TITLE: Approval of Revisions to Hawaii Administrative Rules

The Hawaii Teacher Standards Board approves the following revisions to Hawaii Administrative Rules.

The Executive Director shall implement the administrative rule process:

1. Submit the revisions to the Attorney General’s office for review as to form.
2. Following approval by the Attorney General’s office, the revisions will be submitted to the Governor’s office for approval to hold a public hearing.
3. The hearing shall be advertised and held according to state law.
4. Testimony from the hearing will be submitted to the HTSB for review and possible additional revision. If there is significant revision, steps 1 through 4 will be repeated.
5. If there is no additional revision, the rules shall be returned to the Attorney General for approval as to form.
6. Once signed, final approval will be requested from the Governor for the revisions to become law.

Submitted by: Branden Kawazoe
## REVISION OF HAWAII ADMINISTRATIVE RULES
### HAWAII TEACHER STANDARDS BOARD
### 2021

<table>
<thead>
<tr>
<th>A</th>
<th>CURRENT RULES</th>
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<tbody>
<tr>
<td><strong>§8-54-1 Statement of purpose.</strong> (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.</td>
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<tr>
<td><strong>(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.</strong> (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)</td>
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<tr>
<th>B</th>
<th>RAMSEYER FORMAT</th>
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<tr>
<td><strong>§8-54-1 Statement of purpose.</strong> (a) All of Hawaii’s P-12 students public school children deserve to be served by educators taught by teachers who are qualified to practice their respective professions of teaching. The provision of quality education for all P-12 students in Hawaii public school children is a critical function of state government. The highest standards must be applied to the training of educators teachers, the screening of applicants for employment in Hawaii and the continued employment of educators teachers. Educator teacher standards strengthen the school system’s accountability to the public by ensuring that qualified educators teachers are employed in the Hawaii P-12 public school system.</td>
<td></td>
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<tr>
<th>C</th>
<th>PROPOSED REVISIONS 10-05-2021</th>
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<tbody>
<tr>
<td>Educators is more inclusive (see definitions) and respective professions</td>
<td></td>
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<tr>
<td>Specifically for P-12 students because those are the only grade levels approved by the HTSB</td>
<td></td>
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<tr>
<td>Hawaii-specific educators</td>
<td></td>
</tr>
<tr>
<td>Define educator standards</td>
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<th>D</th>
<th>RATIONALE – 10-05-2021 REVISIONS</th>
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</table>
§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.

(c) In situations not specifically addressed by these rules, the board shall use its best discretion in furtherance of HAR §§8-54-1 and 8-54-1.1. (Eff 6/13/97; comp 7/18/98; comp 11/20/01; 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)

Language to address items that are not specifically identified

Addition of certification
| §8-54-2 Repealed [R 10/30/14] | §8-54-2.1 Applicability. Any action relating to the screening and hiring of teacher applicants by the department or charter schools shall be in accordance with the standards provided in this chapter. All licenses and permits issued by the board shall be renewable provided the licensee or permittee continues to satisfy the board’s standards and the renewal requirements. | Concise language

Delete renewable language because each section identifies this language |
§8-54-2.2 Delegation of Powers. (a) The board delegates authority to the Executive Director to complete the actions set forth in subsections (b) and (c). All delegated actions will be presented to the board at their next regularly scheduled meeting.

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

1. All forms, tests and documentation for meeting licensing and permit requirements have been submitted by the applicant and received by the board’s office;
2. Forms and documentation are complete;
3. There are no professional fitness issues; and
4. All fees have been paid.

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

1. All forms and documentation for meeting renewal requirements have been submitted by the applicant and received by the board’s office;
2. Forms and documentation are complete;
3. There are no professional fitness issues; and
4. All fees have been paid.

Reference to amended §302A-802 “Licensing and certification standards” authorizing HTSB to issue private school certificates

Updated language
Forms and documentation are complete; and received by the board’s office;
There are no professional fitness issues; and
All fees have been paid.

(d) The Executive Director is further authorized to:

1. Make revisions to HTSB applications and forms to comport with actions of the board.
2. Conduct a review of applications or current licenses, permits, or certificates.
3. Issue a notice of insufficiency will be issued to applicants or current license, permit, or certificate holders who are found to be out of compliance with the applicable board approved New Business Items (NBI) or rules contained within this chapter.

Ensures consistent issuing of licenses and accountability

Amended at board meeting “will be issued”
§8-54-2.3 Electronic capture of documents. Electronic records of the board as may be certified by the custodian of records, shall constitute the official business records of the board. [Eff 8/13/04; comp 8/13/04; am and comp 10/27/11; am and ren §8-54-2.1 10/30/14] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§8-54-2.4 License and permit fees. (a) The payment of fees is a requirement for issuance of the license or permit. In the case of an approved payment plan for payment of license or renewal fees, interval payments shall be made according to the payment plan agreement and if in non-compliance may be grounds for appropriate action.

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

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

(d) When the board is fiscally able to apply a discount for online applications and renewals, it may decrease the amount charged to the applicant, licensee or permittee for fee payments made using the online

Addition of the word certificate
licensing system. The board shall specify the length of time the discount will be in effect at a regularly scheduled meeting. Nothing shall require the continuance of an online discount when the board determines it cannot fiscally do so.

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

- Provisional license fee per year not more than $64
- Standard license fee per year not more than $64
- Advanced license fee per year not more than $64
- Permit fee per year not more than $64
- License application fee $25
- Student Teaching Permit no charge
- Adding a licensing field to an existing license, per field $25
- Non DOE/Charter School name change $25
- Late payment of license, permit or renewal fee $25
- Restoration fee $25
- SATEP Data Entry Correction Fee per error $300
- Registration Fee for Out of State Education Preparation Providers operating in Hawaii $500
- Review fee for each license field $500
- State Review fee for units $1,000

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

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

- Provisional license fee per year not more than $64
- Standard license fee per year not more than $64
- Advanced license fee per year not more than $64
- License fee per year not more than $120
- Permit fee per year not more than $120
- License application fee $25
- Certificate fee no charge
- Student Teaching Permit no charge

Addition of the word certificate

Approved by board April 2021
Adding a licensing field to an existing license, per field $25 no charge
New DOE/Charter School name change $25 no charge
Late payment of license, permit or renewal fee $25
Restoration fee $25
SATEP Data Entry Correction Fee per error $300
Registration Fee for Out of State Education Preparation Providers operating in Hawaii $500
State Review fee for each license field $500
State Review fee for units $1,000

§8-54-2.5 Approved payment plan. (a) As allowed by the board, a licensee or permittee may elect to participate in various payment plans set forth by the board to pay license and renewal fees.
(b) Failure to keep compliant with timely and complete payments shall be regarded as failure to pay required fees for license or renewal and shall be grounds for automatic forfeiture of the license or permit. A person with a forfeited license is prohibited from engaging in the teaching profession.

