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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. The legislature finds that it is important for  
2 the State's schools to have enough teachers to create a stable  
3 and qualified teaching workforce that can maintain educational  
4 quality and improve academic outcomes for students across the  
5 State.

6           The legislature further finds that employing unlicensed  
7 individuals as teachers on an emergency basis offers a critical  
8 mechanism for schools to ensure every classroom, from  
9 kindergarten through grade twelve, is staffed by a dedicated  
10 educator. The existing emergency hiring policy was designed to  
11 address the ongoing chronic teacher shortage by allowing schools  
12 to utilize qualified individuals from diverse professional  
13 backgrounds and locations while those individuals work to attain  
14 teaching credentials.

15           To continue as educators on a non-emergency basis,  
16 prospective teachers must complete the appropriate undergraduate  
17 coursework, standardized tests, an accredited certification



1 program, fieldwork, and successful teaching evaluations to earn  
2 their teaching credentials in the State within three years. The  
3 legislature recognizes, however, that many prospective teachers  
4 are not able to complete these requirements within the existing  
5 timeline. Completing a licensure program, which often includes  
6 student teaching and rigorous exams, while managing a full-time  
7 classroom workload is incredibly difficult. Under existing law,  
8 a teacher who is performing well in the classroom but has not  
9 completed each licensure requirement by the end of the third  
10 year as an emergency hire will be let go and replaced with a  
11 new, untrained recruit.

12 The legislature therefore finds that extending the term to  
13 five years for an unlicensed individual to be employed on an  
14 emergency basis while earning their teaching credentials will  
15 acknowledge the difficulty of the teachers' dual workloads and  
16 reduce the turnover of new teachers who are close to completing  
17 licensure requirements but need more time. Extending the  
18 emergency hiring timeline will also allow the education system  
19 to capitalize on the valuable experience an emergency hire has  
20 gained and circumvent the difficulties associated with vacant  
21 positions and employing a replacement as a long-term substitute



1 or new hire. Furthermore, allowing for more time to complete a  
2 licensure program can help retain those teachers who are  
3 passionate about education but need additional time to attain  
4 licensure.

5 The legislature also finds that the current three-year  
6 timeline often hinders the ability of schools to maintain long-  
7 term classroom stability through consistent, uninterrupted  
8 instruction; foster stronger connections between educators,  
9 students, and the community; and provide ample time to allow  
10 emergency hires to complete the path to becoming licensed  
11 teachers. Granting emergency hires an additional two years to  
12 teach would provide for five years of continuous instruction at  
13 the same school. This extended term would facilitate stronger  
14 relationships within the school community, particularly by  
15 affording educators better opportunities to support struggling  
16 students. Additionally, studies indicate that teacher  
17 effectiveness significantly improves with experience and that  
18 teachers require up to five years to reach peak effectiveness.  
19 Forcing emergency hires to exit the classroom after only three  
20 years creates unnecessary disruption to student progress and a



1 loss of valuable skill sets developed through on-the-job  
2 experience.

3 The legislature further finds that the J-1 visa program has  
4 been a resounding success, but the State's existing licensure  
5 rules limit the full potential of prospective international  
6 teachers participating in the J-1 visa program.

7 Accordingly, the purpose of this Act is to:

- 8 (1) Require the Hawaii teacher standards board to develop  
9 an alternative pathway for a visiting international  
10 educator permit aligned to the duration of the  
11 educator's J-1 visa program;
- 12 (2) Allow the department of education and charter schools  
13 to employ unlicensed individuals on an emergency basis  
14 for up to five years;
- 15 (3) Require the Hawaii teacher standards board to extend  
16 the five-year limitation in the case of a declared  
17 state of emergency; and
- 18 (4) Require the department of education to provide support  
19 to assist emergency hire teachers in meeting the  
20 requirements of licensure and require the training to  
21 be mandatory for certain emergency hire teachers.



1 SECTION 2. Section 302A-802, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) The board shall adopt policies, exempt from chapters  
4 91 and 92, to initiate the following:

5 (1) Develop criteria allowing more individuals with trade  
6 or industry experience to teach in vocational,  
7 technical, and career pathway programs, and criteria  
8 for the issuance of permits allowing qualified  
9 individuals to teach when recommended by the  
10 superintendent or the commission, when appropriate.  
11 The department or the commission, when appropriate,  
12 shall be responsible for the review and acceptance of  
13 the relevant licenses, certificates, or other  
14 qualifications related to an individual's vocational,  
15 technical, or career pathway education-related  
16 experience that the department or the commission, when  
17 appropriate, deems necessary for a permit. The  
18 department or the commission, when appropriate, shall  
19 have the authority to waive the requirement of a  
20 bachelor's degree to teach in a vocation, technical,  
21 or career pathway education program;



