
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. In 2001, the twenty-first legislature
2 transferred the responsibility for licensing teachers from the
3 department of education to the Hawaii teacher standards board.
4 This was based on the recommendations made by the Hawaii Policy
5 Group of the National Commission on Teaching and America's
6 Future, a national organization with twenty-three partner
7 states, including Hawaii. By authorizing the board to assume
8 responsibility for teacher licensing, the legislature sought to
9 strengthen the teaching profession making it self-governing and
10 accountable for who becomes and remains licensed to teach in
11 Hawaii. Like its professional counterparts, the board of
12 medical examiners for doctors and the Hawaii State Bar
13 Association for lawyers, the Hawaii teacher standards board was
14 authorized to issue, renew, revoke, suspend, and reinstate
15 licenses for individuals desiring to teach in our State.

16 Over the past four years, the Hawaii teacher standards
17 board has carried out its licensing responsibilities as
18 described by law and in doing so has learned that powers and



1 duties that appeared to be enumerated in statute seem to now
2 require clarification. Specifically, the power to suspend its
3 policies, rules, and standards needs to be further described and
4 allowing this to occur in accordance with chapter 92, Hawaii
5 Revised Statutes, will help to expedite the board's ability to
6 perform its duties.

7 The purpose of this Act is to authorize the Hawaii teacher
8 standards board to suspend its policies, rules, and standards
9 when extenuating circumstances require it to do so. The purpose
10 of this Act is also to enable the board to amend certain fees
11 and set or amend other charges related to the performance of its
12 duties. Both purposes shall be met in accordance with chapter
13 92, Hawaii Revised Statutes.

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

16 **"§302A-803 Powers and duties of the board. (a)** In
17 addition to establishing standards for the issuance and renewal
18 of licenses and any other powers and duties authorized by law,
19 the board's powers shall also include:

20 (1) Setting and administering its own budget;



- 1 (2) Adopting, amending, or repealing, [~~or suspending the~~
2 policies, standards, or] rules of the board in
3 accordance with chapter 91;
- 4 (3) Receiving grants or donations from private
5 foundations, and state and federal funds;
- 6 (4) Submitting an annual report to the governor and the
7 legislature on the board's operations and from the
8 2007-2008 school year, submitting a summary report
9 every five years of the board's accomplishment of
10 objectives, efforts to improve or maintain teacher
11 quality, and efforts to keep its operations responsive
12 and efficient;
- 13 (5) Conducting a cyclical review of standards and
14 suggesting revisions for their improvement;
- 15 (6) Establishing licensing fees in accordance with chapter
16 91, including the collection of fees by means of
17 mandatory payroll deductions, which shall subsequently
18 be deposited into the state treasury and credited to
19 the Hawaii teacher standards board special fund;
- 20 (7) Establishing penalties in accordance with chapter 91;
- 21 (8) Issuing, renewing, revoking, suspending, and
22 reinstating licenses;



- 1 (9) Reviewing reports from the department on individuals
- 2 hired on an emergency basis;
- 3 (10) Applying licensing standards on a case-by-case basis
- 4 and conducting licensing evaluations;
- 5 (11) Preparing and disseminating teacher licensing
- 6 information to schools and operational personnel;
- 7 (12) Approving teacher preparation programs;
- 8 (13) Administering reciprocity agreements with other states
- 9 relative to licensing;
- 10 (14) Conducting research and development on teacher
- 11 licensure systems, beginning teacher programs, the
- 12 assessment of teaching skills, and other related
- 13 topics;
- 14 (15) Participating in efforts relating to teacher quality
- 15 issues, conducting professional development related to
- 16 the board's standards, and promotion of high teacher
- 17 standards and accomplished teaching; and
- 18 (16) Adopting applicable rules and procedures.

19 (b) If, in accordance with chapter 92, the board
20 determines that extenuating circumstances exist, the board may
21 temporarily suspend its rules or any portion thereof. The board
22 shall establish, in accordance with chapter 91, procedures for



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

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

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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JAN 17 2007



Report Title:

Hawaii Teacher Standards Board; Extenuating Circumstances

Description:

Authorizes the teacher standards board to suspend its policies, rules, and standards when extenuating circumstances require.

