

New Business Item 19-43

Introduced June 18, 2020

Passed June 18, 2020

TITLE: Consideration of Suspension of Hawaii Administrative Rules to Grant Emergency Hire Teachers One Additional Year of Employment Eligibility to Allow Additional Time to Obtain Their Teaching License Due to the Novel Coronavirus COVID-19 Pandemic

Hawaii Revised Statutes (HRS) §302A-803 (b) allows the Hawaii Teacher Standards Board (HTSB) to temporarily suspend its Hawaii Administrative Rules (HAR) if extenuating circumstances exist.

The COVID-19 Pandemic prompted the closure of Hawaii school campuses and licensure testing centers. As a result, teacher candidates in their final semester of preparation in Hawaii Educator Preparation Programs were unable to complete their preparation programs and be recommended for licensure.

For teacher candidates employed in Hawaii Department of Education and Public Charter Schools, HRS allows three years for an unlicensed individual to teach in public schools:

- DOE: HRS 302A-804 b 3 C: No individual may be employed by the department on an emergency basis for more than three years. During this time, the individual shall demonstrate active pursuit of licensing in each year of employment.
- Charter Schools: HRS 302A-804 d 2 C: No individual may be employed by the charter school on an emergency basis for more than three years. During this time, the individual shall demonstrate active pursuit of licensing in each year of employment.

HAR §8-54-9.4 also sets the three year employment limit on unlicensed teachers:

- HAR §8-54-9.4 Emergency Hires. (a) an individual who is unable to meet the requirements for a license may be issued a special permit for eligibility to be considered for employment by a public school for a period not to exceed one (1) year at a time, renewable up to a total of three (3) years . . .
- HAR §8-54-9.4 (b) The public school may reemploy an emergency hire one (1) year at a time, up to a total of three (3) years, provided that emergency hire: . . .

Presently, there are over sixty individuals who are in their third year of employment in Hawaii's public schools as Emergency Hire, or unlicensed, teachers. These teachers have been working toward full licensure with the intention of completing their teacher preparation programs and becoming licensed before June 30, 2020, to be eligible for continuing employing as public school teachers.

To allow additional time for these teachers to complete their preparation programs and become licensed, the HTSB suspends the following sections of its HAR effective June 18, 2020, through June 30, 2021:

HAR §8-54-9.4 Emergency Hires. (a) an individual who is unable to meet the requirements for a license may be issued a special permit for eligibility to be considered for employment by a public school for a period not to exceed one (1) year at a time, renewable up to a total of three (3) years . . .

and

HAR §8-54-9.4

(b) The public school may reemploy an emergency hire one (1) year at a time, up to a total of three (3) years, provided that emergency hire: . . .

All other sections of HAR §8-54-9.4 regarding Emergency Hire teachers remain in effect.

With the adoption of this policy, an Emergency Hire teacher may apply for a fourth Emergency Hire Permit effective July 1, 2020, through June 30, 2021, and is eligible to be employed by the Hawaii Department of Education and Public Charter Schools for a fourth year.

The Executive Director shall notify affected Emergency Hire Permit holders, the Hawaii Department of Education and Public Charter Schools of this action.

Submitted by: Jonathan Kissida

Referred to: