

Suggested revisions highlighted in YELLOW, reviewed on 1/20/17, are from a joint meeting with the DOE Office of Human Resources representatives. Second review on 4/7/2017 from HTSB staff recommendations. Third review on 9/8/2017 from HTSB staff recommendations.

Suggested revisions highlighted in GREEN, reviewed on 1/20/2017, are from the reconvening of the Hawaiian Workgroup. Second review on 4/7/2017.

Suggested revisions highlighted in BLUE are operational recommendations and do not change the intent of the rules.

No suggested revisions from meeting with HSTA's liaison on 3/6/17.

Suggested revisions highlighted in grey from meeting with Hawaii EPP on 3/9/17.

Suggested revisions highlighted in purple from meeting with Hawaii Charter School Network on 6/26/2017.

DEPARTMENT OF EDUCATION

Amendment and Compilation of Chapter 8-54

"HAWAII ADMINISTRATIVE RULES"

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 2

EDUCATION

PART I

PUBLIC SCHOOLS

CHAPTER 54

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SUBCHAPTER 1

GENERAL PROVISIONS

§8-54-1 Statement of purpose. (a) All of Hawaii's public school children deserve to be taught by teachers who are qualified to practice the profession of teaching. The provision of quality education for all public school children is a critical function of state government. The highest standards must be applied to the training of teachers, the screening of applicants for employment and the continued employment of teachers. Teacher standards strengthen the school system's accountability to the public by ensuring that qualified teachers are employed in the public school system.

(b) The purpose of this chapter is to set the standards by which public school teachers shall be licensed and relicensed. These standards shall be established by the Hawaii teacher standards board. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; am and comp 10/27/11; am and comp 10/30/14] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§8-54-1.1 Authority. The Hawaii teacher standards board shall administer the licensing and relicensing process in accordance with applicable provisions in chapter 302A, Hawai'i Revised Statutes, and the standards provided in this chapter. No person paid under the salary schedule contained in the unit 05 collective bargaining agreement shall serve as a teacher in the department or a charter school without first having obtained a license or permit from the board in such form as the board determines. The superintendent of the department of education and charter school administrator shall administer the emergency hire process in accordance with applicable provisions in sections 302A-801-808, Hawai'i Revised Statutes and the standards provided in this chapter.

40 [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp
41 8/13/04; am and comp 10/27/11;
42 am and ren §8-54-1.1 10/30/14] (Auth: HRS §302A-803)
43 (Imp: HRS §§302A-801 to -808)
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45 **§8-54-2** Repealed [R 10/30/14]
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47 **§8-54-2.1 Applicability.** Any action relating to
48 the screening and hiring of teacher applicants by the
49 department or charter schools shall be in accordance
50 with the standards provided in this chapter. All
51 licenses and permits issued by the board shall be
52 renewable provided the licensee or permittee continues
53 to satisfy the board's standards and the renewal
54 requirements. [Eff 6/13/97; comp 7/18/98; comp
55 12/20/01; am and comp 8/13/04; am and comp 10/27/11;
56 am and ren §8-54-2.1 10/30/14] (Auth: HRS §302A-805)
57 (Imp: HRS §§302A-801 to -808)
58

59 **§8-54-2.2 Delegation of Powers.** (a) The board
60 delegates authority to the Executive Director to
61 complete the actions set forth in subsections (b) and
62 (c). All delegated actions will be presented to the
63 Board at their next regularly scheduled meeting.

64 (b) The Executive Director is authorized to
65 grant initial licenses, added fields and permits when
66 the following criteria have been met:

67 (1) All forms, tests and documentation for
68 meeting licensing and permit requirements
69 have been submitted by the applicant and
70 received by the board's office;

71 (2) Forms and documentation are complete;

72 (3) There are no professional fitness issues;
73 and

74 (4) All fees have been paid.

75 (c) The Executive Director is further authorized
76 to grant license and permit renewals when the
77 following criteria have been met:

78 (1) All forms and documentation for meeting
79 renewal requirements have been submitted by
80 the applicant and received by the board's
81 office;

- 82 (2) Forms and documentation are complete;
83 (3) There are no professional fitness issues;
84 and
85 (4) All fees have been paid. [Eff 10/27/11; am and
86 ren §8.54-2.2 10/30/14] (Auth: HRS §302A-803)
87 (Imp: HRS §§302A-801 to -808)
88

89 **§8-54-2.3 Electronic capture of documents.**

90 Electronic records of the Board as may be certified by
91 the custodian of records, shall constitute the
92 official business records of the board. [Eff 8/13/04;
93 comp 8/13/04; am and comp 10/27/11; am and ren §8-54-
94 2.1 10/30/14] (Auth: HRS §302A-803) (Imp: HRS §§302A-
95 801 to -808)
96

97 **§8-54-2.4 License and permit fees.** (a) The

98 payment of fees is a requirement for issuance of the
99 license or permit. In the case of an approved payment
100 plan for payment of license or renewal fees, interval
101 payments shall be made according to the payment plan
102 agreement and if in non-compliance may be grounds for
103 appropriate action.

104 (b) If a licensee fails to pay the license or
105 permit fees, the license or permit may be
106 automatically forfeited until the licensee or
107 permittee restores the license in a manner determined
108 by the board.

109 (c) Once a license or permit has been issued
110 there shall be no refund of fees.

111 (d) When the board is fiscally able to apply a
112 discount for online applications and renewals, it may
113 decrease the amount charged to the applicant, licensee
114 or permittee for fee payments made using the online
115 licensing system. The board shall specify the length
116 of time the discount will be in effect at a regularly
117 scheduled meeting. Nothing shall require the
118 continuance of an online discount when the board
119 determines it cannot fiscally do so.

120 (e) The following fees shall be applicable when
121 applying for a license or permit:

122 Provisional license fee per year	not more than \$54
123 Standard license fee per year	not more than \$54

124	Advanced license fee per year	not more than \$54
125	Emergency Hire fee per year	not more than \$54
126	CTE special permit fee per year	not more than \$54
127	Niihau special permit fee per year	not more than \$54
128	Permit fee per year	not more than \$54
129	Initial License application fee using paper form	
130	\$25 ? To apply to first annual payment or not?	
131	Student Teaching Permit	no charge
132	Adding a licensing field to an existing license, per	
133	field	\$25
134	Name change using paper form	\$25
135	Non DOE/Charter School name change	\$25
136	Late payment of license, <u>permit</u> or renewal fee	\$25
137	Restoration fee	\$25
138	SATEP Data Entry Correction Fee per error	\$300
139	Registration Fee for Out of State Education	
140	Preparation Providers operating in Hawaii	\$500
141	<u>Provisional</u> <u>State</u> Review fee for each <u>new</u> license field	
142	\$500	
143	<u>Provisional</u> <u>State</u> Review fee for <u>new</u> Units	
144	\$1,000	
145	[Eff 10/30/14](Auth: HRS §302A-803) (Imp: HRS §§302A-801 to	
146	-808)	

148 **§8-54-2.5 Approved payment plan.** (a) As allowed
149 by the board, a licensee or permittee may elect to
150 participate in various payment plans set forth by the
151 board to pay license and renewal fees.

152 (b) Failure to keep compliant with timely and
153 complete payments shall be regarded as failure to pay
154 required fees for license or renewal and shall be
155 grounds for automatic forfeiture of the license or
156 permit. A person with a forfeited license is
157 prohibited from engaging in the teaching profession.

158 (c) The board may restore a forfeited license
159 under these circumstances if the licensee becomes
160 current with all payments. Failure to restore in a
161 timely manner as determined by the board shall cause
162 the forfeited license to be terminated. A person with
163 a terminated licensed must apply for a new license or
164 permit and meet current application requirements.

165 [Eff 10/30/14] (Auth: HRS §302A-803) (Imp: HRS §§302A-
166 801 to -808)

167 **§8-54-2.6 Hawaii'i teacher standards board special**

168 **fund.** All fees collected shall be deposited in the
169 Hawaii'i teacher standards board special fund
170 established within the state treasury. All other
171 monies received by the board as appropriations, fines,
172 grants or donations shall be deposited in the special
173 fund. The fund shall be administered by the
174 department and used to pay the expenses of the board,
175 including but not limited to, the payment of all
176 operational personnel costs and reimbursements of
177 board members for travel expenses incurred.

178 [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp
179 8/13/04; comp 10/27/11; am and ren §8-54-2.6 10/30/14]
180 (Auth: HRS §302A-806) (Imp: HRS §§302A-801 to -808)

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182 **§8-54-3 Definitions.** As used in this chapter:

183 "Accreditation" means a process for assessing and
184 enhancing academic and educational quality through
185 peer review. National accreditation informs the public
186 that an institution has a professional education unit
187 that has met state, professional, and institutional
188 standards of educational quality. National accrediting
189 bodies are approved by the US Department of Education
190 to accredit teacher education programs.

191 "Board" means the Hawaii teacher standards board.

192 "Censure" means a formal or stern warning given
193 by the board.

194 "Charter schools" means public schools holding
195 charters to operate as charter schools under chapter
196 302D, including start-up and conversion charter
197 schools, that have the flexibility to implement
198 alternative frameworks with regard to curriculum,
199 facilities management, instructional approach, length
200 of the school day, week, or year, and personnel
201 management.

202 "Charter School Administrator" means head of a
203 local school board of a Charter School.

204 "Code of Ethics" means the contents of Appendix
205 D, which describes the desired conduct of P-12
206 teachers as members of the teaching profession.

207 "Condition" means a qualification, restriction,
208 limitation, or requirement imposed on the licensee or
209 permittee that must be true or done.

210 "Criminal action against children" means any
211 crime involving minors deemed by the Hawaii teacher
212 standards board to have a direct bearing on an
213 individual's ability to serve as a teacher.

214 "Cultural Growth and Development Plan" means a
215 plan to develop the cultural and professional
216 knowledge, skills and dispositions to effectively
217 integrate Hawaiian ways of knowing, learning and
218 teaching and increase instructional proficiency in the
219 Hawaiian language, history and culture for an
220 individual holding a special permit to teach in
221 Kaia 'ōlelo-Kaiapuni Hawai 'i, Hawaiian Language
222 Immersion, and Hawaiian Knowledge classrooms. The
223 plan will be developed for the permittee in
224 collaboration with the Office of Hawaiian Education
225 and a Hawaiian Immersion educator preparation program.

226 "Deny" means to withhold or refuse to grant a
227 license or permit.

228 "Department" means the department of education.

229 "Educator Preparation Provider" means a teacher,
230 school counselor or school librarian preparation
231 program that meets the board's state approval
232 performance standards and has been reviewed and
233 approved in an approval process specified by the
234 board.

235 "Emergency Hire" means an unlicensed employee of
236 a public school paid under the salary schedule
237 contained in the unit 5 collective bargaining
238 agreement.

239 "Employer" means any public, charter, independent
240 or private school which hires teachers, school
241 counselors and school librarians.

242 "Executive Director" means the executive officer
243 of the Hawaii teacher standards board.

244 "Experience" means contracted service in a P-12
245 school setting in the license field and/or level
246 required to grant a Hawaii license or permit.

247 "Fee" means any monetary amount assessed to
248 process, issue, modify, correct, or approve a license
249 or permit. Fee also means any monetary amount
250 assessed to process, issue, modify, correct, or
251 approve a teacher education program; or to an
252 institution for the processing or correction of data
253 or information.

254 "Felony" is defined as those acts which are
255 criminal acts defined as felonies by the Hawaii
256 Revised Statutes or similar criminal acts which were
257 committed in other jurisdictions.

258 "Forfeit" or "forfeited" or "forfeiture" shall
259 refer to and mean the status of a license or permit
260 that has been automatically cancelled for failure to
261 renew the license or permit, or for failure to comply
262 with the provisions of section 8-54-2.4.

263 "Internet crimes" means internet crimes as
264 defined by Hawaii Revised Statutes.

265 "License" means the document signifying
266 recognition granted by the board to practice the
267 profession of teaching.

268 "Licensee" means the holder of a valid Hawaii
269 teaching license.

270 "Meritorious New Teacher Candidate" means a
271 designation awarded to teacher candidates in states
272 approved by the board who meet rigorous criteria in
273 areas that have been shown to correlate with student
274 learning gains; strong verbal skills; a high level of
275 mastery of their subject matter; in-depth student
276 teaching, and excellence in their professional
277 program.

278 "Misdemeanor" for the purpose of these rules is
279 defined as those misdemeanor convictions that pose a
280 substantial risk of harm to the health, safety or
281 welfare of students, minors or others.

282 "National Board Certification" means the
283 voluntary advanced certification developed and
284 administered by the National Board for Professional
285 Teaching Standards.

286 "Payment plan" shall refer to and mean a binding
287 agreement on the licensee or permittee to make

288 required payments in a timely manner to comply with
289 license, permit, or renewal requirements.

290 "Permit" means a limited duty special permit as
291 defined by §8-54-9.6.

292 "PRAXIS" means the set of tests developed and
293 administered by the Educational Testing Service.

294 "Private Employer" for purposes of teacher
295 licensure refers to non-public employers of teachers.

296 "Program" means a planned sequence of courses and
297 experiences for the purpose of preparing teachers and
298 other school professionals to work in pre-kindergarten
299 through twelfth grade settings. Programs may lead to a
300 degree, a recommendation for a state license, both, or
301 neither.

302 "Public school" means an academic and non-college
303 type school established and maintained by the
304 department of education or a charter school chartered
305 by the board of education in accordance with law.

306 "Reinstate" or "reinstatement" shall refer to and
307 mean a determination by the board to allow a person
308 who has met requirements set by the board to engage in
309 the practice of teaching following a license or permit
310 suspension or disciplinary condition.

311 "Renew" or "renewal" means a determination by
312 the board, prior to expiration of a license or permit,
313 to grant additional years of validity based on the
314 number of years the license or permit is eligible to
315 be renewed.

316 "Reprimand" shall have the same meaning as
317 "Censure".

318 "Revocation" means loss of a teaching license or
319 permit for not less than five years.

320 "Sex offense" means sexual offenses as defined by
321 Hawai'i Revised Statutes.

322 "School Counselor" means a person whose duties
323 are primarily promoting and enhancing the learning
324 process within the context of academic development,
325 career development and personal/social development and
326 may also include the same definition as "teacher" for
327 purposes of this chapter.