Approved by board April 2021
| (c) The board may restore a forfeited license under these circumstances if the licensee becomes current with all payments. Failure to restore in a timely manner as determined by the board shall cause the forfeited license to be terminated. A person with a terminated license must apply for a new license or permit and meet current application requirements. |
| §8-54-2.6 Hawai‘i teacher standards board special fund. All fees collected shall be deposited in the Hawai‘i teacher standards board special fund established within the state treasury. All other monies received by the board as appropriations, fines, grants or donations shall be deposited in the special fund. The fund shall be administered by the department and used to pay the expenses of the board, including but not limited to, the payment of all operational personnel costs and reimbursements of board members for travel expenses incurred. |
| Approved by board April 2021 |
### §8-54-3 Definitions. As used in this chapter:

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

"Board" means the Hawaii teacher standards board. "Censure" means a formal or stern warning given by the board.

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

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

**"Accreditation (Programmatic)"** means a process for assessing and enhancing academic and educational quality through peer review. National accreditation informs the public that an institution has a professional education unit that has met state, professional, and institutional standards of educational quality. National accrediting bodies are approved by the US Department of Education to accredit teacher education programs.

**"Accreditation (Institutional)"** means the degree granting institution is accredited by one of the accrediting agencies recognized by the Secretary of the U.S. Department of Education as reliable authorities concerning the quality of education or training offered by the institutions of higher education or higher education programs they accredit.

"Board" means the Hawaii teacher standards board. "Censure" means a formal or stern warning given by the board.

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Approved by board April 2021

Updated to be consistent with the US DOE language
"Code of Ethics" means the contents of Appendix D, which describes the desired conduct of P-12 teachers as members of the teaching profession.

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

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

"Cultural Growth and Development Plan" means a plan to develop the cultural and professional knowledge, skills and dispositions to effectively integrate Hawaiian ways of knowing, learning and teaching and increase instructional proficiency in the Hawaiian language, history and culture.

"Certificate" means a document signifying recognition granted by the board to practice the profession of teaching in a Hawaii private school.

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

"Charter School Administrator" means principal, director or head of a local school board of a Charter School.

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

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

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

Approved by board April 2021
for an individual holding a special permit to teach in Kaʻōlelo-Kaiapuni Hawai‘i, Hawaiian Language Immersion, and Hawaiian Knowledge classrooms. The plan will be developed for the permittee in collaboration with the Office of Hawaiian Education and a Hawaiian Immersion educator preparation program.

“Deny” means to withhold or refuse to grant a license or permit.

“Department” means the department of education.

“Educator Preparation Provider” means a teacher, school counselor or school librarian preparation program that meets the board’s state approval performance standards and has been reviewed and approved in an approval process specified by the board.

“Emergency Hire” means an unlicensed employee of a public school paid under the salary schedule contained in the unit 05 collective bargaining agreement.

“Employer” means any public, charter, independent or private school.

minors deemed by the Hawaii teacher standards board to have a direct bearing on an individual’s ability to serve as a teacher.

“Criminal conviction” means a conviction of a misdemeanor, petty misdemeanor, or other non-felony criminal offense which, as determined by the board, may adversely affect the ability of the license, permit, or certificate holder to engage in the activities of the teaching profession.

“Cultural Growth and Development Plan” means a plan to develop the cultural and professional knowledge, skills and dispositions to effectively integrate Hawaiian ways of knowing, learning and teaching and increase instructional proficiency in the Hawaiian language, history and culture for an individual holding a special permit to teach in Kaʻōlelo-Kaiapuni Hawai‘i, Hawaiian Language Immersion, and Hawaiian Knowledge classrooms. The plan will be developed for the permittee in collaboration with the Office of Hawaiian Education and a Hawaiian Immersion educator preparation program.

Definition added for professional fitness clarification.
which hires teachers, school counselors and school librarians.

“Executive Director” means the executive officer of the Hawaii teacher standards board.

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

“Fee” means any monetary amount assessed to process, issue, modify, correct, or approve a license or permit. Fee also means any monetary amount assessed to process, issue, modify, correct, or approve a teacher education program; or to an institution for the processing or correction of data or information.

“Felony” is defined as those acts which are criminal acts defined as felonies by the Hawaii Revised Statutes or similar criminal acts which were committed in other jurisdictions.

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

“Internet crimes” means internet crimes as defined by Hawaii Revised Statutes.

“Deny” means to withhold or refuse to grant a license or permit or certificate.

“Department” means the Hawaii department of education.

“Educator” means the same as “teacher”.

“Educator Preparation Provider” means a teacher, school counselor or school librarian preparation program that meets the board’s state approval performance standards and has been reviewed and approved in an approval process specified by the Hawaii teacher standards board.

“Educator Standards” means standards adopted by the board that define what a teacher, school librarian, school counselor needs to know and be able to do to practice their profession.

“Emergency Hire” means an unlicensed employee of a public school paid under the salary schedule contained in the unit 05 collective bargaining agreement.

“Employer” means any public, charter, independent or private school which hires teachers, school counselors and school librarians.

“Executive Director” means the executive officer of the Hawaii teacher standards board.
"License" means the document signifying recognition granted by the board to practice the profession of teaching.

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

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

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

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

"Payment plan" shall refer to and mean a binding agreement on the licensee or permittee to make required payments in a timely manner to comply with license, permit, or renewal requirements.

"Experience" means contracted service employment in a P-12 school setting in Hawaii or another jurisdiction in the license field and/or level required to grant a Hawaii license, permit, or certificate.

"Expire" or "expiration" shall mean the status of a license, permit, or certificate that is no longer valid for failure to renew the license, permit, or certificate within the applicable period of time or for failure to comply with the provisions of section 8-54-2.4.

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

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

"Forfeit" or "forfeited" or "forfeiture" shall refer to and mean the status of a license or permit that has been automatically cancelled for failure to renew the license or permit.
“Permit” means a limited duty special permit as defined by §8-54-9.6. “PRAXIS” means the set of tests developed and administered by the Educational Testing Service. “Private Employer” for purposes of teacher licensure refers to non-public employers of teachers. “Program” means a planned sequence of courses and experiences for the purpose of preparing teachers and other school professionals to work in pre-kindergarten through twelfth grade settings. Programs may lead to a degree, a recommendation for a state license, both, or neither. “Public school” means an academic and non-college type school established and maintained by the department of education or a charter school chartered by the board of education in accordance with law. “Reinstate” or “reinstatement” shall refer to and mean a determination by the board to allow a person who has met requirements set by the board to engage in the practice of teaching following a license or permit suspension or disciplinary condition. “Renew” or “renewal” means a determination by the board, prior to expiration of a license or permit, to grant additional years of validity based on the number of years the board failure to comply with the provisions of section 8-54-1.6. “Full-time” employment means employment as defined by the employer. “Internet crimes” means internet crimes as defined by Hawaii Revised Statutes. “Jurisdiction” means the United States including its districts, territories, and Department of Defense Education Activity. “License” means the document signifying recognition granted by the board to practice the profession of teaching. “Licensee” means the holder of a valid Hawaii teaching license. “Meritorious New Teacher Candidate” means a designation awarded to teacher candidates in states approved by the board who meet rigorous criteria in areas that have been shown to correlate with student learning gains: strong verbal skills, a high level of mastery of their subject matter, in-depth student teaching, and excellence in their professional program. “Misdemeanor” for the purpose of these rules is defined as those misdemeanor convictions that pose a substantial risk of harm to the health, safety or welfare of students, minors or others.

