciprocity with all other
4 states; and
- 5 (6) Develop a plan to facilitate an optional certification
6 for those who teach or intend to teach at private
7 schools."

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

- 10 1. By amending subsection (b) to read:
- 11 "(b) The department's powers and duties under this subpart
12 shall be limited to:
- 13 (1) Hiring, except in emergency situations or for
14 vocational, technical, or career pathway teacher
15 positions as described in this chapter, licensed
16 teachers to teach in their fields of licensing;
- 17 (2) Reporting data annually to the board about the supply
18 of, and demand for, teachers in department schools,
19 including the identification of shortage areas,
20 out-of-field teaching assignments, number of
21 classrooms without a licensed teacher for a quarter or



1 more, numbers of teachers teaching out-of-field,
2 numbers and types of courses and classes taught by
3 out-of-field teachers, and numbers and types of
4 students taught by out-of-field teachers;

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

7 (A) A list of the names, work sites, teaching
8 assignments, and progress toward licensing of
9 these individuals shall be reported to the board
10 and any changes shall be updated on a monthly
11 basis by the department;

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

15 (C) No individual may be employed by the department
16 on an emergency basis for more than three years;
17 provided that in the case of a declaration of a
18 state of emergency pursuant to section 127A-14,
19 the board, pursuant to its powers in section
20 302A-803(a) (18), may extend the three-year period
21 by authorizing an extension to complete licensing



1 requirements. During this time, the individual
2 shall demonstrate active pursuit of licensing in
3 each year of employment;

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

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

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

10 (C) The department's efforts to address the shortages
11 described in subparagraph (A); and

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

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

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

17 (1) Except in emergency situations or for vocational,
18 technical, or career pathway teacher positions as
19 described in this chapter, hiring licensed teachers to
20 teach in their fields of licensing;



- 1 (2) On an emergency and case-by-case basis, hiring
2 unlicensed individuals; provided that:
- 3 (A) A list of the names, work sites, teaching
4 assignments, and progress toward licensing of
5 these individuals shall be reported to the board
6 and any changes shall be updated on a monthly
7 basis by the charter schools;
- 8 (B) There are no properly licensed teachers for the
9 specific assignments for which the individuals
10 are being hired; and
- 11 (C) No individual may be employed by the charter
12 school on an emergency basis for more than three
13 years; provided that in the case of a declaration
14 of a state of emergency pursuant to
15 section 127A-14, the board, pursuant to its
16 powers in section 302A-803(a)(18), may extend the
17 three-year period by authorizing an extension to
18 complete licensing requirements. During this
19 time, the individual shall demonstrate active
20 pursuit of licensing in each year of employment;
- 21 (3) Submitting an annual report to the board documenting:



- 1 (A) The number of emergency hires in the charter
- 2 school by subject matter areas;
- 3 (B) The reasons and duration of employment for the
- 4 emergency hiring enumerated in subparagraph (A);
- 5 (C) The number of classrooms without a licensed
- 6 teacher for a quarter or more;
- 7 (D) The number and type of courses and classes taught
- 8 by out-of-field teachers; and
- 9 (E) The number and type of students taught by
- 10 out-of-field teachers; and
- 11 (4) Providing any other information requested by the board
- 12 that is pertinent to the charter school's powers and
- 13 duties."

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

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



1 violates this subpart by employing an individual as a public
2 school teacher who does not possess a valid license or is not a
3 department of education or charter school emergency hire as
4 defined in this chapter; or is not hired as a vocational,
5 technical, or career pathway teacher pursuant to section
6 302A-801(d), may be fined not more than \$500. All fines shall
7 be deposited into the general fund."

8 SECTION 6. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 7. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 8. This Act shall take effect on July 1, 2023.

14
INTRODUCED BY: *Kurt Faella*



S.B. NO. 260

Report Title:

DOE; Vocational, Trade, and Career Pathway Training

Description:

Requires the Department of Education to employ individuals as vocational, technical, or career pathway teachers. Authorizes Department of Education teachers to instruct vocation, technical, or career pathway classes without possessing an applicable bachelor's degree.

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