328 "School Librarian" means a person whose duties
329 are primarily administering the library media program
330 at the individual school level and also includes the
331 same definition as "teacher" for purposes of this
332 chapter.

333 "Specialized Professional Associations" or "SPAs"
334 are national organizations that represent teachers,
335 professional education faculty, and other school
336 professionals who teach a specific subject matter,
337 teacher students at a specific developmental level,
338 teacher students with specific needs, or provide
339 services to students.

340 "State-approved teacher education program" means
341 a teacher preparation program that meets the board's
342 state approval performance standards and has been
343 reviewed and the approved by the Board.

344 "Superintendent" means the state superintendent
345 of the department of education.

346 "Suspension" means temporary loss of a teaching
347 license/permit for not more than five years due to a
348 disciplinary action by the board.

349 "Teacher" means a person whose duties in the
350 public school system are primarily teaching or
351 instruction of students or related activities centered
352 primarily on students and who is in close and
353 continuous contact with students, and shall include
354 but not be limited to classroom teachers, school
355 librarians, counselors, registrars, and special
356 education teachers.

357 "Teacher Leader" means an educator identified by
358 his/her employer who assumes formally or informally
359 one or more of a wide array of leadership roles to
360 support teaching and learning.

361 "Terminate" or "Terminated" or "Termination"
362 shall refer to and mean the status of a license or
363 permit that has been automatically cancelled for
364 failure to timely restore a forfeited license or
365 permit.

366 "Unit" or "professional education unit" means the
367 college, school, department, or other administrative
368 body in colleges, universities, or other organizations
369 with the responsibility for managing or coordinating
370 all programs offered for the initial and advanced
371 preparation of teachers and other school
372 professionals, regardless of where these programs are
373 administratively housed in an institution. The
374 professional education unit must include in its
375 accreditation review all programs offered by the
376 institution for the purpose of preparing teachers and
377 other school professionals to work in pre-kindergarten
378 through twelfth grade settings.

379 "Valid license or valid permit" means a license
380 or permit issued or renewed by the board after all
381 criteria set by the Board have been met and authorizes
382 the licensee or permittee to engage in the teaching
383 profession.

384 "Warning" means an admonition relating to a
385 violation of the Code of Ethics that the board deems
386 not warranting a censure or other disciplinary action.
387 [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp
388 8/13/04; am and comp 11/9/07; am and comp 10/27/11; am
389 and comp 10/30/14] (Auth: HRS §302A-803) (Imp: HRS
390 §§302A-801 to -808)

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392 **§8-54-3.1 Penalties.** (a) Any person who engages
393 in the profession of teaching as a classroom teacher,
394 school librarian or school counselor in a public
395 school without first being issued a license or permit
396 shall be fined \$500 per school year.

397 (b) Any employer who knowingly or intentionally
398 violates this chapter by employing an individual as a
399 public school classroom teacher, school librarian or
400 school counselor who does not possess a valid license
401 or permit may be fined \$500 per school year.

402 (c) All fines collected shall be deposited into
403 the Hawai'i teacher standards board special fund.

404 ~~(d) The \$500 fine is not applicable for emergency~~
405 ~~hires. The board shall adopt such rules as~~

406 ~~may be necessary in carrying out this section.~~
407 [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp
408 8/13/04; comp 10/27/11; am and ren §8-54-3.1 10/30/14]
409 (Auth: HRS §302A-808) (Imp: HRS §§302A-801 to -808)

410 §8-54-4 Repealed [R 10/30/14]

411

412 §8-54-5 Repealed [R 10/30/14]

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414 §8-54-6 Repealed [R 10/30/14]

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416 §8-54-7 Repealed [R 10/30/14]

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418 §8-54-8 Repealed [R 10/30/14]

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420 §8-54-9 Repealed [R 10/30/14]

421

422

423

SUBCHAPTER 2

424

425

LICENSE AND PERMITS; RENEWALS

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§8-54-9.1 Provisional license. (a) A non-renewable provisional license may be granted to an applicant for three (3) years provided that the individual has met the following criteria:

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(1) Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;

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(2) Satisfactorily completed a State-approved teacher, librarian or counselor education program;

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(3) Demonstrated basic skills and subject area competency in a manner prescribed by the board;

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(4) Obtained clearance in the professional fitness check; and
(5) Pays license fees as established by the board. [Eff 10/30/14] (Auth: HRS §302A-802) (Imp: HRS §§302A-801 to -808)

445 (b) A non-renewable provisional license may be
446 granted to an applicant for three (3) years provided
447 that the individual has met the following criteria:

- 448 (1) Possesses a baccalaureate degree from a
449 regionally accredited institution or the
450 equivalent from a non-U.S. institution;
- 451 (2) Possesses a valid unrevoked provisional, or
452 equivalent, teaching license from another
453 state issued for the first time on or after
454 July1, 2006;
- 455 (3) Obtained clearance in the professional
456 fitness check; and
- 457 (4) Pays license fees as established by the
458 board.

459 §8-54-9.2 Standard license. (a) A renewable
460 standard license may be granted to an applicant for
461 five (5) years provided that the individual has met
462 the following criteria:

- 463 (1) Possesses a baccalaureate degree from a
464 regionally accredited institution or the
465 equivalent from a non-U.S. institution;
- 466 (2) Satisfactorily completed a State-approved
467 teacher, librarian or counselor education
468 program;
- 469 (3) Demonstrated basic skills and subject area
470 competency in a manner prescribed by the
471 board;
- 472 (4) Obtained clearance in the professional
473 fitness check;
- 474 (5) Pays license fees as established by the
475 board; and
- 476 (6) ~~Effective July 1, 2015, submits~~ **Submits**
477 verification of at least three (3) out of
478 the last five (5) years of ~~satisfactory~~
479 **contracted** full time teaching **experience in**
480 **a P-12 setting** in Hawaii or another state;

481 (b) A renewable standard license may also be
482 granted to an applicant for five (5) years provided
483 that the individual has met the following criteria:

- 484 (1) Possesses a baccalaureate degree from a
485 regionally accredited institution or the
486 equivalent from a non-U.S. institution;

- 487 (2) Possesses a valid National Board
488 Certification in the field for which a
489 license is sought and holds a valid license
490 from a state that participates in the
491 Interstate Agreement on Qualification of
492 Personnel;
- 493 (3) Obtained clearance in the professional
494 fitness check;
- 495 (4) Pays license fees as established by the
496 board; and
- 497 (5) ~~Effective July 1, 2015, submits~~ **Submits**
498 verification of at least three (3) out of
499 the last five (5) years of **satisfactory**
500 **contracted** full time teaching **experience in**
501 **a P-12 setting** in Hawaii or another state;
- 502 (c) A renewable standard license may also be
503 granted to an applicant for five (5) years provided
504 that the individual has met the following criteria:
- 505 (1) **Possesses a baccalaureate degree from a**
506 **regionally accredited institution or the**
507 **equivalent from a non-U.S. institution;**
- 508 (2) Has received the Meritorious New Teacher
509 Candidate (MNTC) designation on their valid
510 (3) teaching license from a state that is a
511 signatory to the MNTC program;
- 512 (4) Obtained clearance in the professional
513 fitness check;
- 514 (5) Pays license fees as established by the
515 board; and
- 516 (6) ~~Effective July 1, 2015, submits~~ **Submits**
517 verification of at least three (3) out of
518 the last five (5) years of **satisfactory**
519 **contracted** full time teaching **experience in**
520 **a P-12 setting** in Hawaii or another state;
- 521 (d) A renewable standard license may also be
522 granted to an applicant for five (5) years provided
523 that the individual has met the following criteria:
- 524 (1) **Possesses a baccalaureate degree from a**
525 **regionally accredited institution or the**
526 **equivalent from a non-U.S. institution;**

- 527 (2) Possesses a valid unrevoked teaching license
528 from another state issued for the first time
529 on or after July 1, 2006;
- 530 (3) Obtained clearance in the professional
531 fitness check;
- 532 (4) Pays license fees as established by the
533 board; and
- 534 (5) ~~Effective July 1, 2015, submits~~ **Submits**
535 verification of at least three (3) out of
536 the last five (5) years of **satisfactory**
537 **contracted** full time teaching **experience in**
538 **a P-12 setting** in Hawaii or another state;
- 539 (e) A renewable standard license may also be
540 granted to an applicant for five (5) years provided
541 that the individual has met the following criteria:
- 542 (1) **Possesses a baccalaureate degree from a**
543 **regionally accredited institution or the**
544 **equivalent from a non-U.S. institution;**
- 545 (2) Possesses a valid unrevoked teaching license
546 **issued before July 1, 2006,** from another
547 state for at least three (3) out of the last
548 five (5) years;
- 549 (3) Passed all licensing tests required by the
550 State which issued the valid license being
551 used to apply under this section. If the
552 other state did not test for subject area
553 and basic skills competency the applicant
554 must demonstrate basic skills and subject
555 area competency in a manner prescribed by
556 the Board;
- 557 (4) Obtained clearance in the professional
558 fitness check;
- 559 (5) Pays license fees as established by the
560 board; and
- 561 (6) ~~Effective July 1, 2015, submits~~ **Submits**
562 verification of at least three (3) out of
563 the last five (5) years of **satisfactory**
564 **contracted** full time teaching **experience in**
565 **a P-12 setting** in Hawaii or another state;

566 (f) A renewable standard license may also be
567 granted to an applicant for five (5) years provided
568 that the individual has met the following criteria:

- 569 (1) **Possesses a baccalaureate degree from a**
570 **regionally accredited institution or the**
571 **equivalent from a non-U.S. institution;**
572 (2) Pass a board approved performance assessment
573 normed for Hawaii in combination with any
574 other requirements determined by a Hawaii
575 preparation program to be recommended for
576 licensure by the program;
577 (2) Demonstrated basic skills and subject area
578 competency in a manner prescribed by the
579 board;
580 (3) Obtained clearance in the professional
581 fitness check;
582 (4) Pays license fees as established by the
583 board; and
584 (5) ~~Effective July 1, 2015, submits~~ **Submits**
585 verification of at least three (3) out of
586 the last five (5) years of **satisfactory**
587 **contracted** full time teaching **experience in**
588 **a P-12 setting** in Hawaii or another state;
589 (6) [Eff 10/30/14] (Auth: HRS §302A-802)
590 (Imp: HRS §§302A-801 to -808)

591 **§8-54-9.3 Advanced license.** (a) A renewable
592 advanced license may be granted to an applicant for
593 ten (10) years provided that individual has met the
594 following criteria:

- 595 (1) **Possesses a baccalaureate degree from a**
596 **regionally accredited institution or the**
597 **equivalent from a non-U.S. institution;**
598 (2) Possesses a valid unrevoked National Board
599 Certification by the National Board for
600 Professional Teaching Standards in the field
601 for which a license is sought;
602 (3) Holds a valid teaching license from Hawai'i
603 or a state that participates in the
604 Interstate Agreement on Qualification of

605 Personnel, chapter 315, Hawaii Revised
606 Statutes;

607 (4) Provides documentation of five (5) years
608 within the last eight (8) years of
609 satisfactory contracted full-time teaching
610 experience in a P-12 school setting under a
611 current and valid Hawai'i Standard License
612 or an equivalent license issued by another
613 state;

614 (5) Obtained clearance in the professional
615 fitness check; and

616 (6) Pays license fees as established by the
617 board.

618 (b) A renewable advanced license may also be
619 granted to an applicant for ten (10) years provided
620 that individual has met the following criteria:

621 (1) Has been granted a master's, specialist or
622 doctoral degree or has passed a minimum of
623 thirty hours of graduate coursework from a
624 regionally accredited institution either in
625 an area relevant to the field for which a
626 license is sought or which improves
627 professional practice;

628 (2) Holds a valid standard teaching license from
629 Hawai'i or from a state that participates in
630 the Interstate Agreement on Qualification of
631 Personnel;

632 (3) Provides documentation of five (5) years
633 within the last eight (8) years of
634 satisfactory contracted full-time teaching
635 experience in a P-12 school setting under a
636 current and valid Hawai'i Standard License
637 or an equivalent license issued by another
638 state;

639 (4) Obtained clearance in the professional
640 fitness check; and

641 (5) Pays license fees as established by the
642 board.

643 (c) A renewable advanced license may also be
644 granted to an applicant for ten (10) years provided
645 that individual has met the following criteria:

- 646 (1) **Possesses a baccalaureate degree from a**
647 **regionally accredited institution or the**
648 **equivalent from a non-U.S. institution;**
649 (2) Is designated as a teacher leader or master
650 teacher by the Hawaii Department of
651 Education, Hawaii Charter School or a member
652 school of the Hawaii Association of
653 Independent Schools;
654 (3) Holds a valid Hawaii standard teaching
655 license or from a state that participates in
656 the Interstate Agreement on Qualification of
657 Personnel;
658 (4) Provides documentation of five (5) years
659 within the last eight (8) years of
660 **satisfactory contracted** full-time teaching
661 **experience in a P-12 school setting** under a
662 current and valid Hawai'i Standard License
663 or an equivalent license issued by another
664 state;
665 (5) Obtained clearance in the professional
666 fitness check; and
667 (6) Pays license fees as established by the
668 board. [Eff 10/30/14] (Auth: HRS §302A-802) (Imp:
669 HRS §§302A-801 to -808)

670 **§8-54-9.4 Emergency hires.** (a) An **applicant**
671 **individual** who is unable to meet the requirements for
672 a license may be **issued a special permit for**
673 **eligibility to be considered for employment** employed
674 by a public school for a period not to exceed one (1)
675 year at a time, renewable up to a **maximum total** of
676 three (3) years, provided that the person:

- 677 (1) Possesses a baccalaureate degree from a
678 regionally accredited institution or the
679 equivalent from a non-U.S. institution;
680 (2) Submits an official transcript from the
681 issuing institution ~~to the department or~~
682 **charter school;**
683 (3) Is actively pursuing appropriate licensing,
684 through the following:

- 685 (A) Is enrolled in a professional educator
686 preparation program accepted for licensure
687 by the board; or
688 (B) A state approved teacher, librarian or
689 counselor education program has been
690 satisfactorily completed, takes the
691 examinations or meets other options for
692 verifying basic skills and subject area
693 competency accepted for licensure by the
694 board; and
695 (C) Has obtained clearance in the employee
696 suitability background check professional
697 fitness check;
698 (D) Applied for an Emergency Hire permit in a
699 manner prescribed by the board; and
700 (E) Pays the fees to practice the profession of
701 teaching as specified in §8-54-2.4.
702 (b) The public school may reemploy an emergency
703 hire one (1) year at a time, up to a maximum total of
704 three (3) years, provided that emergency hire:
705 (1) Is actively pursuing licensing; and
706 (2) Submits evidence of satisfactory process
707 towards obtaining a provisional or standard
708 license.