Approved by board April 2021

Jurisdiction is intended to still be within the United States of America

Approved by board April 2021
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>License or permit is eligible to be renewed.</td>
<td>The term refers to the renewal process of educational credentials.</td>
</tr>
<tr>
<td>&quot;Reprimand&quot; shall have the same meaning as &quot;Censure&quot;.</td>
<td>Both terms signify a formal reprimand or disciplinary action.</td>
</tr>
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<td>&quot;Revocation&quot; means loss of a teaching license or permit for not less than five years.</td>
<td>Indicates severe consequences for misconduct.</td>
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<td>&quot;Sex offense&quot; means sexual offenses as defined by Hawai'i Revised Statutes.</td>
<td>Refers to specific legal definitions related to sexual behavior.</td>
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<tr>
<td>&quot;School Counselor&quot; means a person whose duties are primarily promoting and enhancing the learning process within the context of academic development, career development and personal/social development and may also include the same definition as &quot;teacher&quot; for purposes of this chapter.</td>
<td>Describes a role focused on student support and development.</td>
</tr>
<tr>
<td>&quot;School Librarian&quot; means a person whose duties are primarily administering the library media program at the individual school level and also includes the same definition as &quot;teacher&quot; for purposes of this chapter.</td>
<td>Responsible for the library program at a school.</td>
</tr>
<tr>
<td>&quot;Specialized Professional Associations&quot; or &quot;SPAs&quot; are national organizations that represent teachers, professional education faculty, and other school professionals who teach a specific subject matter, teach students at a specific developmental level, teach students with specific needs, or provide services to students.</td>
<td>Represents various professional groups.</td>
</tr>
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<td>&quot;National Board Certification&quot; means the voluntary advanced certification developed and administered by the National Board for Professional Teaching Standards.</td>
<td>Provides a high standard of teaching.</td>
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<td>&quot;P-12 School Setting&quot; means a full-time public or private school responsible for compensatory compulsory education.</td>
<td>Refers to education settings for specific educational needs.</td>
</tr>
<tr>
<td>&quot;Payment plan&quot; shall refer to and mean a binding agreement on the licensee or permittee to make required payments in a timely manner to comply with license, permit, or renewal requirements.</td>
<td>Describes financial agreements.</td>
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<tr>
<td>&quot;Permit&quot; means a limited duty special permit as defined by §8-54-9.6.</td>
<td>Defines a specific type of permit.</td>
</tr>
<tr>
<td>&quot;PRAXIS&quot; means the set of tests developed and administered by the Educational Testing Service.</td>
<td>Refers to standardized tests.</td>
</tr>
<tr>
<td>&quot;Private Employer&quot; for purposes of teacher licensure refers to non-public employers of teachers.</td>
<td>Refers to private educational employers.</td>
</tr>
<tr>
<td>&quot;Professional fitness&quot; means the screening process that ensures teachers are suitable to practice the profession of teaching.</td>
<td>Ensures teacher suitability.</td>
</tr>
<tr>
<td>&quot;Program&quot; means a planned sequence of courses and clinical experiences for the purpose of preparing teachers and other school professionals to work in pre-kindergarten through twelfth grade settings. Programs may lead to a</td>
<td>Describes educational programs.</td>
</tr>
</tbody>
</table>

Compensatory is supplemental and compulsory is required education

PF language, needs a definition

This definition defines HTSB’s process for screening teachers to practice their profession.
“State-approved teacher education program” means a teacher preparation program that meets the board’s state approval performance standards and has been reviewed and approved by the board.

“Superintendent” means the state superintendent of the department of education.

“Suspension” means temporary loss of a teaching license/permit for not more than five (5) years due to a disciplinary action by the board.

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

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

“Terminate” or “Terminated” or “Termination” shall refer to and mean the status of a license or permit that has been automatically cancelled for degree, a recommendation for a state license, both, or neither.

“Public school” means an academic and non-college type school established and maintained by the department of education or a charter school chartered by the board of education in accordance with law.

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

“Renew” or “renewal” means a determination by the board, prior to expiration of a license or permit, to grant additional years of validity based on the number of years the license or permit, or certificate is eligible to be renewed.

“Reprimand” shall have the same meaning as “Censure”.

“Revocation” means loss of a teaching license or permit for not less than five years.

“Semester Hours” means semester credits from an institutionally accredited institute of higher education.

Semester hours is language that is used for content knowledge and should not be confused with actual clock hours, but rather credits or credit hours.
Failure to timely restore a forfeited license or permit.

“Unit” or “professional education unit” means the college, school, department, or other administrative body in colleges, universities, or other organizations with the responsibility for managing or coordinating all programs offered for the initial and advanced preparation of teachers and other school professionals, regardless of where these programs are administratively housed in an institution. The professional education unit must include in its accreditation review all programs offered by the institution for the purpose of preparing teachers and other school professionals to work in pre-kindergarten through twelfth grade settings.

“Valid license or valid permit” means a license or permit issued or renewed by the board after all criteria set by the board have been met and authorizes the licensee or permittee to engage in the teaching profession.

“Warning” means an admonition relating to a violation of the Code of Ethics that the board deems not warranting a censure or other disciplinary action. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 9/13/04; am and comp 11/9/07; am and

“Sex offense” means sexual offenses as defined by Hawai‘i Revised Statutes.

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

“School Librarian” means a person whose duties are primarily administering the library media program at the individual school level and also includes the same definition as “teacher” for purposes of this chapter.

“Specialized Professional Associations” or “SPAs” are national organizations that represent teachers, professional education faculty, and other school professionals who teach a specific subject matter, teach students at a specific developmental level, teach students with specific needs, or provide services to students.

“State-approved teacher education program” means a teacher preparation program that meets the board’s state approval performance standards and has been reviewed and approved by the board means has the same meaning as educator preparation provider.

SPAs are no longer used
“Superintendent” means the state superintendent of the Department of Education or a superintendent of a local school district in other jurisdictions.

“Suspension” means temporary loss of a teaching license, permit, or certificate for not more than five (5) years due to a disciplinary action by the board.

“Teach-out plan” means a written agreement between accredited institutions that provides for the equitable treatment of students if one of these institutions stops offering an educational program before all students enrolled in that program complete the program.

“Teacher” means a person whose duties in the public school system in a P-12 school are primarily teaching or instruction of students or related activities centered primarily on students and who is in close and continuous contact with students either in person or through distance learning, and shall include but not be limited to classroom teachers, school librarians, school counselors, registrars, and special education teachers.

“Teacher Leader” means an educator identified by his/her employer who assumes formally or informally one or more leadership responsibilities.

Hawaii-specific

Clarifies a process that an educator preparation provider can use if they are no longer operating in Hawaii.

Additional language for online teachers
more of a wide array of leadership roles to support teaching and learning.

"Terminate" or "Terminated" or "Termination" shall refer to and mean the status of a license, or permit, or certificate that has been automatically cancelled for failure to timely restore a forfeited license or permit.

"Unit" or "professional education unit" means the college, school, department, or other administrative body in colleges, universities, or other organizations which have the responsibility for managing or coordinating all programs offered for the initial and advanced preparation of teachers and other school professionals, regardless of where these programs are administratively housed in an institution. The professional education unit must include in its accreditation review all programs offered by the institution for the purpose of preparing teachers and other school professionals to work in pre-kindergarten through twelfth grade settings.

