

**ACT 286**

H.B. NO. 1862

A Bill for an Act Relating to Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Research indicates that teacher quality is one of the most influential factors in student achievement. Standards-based reform has a greater chance of success when teacher quality is addressed. In an effort to provide quality education for its students, the department of education continues to recruit highly-qualified teachers within the State of Hawaii and from the continental United States. However, as more “baby-boom” teachers in Hawaii and across the nation retire, the task of recruiting highly-qualified teachers is becoming more challenging each year. Consequently, finding sufficient numbers of highly-qualified teachers for shortage

areas is becoming more difficult, and teacher shortages are only expected to grow as more “baby-boom” teachers retire through the remainder of the decade.

SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows:

**“§302A- Rehiring of retired teachers and administrators to fill certain positions; authorized.** (a) Beginning July 1, 2006, the department of education and charter schools may employ for positions up to one hundred per cent full-time equivalency:

- (1) Retired teachers to teach in teacher shortage areas identified by the department of education and charter schools and to serve as mentors for new classroom teachers; and
- (2) Retired administrators to teach or administer in teacher shortage areas identified by the department of education and charter schools and to serve as mentors for new classroom teachers,

with the prior approval of the superintendent of education or the local school board of each charter school and pursuant to collective bargaining agreements; provided that the department shall contribute thirteen and three-quarters per cent of the rehired employee’s compensation to the pension accumulation fund.

(b) Sections 88-21, 88-42.5, 88-43, 88-45, 88-46, 88-325, and 88-326, and any other law to the contrary notwithstanding, a teacher or administrator retired from the department of education or a charter school who is rehired under this section shall not earn retirement service credit, contribute to the retirement system, or gain additional retirement system benefits as a result of the teacher or administrator’s employment; provided that the retired teacher or administrator shall continue to be entitled to the teacher or administrator’s regular retirement benefits without penalty.

(c) To qualify for full-time rehiring under this section, the person shall have been retired for at least one calendar year prior to reemployment.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect on July 1, 2006, and shall be repealed on June 30, 2011.

(Approved July 7, 2006.)

**Note**

1. Edited pursuant to HRS §23G-16.5.