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# 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 by making it self-governing  
10 and accountable for those who become and remain licensed to  
11 teach in Hawaii. Like its professional counterparts, the board  
12 of 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 rules need to be further described and allowing this to occur  
4 will help to expedite the board's ability to perform its duties.

5 The purpose of this Act is to authorize the Hawaii teacher  
6 standards board to:

- 7 (1) Suspend its rules when extenuating circumstances  
8 require it to do so; and  
9 (2) Amend certain fees and set or amend other charges  
10 related to the performance of its duties.

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

13 **"§302A-803 Powers and duties of the board. (a)** In  
14 addition to establishing standards for the issuance and renewal  
15 of licenses and any other powers and duties authorized by law,  
16 the board's powers shall also include:

- 17 (1) Setting and administering its own budget;  
18 (2) Adopting, amending, or repealing[~~, or suspending the~~  
19 ~~policies, standards, or~~] rules of the board in  
20 accordance with chapter 91;  
21 (3) Receiving grants or donations from private  
22 foundations, and state and federal funds;



- 1           (4) Submitting an annual report to the governor and the  
2           legislature on the board's operations and from the  
3           2007-2008 school year, submitting a summary report  
4           every five years of the board's accomplishment of  
5           objectives, efforts to improve or maintain teacher  
6           quality, and efforts to keep its operations responsive  
7           and efficient;
- 8           (5) Conducting a cyclical review of standards and  
9           suggesting revisions for their improvement;
- 10          (6) Establishing licensing fees in accordance with chapter  
11          91, including the collection of fees by means of  
12          mandatory payroll deductions, which shall subsequently  
13          be deposited into the state treasury and credited to  
14          the Hawaii teacher standards board special fund;
- 15          (7) Establishing penalties in accordance with chapter 91;
- 16          (8) Issuing, renewing, revoking, suspending, and  
17          reinstating licenses;
- 18          (9) Reviewing reports from the department on individuals  
19          hired on an emergency basis;
- 20          (10) Applying licensing standards on a case-by-case basis  
21          and conducting licensing evaluations;



- 1 (11) Preparing and disseminating teacher licensing  
2 information to schools and operational personnel;
- 3 (12) Approving teacher preparation programs;
- 4 (13) Administering reciprocity agreements with other states  
5 relative to licensing;
- 6 (14) Conducting research and development on teacher  
7 licensure systems, beginning teacher programs, the  
8 assessment of teaching skills, and other related  
9 topics;
- 10 (15) Participating in efforts relating to teacher quality  
11 issues, conducting professional development related to  
12 the board's standards, and promotion of high teacher  
13 standards and accomplished teaching; and
- 14 (16) Adopting applicable rules and procedures.
- 15 (b) If the board determines that extenuating circumstances  
16 exist, the board may temporarily suspend its rules or any  
17 portion thereof. The board shall establish, in accordance with  
18 chapter 91, procedures for suspension of its rules. When  
19 determining to suspend its rules, the board shall also establish  
20 the length of time for which the suspension shall be in effect.



1        (c) The board may also amend licensing-related fees and  
2 set or amend other charges related to the performance of its  
3 duties."

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 on January 1, 2112.



**Report Title:**

Hawaii Teacher Standards Board; Extenuating Circumstances

**Description:**

Authorizes the Hawaii Teacher Standards Board to suspend its rules when extenuating circumstances require. (HB18 HD1)