"Valid" license or valid permit means a licensed or permit or certificate issued or renewed by the board after all criteria set by the board have been met and authorizes the licensee or permittee to engage in the teaching profession, and has not been

Defining the overall term and the items it entails

Terminate is no longer a term that is needed

Clarifying the term valid
revoked, suspended, forfeited, surrendered, or expired.

"Warning" means an admonition relating to a violation that the board deems not warranting a censure or other disciplinary action.

"Year" means a full academic school year as identified by the employer.

[Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; am and comp 11/9/07; am and comp 10/27/11; am and comp 10/30/14; am] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)
§8-54.1 Penalties. (a) Any person who engages in the profession of teaching as a classroom teacher, school librarian or school counselor in a public school without first being issued a license or permit shall be fined $500 per school year.

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

(c) All fines collected shall be deposited into the Hawai'i teacher standards board special or general fund. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; comp 10/27/11; am and ren §8-54-3.1 10/30/14; am](Auth: HRS §§302A-801 to -808) (Imp: HRS §§302A-801 to -808)
§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:

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

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

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

(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)

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

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

(2) Satisfactorily completed a State-approved teacher, school librarian or school counselor education program with a recommendation for licensure;

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

(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)

Making it non-renewable would require that the applicant meets the current requirements set by the board.

SATEPs can be completed without candidates meeting some of the state requirements for licensure.
§8-54-9.2 Standard license. (a) A renewable standard license may be granted to an applicant for five (5) years provided that the individual has met the following criteria:

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Satisfactorily completed a State-approved teacher, librarian or counselor education program;
3. Obtained clearance in the professional fitness check; and
4. Pays license fees as established by the board.

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

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Satisfactorily completed a State-approved teacher, school librarian or school counselor education program;
3. Obtained clearance in the professional fitness check; and
4. Pays license fees as established by the board.
(3) Demonstrated basic skills and subject area competency in a manner prescribed by the board;

(4) Obtained clearance in the professional fitness check;

(5) Pays license fees as established by the board; and

(6) Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P–12 setting in Hawaii or another state.

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

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

2. Possesses a valid National Board Certification in the field for which a license is sought and holds a valid license from a state that participates in the Interstate Agreement on Qualification of Personnel;

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

4. Obtained clearance in the professional fitness check;

5. Demonstrated basic skills and subject area competency in a manner prescribed by the board;

6. Obtained clearance in the professional fitness check;

7. Pays license fees as established by the board; and

8. Demonstrated basic skills and subject area competency in a manner prescribed by the board.

(c) Completion of clinical experience using one of the following:

1. A minimum of four hundred and fifty (450) hours of supervised clinical experience in student teaching, internship, or residency;

2. Demonstrating teaching proficiency through a combination of documented satisfactory work experience and observation by a state-approved educator preparation provider, or


Outlining the clinical experience and incorporating the performance assessment provision (previously "e")
| (3) Obtained clearance in the professional fitness check; | (5) Pays license fees as established by the board; and |
| (4) Pays license fees as established by the board; and | (6) Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state jurisdiction. |
| (5) Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state. | |
| (c) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria: | |
| (1) Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution; | |
| (2) Has received the Meritorious New Teacher Candidate (MNTC) designation on their valid teaching license from a state that is a signatory to the MNTC program; | |
| (3) Obtained clearance in the professional fitness check; | |
| (4) Pays license fees as established by the board; and | |
| (b) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria: | |
| (1) Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution; | |
| (2) Possesses a valid National Board Certification in the field for which a license is sought and holds a valid license from a state that participates in the Interstate Agreement on Qualification of Personnel; | |
| (3) Obtained clearance in the professional fitness check; | |
| (4) Pays license fees as established by the board; and | |
| Approved by the board in April 2021 |
(5) Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state.

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

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Possesses a valid unrevoked teaching license from another state issued for the first time on or after July 1, 2006;
3. Obtained clearance in the professional fitness check;
4. Pays license fees as established by the board; and
5. Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state.

Approved by the board in April 2021
A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Possesses a valid unrevoked teaching license issued before July 1, 2006, from another state for at least three (3) out of the last five (5) years;
3. Passed all licensing tests required by the State which issued the valid license being used to apply under this section. If the other state did not test for subject area and basic skills competency the applicant must demonstrate basic skills and subject area competency in a manner prescribed by the board;
4. Obtained clearance in the professional fitness check;
5. Pays license fees as established by the board; and

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

1. Possesses a baccalaureate degree from a regionally or institutionally accredited institution or the equivalent from a non-U.S. institution;
2. Possesses a valid unrevoked teaching license from another state jurisdiction issued for the first time on or after July 1, 2006;
3. Obtained clearance in the professional fitness check;
4. Pays license fees as established by the board; and
5. Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state jurisdiction.
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<td>(2) Possesses a valid teaching license issued before July 1, 2006, from another state jurisdiction for at least three (3) out of the last five (5) years;</td>
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<td>(2) Pass a board approved performance assessment normed for Hawaii in combination with any other requirements determined by a Hawaii preparation program to be recommended for licensure by the program;</td>
<td>(3) Passed all licensing tests required by the state jurisdiction which issued the valid license being used to apply under this section. If the other state jurisdiction did not test for subject area and basic skills competency, the applicant must demonstrate basic skills and subject area competency in a manner prescribed by the board;</td>
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<td>(3) Demonstrated basic skills and subject area competency in a manner prescribed by the board;</td>
<td>(4) Obtained clearance in the professional fitness check;</td>
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(6) Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another state.  
(Eff 10/30/14; am 9/5/19) [Auth: HRS §302A-802]  
(Imp: HRS §§302A-801 to -808)

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

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

2. Pass a board-approved performance assessment normed for Hawaii in combination with any other requirements determined by a Hawaii State-approved preparation program to be recommended for licensure by the program;

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

4. Obtained clearance in the professional fitness check.
§8-54-9.3 Advanced license. (a) A renewable advanced license may be granted to an applicant for ten (10) years provided that individual has met the following criteria:

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Possesses a valid unrevoked National Board Certification by the National Board for Professional Teaching Standards in the field for which a license is sought;
3. Holds a valid teaching license from Hawai‘i or a state that participates in

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

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Possesses a valid unrevoked National Board Certification by the National Board for Professional Teaching Standards in the field for which a license is sought;
3. Holds a valid teaching license from Hawai‘i or a state that participates in
the Interstate Agreement on Qualification of Personnel, chapter 315, Hawaii Revised Statutes; (4) Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting under a current and valid Hawai'i Standard License or an equivalent license issued by another state; (5) Obtained clearance in the professional fitness check; and (6) Pays license fees as established by the board. (b) A renewable advanced license may also be granted to an applicant for ten (10) years provided that individual has met the following criteria: (1) Has been granted a master’s, specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework from a regionally accredited institution either in an area relevant to the field for which a license is sought or which improves professional practice; (state jurisdiction) has participated in the Interstate Agreement on Qualification of Personnel, chapter 315, Hawaii Revised Statutes; (4) Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawai'i or another jurisdiction under a current and valid Hawai'i Standard License or an equivalent license issued by another state; (5) Obtained clearance in the professional fitness check; and (6) Pays license fees as established by the board. (b) A renewable advanced license may also be granted to an applicant for ten (10) years provided that individual has met the following criteria: (1) Has been granted a master’s, specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework from a regionally accredited institution in the state that participates in the Interstate Agreement on Qualification of Personnel, chapter 315, Hawaii Revised Statutes; (4) Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawai'i or another jurisdiction under a current and valid Hawai'i Standard License or an equivalent license issued by another state; (5) Obtained clearance in the professional fitness check; and (6) Pays license fees as established by the board. (b) A renewable advanced license may also be granted to an applicant for ten (10) years provided that individual has met the following criteria: (1) Has been granted a master’s, specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework from a regionally accredited institution in the state;
| (2) | Holds a valid standard teaching license from Hawai‘i or from a state that participates in the Interstate Agreement on Qualification of Personnel; |
| (3) | Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting under a current and valid Hawai‘i Standard License or an equivalent license issued by another state; |
| (4) | Obtained clearance in the professional fitness check; and |
| (5) | Pays license fees as established by the board. |