709 [Eff 10/27/11; am and ren §8-54-9.4 10/30/14]
710 (Auth: HRS §302A-803-804) (Imp: HRS §§302A-801 to -
711 808)

712 **§8-54-9.5 Adding a field to a license.** (a) If a
713 licensee wants to add additional teaching fields to
714 their teaching license the person shall:

- 715 (1) Complete a state-approved teacher education
716 program that includes appropriate
717 experiences in a P-12 setting in the new
718 field; or
719 (2) Submit documentation of meeting content
720 knowledge verification for licensure in the
721 new field using a method specified by the
722 board Successfully complete thirty (30)
723 credit hours of course work in a state-
724 approved teacher education program or the
725 equivalent of a subject major for the new
726 field and submit one of the following:

- 727 (A) The equivalent of one (1) year of
728 satisfactory half time or more
729 contracted P-12 teaching experience in
730 the new field within the last five (5)
731 years of application date; or
732 (B) Submit verification of three (3) or
733 more years of contracted P-12
734 experience **within the last five (5)**
735 **years of application date** in the same
736 license grade level span under a
737 Hawai'i Standard License or its
738 equivalent in another state; or
739 (C) Submit passing scores on a pedagogy
740 licensure examination approved by the
741 board in the new grade level; or
742 (D) Submit verification of previous
743 completion of a state approved educator
744 preparation program in the same license
745 grade level as the new field; or
746 ~~(3) Submit passing subject area examination~~
747 ~~scores for the new teaching field. The~~
748 ~~passing score must be the same as that used~~
749 ~~for program completers of the state-~~
750 ~~approved teacher education program and~~
751 ~~submit one of the following:~~
752 ~~(A) The equivalent of one (1) year of~~
753 ~~satisfactory half time or more~~
754 ~~contracted P-12 teaching experience in~~
755 ~~the new field within the last five (5)~~
756 ~~years of application date; or~~
757 ~~(B) Submit verification of three (3) or~~
758 ~~more years of contracted P-12~~
759 ~~experience **within the last five (5)**~~
760 ~~**years of application date** in the same~~
761 ~~license grade level span under a~~
762 ~~Hawai'i Standard License or its~~
763 ~~equivalent in another state; or~~
764 ~~(C) Submit passing scores on a pedagogy~~
765 ~~licensure examination approved by the~~
766 ~~board in the new grade level; or~~
767 (4) Possess a valid National Board
768 Certification in the new field; or

- 769 (5) (3) Possess an Advanced License in one
770 field and submit one of the following:
771 (A) The equivalent of a content major in
772 the new field; or
773 (B) Passing score for the subject area test
774 in the new field.
775 (C) The grade level(s) of the new license
776 field(s) must be the same as the
777 existing license level(s) unless the
778 applicant submits verification as
779 outlined in 8-54-9.5 (2) A - D for the
780 new level(s).

781 (b) Adding "school librarian", reading
782 specialist, and literacy specialist as a field shall
783 be subject to the provisions of (a) (1) of this
784 subsection.

785 (c) Upon submittal of appropriate documentation
786 of the method selected by the licensee and receipt of
787 the required fees, and subject to meeting all
788 requirements, the Board will add the new field to the
789 license. The licensee's license will include the new
790 teaching field and be subject to the same expiration
791 date for renewal of the current license. [Eff 7/1/01;
792 am and comp 12/20/01; am and comp 8/13/04; am and comp
793 11/9/07; am and comp 10/27/11; am and ren
794 §8-54-9.5 10/30/14 (Auth: HRS §302A-802-803) (Imp: HRS
795 §§302A-801 to -808)

796
797 **§8-54-9.6 Limited duty special permit.** (a) ~~Up to~~
798 ~~but no later than August 31, 2015, the~~ **The** board may
799 grant a limited duty special permit to an instructor
800 employed by a public school where instruction is
801 conducted **primarily** in the ~~Ni'ihau dialect~~ **medium of**
802 **Hawaiian or Hawaiian Knowledge based schools provided**
803 **the instructor submits the following documentation to**
804 **the board.**

- 805 (1) **Holds the minimum of a high school diploma;**
806 (2) **Is assessed as proficient in the Hawaiian**
807 **language by the Office of Hawaiian Education in**
808 **collaboration with a Hawaiian Language Immersion**
809 **educator preparation program;**

- 810 (3) ~~Completes thirty hours of induction by the Office~~
811 ~~of Hawaiian Education in collaboration with a~~
812 ~~Hawaiian Language Immersion educator preparation~~
813 ~~program;~~
814 (4) ~~Submits a cultural growth plan on how the~~
815 ~~individual will obtain licensure, to be monitored~~
816 ~~annually by the Office of Hawaiian Education in~~
817 ~~collaboration with a Hawaiian Language Immersion~~
818 ~~educator preparation program;~~
819 (5) ~~Meets the Professional Fitness requirements;~~
820 (6) ~~Pays the fee to practice the profession of~~
821 ~~teaching.~~

822 ~~Limited duty special permits for Hawaiian education shall~~
823 ~~be renewable once for an additional five (5) years provided~~
824 ~~that the instructor continues to meet the permit criteria.~~

825 ~~The instructor shall provide evidence showing~~
826 ~~progress towards becoming properly licensed.~~

827 (b) ~~Effective June 30, 2006, the~~ ~~The~~ board may
828 also grant a five-year limited duty special permit to
829 an individual recommended by the Superintendent or
830 charter school administrator to provide instruction in
831 career and technical education provided that the
832 individual submits the following documentation to the
833 Board.

- 834 (1) A valid industry license or certification,
835 if one exists, in the field in which
836 instruction will be offered; and
837 (2) Three (3) years of satisfactory full-time
838 experience in the field in which instruction
839 will be offered. This provision shall
840 remain in effect as long as:
841 (A) The department's and charter schools'
842 annual report to the Board includes
843 career and technical education as an
844 official shortage area;
845 (B) The department and charter school
846 suspend the requirement of a
847 baccalaureate degree for career and
848 technical education emergency hires;
849 and
850 (C) Teacher preparation programs offer
851 courses to prepare a permit-holder for

852 classroom instruction and classroom
853 responsibilities.
854 Limited duty special permits for career and technical
855 education shall be renewable once for an additional
856 five (5) years provided that the instructor continues
857 to meet the permit criteria.

858 ~~(c) Effective July 1, 2009, the board may also~~
859 ~~grant a limited duty special permit to an individual~~
860 ~~recommended by the superintendent or charter school~~
861 ~~administrator to provide instruction as an emergency~~
862 ~~hire in a declared shortage area where no licensed~~
863 ~~teacher is available and the individual is assigned to~~
864 ~~a school that is identified as hard to staff, provided~~
865 ~~that the individual meets the following criteria:~~

- 866 ~~(1) Obtained criminal history clearance and~~
867 ~~(2) Pays the emergency hire fee to practice the~~
868 ~~profession of teaching as established by the~~
869 ~~Board.~~

870 ~~Limited duty special permits issued to emergency hires~~
871 ~~may be renewed annually for no more than three years~~
872 ~~provided the individual submits required documentation~~
873 ~~to the department or charter school and the~~
874 ~~superintendent or charter school administrator~~
875 ~~recommends that a special permit be renewed.~~

876 (c) The board may also grant a one-year limited duty
877 special permit to an individual recommended by a
878 Hawaii state approved teacher education program to
879 serve as a student teacher, provided that the
880 individual submits the following documentation to the
881 Board.

- 882 (1) A completed Student Teaching Permit
883 application in a form approved by the board;
884 and
885 (2) Meets the professional fitness requirements.

886 This permit may be renewed as many times as the
887 individual is recommended by the Hawaii preparation
888 program.

889 [Eff 11-9-07; am and comp 10/27/11; am and ren §8-54-
890 9.6 10/30/14] (Auth: HRS §302A-803-804) (Imp: HRS
891 §§302A-801 to -808)

892

893 **§8-54-9.7 License and permit renewal criteria;**
894 **term; forfeiture; restoration; termination.** (a) The
895 board shall determine the criteria that shall be
896 considered for renewal of a license or permit of which
897 shall minimally include the performance standards
898 contained in Appendix A, B, C, which are incorporated
899 at the end of this chapter, link with the licensee's
900 subject matter field and with teaching and pedagogy,
901 incorporate multiple criteria, be professionally
902 credible, and provide public accountability.

903 (b) By or before the expiration date of the
904 current licensure or permit period each licensee or
905 permittee shall be responsible for timely renewing the
906 license or permit and satisfying the renewal
907 requirements provided by law and this chapter.

908 (c) At the time of license renewal, each
909 licensee shall submit a completed renewal application
910 and all applicable fees, and shall comply with any
911 other renewal requirements. Renewals may be completed
912 through an online renewal system ~~or in hard copy sent~~
913 ~~by United States mail which shall be considered timely~~
914 ~~filed if the envelope bears a postmark of the required~~
915 ~~renewal date.~~

916 (d) The board may renew a teaching license
917 provided the licensee meets renewal requirements.

918 (e) A licensee holding a standard license must
919 renew their license every five (5) years.

920 (f) A licensee holding an advanced license must
921 renew their license every ten (10) years. Licensees
922 using NBPTS route to acquire the advanced license must
923 also renew their National Board Certification to keep
924 their advanced license.

925 (g) Licensees holding the field of "Teacher
926 Leader" on their Standard or Advanced License must
927 verify continued experience as a Teacher Leader as
928 defined by the board. Licensees unable to verify
929 leadership experience will have this field removed
930 from their renewed license;

931 ~~(g)~~ (h) The failure to timely renew a license or
932 permit, the failure to pay all applicable renewal
933 fees, the dishonoring of any check upon first deposit,
934 or the failure to comply with any other renewal

935 requirements provided by law or this chapter shall
936 cause the automatic forfeiture of the license and
937 permit, whether involuntarily or voluntarily and
938 without any prior consultation or notice to the
939 licensee. A person with a forfeited license or permit
940 is prohibited from engaging in the teaching
941 profession.

942 (h) A licensee or permittee shall have two years
943 to restore the license/permit after automatic
944 forfeiture. Proof of compliance with the renewal
945 requirements and payment of all assessed renewal and
946 late fees will be required for restoration. A license
947 or permit that is timely restored shall constitute a
948 valid teaching license.

949 (i) The failure to timely restore a forfeited
950 license or permit shall cause the automatic
951 termination of the license and permit, whether
952 involuntarily or voluntarily and without any prior
953 consultation or notice to the licensee. A person
954 holding a terminated license or permit shall be
955 required to apply for a new license or permit and meet
956 current application requirements. [Eff 10/30/14] (Auth:
957 HRS §302A-803) (Imp: HRS §§302A-801 to -808)

958
959 **§8-54-9.8 License renewal audit.** (a) The board
960 shall conduct random audits of licensees who have
961 renewed their license to ensure that renewals are in
962 compliance with the criteria set by the board.

963 (b) The board will collect a minimum of ~~ten (10)~~
964 ~~audit samples per month~~ **one hundred twenty (120) audit**
965 **samples annually, but** not to exceed one hundred eighty
966 (180) annually, and conduct all reviews of renewal
967 documentation, drawn randomly from those renewals
968 occurring from July 1, 2010 and thereafter.

969 (c) Licensees whose five-year or ten-year
970 licenses expire on July 1, 2010 or later shall meet
971 the audit guidelines set by the board. Acceptance of
972 the licensee's audit documentation shall result in a
973 license renewal, provided the licensee has paid the
974 necessary fees specified by the board.

975 (d) A licensee selected for audit shall be
976 required to submit documentation for audit in a manner

977 prescribed by the board. If a licensee fails to
978 respond to a request for audit the board may institute
979 disciplinary action against the licensee for failure
980 to demonstrate compliance with renewal requirements.

981 (e) The board may contract with an independent,
982 external organization to conduct the random audits and
983 evaluate the renewals and their compliance with the
984 criteria set forth by the board. The board may also
985 commission the organization to review and evaluate the
986 effectiveness of the renewal process. [Eff 10/30/14]
987 (Auth: HRS §302A-805) (Imp: HRS §§302A-801 to -808)
988
989

990 SUBCHAPTER 3

991 DISCIPLINE

992
993
994 **§8-54-9.13 Disciplinary action; basis.** (a) The
995 Code of Ethics contained in Appendix D sets forth
996 expected professional behaviors of teachers and forms
997 the basis for disciplinary action taken by the board
998 against a licensee. The provisions of section 8-54-
999 9.14 also constitute behaviors for which disciplinary
1000 action may be taken by the board against a licensee.

