

**New Business Item 12-20**

Introduced 1/25/13

Approved 1/25/13

**TITLE:** Assessment of Fine for Teaching in Hawaii Public Schools without an Active License

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Hawaii Department of Education and Charter School teachers are required to hold a valid license. Hawaii Revised Statutes §302A-808 provides a penalty for individuals teaching in Hawaii public school without a valid license as well as their employers:

**§302A-808 Penalty.** Any person who engages in the profession of teaching in a public school without first being issued a license or hired on an emergency basis as defined in this chapter shall be fined not more than \$500. Any person who knowingly or intentionally violates this subpart by employing an individual as a public school teacher who does not possess a valid license or is not a department of education emergency hire as defined in this chapter may be fined not more than \$500. All fines shall be deposited into the Hawaii teacher standards board special fund. [L 1996, c 89, pt of §2; am L 2001, c 312, pt of §10; am L 2003, c 3, §13]

The Hawaii Teacher Standards Board approves the following regarding collection of fines for teaching in Hawaii public schools without an active license:

- Effective March 1, 2013, any teacher, school librarian or school counselor holding an expired license and practicing the profession of teaching in a Hawaii Department of Education or Charter School will be assessed a fine of \$500;
- These licensees must pay the fine prior to renewal of their license;
- Effective March 1, 2013, an employer of any teacher, school librarian or school counselor holding an expired license and practicing the profession of teaching in a Hawaii Department of Education or Charter School will be assessed a fine of \$500 for each violation;
- Effective March 1, 2013, any teacher, school librarian or school counselor holding a forfeited license and practicing the profession of teaching in a Hawaii Department of Education or Charter School will be assessed a fine of \$500;
- Individuals holding a forfeited license must pay the fine, any late fee and the license fee due prior to restoration of their license;
- Effective March 1, 2013, an employer of any teacher, school librarian or school counselor holding a forfeited license and practicing the profession of teaching in a Hawaii Department of Education or Charter School will be assessed a fine of \$500 for each violation.

**Submitted by:** Terry Lynn Holck

**Referred to:** Committee of the Whole