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

| (1) | Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution; |
| (2) | Is designated as a teacher leader or master teacher by the Hawaii Department of Education, Hawaii Charter School; |
| | institution either in an area relevant to the field for which a license is sought or which improves professional practice. This degree or coursework cannot be the same degree or coursework used for initial licensure. |
| (2) | Holds a current and valid standard teaching license from Hawai‘i or its equivalent from another state jurisdiction that participates in the Interstate Agreement on Qualification of Personnel; |
| (3) | Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawaii or another jurisdiction under a current and valid Hawai‘i Standard License or an equivalent license issued by another state jurisdiction; |
| (4) | Obtained clearance in the professional fitness check; and |
| (5) | Pays license fees as established by the board. |

Clarifying language to ensure true reciprocity is in place

Language aligned with Standard license requirements
| (3) | Holds a valid Hawaii standard teaching license or from a state that participates in the Interstate Agreement on Qualification of Personnel; |
| (4) | Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting under a current and valid Hawai’i Standard License or an equivalent license issued by another state; |
| (5) | Obtained clearance in the professional fitness check; and |
| (6) | Pays license fees as established by the board. |

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

| (1) | Possesses a baccalaureate degree from a regionally or institutionally accredited institution or the equivalent from a non-U.S. institution; |
| (2) | Is designated as a teacher leader or master teacher by the Hawaii Department of Education, a Hawaii Charter School or a member school of the Hawaii Association of Independent Schools; |
| (3) | Holds a current and valid Hawaii standard teaching license or its equivalent from another state jurisdiction that participates in the Interstate Agreement on Qualification of Personnel; |
| (4) | Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawaii or another jurisdiction under a current and valid Hawai’i Standard License or |

Clarifying language to ensure true reciprocity is in place.

Language in alignment with Standard license.
an equivalent license issued by another state jurisdiction;

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

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

[Eff 10/30/14; am] (Auth: HRS §302A-802) (Imp: HRS §§302A-801 to -808)
§8-54.4 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, provided that the person:

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Submits an official transcript from the issuing institution;
3. Is actively pursuing appropriate licensing, through the following:
   A. Is enrolled in a professional state-approved educator preparation program accepted for licensure by the board; or
   B. A state approved teacher, librarian or counselor education program has been satisfactorily completed, takes the examinations or meets other options for verifying basic skills and subject area competency accepted for licensure by the board; and

(b) A state approved teacher, librarian or counselor education program has been satisfactorily completed, takes the examinations or meets other options for verifying basic skills and subject area competency accepted for licensure by the board; and

§8-54.4 Emergency Hires permit. (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 of employment, provided that the person has met the following criteria:

1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Submits an official transcript from the issuing institution;
3. Is actively pursuing appropriate licensing, through the following:
   A. Is enrolled in a professional state-approved educator preparation program accepted for licensure by the board; or
   B. A state approved teacher, librarian or counselor education program has been satisfactorily completed, takes the examinations or meets other options for verifying basic skills and subject area competency accepted for licensure by the board; and
(C) Has obtained clearance in the professional fitness check;
(D) Applied for an Emergency Hire permit in a manner prescribed by the board; and
(E) Pays the fees to practice the profession of teaching as specified in §8-54-2.4.

(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:

1. Is actively pursuing licensing; and

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

- Complete and subject area competency accepted for licensure by the board;
- Has obtained clearance in the professional fitness check;
- Applied for an Emergency Hire permit in a manner prescribed by the board; and
- Pays the fees to practice the profession of teaching as specified in §8-54-2.4.

(b) The public school may reemploy an emergency hire one (1) year at a time, up to a total of three (3) years of employment, provided that emergency hire possesses a valid emergency hire permit and is actively pursuing licensing; and


Clarifying Emergency Hire requirements

§8-54-9.5 Adding a field to a license.
(a) If a licensee wants to add additional teaching fields to their teaching license, the person shall:
(1) Complete a state-approved teacher education program that includes appropriate experiences in a P-12 setting in the new field; or

(2) Submit documentation of meeting content knowledge verification for licensure in the new field using a method specified by the board and submit one of the following:

(A) The equivalent of one (1) year of satisfactory half time or more contracted P-12 teaching experience in the new field within the last five (5) years of application date; or

(B) Submit verification of three (3) or more years of contracted P-12 experience within the last five (5) years of application date in the same license grade level span under a Hawai’i Standard License or its equivalent in another state; or

(3) Submit documentation of meeting content knowledge verification for licensure in the new field using a method specified by the board, and submit one of the following for pedagogical knowledge (a) and (b):

(A) The equivalent of one (1) year of satisfactory half time or more contracted teaching experience in the new field in a P-12 school setting in Hawai’i or another jurisdiction within the last five (5) years of application date; or

(B) Submit verification of three (3) or more years of contracted teaching experience in a P-12 setting.
(C) Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level; or

(D) Submit verification of previous completion of a state approved educator preparation program in the same license grade level as the new field; or

(3) Possess an Advanced License in one field and submit one of the following:

(A) The equivalent of a content major in the new field; or

(B) Passing score for the subject area test in the new field; and

(C) The grade level(s) of the new license field(s) must be the same as the existing license level(s) unless the applicant submits verification as outlined in 8-54-9.5 (2) A – D for the new level(s).

(b) Adding school librarian, reading specialist, literacy school setting in Hawaii or another jurisdiction within the last five (5) years of application date in the same license grade level span under a current and valid Hawai‘i Standard License or its equivalent in another state jurisdiction; or

(C) Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level; or

(D) Submit verification of previous completion of a state approved educator preparation program in the same license grade level as the new field; or

(4) Possess an Advanced License in one field and submit one of the following:

(A) The equivalent of a content major in the new field; or

(B) Passing score for the subject area test in the new field; or

(C) Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level; or

(D) Submit verification of previous completion of a state approved educator preparation program in the same license grade level as the new field; or

Clarity language
specialist, and early childhood education as a field shall be subject to the provisions of (a)(1) of this subsection.

(c) Upon submittal of appropriate documentation of the method selected by the licensee and receipt of the required fees, and subject to meeting all requirements, the board will add the new field to the license. The licensee’s license will include the new teaching field and be subject to the same expiration date for renewal of the current license. [Eff 7/1/01; am and comp 12/20/01; am and comp 8/13/04; am and comp 11/9/07; am and comp 10/27/11; am and ren §8-54-9.5 10/30/14; am 9/5/19](Auth: HRS §302A-802-803) (Imp: HRS §§302A-801 to -808)

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

(c) Upon submittal of appropriate documentation of the method selected by the licensee and receipt of the required fees, and subject to meeting all requirements, the board will add the new field to the license. The licensee’s license will include the new teaching field and be subject to the same expiration date for renewal of the current license. [Eff 7/1/01; am
§8-54-9.6 Limited duty special permit.
(a) The board may grant a limited duty special permit to an individual employed by a public school where instruction is conducted primarily in the medium of Hawaiian or Hawaiian Knowledge based schools provided the individual submits the following documentation to the board:

(1) Holds the minimum of a high school diploma;
(2) Is assessed as proficient in the Hawaiian language by the Office of Hawaiian Education in collaboration with a Hawaiian Language Immersion educator preparation program;
(3) Completes thirty (30) hours of induction by the Office of Hawaiian Education in collaboration with a Hawaiian Language Immersion educator preparation program;
(4) Submits a cultural growth plan on how the individual will obtain licensure, to be monitored annually by the Office of Hawaiian Education in collaboration with the Office of Hawaiian Education.
individual will obtain licensure, to be monitored annually by the Office of Hawaiian Language Immersion Education with a Hawaiian language immersion educator preparation program; 
(5) Meets the Professional Fitness requirements; 
(6) Pays the fee to practice the profession of teaching.

Limited duty special permits for Hawaiian education shall be issued one year at a time for a term of five years and shall be renewable once for an additional five (5) years, issued one year at a time, provided that the individual continues to meet the permit criteria.

(b) The board may also grant a five-year limited duty special permit to an individual recommended by the Superintendent or charter school administrator to provide instruction in career and technical education in a specific career and technical education field, if the individual submits the following documentation to the Board:

(1) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(2) Three (3) years of full-time experience in the field in which instruction will be offered; and
(3) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(4) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(5) Meets the Professional Fitness requirements; 
(6) Pays the fee to practice the profession of teaching.

Limited duty special permits for Hawaiian education shall be issued one year at a time for a term of five years and shall be renewable once for an additional five (5) years, issued one year at a time, provided that the individual continues to meet the permit criteria.

(b) The board may also grant a five-year limited duty special permit to an individual recommended by the Superintendent or charter school administrator to provide instruction in career and technical education in a specific career and technical education field, if the individual submits the following documentation to the Board:

(1) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(2) Three (3) years of full-time experience in the field in which instruction will be offered; and
(3) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(4) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(5) Meets the Professional Fitness requirements; 
(6) Pays the fee to practice the profession of teaching.

Limited duty special permits for Hawaiian education shall be issued one year at a time for a term of five years and shall be renewable once for an additional five (5) years, issued one year at a time, provided that the individual continues to meet the permit criteria.

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(1) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(2) Three (3) years of full-time experience in the field in which instruction will be offered; and
(3) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(4) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and
(5) Meets the Professional Fitness requirements; 
(6) Pays the fee to practice the profession of teaching.
Three (3) years of satisfactory full-time experience in the field in which instruction will be offered. This provision shall remain in effect as long as:

(A) The department’s and charter schools’ annual report to the board includes career and technical education as an official shortage area; and

(B) The department and charter school suspend the requirement of a baccalaureate degree for career and technical education emergency hires; and

(C) Teacher preparation programs offer courses to prepare a permit-holder for classroom instruction and classroom responsibilities.

Limited duty special permits for career and technical education shall be renewable once for an additional five (5) years provided that the instructor continues to meet the permit criteria.

This provision shall remain in effect as long as:

(A) The department’s and charter schools’ annual report to the board includes career and technical education as an official shortage area; and

(B) The department and charter school suspend the requirement of a baccalaureate degree for career and technical education emergency hires; and

(C) Teacher preparation programs offer courses to prepare a permit-holder for classroom instruction and classroom responsibilities.

Limited duty special permits for career and technical education shall be renewable once for an additional five (5) years provided that the instructor continues to meet the permit criteria.

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

1. A completed Student Teaching Permit application in a form approved by the board; and
2. Meets the professional fitness requirements.

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

[Eff 11-9-07; am and comp 10/27/11; am and ren §8-54-9.6 10/30/14; am 9/5/19](Auth: HRS §302A-803-804)(Imp: HRS §§302A-801 to -808)

$\text{Fixed the spelling of “during” at board meeting}$

To ensure all student teachers are in the system, run through NASDTEC Clearing House, and have cleared all professional fitness issues before working with students.

(Renumbered)

§8-54-9.7 Private School Certificate.

(a) Initial private school certificate. [2] A renewable initial private school may be granted to an applicant for three (3) years provided that the individual has met the following criteria:

1. Possesses a baccalaureate degree from an regionally institutionally

$\text{formatting}$
accredited institution or the equivalent from a non-U.S. institution;
2. Is recommended for the certificate by a member school of the National Association of Independent Schools, the Hawaii Association of Independent Schools, or a private school licensed in accordance with the laws of the State of Hawaii;
3. Obtained clearance in the professional fitness check.

(b) Continuing private school certificate. (a) A renewable private school certificate may be granted to an applicant for five (5) years provided that the individual has met the following criteria:
1. Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;
2. Is recommended for the certificate by a member

Language update

To ensure we are licensing only Hawaii teachers in licensed private schools.
school of the National Association of Independent Schools, the Hawaii Association of Independent Schools, or a private school licensed in accordance with the laws of the State of Hawaii; and
3. Obtained clearance in the professional fitness check; and
4. Submits verification of at least three (3) out of the last five (5) years of contracted full time teaching experience in a P-12 setting in Hawaii or another jurisdiction.

(c) Advanced private school certificate. (a) A renewable advanced private school certificate may be granted to an applicant for ten (10) years provided that individual has met the following criteria:
1. Possesses a baccalaureate degree from an institutionally accredited institution or the equivalent from a non-U.S. institution;
2. Is recommended for the certificate by a member school of the National Association of Independent Schools, the Hawaii Association of Independent Schools, or a private school licensed in accordance with the laws of the State of Hawaii in a manner specified by the State;

3. Possesses a valid National Board Certification by the National Board for Professional Teaching Standards;

4. Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawaii or another jurisdiction;

5. Obtained clearance in the professional fitness check.

(b) A renewable advanced private school certificate may also be granted.

Clarifying language

Term “unrevoked” not needed
to an applicant for ten (10) years provided that individual has met the following criteria:

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

2. Is recommended for the certificate by a member school of the National Association of Independent Schools, the Hawaii Association of Independent Schools, or a private school licensed in accordance with the laws of in the State of Hawaii as specified by the State;

3. Has been granted a master’s, specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework from an regionally institutionally accredited institution either in an area
relevant to the field for which a license is sought or which improves professional practice. This degree cannot be the same degree used for the initial or continuing private school certificate;

4. Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawai‘i or another jurisdiction;

5. Obtained clearance in the professional fitness check.

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

1. Possesses a baccalaureate degree from an institutionally accredited institution or the equivalent from a non-U.S. institution;
2. Is recommended for the certificate by a member school of the National Association of Independent Schools, the Hawaii Association of Independent Schools, or a private school licensed in accordance with the laws of the State of Hawaii in a manner specified by the State;

3. Is designated as a teacher leader or master teacher by a member school of the Hawaii Association of Independent Schools;

4. Provides documentation of five (5) years within the last eight (8) years of contracted full-time teaching experience in a P-12 school setting in Hawaii or another jurisdiction;

5. Obtained clearance in the professional fitness check.

Term not needed

Clarifying language

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

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

(c) At the time of license renewal, each licensee shall submit a completed renewal application and all applicable fees, and shall comply with any other renewal requirements. Renewals may be completed through an online renewal system.