1001 (b) The board may impose disciplinary action upon
1002 a licensee's license after a hearing conducted in
1003 accordance with chapter 91. [Eff 10/30/14] (Auth: HRS
1004 §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)
1005

1006 **§8-54-9.14 Grounds for refusal to renew,**
1007 **reinstate, or restore, and for revocation, suspension,**
1008 **denial, or condition of a license or permit.** In
1009 addition to any other acts or conditions provided by
1010 law, the board may refuse to renew, reinstate or
1011 restore, or may deny, revoke, suspend, or condition in
1012 any manner, any license for any one or more of the
1013 following acts or conditions on the part of the
1014 licensee, permittee or the applicant thereof:

- 1015 (1) A felony conviction;
- 1016 (2) Misdemeanor convictions as defined in this
1017 chapter;

- 1018 (3) Conviction of crimes against children and
1019 sexual offenses;
1020 (4) Having sexual contact with a minor or
1021 student;
1022 (5) Possessing, producing, or distributing
1023 illegal images or images of minors or
1024 students;
1025 (6) Committing a crime on school premises or
1026 while fulfilling the duties of a teacher;
1027 (7) Practicing the profession of teaching while
1028 possessing, using, distributing or being
1029 under the influence of illegal drugs;
1030 (8) Practicing the profession of teaching in a
1031 manner contrary to the recognized standards
1032 of ethics adopted by the Hawai'i Teacher
1033 Standards Board in its Code of Ethics;
1034 (9) Practicing the profession of teaching with a
1035 fraudulent teaching license;
1036 (10) Making and/or submitting false, inaccurate
1037 or misleading statements and/or documents in
1038 applying for a license, permit, license or
1039 permit update, or renewal;
1040 (11) Having a license or permit denied, revoked,
1041 not renewed or suspended by another
1042 jurisdiction;
1043 (12) Violation of any condition or limitation on
1044 a licensee's license;
1045 (13) Misrepresents or falsifies information on
1046 their application;
1047 (14) Provides falsified or fraudulent documents
1048 with an application;
1049 (15) Does not meet the board's licensing or
1050 renewal requirements;
1051 (16) Does not meet the professional fitness
1052 portion of the application; or
1053 (17) Does not pay the required license or permit
1054 fees. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-
1055 807) (Imp: HRS §§302A-801 to -808)
1056

1057 **§8-54-9.15 Forms of disciplinary sanctions.**

1058 Notwithstanding any other others powers of the board

1059 to discipline a license the board may impose the
1060 following:

- 1061 (1) The revocation of a license or permit the
1062 duration of which shall be set by the board
1063 but may not be less than five years;
1064 provided that conviction of crimes against
1065 children and sexual offenses may result in
1066 the lifetime revocation of a license;
- 1067 (2) The suspension of a license or permit the
1068 duration of which shall be set by the board
1069 but may not exceed five years;
- 1070 (3) Place conditions on the licensee or permit
1071 holder for a specified amount of time, which
1072 may include, but are not limited to,
1073 activities directed toward improving a
1074 teacher's performance in the area of the
1075 violation;
- 1076 (4) Censure or warn the licensee or permit
1077 holder if the board determines that a
1078 violation has occurred that does not
1079 necessitate a more severe action to be taken
1080 on a licensee or permit holder. A copy of
1081 the censure or warning will be placed in the
1082 board's file of the licensee or permit
1083 holder. A copy will be sent to the licensee
1084 or permit holder and he/she will have thirty
1085 (30) calendar days to file a written
1086 response. The response will be placed in
1087 the board's file of the licensee or permit
1088 holder; and
- 1089 (5) Monetary penalties. [Eff 10/30/14] (Auth: HRS
1090 §302A-803, §302A-807) (Imp: HRS §§302A-801 to -
1091 808)

1092
1093 **§8-54-9.16 Reporting of violations.** (a) Reports
1094 of violations(s) to the Code of Ethics or for conduct
1095 listed in §8-54-9.14 shall be filed in writing with
1096 the board on a signed form and in a manner provided by
1097 the board.

1098 (b) The superintendent or charter school
1099 administrator or their designee in any Hawaii`i public
1100 school shall report violations. A private or

1101 independent school administrator is authorized to
1102 report violations. The report shall contain the name,
1103 address, and social security number of any licensed
1104 educator, permit holder or emergency hire who:

- 1105 (1) Is terminated or not re-hired for cause;
- 1106 (2) Resigns under threat of termination or non-
1107 employment for cause;
- 1108 (3) Is convicted of a felony or misdemeanor as
1109 defined in this chapter.

1110 (c) Licensed educators, permit holders and
1111 emergency hires who may have engaged in action that
1112 could result in denial, non-renewal, revocation or
1113 suspension of a license shall be required to report to
1114 the Board, in a manner provided for by the Board,
1115 within 30 calendar days of the event, the following:

- 1116 (1) Been terminated or not rehired for cause;
- 1117 (2) Resigned under threat of termination or non-
1118 employment for cause; and
- 1119 (3) Been convicted of a felony or misdemeanor as
1120 defined in this chapter.

1121 (d) Signators of the National Association of
1122 State Directors of Teacher Education and Certification
1123 (NASDTEC) Interstate Contract shall report actions
1124 taken by them to deny a license to an individual or to
1125 revoke, suspend or refuse to renew licenses of
1126 licensees in their state within 30 calendar days from
1127 when they are made aware that the individual is
1128 applying for a license, renewal of a license or
1129 permit.

1130 (e) The board shall report actions taken to deny,
1131 suspend or revoke a license or permit to the
1132 superintendent, charter school administrator,
1133 headmaster or president of any Hawai'i school,
1134 district, or system and to the NASCTEC Clearinghouse.
1135 [Eff 10/30/14] (Auth: HRS §302A-803, §302A-807) (Imp:
1136 HRS §§302A-801 to -808)

1137 **§8-54-9.17 Board action on reports of violations.**

1138 (a) The board may initiate action based on a
1139 written, signed report submitted by one or more of the
1140 following:

- 1141 (1) Any school, district, or system

1142 administrator or educator;
1143 (2) Self-report received from any licensed
1144 educator, permit holder or emergency hire;
1145 (3) Report of license or permit revocation,
1146 suspension, refusal to renew or denial by
1147 another state; or
1148 (4) Report submitted by individuals who witness
1149 a violation.
1150 (b) The board may initiate an investigation
1151 whereby minimally the following actions shall be
1152 taken:
1153 (1) The executive director will verify the
1154 complaint;
1155 (2) The applicant, permit holder or licensee
1156 will be notified in writing posted by
1157 restricted certified and regular mail of the
1158 complaint. A copy of the notification will
1159 be placed in the board's file of the
1160 applicant, permit holder or licensee;
1161 (3) The applicant, permit holder or licensee
1162 will have thirty (30) calendar days to file
1163 a written response, which will be placed in
1164 the board's file of the applicant, permit
1165 holder or licensee; and
1166 (4) The board may contract with another state
1167 agency or private agency to investigate the
1168 complaint and determine if a hearing is
1169 warranted.
1170 (c) Following an investigation the board may
1171 dismiss the complaint if the alleged violations are
1172 not substantiated and the complaint form will be
1173 removed from the applicant or licensee's file. If the
1174 complaint is substantiated the board may request the
1175 assistance and services of the Office of the Attorney
1176 General or contract with another state agency or a
1177 private agency for attorney(s) to prepare and
1178 represent the board at a hearing. If a hearing is not
1179 warranted, the applicant or licensee will be notified
1180 and a copy of the notification will be placed in the
1181 board's file of the applicant or licensee.
1182 (d) The board may impose a fee against an
1183 applicant or licensee as reimbursement for all or part

1184 of the costs of investigations, hearings, or appeals
1185 that result in disciplinary action against the
1186 licensee. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-
1187 807) (Imp: HRS §§302A-801 to -808)

1188
1189
1190

SUBCHAPTER 4

1191

PRACTICE AND PROCEDURES

1192
1193

§8-54-10 Repealed [R 10/30/14]

1194

§8-54-10.1 Applicability. The general
1195 procedures specified in this subchapter shall, in
1196 part, effectuate and carry out the purposes of chapter
1197 91, HRS and shall apply to all contested cases that
1198 may come before the board relating to the denial of an
1199 application for a license or permit or to discipline a
1200 licensee or permittee. [Eff 10/30/14] (Auth: HRS §302A-
1201 807) (Imp: HRS §§302A-801 to -808)

1202

**§8-54-10.2 Notification of denial of application
1203 or proposed disciplinary action against a licensee or
1204 permittee.** In the event an application for a license
1205 or permit is denied, or the board intends to
1206 discipline a licensee or permittee, written
1207 notification shall be provided to the denied
1208 applicant, or to the licensee of the intended action.
1209 The notification shall include a concise statement of

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§8-54-10.2

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the reasons therefore and a statement informing the
1212 applicant or licensee or permittee of the right to a
1213 hearing if the applicant or licensee or permittee so
1214 desires. The notification shall further provide the
1215 time frame that a demand for hearing shall be filed.
1216 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1217 801 to -808)

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§8-54-10.3 Demand for a hearing. Any person
1219 whose application is denied, or a licensee or

1220 permittee who is to be disciplined by the board, shall
1221 be entitled to a hearing if a demand for hearing is
1222 filed with the board's office within sixty days of the
1223 date of the letter informing the applicant of the
1224 denial or the licensee or permittee of the intent to
1225 discipline, respectively. The demand for hearing
1226 shall contain concise statements of: (1) the legal
1227 authority under which the hearing is to be held; (2)
1228 the denial or matter that is being contested by the
1229 petitioner; (3) the basic facts and issues raised; and
1230 (4) the relief to which the petitioner deems itself
1231 entitled. [Eff 10/30/14] (Auth: HRS §302A-807) (Imp:
1232 HRS §§302A-801 to -808)

1233 **§8-54-10.4 Action by the board; notification of**
1234 **hearing.** If a demand for hearing is filed within
1235 sixty days of the date of the letter of denial or
1236 intent to discipline, the board, or a panel of the
1237 board, or a hearing officer approved by the board
1238 shall be designated as the hearings officer to conduct
1239 the hearing, and make recommendations in writing to
1240 the board. The hearings officer shall commence the
1241 hearing process and proceed to schedule a hearing and
1242 provide all parties written notice of the hearing by
1243 registered or certified mail with return receipt
1244 requested at least fifteen days before the hearing.

1245 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1246 801 to -808)

1247 **§8-54-10.5 Notice of hearing.** The hearing
1248 notice shall include:
1249 (1) The date, time, place, and nature of the
1250 hearing;
1251 (2) The legal authority under which the hearing
1252 is held;
1253 (3) The particular sections of the statutes and
1254 rules involved; and

1255 (4) A short and concise statement of the issues
1256 involved and the facts giving rise to the
1257 petition.

1258 The notice shall further apprise each party of their
1259 right to retain legal counsel if so desired.

1260 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1261 801 to -808)

1262 **§8-54-10.6 Hearing.** (a) All hearings shall be
1263 conducted pursuant to chapter 91, HRS and this
1264 subchapter. All hearings shall be held before a
1265 hearings officer duly designated by the board. All
1266 parties shall be afforded full opportunity to present
1267 evidence and argument on all issues involved. The
1268 hearing shall be at the time and place set forth in
1269 the notice of hearing, but at that time and place may
1270 be continued from day to day or adjourned thereof at
1271 the hearing.

1272 (b) The presiding hearings officer shall have the
1273 power to give notice of the hearing, arrange for the
1274 administration of oaths and affirmations, subpoena and
1275 examine witnesses, issue subpoenas, certify to
1276 official acts, rule on offers of proof, receive
1277 relevant evidence and exclude evidence which is
1278 irrelevant, immaterial, repetitious, cumulative, or
1279 merely scandalous and accordingly may restrict lines
1280 of questioning, regulate the course and conduct of the
1281 hearing, regulate the manner of any examination so as
1282 to prevent the needless and unreasonable harassment,
1283 intimidation, or embarrassment of any witness or party
1284 at the hearing, remove disruptive individuals
1285 including any party, legal counsel, witness, or
1286 observer, hold conferences including prehearing
1287 conferences, before or during the hearing, for the
1288 settlement or simplification of issues, rule on
1289 motions and to dispose of procedural matters, dispose
1290 of any other matters that normally and properly arises

1291 in the course of the proceedings, and take any action
1292 authorized by this subchapter or chapter 91, HRS, and
1293 perform such other duties necessary for the proper
1294 conduct of hearings.

1295 (c) In a hearing where the issue for
1296 determination is whether the board properly denied an
1297 application for a license or permit, the record shall
1298 consist of only the information presented to the
1299 board's office for consideration in reviewing the
1300 application. No other information regarding
1301 qualification for approval of the license or permit
1302 shall be admitted unless agreed upon by all parties.

1303 (d) The hearings officer shall submit in writing
1304 any report or recommended decision together with the
1305 findings of facts and conclusions of law and a
1306 recommended order to the board for its consideration
1307 and final disposition.

1308 (e) The record of the hearing shall be in
1309 conformance with section 91-9, HRS.

1310 (f) The hearings officer may engage the services
1311 of a stenographer, or someone similarly skilled, to
1312 take a verbatim record of the evidence presented at
1313 the hearing. If a verbatim record is taken, any party
1314 may request a certified transcript of the proceedings.
1315 The party making the request shall be responsible for
1316 the fees for the transcript. [Eff 10/30/14] (Auth: HRS
1317 §302A-807) (Imp: HRS §§302A-801 to -808)

1318 **§8-54-10.7 Recommended decision.** (a) As
1319 expeditiously as possible after the close of the
1320 hearing, the hearings officer shall file with the
1321 board a recommended decision together with separate
1322 findings of fact, conclusions of law, and a
1323 recommended order. The decision, findings of fact,
1324 conclusions of law, and any order recommended by the
1325 hearings officer shall be based upon the whole record
1326 and supported by the reliable probative and

1327 substantial evidence, including facts of which the
1328 hearings officer properly took judicial notice.

1329 (b) The hearings officer shall cause a copy of
1330 the recommended decision, including therein findings
1331 of fact, conclusions of law, and any recommended
1332 order, to be served upon each party by registered or
1333 certified mail, return receipt requested. Service of
1334 the recommended decision shall be deemed complete upon
1335 its mailing to the party's last known address.

1336 (c) Any party adversely affected by the hearings
1337 officer's recommended decision within fifteen days
1338 after receipt of a copy of the decision, may file with
1339 the hearings officer written exceptions to the whole
1340 or any part of the recommended decision and request
1341 review by the board. Each written exception shall
1342 specify the portions of the record and authorities
1343 relied upon to sustain each point. A copy of the
1344 written exceptions shall be served by the party so
1345 excepting upon each party to the proceeding. Unless
1346 the time has been extended, no written exceptions
1347 shall be filed or accepted for filing after the time
1348 specified.

1349 (d) Any party may file with the hearings officer
1350 and serve upon all other parties a statement in
1351 support of the recommended decision within fifteen
1352 days after receipt of a copy of the written exceptions
1353 filed pursuant to subsection (c).

1354 (e) The hearings officer shall transmit to the
1355 board the entire record together with the recommended
1356 decision, any timely filed exceptions, and any timely
1357 filed statement in support. [Eff 10/30/14] (Auth: HRS
1358 §302A-807) (Imp: HRS §§302A-801 to -808)

1359 **§8-54-10.8 Argument of written exceptions; no**
1360 **written exceptions; issuance of final decision and**
1361 **order.** (a) Whenever written exceptions have been
1362 timely filed and a party has requested the opportunity

1363 to present oral argument, all parties to the
1364 proceedings shall be afforded the opportunity to
1365 present oral argument to the board concerning the
1366 recommended decision. The board shall personally
1367 consider the whole record or portion of the record as
1368 may have been cited by the parties either in support
1369 of or in opposition to the recommended decision. All
1370 parties shall be served with notice of the time and
1371 place of argument at least five days prior to the time
1372 for argument. Within a reasonable time after argument
1373 has been heard, the board shall issue a written final
1374 decision and order.

1375 (b) When no written exceptions have been filed,
1376 the board, within a reasonable time after the hearings
1377 officer's recommended decision has been filed, shall
1378 issue a written final decision and order.

1379 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1380 801 to -808)

1381 **§8-54-10.9 Final decision and order.** (a) The
1382 board's final decision and order shall either adopt,
1383 modify, or reverse, in whole or in part, the hearings
1384 officer's recommended decision. The board shall state
1385 with specificity in the final decision the reasons for
1386 any modification or reversal, in whole or in part, of
1387 the hearings officer's recommended decision.

1388 (b) The board shall cause a copy of the final
1389 decision and order to be served upon each party by
1390 personal service or by registered or certified mail,
1391 return receipt requested. Service of the final
1392 decision and order shall be deemed complete upon its
1393 mailing to the party's last known address.

1394 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1395 801 to -808)

1396 **§8-54-10.10 Judicial review of contested cases.**

1397 Any party aggrieved by a final decision of the board
1398 is entitled to judicial review in conformance with

1399 section 91-14, HRS. Any party requesting judicial
1400 review shall serve a copy of the request upon the
1401 board and all other parties to the proceeding in
1402 accordance with the Hawaii Rules of Civil Procedure.
1403 [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-
1404 801 to -808)

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1406 **§8-54-11** Repealed [R 10/30/14]

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1408 **§8-54-12** Repealed [R 10/30/14]

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1410 **§8-54-13** Repealed [R 10/30/14]

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1412 **§8-54-14** Repealed [R 10/30/14]

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1414 **§8-54-15** Repealed [R 10/30/14]

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SUBCHAPTER 5

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1418

SUSPENSION OF THE BOARD RULES

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1420 **§8-54-16 Suspension of the rules.** (a) If the
1421 board determines that extenuating circumstances exist
1422 to justify suspending its rules, the board may, at a
1423 scheduled board meeting, vote to temporarily suspend
1424 any of its administrative rules, or any portion
1425 thereof, by a majority vote. In doing so the board
1426 shall also determine the length of time for which the
1427 suspension shall remain in effect. The following are
1428 extenuating circumstances that may require the
1429 suspension of rules:

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(1) An emergency condition, including natural
1431 disaster, exists that prevents compliance
1432 with the rules;

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(2) Extenuating circumstances or compelling
1434 reasons exist that are caused by medical
1435 need, life-threatening condition, or
1436 personal tragedy;

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(3) Active military duty impinges on compliance
1438 with the board's rules; or

- 1439 (4) An unforeseen event beyond the control of
1440 the board or teacher prevents or delays the
1441 ability to comply with the rules.
1442 (b) The following describes the procedure for
1443 suspending rules:
1444 (1) Any person or agency directly impacted by
1445 the rules may submit a signed written
1446 request to the board, citing the rule or
1447 portion thereof to be suspended, with at
1448 least thirty (30) calendar days' notice
1449 prior to the next regularly scheduled board
1450 meeting unless extenuating circumstances

Unapproved Revisions

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§8-54-16

- (2) prevent the individual or agency from meeting this timeframe. The request shall also contain the name of the individual(s) or agency impacted by the rule and the reason and rationale for the request.
- (3) A majority vote of board members is required to suspend the rules or any portion thereof.
- (4) Robert's Rules of Order pertaining to suspension of the rules will be followed.
- (5) In considering the motion to suspend, the board may also determine if another resolution to the request exists and act accordingly.
- (6) If a motion to suspend the rules or any portion thereof fails, a future request may be heard again if new, relevant information is obtained relating to the request. [Eff 10/27/11; comp 10/27/11; am and comp 10/30/14] (Auth: HRS §302A-803) (Imp HRS §§302A-801-808)

§8-54-17 Repealed [R 10/30/14]

SUBCHAPTER 6

EDUCATOR PREPARATION PROGRAMS

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§8-54-18 Purpose. Educator preparation programs represent public and private colleges and universities, agencies, associations, organizations, centers, and commercial companies dedicated to the preparation of teachers and other school personnel. Preparation programs are governed by the preparation standards and review procedures adopted by the board. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

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§8-54-19 Approval of educator preparation programs. When applying for approval of an educator

1490 preparation program the following requirements shall
1491 be met:

- 1492 (1) The unit must provide evidence that their
1493 candidates meet the performance standards as
1494 applicable, that are contained in Appendix
1495 A, B, C, and incorporated at the end of this
1496 chapter;
- 1497 (2) The unit must provide evidence that their
1498 candidates exhibit professional and ethical
1499 dispositions necessary to help all students
1500 learn as outlined in the board's Code of
1501 Ethics;
- 1502 (3) The unit must provide evidence that their
1503 candidates are prepared to incorporate the
1504 following areas into their practice:
 - 1505 (A) The integration of Hawaiian language,
1506 history and culture in order to promote
1507 and perpetuate traditional ways of
1508 knowing, learning and teaching;
 - 1509 (B) Student standards adopted by the
1510 Department;
 - 1511 (C) Teaching of reading including working
1512 with students of reading difficulties;
 - 1513 (D) Working effectively with students with
1514 disabilities, including training
1515 related to participation as a member of
1516 individualized education program teams;
 - 1517 (E) Working effectively with students who
1518 are limited English proficient;
 - 1519 (F) Working with gifted and talented
1520 students; and
 - 1521 (G) Integrating technology effectively into
1522 curricula and instruction, including
1523 activities consistent with the
1524 principals of universal design for
1525 learning and the use of technology to
1526 effectively collect, manage and analyze data
1527 to improve teaching and learning for the

1528 purpose of increasing student academic
1529 achievement.

1530 (4) Each program must provide evidence that
1531 their candidates meet the standards from a
1532 national organization approved by the board
1533 for the license fields offered in the
1534 program or, for license fields without
1535 national standards, the standards approved
1536 for the field.

1537 (5) Clinical experience must meet one of the
1538 following requirements:

1539 (A) A minimum of four hundred fifty (450)
1540 hours of supervised clinical experience
1541 in student teaching, internship or
1542 residency; or

1543 (B) Demonstration of teaching proficiency
1544 through a combination of documented
1545 satisfactory work experience and
1546 observation by the EPP; or

1547 (C) Passing a board approved performance
1548 assessment normed for Hawaii in
1549 combination with any other requirements
1550 determined by the EPP.

1551 (6) Each program is encouraged to provide
1552 supplemental mentoring support to its
1553 program completers throughout their first
1554 year of teaching in a format developed by
1555 the program.

1556 [Eff 10/30/14] (Auth: HRS §302A-
1557 805.5) (Imp: HRS §§302A-801 to -808)

1558 **§8-54-20 Procedure for first-time provisional**

1559 **unit or program review.** (a) When applying for
1560 approval of a first-time provisional unit or program
1561 review the following requirements shall be met:

1562 ~~(1)~~ The letter of intent and preconditions must
1563 be submitted for consideration ~~no less than~~

1564 ~~eighteen (18) months~~ prior to proposed
1565 program implementation; and

1566 (2) Within ~~six (6) months~~ two years of
1567 acceptance of the letter of intent and
1568 preconditions, the unit must submit one (1)
1569 unit report and a program report for each
1570 program that will prepare educators for
1571 initial licensure.

1572 (b) The board staff will convene a review team
1573 and conduct a virtual provisional review of the unit
1574 and programs within three (3) months of acceptance of
1575 the unit and program reports after staff review and
1576 board approval.

1577 (c) The board will review the panel's
1578 recommendation and issue a decision ~~within three (3)~~
1579 ~~months~~ upon recommendation of the board Teacher
1580 Education Committee.

1581 (d) A unit must receive board approval before
1582 advertising programs for initial licensure,
1583 implementing programs and accepting candidates into
1584 any educator preparation program. [Eff 10/30/14]
1585 (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

1586 **§8-54-21 Procedure for continuing unit review.**

1587 When applying for continuing unit review one of the
1588 following requirements shall be met:

1589 ~~(1) Units must obtain accreditation from a~~
1590 ~~national accrediting body authorized by the~~
1591 ~~US Department of Education prior to the~~
1592 ~~expiration of their provisional approval~~
1593 ~~and/or to be eligible for continued state~~
1594 ~~approval; and~~

1595 ~~(2) It is the unit's responsibility to apply for~~
1596 ~~renewal or extension and submit all~~
1597 ~~documentation required for the board's~~
1598 ~~review at least six (6) months in advance of~~

1599 ~~the expiration of provisional approval and~~
1600 ~~one (1) year in advance of the expiration of~~
1601 ~~an existing continuing approval period.~~
1602 (1) Obtain accreditation from a national
1603 accrediting body prior to the expiration of
1604 their provisional approval and/or to be
1605 eligible for continued state approval. The
1606 accrediting body must be approved in advance
1607 by the HTSB for use in continuing state
1608 approval. The HTSB Executive Director or
1609 designee will serve as an observer during
1610 the accreditation visit. It is the unit's
1611 responsibility to apply for renewal of state
1612 approval and submit all documentation
1613 required for the board's review at least six
1614 (6) months in advance of the expiration of
1615 provisional approval; or
1616 (2) Indigenous and culturally focused units
1617 may obtain accreditation from a national or
1618 international Indigenous focused accrediting
1619 body prior to the expiration of their
1620 provisional approval and/or to be eligible
1621 for continued state approval. The
1622 accrediting body must be approved in advance
1623 by the HTSB for use in continuing state
1624 approval. The HTSB Executive Director or
1625 designee will serve as an observer during
1626 the accreditation visit. It is the unit's
1627 responsibility to apply for renewal of state
1628 approval and submit all documentation
1629 required for the board's review at least six
1630 (6) months in advance of the expiration of
1631 provisional approval; or
1632 (3) All program completers recommended for
1633 licensure by the Unit shall submit official
1634 scores from a nationally normed performance

1635 assessment adopted by the HTSB. The Unit
1636 will be reviewed by a State Team composed
1637 of:

- 1638 a. One out of state professional educator,
1639 selected based on compatible experience
1640 with the type and size Unit;
- 1641 b. One out of state practitioner licensed
1642 in the field of the program, preferably
1643 a National Board for Professional
1644 Teaching Standards (NBPTS) certified
1645 teacher or one with the Teacher Leader
1646 designation on their license;
- 1647 c. HTSB Executive Director or designee;
- 1648 d. It is the Unit's responsibility to
1649 submit a Continuing Unit Review Report
1650 one (1) year in advance of the
1651 expiration of their existing approval
1652 period; or

1653 (4) All program completers recommended for
1654 licensure by the Unit are evaluated using
1655 unit-wide assessments. The unit will be
1656 reviewed by a State review by a team
1657 composed of:

- 1658 a. Two or more out of state professional
1659 educators, selected based on compatible
1660 experience with the type and size Unit;
- 1661 b. One or more out of state practitioners
1662 licensed in the field of the program,
1663 preferably a National Board for
1664 Professional Teaching Standards (NBPTS)
1665 certified teacher or a teacher with the
1666 Teacher Leader designation on their
1667 license;
- 1668 c. The number of program completers and
1669 number of separate licensure programs

1670 within the Unit will determine the
1671 number of State Team reviewers.
1672 d. HTSB Executive Director or designee;
1673 e. It is the Unit's responsibility to
1674 submit a Continuing Unit Review Report
1675 one (1) year in advance of the
1676 expiration of their existing approval
1677 period.

1678 [Eff 10/30/14] (Auth: HRS §302A-805.5)

1679 (Imp: HRS §§302A-801 to -808)

1680 **§8-54-22 Procedure for continuing program**

1681 **review.** (a) Programs may elect national review by the
1682 appropriate SPA. The program must receive national
1683 recognition or national recognition with conditions.

1684 (b) Programs not seeking national recognition
1685 shall:

1686 (1) Be reviewed as part of the unit report; and

1687 (2) Submit an audit to the board as an appendix
1688 to their annual report. [Eff 10/30/14]

1689 (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to
1690 -808)

1691 **§8-54-23 Recommendations for approval.** (a)

1692 Provisional review teams may make the following
1693 recommendations to the board:

1694 (1) Provisional approval;

1695 (2) Provisional approval with unit conditions
1696 and/or program areas for improvement; or

1697 (3) Deny approval.

1698 (b) Unit and program reports from continuing
1699 reviews conducted by national accrediting bodies will
1700 be submitted by the unit and programs and considered
1701 by the board for continuing seven (7) year state
1702 approval. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp:
1703 HRS §§302A-801 to -808)

1704 **§8-54-24 Procedure for added field program.** (a) A
1705 unit or other organization may be approved to prepare
1706 licensed educators to add a field to an existing
1707 license.

1708 (b) The program will be initially reviewed under
1709 the provisional program review process.

1710 (c) If the review is part of a unit, subsequent
1711 reviews will be conducted at the time of continuing
1712 unit review.

1713 (d) If the program is not part of an educator
1714 preparation unit but is an organization whose main
1715 purpose is to train educators in the specialty area,
1716 the program will be reviewed by a state review team.
1717 This program may not be used for initial licensure.
1718 [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS
1719 §§302A-801 to -808)

1720 **§8-54-25 Board action following review.** (a) The
1721 board may take the following actions for provisional
1722 unit and program review:

1723 (1) Provisional approval for three (3) years or
1724 until the unit's next national or state review;

1725 (2) Provisional approval with unit conditions
1726 and/or program areas for improvement for up
1727 to three (3) years; or

1728 (3) Deny approval. The unit may appeal or
1729 reapply for approval under the process
1730 determined by the board.