- 1           (2) Develop a plan to accept teachers from any state as  
2           long as they have completed state-approved teacher  
3           education programs and pass relevant Hawaii teacher  
4           examinations or their equivalent;
- 5           (3) Clarify the requirements, on a state-by-state basis,  
6           for out-of-state licensed teachers to obtain a license  
7           in Hawaii;
- 8           (4) Develop a plan to facilitate licensing for those who  
9           intend to teach in Hawaii immersion programs, the  
10          island of Niihau, or any other extraordinary situation  
11          as defined by the superintendent or the  
12          superintendent's designee, or by the commission, when  
13          appropriate;
- 14          (5) Pursue full teacher license reciprocity with all other  
15          states; [~~and~~]
- 16          (6) Develop a plan to facilitate an optional certification  
17          for those who teach or intend to teach at private  
18          schools[~~-~~]; and
- 19          (7) Develop an alternative pathway for a visiting  
20          international educator permit to promote cultural  
21          exchange between the State and foreign nations. The



1           permit shall authorize a visiting international  
2           educator who agrees to come to the United States  
3           temporarily as a full-time teacher of record in an  
4           accredited primary or secondary school to teach all  
5           subjects and grade levels for which the educator is  
6           qualified and is employed by the department. A  
7           visiting international educator permit developed by  
8           the department shall remain valid for the duration  
9           necessary to complete the educator's participation in  
10           a visiting international educator exchange program."

11           SECTION 3. Section 302A-804, Hawaii Revised Statutes, is  
12 amended as follows:

13           1. By amending subsection (b) to read:

14           "(b) The department's powers and duties under this subpart  
15 shall be limited to:

16           (1) Hiring, except in emergency situations as described in  
17 this chapter, licensed teachers to teach in their  
18 fields of licensing;

19           (2) Reporting data annually to the board about the supply  
20 of, and demand for, teachers in department schools,  
21 including the identification of shortage areas,



1 out-of-field teaching assignments, number of  
2 classrooms without a licensed teacher for a quarter or  
3 more, numbers of teachers teaching out-of-field,  
4 numbers and types of courses and classes taught by  
5 out-of-field teachers, and numbers and types of  
6 students taught by out-of-field teachers;

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

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

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

17 (C) No individual [~~may~~] shall be employed by the  
18 department on an emergency basis for more than  
19 [~~three~~] five years; provided that in the case of  
20 a declaration of a state of emergency pursuant to  
21 section 127A-14, the board, pursuant to its



1 powers in section 302A-803(a)(18), [~~may~~] shall  
2 extend the [~~three-year~~] five-year period by  
3 authorizing an extension to complete licensing  
4 requirements. During this time, the individual  
5 shall demonstrate active pursuit of licensing in  
6 each year of employment;

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

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

10 (B) The reasons and duration of employment for the  
11 emergency hiring enumerated in subparagraph (A);  
12 and

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

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

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

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



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

5 (A) The number of emergency hires in the charter  
6 school by subject matter areas;

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

9 (C) The number of classrooms without a licensed  
10 teacher for a quarter or more;

11 (D) The number and type of courses and classes taught  
12 by out-of-field teachers; and

13 (E) The number and type of students taught by out-of-  
14 field teachers; and

15 (4) Providing any other information requested by the board  
16 that is pertinent to the charter school's powers and  
17 duties."

18 SECTION 4. (a) The department of education shall provide  
19 support to assist emergency hires in meeting requirements of  
20 teacher licensure. The support under this section shall be



1 mandatory for an emergency hire in the individual's fourth and  
2 fifth years as an emergency hire.

3 (b) This section shall apply to all persons employed or  
4 hired as an emergency hire by the department of education after  
5 the effective date of this Act.

6 (c) For the purposes of this section, "emergency hire"  
7 means a person hired by the department of education pursuant to  
8 its authority under section 302A-804(b)(3), Hawaii Revised  
9 Statutes.

10 SECTION 5. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on July 31, 2055;  
13 provided that on June 30, 2031, this Act shall be repealed and  
14 section 302A-804, Hawaii Revised Statutes, shall be reenacted in  
15 the form in which it read on the day prior to the effective date  
16 of this Act.



**Report Title:**

DOE; HTSB; Charter Schools; Visiting International Educator Permit; Emergency Hires; Rules; Support

**Description:**

Requires the Hawaii Teacher Standards Board to develop an alternative pathway for a visiting international educator permit aligned to the duration of the educator's J-1 visa program. Permits the Department of Education and charter schools to hire unlicensed individuals as teachers on an emergency basis for five, rather than three, years. Requires HTSB to extend the five-year period in the case of a declared state of emergency. Requires the Department of Education to provide support to assist emergency hires in meeting the requirements of licensure and require the training be mandatory for emergency hires in their fourth and fifth years. Effective 7/31/2055. (SD1)

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