§8-54-9.8 License, and permit, and certificate renewal criteria; term; forfeiture; restoration; termination.  (a) The board shall determine the criteria that shall be considered for renewal of a license, or permit, and certificate of which shall minimally include the performance standards contained in Appendix A, B, C, at minimum, which are incorporated at the end of this chapter, link with the licensee’s subject matter field and with teaching and pedagogy, incorporate multiple criteria, be professionally credible, and provide public accountability.

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

(c) At the time of license renewal, each licensee individual shall submit a completed renewal application and all applicable fees, and shall comply with any other renewal requirements as prescribed by the
(d) The board may renew a teaching license provided the licensee meets renewal requirements.

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

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

(g) Licensees holding the field of “Teacher Leader” on their Standard or Advanced License must verify continued experience as a Teacher Leader as defined by the board. Licensees unable to verify leadership experience will have this field removed from their renewed license.

(h) The failure to timely renew a license or permit, the failure to pay all applicable renewal fees, the dishonoring of any check upon first deposit, or the failure to comply with any other renewal requirements provided by law or this chapter shall cause the automatic forfeiture of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person with a forfeited license or board. Renewals may be completed through an online renewal system.

(d) The board may renew a teaching license or permit, or certificate provided the licensee individual meets renewal requirements.

(e) A licensee holding a provisional license holder must renew their license every three (3) years.

(f) A licensee holding a standard license holder must renew their license every five(5)years.

(g) A licensee holding an advanced license holder must renew their license every ten (10) years. Licensee holder using the NBPTS route to acquire an advanced license must also renew their National Board Certification to keep their advanced license.

(h) Licensee holding Renewal of a license with the field of “Teacher Leader” field obtained through means other than completion of a board approved teacher leader program on their Standard or Advanced License must verify continued experience as a Teacher Leader as defined by the board. Inability licensees unable to verify teacher leadership experience as required above will cause the “Teacher Leader” field to be removed from their renewed license.

Recognizes that Ts who have completed a Teacher Leader program do not need to continuously document the TL experience to keep the field on their license and qualify for an Advanced License.
(i) A licensee or permittee shall have two (2) years to restore the license/permit after automatic forfeiture. Proof of compliance with the renewal requirements and payment of all assessed renewal and late fees will be required for restoration. A license or permit that is timely restored shall constitute a valid teaching license.

(j) The failure to timely restore a forfeited license or permit shall cause the automatic termination of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person holding a terminated license or permit shall be required to apply for a new license or permit and meet current application requirements. [Eff 10/30/14; am 9/5/19] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

(k) The failure to timely renew a license, permit, or certificate, the failure to pay all applicable renewal fees, the dishonoring of any payable check upon first deposit, or the failure to comply with any other renewal requirements provided by law or this chapter shall cause the automatic expiration forfeiture of the license and permit, or certificate, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person with an expired forfeited license or permit is prohibited from teaching in a public school in the State of Hawaii engaging in the teaching profession.

(l) A licensee or permit holder shall have two (2) years to restore the license/permit after automatic forfeiture. Proof of compliance with the renewal requirements and payment of all assessed renewal and late fees will be required for restoration. A license or permit that is timely restored shall constitute a valid teaching license.

(m) The failure to timely restore a forfeited license or permit shall cause the automatic termination of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person holding an expired forfeited license or permit shall be required to apply for a new license or permit and meet current application requirements. [Eff 10/30/14; am 9/5/19] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

Currently not in practice due to the various ways in which an individual can renew their license.
§8-54-9.8 License renewal audit.

(a) The board shall conduct random audits of licensees who have renewed their license to ensure that renewals are in compliance with the criteria set by the board.

(b) The board will collect a minimum of one hundred twenty (120) audit samples annually, but not to exceed one hundred eighty (180) annually, and conduct all reviews of renewal documentation, drawn randomly from those renewals occurring from July 1, 2010, and thereafter.

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

(d) A licensee selected for audit shall be required to submit documentation for audit in a manner prescribed by the board. If a licensee

| Wording correction | Wording correction for consistency |
fails to respond to a request for audit the board may institute disciplinary action against the licensee for failure to demonstrate compliance with renewal requirements. 

(e) The board may contract with an independent, external organization to conduct the random audits and evaluate the renewals and their compliance with the criteria set forth by the board. The board may also commission the organization to review and evaluate the effectiveness of the renewal process. [Eff 10/30/14; Am 9/5/19] (Auth: HRS §302A-805) (Imp: HRS §§302A-801 to -808)

§8-54-9.13 Disciplinary action; basis.

(a) The Code of Ethics contained in Appendix D sets forth expected professional behaviors of teachers and forms the basis for disciplinary action taken by the board against a licensee. The provisions of section 8-54-9.14 also constitute behaviors for which disciplinary action may be taken by the board against a licensee.

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

§8-54-9.13 Disciplinary action; basis.

(a) The provisions of section 8-54-9.14 constitute behaviors for which disciplinary action may be taken by the board against a license, permit, or certificate. The Code of Ethics contained in Appendix D also sets forth expected professional behaviors of teachers and forms the basis for disciplinary action which may be taken by the board against a licensee, permit or a certificate. The provisions of section 8-54-9.14 also constitute behaviors for which disciplinary action may be taken by the board against a license, permit or a certificate.

Outlines how the Code of Ethics can be used to set expectations for professional behavior.
| (b) The board may impose disciplinary action upon a licensee's license, permit, or certificate after a hearing conducted in accordance with chapter 91. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808) |

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

1. A felony conviction;
2. Misdemeanor convictions as defined in this chapter;
3. Conviction of crimes against children and sexual offenses;
4. Having sexual contact with a minor or student;
5. Possessing, producing, or distributing illegal images.

Aligns with the definitions and what constitutes Criminal Convictions.
or images of minors or students;

(12) Committing a crime on school premises or while fulfilling the duties of a teacher;

(1) Practicing the profession of teaching while possessing, using, distributing or being under the influence of illegal drugs;

(2) Practicing the profession of teaching in a manner contrary to the recognized standards of ethics adopted by the Hawai'i Teacher Standards Board in its Code of Ethics;

(3) Practicing the profession of teaching with a fraudulent teaching license;

(4) Making and/or submitting false, inaccurate or misleading statements and/or documents in applying for a license, permit, license or permit update, or renewal;

(5) Possessing, producing, showing, distributing, or displaying illegal, sexually explicit, or other age inappropriate images or media; possessing students;

(6) Committing a crime on school premises or while fulfilling the duties of a teacher;

(7) Practicing the profession of teaching while under the influence of an intoxicant or possessing, using, distributing or being under the influence of illegal substances;

(8) Practicing the profession of teaching in a manner contrary to the recognized standards of ethics adopted by the Hawaii Teacher Standards Board in its Code of Ethics;

(9) Practicing the profession of teaching with a fraudulent Hawaii teaching license, certificate, permit, or equivalent from another jurisdiction;

(10) Making and/or submitting false, inaccurate or misleading statements.