1731 (b) The board may take the following actions for
1732 continued review:

1733 (1) Full approval for seven (7) years;

1734 (2) Approval with unit conditions and/or program
1735 areas for improvement for up to seven (7)
1736 years;

1737 (3) Probationary approval and designation as
1738 "at-risk" for up to two (2) years. The unit
1739 and programs must correct the conditions and

1740 areas for improvement within two (2) years.
1741 The unit may appeal under the process
1742 determined by the board;
1743 (4) Denied and designation as "low performing".
1744 The unit may appeal under the process
1745 determined by the board; or
1746 (5) Revoke approval. The unit may appeal under
1747 the process determined by the board.
1748 [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS
1749 §§302A-801 to -808)

1750 **§8-54-26 Annual reporting by educator**
1751 **preparation programs.** (a) Educator preparation
1752 programs will submit an annual report on a specified
1753 form to include at a minimum the following:
1754 (1) Current contact information for the unit;
1755 (2) A list of all current traditional and
1756 alternative licensure programs offered by
1757 the unit;
1758 (3) Substantive changes within the reporting
1759 year;
1760 (4) Progress toward addressing any conditions or
1761 areas for improvement on their current
1762 approval; and
1763 (5) Progress toward obtaining or continuing
1764 national accreditation.
1765 (b) Hawaii educator preparation programs must
1766 submit a recommendation for licensure for program
1767 completers within six (6) weeks of program completion
1768 on a form specified by the board. Out of state
1769 preparation programs which work primarily with active
1770 military and military spouses may also report program
1771 completers on this form. [Eff 10/30/14] (Auth: HRS
1772 §302A-805.5) (Imp: HRS §§302A-801 to -808)

1773 **§8-54-27 Modification of programs.** (a) For
1774 minor modifications, the unit will describe the

1775 modifications in the annual report and include
1776 evidence that program quality is not affected.

1777 (b) For major modifications, the unit will
1778 submit a request to the board for implementation,
1779 including a description of the changes and evidence
1780 that standards will continue to be met.

1781 (c) For program elimination, the unit will
1782 submit information to the board in writing stating
1783 when the program will end, reasons for elimination,
1784 and assurances that current candidates will be able to
1785 complete the program. [Eff 10/30/14] (Auth: HRS §302A-
1786 805.5) (Imp: HRS §§302A-801 to -808)

1787 **§8-54-28 At-risk educator preparation programs.**

1788 (a) A unit will be designated "at-risk" under the
1789 following conditions:

- 1790 (1) The unit receives continuing
1791 accreditation/approval for less than five
1792 (5) years based on their national/state
1793 review; or
1794 (2) The unit's summary pass rate on content
1795 examinations falls below eighty per cent
1796 (80%).

1797 (b) A program will be designated "at-risk" under
1798 the following conditions:

- 1799 (1) The program fails to correct conditions of
1800 its SPA approval within the timeline
1801 specified by the SPA;
1802 (2) The program receives an approval decision of
1803 "Recognition with Probation" on its SPA
1804 report;
1805 (3) The program is given areas for improvement
1806 on its board approval and fails to correct
1807 the areas within the timeline specified by
1808 the board; or
1809 (4) The program's summary pass rate on content
1810 examinations falls below eighty per cent

1811 (80%) for a three (3) year average, if
1812 applicable.

1813 (c) Once a unit or program is designated as
1814 being "at-risk", the board will conduct periodic
1815 monitoring throughout the conditional period. [Eff
1816 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801
1817 to -808)

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1819 **§8-54-29 Low performing programs.** (a) A unit is
1820 designated "low performing" under the following
1821 conditions:

- 1822 (1) It receives continuing
1823 accreditation/approval for less than five
1824 (5) years based on their national/state
1825 review and fails to correct deficiencies and
1826 gain full approval within three (3) years;
1827 (2) It receives a national accreditation/state
1828 approval decision of "Denied" or "Revoked";
1829 or
1830 (3) The unit's summary pass rate on content
1831 examinations falls below seventy per cent
1832 (70%).

1833 (b) A program is designated "low performing"
1834 under the following conditions:

- 1835 (1) It receives a continuing review decision of
1836 Not Nationally Recognized on its SPA review;
1837 (2) The program receives a status of Denied
1838 Approval on its HTSB review; or
1839 (3) The program's summary pass rate on content
1840 examinations falls below seventy per cent
1841 (70%) for a three (3) year average where
1842 applicable.

1843 (c) Once a unit or program is designated as
1844 being "low performing", the unit must:

- 1845 (1) Post its status on a website accessible to
1846 the public;

- 1847 (2) Not accept candidates seeking licensure into
1848 the unit/program affected;
- 1849 (3) Submit a list to the board of all candidates
1850 remaining in the affected unit/program and
1851 the expected dates of completion;
- 1852 (4) Counsel all affected candidates about
1853 choices for program completion both in the
1854 unit and transferring to other preparation
1855 programs; and
- 1856 (5) Submit evidence of progress toward meeting
1857 these conditions in their annual report to
1858 the board. [Eff 10/30/14] (Auth: HRS §302A-
1859 805.5) (Imp: HRS §§302A-801 to -808)

1860 **§8-54-30 Appeals.** (a) Any Hawaii educator
1861 preparation program that receives an adverse decision
1862 may appeal that decision. An adverse decision
1863 includes:

- 1864 (1) The denial of an application for state
1865 approval of a unit of program;
- 1866 (2) The conditional approval of a unit or
1867 program;
- 1868 (3) The designation of "at-risk" or "low
1869 performing" status; or
- 1870 (4) The denial or revocation of approval of a
1871 unit or program.

1872 (b) An appeal must be based on the following
1873 grounds:

- 1874 (1) National or state standards were
1875 disregarded;
- 1876 (2) Stated procedures were not followed;
- 1877 (3) Evidence favorable to the unit or program
1878 provided to the review team was not
1879 considered; or
- 1880 (4) Evidence favorable to the unit or program
1881 provided to the board was not considered.

1882 (c) An appeal will be heard by an administrative
1883 hearing officer who will make a recommendation to the
1884 board to either:

- 1885 (1) Uphold the approval decision;
- 1886 (2) Conduct a second board review of the
1887 original team findings; or
- 1888 (3) Assign a new review team to review the unit
1889 or program to make another recommendation to
1890 the board. [Eff 10/30/14] (Auth: HRS §302A-
1891 805.5) (Imp: HRS §§302A-801 to -808)

1892 **§8-54-31 Reference materials for units and**
1893 **programs.** The board shall maintain an electronic
1894 repository of guidance materials for prospective and
1895 approved units. Reports from unit and program reviews
1896 and board approval will be posted electronically on
1897 the board's website. [Eff 10/30/14] (Auth: HRS §302A-
1898 805.5) (Imp: HRS §§302A-801 to -808)

1899

Unapproved Revisions

Amendments to and compilation of chapter 54, title 8, Hawaii Administrative Rules, on the Summary Page dated Month, day, year, were adopted on Month, day, year, following public hearing held on Month, day, year, after public notice was given in the Honolulu Star Advertiser on Month, day, year.

They shall take effect ten days after filing with the office of the Lieutenant Governor.

Felicia Villalobos
Chairperson
Hawaii Teacher Standards Board

APPROVED:

David Ige
Governor
State of Hawaii

Dated: _____

APPROVED AS TO FORM:

Deputy Attorney General

Unapproved Revisions

TEACHER PERFORMANCE STANDARDS

INTRODUCTION

The board adopted the Interstate Teacher Assessment and Support Consortium (InTASC) new "core teaching standards" which represent a major revision to the Model Standards for Beginning Teacher Assessment and Development. No longer limited to assessment and support of new teachers, the new standards define standards of professional practice for all teachers.

There are ten individual standards organized into four priority areas:

The Learner & Learning (standards 1-3)

Content (standards 4-5)

Instructional Practice (standards 6-8)

Professional Responsibility (standards 9-10)

Each standard is divided into the areas of performances, essential knowledge, and critical dispositions.

The core teaching standards include a focus on 21st century knowledge and skills; personalized learning for diverse learners; a collaborative professional culture; improved assessment literacy; and new leadership roles for teachers and administrators.

The core teaching standards describe what teachers should know and be able to do in today's learning context to ensure students attain these learning goals, as well as encourage teachers to build literacy

and thinking skills across the curriculum, and help students address multiple perspectives in exploring ideas and solving problems. The core teaching standards also address interdisciplinary themes and the teacher's ability to build on content that draws upon multiple disciplines.

Standard #1: Learner Development

The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.

1(a) The teacher regularly assesses individual and group performance in order to design and modify instruction to meet learners' needs in each area of development (cognitive, linguistic, social, emotional, and physical) and scaffolds the next level of development.

1(b) The teacher creates developmentally appropriate instruction that takes into account individual learners' strengths, interests, and needs and that enables each learner to advance and accelerate his/her learning.

1(c) The teacher collaborates with families, communities, colleagues, and other professionals to promote learner growth and development.

1(d) The teacher understands how learning occurs--how learners construct knowledge, acquire skills, and develop disciplined thinking processes--and knows how to use instructional strategies that promote student learning.

1(e) The teacher understands that each learner's cognitive, linguistic, social, emotional, and physical development influences learning and knows how to make instructional decisions that build on learners' strengths and needs.

1(f) The teacher identifies readiness for learning, and understands how development in any one area may affect performance in others.

1(g) The teacher understands the role of language and culture in learning and knows how to modify

instruction to make language comprehensible and instruction relevant, accessible, and challenging.

1(h) The teacher respects learners' differing strengths and needs and is committed to using this information to further each learner's development.

1(i) The teacher is committed to using learners' strengths as a basis for growth, and their misconceptions as opportunities for learning.

1(j) The teacher takes responsibility for promoting learners' growth and development.

1(k) The teacher values the input and contributions of families, colleagues, and other professionals in understanding and supporting each learner's development.

Standard #2: Learning Differences

The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards.

2(a) The teacher designs, adapts, and delivers instruction to address each student's diverse learning strengths and needs and creates opportunities for students to demonstrate their learning in different ways.

2(b) The teacher makes appropriate and timely provisions (e.g., pacing for individual rates of growth, task demands, communication, assessment, and response modes) for individual students with particular learning differences or needs.

2(c) The teacher designs instruction to build on learners' prior knowledge and experiences, allowing learners to accelerate as they demonstrate their understandings.

2(d) The teacher brings multiple perspectives to the discussion of content, including attention to learners' personal, family, and community experiences and cultural norms, *including Native Hawaiian history and culture.*

2(e) The teacher incorporates tools of language development into planning and instruction, including strategies for making content accessible to English language learners and for evaluating and

supporting their development of English proficiency.

2(f) The teacher accesses resources, supports, and specialized assistance and services to meet particular learning differences or needs.

(g) The teacher understands and identifies differences in approaches to learning and performance and knows how to design instruction that uses each learner's strengths to promote growth.

2(h) The teacher understands students with exceptional needs, including those associated with disabilities and giftedness, and knows how to use strategies and resources to address these needs.

2(i) The teacher knows about second language acquisition processes and knows how to incorporate instructional strategies and resources to support language acquisition.

2(j) The teacher understands that learners bring assets for learning based on their individual experiences, abilities, talents, prior learning, and peer and social group interactions, as well as language, culture, family, and community values.

2(k) The teacher knows how to access information about the values of diverse cultures and communities and how to incorporate learners' experiences, cultures, and community resources into instruction.

2(l) The teacher believes that all learners can achieve at high levels and persists in helping each learner reach his/her full potential.

2(m) The teacher respects learners as individuals with differing personal and family backgrounds and various skills, abilities, perspectives, talents, and interests.

2(n) The teacher makes learners feel valued and helps them learn to value each other.

2(o) The teacher values diverse languages and dialects and seeks to integrate them into his/her instructional practice to engage students in learning.

Standard #3: Learning Environments

The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation.

3(a) The teacher collaborates with learners, families, and colleagues to build a safe, positive learning climate of openness, mutual respect, support, and inquiry.

3(b) The teacher develops learning experiences that engage learners in collaborative and self-directed learning and that extend learner interaction with ideas and people locally and globally.

3(c) The teacher collaborates with learners and colleagues to develop shared values and expectations for respectful interactions, rigorous academic discussions, and individual and group responsibility for quality work.

3(d) The teacher manages the learning environment to actively and equitably engage learners by organizing, allocating, and coordinating the resources of time, space, and learners' attention.

3(e) The teacher uses a variety of methods to engage learners in evaluating the learning environment and collaborates with learners to make appropriate adjustments.

3(f) The teacher communicates verbally and nonverbally in ways that demonstrate respect for and responsiveness to the cultural backgrounds and differing perspectives learners bring to the learning environment.

3(g) The teacher promotes responsible learner use of interactive technologies to extend the possibilities for learning locally and globally.

3(h) The teacher intentionally builds learner capacity to collaborate in face-to-face and virtual environments through applying effective interpersonal communication skills.

3(i) The teacher understands the relationship between motivation and engagement and knows how to design learning experiences using strategies that build learner self-direction and ownership of learning.

3(j) The teacher knows how to help learners work productively and cooperatively with each other to achieve learning goals.

3(k) The teacher knows how to collaborate with learners to establish and monitor elements of a safe and productive learning environment including norms, expectations, routines, and organizational structures.

3(l) The teacher understands how learner diversity can affect communication and knows how to communicate effectively in differing environments.

3(m) The teacher knows how to use technologies and how to guide learners to apply them in appropriate, safe, and effective ways.

3(n) The teacher is committed to working with learners, colleagues, families, and communities to establish positive and supportive learning environments.

3(o) The teacher values the role of learners in promoting each other's learning and recognizes the importance of peer relationships in establishing a climate of learning.

3(p) The teacher is committed to supporting learners as they participate in decision making, engage in exploration and invention, work collaboratively and independently, and engage in purposeful learning.

3(q) The teacher seeks to foster respectful communication among all members of the learning community.

3(r) The teacher is a thoughtful and responsive listener and observer.

Standard #4: Content Knowledge

The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content.

4(a) The teacher effectively uses multiple representations and explanations that capture key ideas in the discipline, guide learners through

learning progressions, and promote each learner's achievement of content standards.

4(b) The teacher engages students in learning experiences in the discipline(s) that encourage learners to understand, question, and analyze ideas from diverse perspectives so that they master the content.

4(c) The teacher engages learners in applying methods of inquiry and standards of evidence used in the discipline.

4(d) The teacher stimulates learner reflection on prior content knowledge, links new concepts to familiar concepts, and makes connections to learners' experiences.

4(e) The teacher recognizes learner misconceptions in a discipline that interfere with learning, and creates experiences to build accurate conceptual understanding.

4(f) The teacher evaluates and modifies instructional resources and curriculum materials for their comprehensiveness, accuracy for representing particular concepts in the discipline, and appropriateness for his/her learners.

4(g) The teacher uses supplementary resources and technologies effectively to ensure accessibility and relevance for all learners.

4(h) The teacher creates opportunities for students to learn, practice, and master academic language in their content.

4(i) The teacher accesses school and/or district-based resources to evaluate the learner's content knowledge in their primary language.

4(j) The teacher understands major concepts, assumptions, debates, processes of inquiry, and ways of knowing that are central to the discipline(s) s/he teaches.

4(k) The teacher understands common misconceptions in learning the discipline and how to guide learners to accurate conceptual understanding.

4(l) The teacher knows and uses the academic language of the discipline and knows how to make it accessible to learners.

4(m) The teacher knows how to integrate culturally relevant content to build on learners' background knowledge.

4(n) The teacher has a deep knowledge of student content standards and learning progressions in the discipline(s) s/he teaches.

4(o) The teacher realizes that content knowledge is not a fixed body of facts but is complex, culturally situated, and ever evolving. S/he keeps abreast of new ideas and understandings in the field.

4(p) The teacher appreciates multiple perspectives within the discipline and facilitates learners' critical analysis of these perspectives.

4(q) The teacher recognizes the potential of bias in his/her representation of the discipline and seeks to appropriately address problems of bias.

4(r) The teacher is committed to work toward each learner's mastery of disciplinary content and skills.

Standard #5: Application of Content

The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.

5(a) The teacher develops and implements projects that guide learners in analyzing the complexities of an issue or question using perspectives from varied disciplines and cross-disciplinary skills (e.g., a water quality study that draws upon biology and chemistry to look at

factual information and social studies to examine policy implications).

5(b) The teacher engages learners in applying content knowledge to real world problems through the lens

of interdisciplinary themes (e.g., financial literacy, environmental literacy).

5(c) The teacher facilitates learners' use of current tools and resources to maximize content learning in varied contexts.

5(d) The teacher engages learners in questioning and challenging assumptions and approaches in order to foster innovation and problem solving in local and global contexts.

5(e) The teacher develops learners' communication skills in disciplinary and interdisciplinary contexts

by creating meaningful opportunities to employ a variety of forms of communication that address varied audiences and purposes.

5(f) The teacher engages learners in generating and evaluating new ideas and novel approaches, seeking inventive solutions to problems, and developing original work.

5(g) The teacher facilitates learners' ability to develop diverse social and cultural perspectives that expand their understanding of local and global issues and create novel approaches to solving problems.

5(h) The teacher develops and implements supports for learner literacy development across content areas.

5(i) The teacher understands the ways of knowing in his/her discipline, how it relates to other disciplinary approaches to inquiry, and the strengths and limitations of each approach in addressing problems, issues, and concerns.

5(j) The teacher understands how current interdisciplinary themes (e.g., civic literacy, health literacy, global awareness) connect to the core subjects and knows how to weave those themes into meaningful learning experiences.

5(k) The teacher understands the demands of accessing and managing information as well as how to evaluate issues of ethics and quality related to information and its use.

5(l) The teacher understands how to use digital and interactive technologies for efficiently and effectively achieving specific learning goals.

5(m) The teacher understands critical thinking processes and knows how to help learners develop high level questioning skills to promote their independent learning.

5(n) The teacher understands communication modes and skills as vehicles for learning (e.g., information gathering and processing) across disciplines as well as vehicles for expressing learning.

5(o) The teacher understands creative thinking processes and how to engage learners in producing original work.

5(p) The teacher knows where and how to access resources to build global awareness and understanding, and how to integrate them into the curriculum.

5(q) The teacher is constantly exploring how to use disciplinary knowledge as a lens to address local and global issues.

5(r) The teacher values knowledge outside his/her own content area and how such knowledge enhances student learning.

5(s) The teacher values flexible learning environments that encourage learner exploration, discovery, and expression across content areas.

Standard #6: Assessment

The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making.

6(a) The teacher balances the use of formative and summative assessment as appropriate to support, verify, and document learning.

6(b) The teacher designs assessments that match learning objectives with assessment methods and minimizes sources of bias that can distort assessment results.

6(c) The teacher works independently and collaboratively to examine test and other performance data to understand each learner's progress and to guide planning.

6(d) The teacher engages learners in understanding and identifying quality work and provides them with effective descriptive feedback to guide their progress toward that work.

- 6(e) The teacher engages learners in multiple ways of demonstrating knowledge and skill as part of the assessment process.
- 6(f) The teacher models and structures processes that guide learners in examining their own thinking and learning as well as the performance of others.
- 6(g) The teacher effectively uses multiple and appropriate types of assessment data to identify each student's learning needs and to develop differentiated learning experiences.
- 6(h) The teacher prepares all learners for the demands of particular assessment formats and makes appropriate accommodations in assessments or testing conditions, especially for learners with disabilities and language learning needs.
- 6(i) The teacher continually seeks appropriate ways to employ technology to support assessment practice both to engage learners more fully and to assess and address learner needs.
- 6(j) The teacher understands the differences between formative and summative applications of assessment and knows how and when to use each.
- 6(k) The teacher understands the range of types and multiple purposes of assessment and how to design, adapt, or select appropriate assessments to address specific learning goals and individual differences, and to minimize sources of bias.
- 6(l) The teacher knows how to analyze assessment data to understand patterns and gaps in learning, to guide planning and instruction, and to provide meaningful feedback to all learners.
- 6(m) The teacher knows when and how to engage learners in analyzing their own assessment results and in helping to set goals for their own learning.
- 6(n) The teacher understands the positive impact of effective descriptive feedback for learners and knows a variety of strategies for communicating this feedback.
- 6(o) The teacher knows when and how to evaluate and report learner progress against standards.
- 6(p) The teacher understands how to prepare learners for assessments and how to make accommodations

in assessments and testing conditions, especially for learners with disabilities and language learning needs.

6(q) The teacher is committed to engaging learners actively in assessment processes and to developing each learner's capacity to review and communicate about their own progress and learning.

6(r) The teacher takes responsibility for aligning instruction and assessment with learning goals.

6(s) The teacher is committed to providing timely and effective descriptive feedback to learners on their progress.

6(t) The teacher is committed to using multiple types of assessment processes to support, verify, and document learning.

6(u) The teacher is committed to making accommodations in assessments and testing conditions, especially for learners with disabilities and language learning needs.

6(v) The teacher is committed to the ethical use of various assessments and assessment data to identify learner strengths and needs to promote learner growth

Standard #7: Planning for Instruction

The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.

7(a) The teacher individually and collaboratively selects and creates learning experiences that are appropriate for curriculum goals and content standards, and are relevant to learners.

7(b) The teacher plans how to achieve each student's learning goals, choosing appropriate strategies and accommodations, resources, and materials to differentiate instruction for individuals and groups of learners.

7(c) The teacher develops appropriate sequencing of learning experiences and provides multiple ways to demonstrate knowledge and skill.

7(d) The teacher plans for instruction based on formative and summative assessment data, prior learner knowledge, and learner interest.

7(e) The teacher plans collaboratively with professionals who have specialized expertise (e.g., special educators, related service providers, language learning specialists, librarians, media specialists) to design and jointly deliver as appropriate learning experiences to meet unique learning needs.

7(f) The teacher evaluates plans in relation to short- and long-range goals and systematically adjusts plans to meet each student's learning needs and enhance learning.

7(g) The teacher understands content and content standards and how these are organized in the curriculum.

7(h) The teacher understands how integrating cross- disciplinary skills in instruction engages learners purposefully in applying content knowledge.

7(i) The teacher understands learning theory, human development, cultural diversity, and individual differences and how these impact ongoing planning.

7(j) The teacher understands the strengths and needs of individual learners and how to plan instruction that is responsive to these strengths and needs.

7(k) The teacher knows a range of evidence-based instructional strategies, resources, and technological tools and how to use them effectively to plan instruction that meets diverse learning needs.

7(l) The teacher knows when and how to adjust plans based on assessment information and learner responses.

7(m) The teacher knows when and how to access resources and collaborate with others to support student learning (e.g., special educators, related service providers, language learner specialists, librarians, media specialists, community organizations).

7(n) The teacher respects learners'

diverse strengths and needs and is committed to using this information to plan effective instruction.

7(o) The teacher values planning as a collegial activity that takes into consideration the input of learners, colleagues, families, and the larger community.

7(p) The teacher takes professional responsibility to use short- and long-term planning as a means of assuring student learning.

7(q) The teacher believes that plans must always be open to adjustment and revision based on learner needs and changing circumstances.

Standard #8: Instructional Strategies

The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways.

8(a) The teacher uses appropriate strategies and resources to adapt instruction to the needs of individuals and groups of learners.

8(b) The teacher continuously monitors student learning, engages learners in assessing their progress, and adjusts instruction in response to student learning needs.

8(c) The teacher collaborates with learners to design and implement relevant learning experiences, identify their strengths, and access family and community resources to develop their areas of interest.

8(d) The teacher varies his/her role in the instructional process (e.g., instructor, facilitator, coach, audience) in relation to the content and purposes of instruction and the needs of learners.

8(e) The teacher provides multiple models and representations of concepts and skills with opportunities for learners to demonstrate their knowledge through a variety of products and performances.

8(f) The teacher engages all learners in developing higher order questioning skills and metacognitive processes.

8(g) The teacher engages learners in using a range of learning skills and technology tools to access, interpret, evaluate, and apply information.

8(h) The teacher uses a variety of instructional strategies to support and expand learners' communication through speaking, listening, reading, writing, and other modes.

8(i) The teacher asks questions to stimulate discussion that serves different purposes (e.g., probing for learner understanding, helping learners articulate their ideas and thinking processes, stimulating curiosity, and helping learners to question).

8(j) The teacher understands the cognitive processes associated with various kinds of learning (e.g., critical and creative thinking, problem framing and problem solving, invention, memorization and recall) and how these processes can be stimulated.

8(k) The teacher knows how to apply a range of developmentally, culturally, and linguistically appropriate instructional strategies to achieve learning goals.

8(l) The teacher knows when and how to use appropriate strategies to differentiate instruction and engage all learners in complex thinking and meaningful tasks.

8(m) The teacher understands how multiple forms of communication (oral, written, nonverbal, digital, visual) convey ideas, foster self expression, and build relationships.

8(n) The teacher knows how to use a wide variety of resources, including human and technological, to engage students in learning.

8(o) The teacher understands how content and

skill development can be supported by media and technology and knows how to evaluate these resources for quality, accuracy, and effectiveness.

8(p) The teacher is committed to deepening awareness and understanding the strengths and needs of diverse learners when planning and adjusting instruction.

8(q) The teacher values the variety of ways people communicate and encourages learners to develop and use multiple forms of communication.

8(r) The teacher is committed to exploring how the use of new and emerging technologies can support and promote student learning.

8(s) The teacher values flexibility and reciprocity in the teaching process as necessary for adapting instruction to learner responses, ideas, and needs.

Standard #9: Professional Learning and Ethical Practice

The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner.

9(a) The teacher engages in ongoing learning opportunities to develop knowledge and skills in order to provide all learners with engaging

curriculum and learning experiences based on local and state standards.

9(b) The teacher engages in meaningful and appropriate professional learning experiences aligned with his/her own needs and the needs of the learners, school, and system.

9(c) Independently and in collaboration with colleagues, the teacher uses a variety of data (e.g., systematic observation, information about learners, research) to evaluate the outcomes of teaching and learning and to adapt planning and practice.

9(d) The teacher actively seeks professional, community, and technological resources, within and outside the school, as supports for analysis, reflection, and problem-solving.

9(e) The teacher reflects on his/her personal biases and accesses resources to deepen his/her own understanding of cultural, ethnic, gender, and learning differences to build stronger relationships and create more relevant learning experiences.

9(f) The teacher advocates, models, and teaches safe, legal, and ethical use of information and technology including appropriate documentation of sources and respect for others in the use of social media

9(g) The teacher understands and knows how to use a variety of self-assessment and problem-solving strategies to analyze and reflect on his/her practice and to plan for adaptations/adjustments.

9(h) The teacher knows how to use learner data to analyze practice and differentiate instruction accordingly.

9(i) The teacher understands how personal identity, worldview, and prior experience affect perceptions and expectations, and recognizes how they may bias behaviors and interactions with others.

9(j) The teacher understands laws related to learners' rights and teacher responsibilities (e.g., for educational equity, appropriate education for learners with disabilities, confidentiality, privacy, appropriate treatment of learners, reporting in situations related to possible child abuse).

9(k) The teacher knows how to build and implement a plan for professional growth directly aligned with his/her needs as a growing professional using feedback from teacher evaluations and observations, data on learner performance, and school- and system-wide priorities

9(l) The teacher takes responsibility for student learning and uses ongoing analysis and reflection to improve planning and practice.

9(m) The teacher is committed to deepening understanding of his/her own frames of reference (e.g., culture, gender, language, abilities, ways of knowing), the potential biases in these frames, and their impact on expectations for and relationships with learners and their families.

9(n) The teacher sees him/herself as a learner, continuously seeking opportunities to draw upon current education policy and research as sources of analysis and reflection to improve practice.

9(o) The teacher understands the expectations of the profession including codes of ethics, professional standards of practice, and relevant law and policy.

Standard #10: Leadership and Collaboration

The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

10(a) The teacher takes an active role on the instructional team, giving and receiving feedback on practice, examining learner work, analyzing data from multiple sources, and sharing responsibility for decision making and accountability for each student's learning.

10(b) The teacher works with other school professionals to plan and jointly facilitate learning on how to meet diverse needs of learners.

10(c) The teacher engages collaboratively in the school-wide effort to build a shared vision and supportive culture, identify common goals, and monitor and evaluate progress toward those goals.

10(d) The teacher works collaboratively with learners and their families to establish mutual expectations and ongoing communication to support learner development and achievement.

10(e) Working with school colleagues, the teacher builds ongoing connections with community resources to enhance student learning and well being.

10(f) The teacher engages in professional learning, contributes to the knowledge and skill of others, and works collaboratively to advance professional practice.

10(g) The teacher uses technological tools and a variety of communication strategies to build local and global learning communities that engage learners, families, and colleagues.

10(h) The teacher uses and generates meaningful research on education issues and policies.

10(i) The teacher seeks appropriate opportunities to model effective practice for colleagues, to lead

professional learning activities, and to serve in other leadership roles.

10(j) The teacher advocates meeting the needs of learners, to strengthen the learning environment, and to enact system change.

10(k) The teacher takes on leadership roles at the school, district, state, and/or national level and advocates for learners, the school, the community, and the profession.

10(l) The teacher understands schools as organizations within a historical, cultural, political, and social context and knows how to work with others across the system to support learners.

10(m) The teacher understands that alignment of family, school, and community spheres of influence enhances student learning and that discontinuity in these spheres of influence interferes with learning.

10(n) The teacher knows how to work with other adults and has developed skills in collaborative interaction appropriate for both face-to-face and virtual contexts.

10(o) The teacher knows how to contribute to a common culture that supports high expectations for student learning.

10(p) The teacher actively shares responsibility for shaping and supporting the mission of his/her school as one of advocacy for learners and accountability for their success.

10(q) The teacher respects families' beliefs, norms, and expectations and seeks to work collaboratively with learners and families in setting and meeting challenging goals.

10(r) The teacher takes initiative to grow and develop with colleagues through interactions that enhance practice and support student learning.

10(s) The teacher takes responsibility for contributing to and advancing the profession.

10(t) The teacher embraces the challenge of continuous improvement and change.

SCHOOL LIBRARIAN PERFORMANCE STANDARDS

INTRODUCTION

The effective school librarian focuses on students' long-term development into responsible and independent learners. Effective students acquire the basic skills and dispositions necessary to achieve autonomy, literacy, responsibility to self and other, and lifelong learning. The ultimate goal is for students to become positive, confident, competent, caring learners who demonstrate initiative, solve problems, set goals, and make decisions that help them to function successfully in a rapidly changing technological society. The educational system must develop citizens who can govern themselves and have a global perspective. The citizens must be flexible, resourceful, and able to deal with open-endedness, complexity, information explosion, and accelerated growth in technologies while maintaining a set of values, individual stability, and integrity.

Standard 1: Teaching for Learning

School librarians are effective teachers who demonstrate knowledge of learners and learning.

They model and promote collaborative planning, instruction in multiple literacies, and inquiry based learning, enabling members of the learning community to become effective users and creators of ideas and information. They design and implement instruction that engages students' interests and develops their ability to inquire, think critically, gain and share knowledge.

1.1 Knowledge of learners and learning

School librarians demonstrate knowledge of learning styles, stages of human growth and development, and cultural influences on learning. They assess learner needs and design instruction that reflect best practices in teaching. They support the learning of various members of the educational community including those with diverse learning styles, physical and intellectual abilities and needs. School Librarians base instruction on interests and needs and link it to the assessment of student achievement.

1.2 Effective and knowledgeable teacher

School librarians implement the principles of effective teaching and learning that contribute to an active, inquiry-based approach to learning. They use a variety of instructional strategies and assessment tools to design and develop digital-age learning experiences and assessments in partnership with classroom teachers and other educators. They document and communicate the impact of collaborative instruction on student achievement.

1.3 Instructional partner

School librarians model, share, and promote effective principles of teaching and learning as collaborative partners with other educators. They participate in curriculum development, engage in school improvement processes, and offer professional development to various members of the educational community as it relates to library and information use.

1.4 Integration of twenty-first century skills and learning standards

school librarians advocate for twenty-first century literacy skills to support the learning needs of the school community. They

collaborate with other teachers to plan and implement instruction based on of the AASL Standards for the 21st-Century Learner and curriculum standards. They employ strategies to integrate multiple literacies with content curriculum. School librarians integrate the use of technologies as a means for effective and creative teaching and to support PreK-12 students' conceptual understanding, critical thinking and creative processes.

Standard 2: Literacy and Reading

School librarians promote reading for learning, personal growth, and enjoyment. They use a variety of strategies to reinforce classroom reading instruction to address the diverse needs and interests of all readers.

2.1 Literature

School librarians are familiar with a wide range of children's, young adult, and professional literature in multiple formats and languages to support reading for information, reading for pleasure, and reading for lifelong learning.

2.2 Reading promotion

School librarians use a variety of strategies to promote reading for learning, personal growth, and enjoyment.

2.3 Respect for diversity

School librarians develop a collection of reading and information materials in print and digital formats that support the diverse developmental, cultural, social, and linguistic needs of PreK-12 students and their communities.

2.4 Literacy strategies

School librarians collaborate with classroom teachers to reinforce a wide variety of reading instructional strategies to ensure PreK-12 students are able to create meaning from text.

Standard 3: Information and Knowledge

School librarians model and promote ethical, equitable access to and use of physical, digital, and virtual collections of resources. They provide a variety of information sources and services that support the needs of the diverse learning community. They use a variety of research strategies to generate knowledge to improve practice in school libraries.

3.1 Efficient and ethical information-seeking behavior

School librarians identify and provide support for diverse student information needs. They model multiple strategies for students, other teachers, and administrators to locate, evaluate, and ethically use information for specific purposes. They collaborate with students, other teachers, and administrators to efficiently access, interpret, and communicate information.

3.2 Access to information

School librarians support flexible, open access for library services. They develop solutions for addressing physical, social and intellectual barriers to equitable access to resources and services. They facilitate access to information in print, non-print, and digital formats. They model and communicate the legal and ethical codes of the profession.

3.3 Information technology

School librarians design and adapt relevant learning experiences that engage students in the use of digital tools and resources. They model and facilitate the effective use of digital tools to locate, analyze, evaluate, and use information resources to support research, learning, creating, and communicating in a global society.

3.4 Research and knowledge creation

School librarians use evidence-based, action research to collect data. They interpret and use data to create and share new knowledge to support and improve practice in school libraries.

Standard 4: Advocacy and Leadership

School librarians advocate for dynamic school library programs and positive learning environments that focus on student learning and achievement by collaborating and connecting with teachers, administrators, librarians, and the community. They are committed to continuous learning and professional growth and lead professional development activities for other educators. They provide leadership by articulating ways in which school libraries contribute to student achievement.

4.1. Networking with the library community

School librarians participate and collaborate as members of a social and intellectual network of learners. They establish partnerships with other libraries for resource sharing and networking.

4.2 Professional development

School librarians model a strong commitment to the profession by participating in professional growth and leadership opportunities through joining library associations, participating in professional conferences, reading professional publications, and exploring Internet resources. They plan for ongoing professional growth.

4.3 Leadership

School librarians articulate the roles and relationships of the library program's support of student academic achievement within the context of current educational initiatives. Utilizing evidence based practice and information from education and library research, They communicate ways in which the library program can enhance school improvement efforts.

4.4 Advocacy School librarians identify stakeholders within and outside the school community who impact the school library program. They use a range of strategies to advocate for school library and information programs, for resources, and for services.

Standard 5: Program Management and Administration

School librarians plan, develop, implement, and evaluate school library programs, resources, and services in support of the mission of the library program and the school according to the ethics and principles of library science, education, management, and administration.

5.1 Collections and Information Access

School librarians evaluate and select print, non-print, and digital resources using professional selection tools and evaluation criteria to develop and manage a quality program of information access designed to meet the diverse curricular, personal, and professional needs of students, teachers, and administrators. They organize school library collections according to current library cataloging and classification principles and standards.

5.2 Professional Ethics

School librarians practice the ethical principles of their profession, advocate for intellectual freedom and privacy, and promote and model digital citizenship and responsibility. They educate the school community on the ethical use of information and ideas.

5.3 Personnel, Funding, and Facilities

School librarians apply best practices related to planning, budgeting, and evaluating human, information, and physical resources. They organize library facilities to enhance the use of information resources and services and to ensure equitable access to all resources for all users. They develop, implement, and evaluate policies and procedures that support teaching and learning in school libraries.

5.4 Strategic planning and assessment

School librarians communicate and collaborate with students, teachers, administrators, and community members to develop a library program that aligns resources, services, and standards with the school's mission. They make effective use of data and

information to assess how the library program addresses the needs of their diverse community.

Unapproved Revisions

SCHOOL COUNSELOR PERFORMANCE STANDARDS

INTRODUCTION

The effective school counselor focuses on students' long-term academic, career, and personal/social development; effective school counselor demonstrates the basic skills and dispositions to promote students' autonomy, literacy, responsibility to self and others, and lifelong learning. With developmentally appropriate counseling and guidance, the ultimate goal is for students to become positive, courageous, confident, competent, and caring human beings. The educational system must develop citizens who can govern themselves and have a global perspective. The citizens must be flexible, resourceful and able to deal with open-endedness, complexity. The effective school counselor promotes students' autonomy, literacy, responsibility to self and others, and lifelong learning through developmentally appropriate counseling and guidance.

Standard 1: The professional school counselor plans, organizes and delivers the school counseling program.

1.1 A program is designed to meet the needs of the school.

1.2 The professional school counselor demonstrates positive interpersonal relationships with students.

1.3 The professional school counselor demonstrates positive interpersonal relationships with educational staff.

1.4 The professional school counselor demonstrates positive interpersonal relationships with parents or guardians.

Standard 2: The professional school counselor is able to implement a school guidance curriculum through the use of effective instructional skills and careful planning of structured group sessions.

2.1 The professional school counselor is able to teach school guidance units effectively.

2.2 The professional school counselor is able to develop materials and instructional strategies to meet student needs and school goals.

2.3 The professional school counselor collaborates with staff involvement to ensure the effective implementation of the school guidance curriculum.

Standard 3: The professional school counselor implements the individual planning component by guiding individuals and groups of students and their parents or guardians through the development of educational and career plans.

3.1 The professional school counselor, in collaboration with parents or guardians, helps students establish goals and develop and use planning skills.

3.2 The professional school counselor demonstrates accurate and appropriate interpretation of assessment data and the presentation of relevant, unbiased information.

Standard 4: The professional school counselor provides responsive services through the effective use of

individual and small-group counseling, consultation and referral skills.

4.1 The professional school counselor counsels individual students and small groups of students with identified needs and concerns.

4.2 The professional school counselor consults effectively with parents or guardians, teachers, administrators and other relevant individuals.

4.3 The professional school counselor implements an effective referral process with administrators, teachers and other school personnel.

Standard 5: The professional school counselor provides system support through effective school counseling program management and support for other educational programs.

5.1 The professional school counselor provides a comprehensive and balanced school counseling program in collaboration with school staff.

5.2 The professional school counselor provides support for other school programs.

5.3 The professional school counselor develops and distributes a calendar which identifies counseling activities and programs.

Standard 6: The professional school counselor discusses the counseling department management system and the program action plans with the school administrator.

6.1 The professional school counselor discusses the qualities of the school counselor management system with the other members of the counseling staff and/or school administrator.

6.2 The professional school counselor discusses the anticipated program results when implementing the action plans for the school year.

Standard 7: The professional school counselor collects and analyzes data to guide program direction and emphasis.

7.1 The professional school counselor uses school data to make decisions regarding student choice of classes and/or special programs.

7.2 The professional school counselor uses data from the counseling program to make decisions regarding program revisions.

7.4 The professional school counselor understands and uses data to establish goals and activities to support academic achievement.

Standard 8: The professional school counselor monitors the students on a regular basis as they progress in school.

8.1 The professional school counselor is accountable for monitoring students' progress.

8.2 The professional school counselor implements monitoring systems appropriate to the individual school.

8.3 The professional school counselor develops appropriate interventions for students as needed and monitors their progress.

Standard 9: The professional school counselor develops a system for evaluating the results of the counseling program.

9.1 The professional school counselor collects data and analyzes results attained from school counseling activities.

9.2 The professional school counselor works with members of the counseling team, if applicable, and with the principal to clarify how programs are evaluated and how results are shared.

9.3 The professional school counselor uses program assessment to make changes as needed in the school counseling program and calendar for the following year.

9.4 The professional school counselor shares the results of the program assessment with stakeholders.

Standard 10: The professional school counselor is an advocate for students, a leader, collaborator, and a systems change agent.

10.1 The professional school counselor promotes academic success of students.

10.2 The professional school counselor promotes equity and access for students.

10.3 The professional school counselor takes a leadership role within the school setting and/or community.

10.4 The professional school counselor understands reform issues and works to close the achievement gap.

10.5 The professional school counselor collaborates with teachers, parents and the community to promote academic success of students.

10.6 The professional school counselor is a member of effective teams and encourages collaboration among all school staff.

10.7 The professional school counselor uses data to recommend systemic change in policy and procedures that limit or inhibit academic achievement.

Unapproved Revisions

CODE OF ETHICS

Preface

The Hawaii Teacher Standards Board Code of Ethics supports the vision, core values, and mission of the board in fostering professional standards for teachers, not only with regard to academic rigor, but to include the highest ethical standards of professional conduct which foster commitment to students, the profession, and the community. This code is intended to advance the teaching profession, to guide the professional behavior of P-12 educators in the State of Hawaii, and to form the basis for disciplinary action taken by the Board, as authorized in Hawaii Revised Statutes §302A-807.

Principle I: Commitment to Students

Hawaii P-12 educators shall:

- ❑ provide students with appropriate educational services based on research and accepted best practices
- ❑ provide services to students in a nondiscriminatory manner;
- ❑ take all reasonable precautions to protect the health, safety and well being of students;
- ❑ maintain a respectful, professional relationship with students;
- ❑ keep information about students in confidence, unless disclosure is required by law or serves a professional purpose;
- ❑ nurture in students a life-long respect and compassion for themselves and others.
- ❑ promote the right and freedom of students to learn, explore ideas, develop learning skills and

acquire the necessary knowledge to achieve their full potential;

- not exploit professional relationships with students for personal gain.

Principle II: Commitment to the Profession

Hawaii P-12 educators shall:

- exhibit behaviors which uphold the dignity of the profession;
- be fair and equitable in their treatment of all members of the profession in a nondiscriminatory manner;
- keep information about colleagues in confidence, unless disclosure is required by law or serves a compelling professional purpose;
- continue to study, apply, and advance the professional knowledge base for P-12 educators and maintain a commitment to professional education.

Principle III: Commitment to the Community

Hawaii P-12 educators shall:

- distinguish between personal and institutional views in communication to the public;
- be truthful in representing facts concerning educational matters;
- decline any gratuity, gift or favor that would impair or influence professional decisions or actions;
- make information about education research and best practices available to students, parents, colleagues, and the public;
- be open and honest with students, parents, colleagues, and the public.