Specifies the types of images and media that constitute misconduct

Keeping the code of ethics as a tool to set expectations for professional behavior

Clarifying language
| (5) Having a license or permit denied, revoked, not renewed or suspended by another jurisdiction; |
| (6) Violation of any condition or limitation on a licensee's license; |
| (7) Misrepresents or falsifies information on their application; |
| (8) Provides falsified or fraudulent documents with an application; |
| (9) Does not meet the board’s licensing or renewal requirements; |
| (10) Does not meet the professional fitness portion of the application; or |
| (11) Does not pay the required license or permit fees. [Eff 10/30/14] [Auth: HRS §§302A-803, §302A-807] (Imp: HRS §§302A-801 to -808) |

### Green-formatting correction

It gives the board the flexibility to create criteria

§8-54-9.15 Forms of disciplinary sanctions. Notwithstanding any other §8-54-9.15 Forms of disciplinary sanctions. Notwithstanding any other
powers of the board to discipline a license the board may impose the following:

1. The revocation of a license or permit the duration of which shall be set by the board but may not be less than five (5) years; provided that conviction of crimes against children and sexual offenses may result in the lifetime revocation of a license;

2. The suspension of a license or permit the duration of which shall be set by the board but may not exceed five (5) years;

3. Place conditions on the licensee or permit holder for a specified amount of time, which may include, but are not limited to, activities directed toward improving a teacher’s performance in the area of the violation;

4. Censure or warn the licensee or permit holder if the board determines that a violation has occurred that does not necessitate a more severe action to be taken.
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<td>on a licensee or permit holder. A copy of the censure or warning will be placed in the board’s file of the licensee or permit holder. A copy will be sent to the licensee or permit holder and he/she will have thirty (30) calendar days to file a written response. The response will be placed in the board’s file of the licensee or permit holder; and</td>
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<td>(4)</td>
<td>Censure or warning on a license, permit, or certificate. A censure or warning may be given to a license, permit or certificate holder if the board determines that a violation has occurred that does not necessitate a more severe action to be taken on a license, permit, or certificate holder. A copy of the censure or warning will be placed in the board’s file of the license, permit, or certificate holder. A copy will be sent to the license, permit, or certificate holder and the individual named will have thirty (30) calendar days to file a written response. The response will be placed in the board’s file of the license, permit, or certificate holder; and</td>
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§8-54-9.16 Reporting of violations.

(a) Reports of violations(s) of the Code of Ethics or for conduct listed in §8-54-9.14 shall be filed in writing with the board on a signed form and in a manner provided by the board.

(b) The superintendent or charter school administrator or their designee in any Hawaii`i public school shall report violations. A private or independent school administrator is authorized to report violations. The report shall contain the name, address, and social security number of any licensed educator, permit holder or emergency hire who:

1. Is terminated or not rehired for cause;
2. Resigns under threat of termination or non-employment for cause;
3. Is convicted of a felony or misdemeanor as defined in this chapter.

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

- Is suspended, terminated, or not re-hired for cause;
- Resigns or retires under threat of termination or non-employment for cause;
- Is convicted of a felony or misdemeanor as defined in this chapter.

Adding back the code of ethics as a tool to set expectations for professional behavior
(1) Been terminated or not rehired for cause;
(2) Resigned under threat of termination or non-employment for cause; and
(3) Been convicted of a felony or misdemeanor as defined in this chapter.
(d) Signators of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Contract shall report actions taken by them to deny a license to an individual or to revoke, suspend or refuse to renew licenses of licensees in their state within thirty (30) calendar days from when they are made aware that the individual is applying for a license, renewal of a license or permit.
(e) The board shall report actions taken to deny, suspend or revoke a license or permit to the superintendent, charter school administrator, headmaster or president of any Hawai'i school, district, or system and to the NASDTEC Clearinghouse. [Eff 10/30/14](Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)
§8-54-9.17 Board action on reports of violations.  
(a) The board may initiate action based on a written, signed report submitted by one or more of the following:
  (1) Any school, district, or system administrator or educator;
  (2) Self-report received from any licensed educator, permit holder or emergency hire;
  (3) Report of license or permit revocation, suspension, refusal to renew or denial by another state;
  (4) Report submitted by individuals who witness a violation.
(b) The board may initiate an investigation whereby minimally the following actions shall be taken:
  (1) The executive director will verify the complaint;
  (2) The applicant, permit holder or licensee will be notified.
in writing posted by restricted certified and regular mail of the complaint. A copy of the notification will be placed in the board’s file of the applicant, permit holder or licensee;

(3) The applicant, permit holder or licensee will have thirty (30) calendar days to file a written response, which will be placed in the board’s file of the applicant, permit holder or licensee;

(5) The board may contract with another state agency or private agency to investigate the complaint and determine if a hearing is warranted.

(c) Following an investigation the board may dismiss the complaint if the alleged violations are not substantiated and the complaint form will be removed from the applicant or licensee’s file. If the complaint is substantiated the board may request the assistance and services of the Office of the Attorney General or contract with another state agency or a private agency for attorney(s) to prepare and

written report of violation was signed and submitted in accordance with 8-54-9.17(a) complaint;

(2) The executive director or designee shall confirm that the alleged violation(s) are within the scope of the board’s regulatory authority

(3) The applicant or license, permit, or certificate holder who is the subject of the report will be notified in writing of the alleged violation(s) and provided a copy of the signed report by means of restricted certified and regular mail. A copy of the notification report will be placed in the board’s file of the applicant or license, permit, or certificate holder;

(4) The applicant or license, permit, or certificate holder will have thirty (30) calendar days to file a written response, which will be placed in the board’s file

Clarifying process when HTSB receives reports of allege violations
represent the board at a hearing. If a hearing is not warranted, the applicant or licensee will be notified and a copy of the notification will be placed in the board’s file of the applicant or licensee.

(d) The board may impose a fee against an applicant or licensee as reimbursement for all or part of the costs of investigations, hearings, or appeals that result in disciplinary action against the licensee. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)

(5) The board may delegate the executive director or designee to investigate the complaint allegations or may contract with another state agency or private agency to investigate the complaint allegations and advise whether a hearing is warranted.

(7) If the Board determines a hearing is warranted, proceedings will be held in accordance with §8-54-10.5; may dismiss the complaint if the alleged violation(s) are not substantiated and the complaint form will be removed from the applicant or license, permit, or certificate holder’s file.

If the complaint is substantiated, the board may request the assistance and services of the Office of the Attorney General or contract with another state agency.
agency or a private agency for attorney(s) to prepare and represent the board at a hearing.

(8) If the board determines a hearing is not warranted, no further action will be taken and the applicant or licensee, permit, or certificate holder will be notified in writing and a copy of the notification will be placed in the board’s file of the individual applicant or licensee, permit, or certificate holder. 

(a) The board may impose a fee against an applicant or licensee, permit, or certificate holder as reimbursement for all or part of the costs of investigations, hearings, or appeals that result in disciplinary action against the individual applicant or licensee, permit, or certificate holder. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-10.1 Applicability. The general procedures specified in this subchapter shall, in part, effectuate and carry out the purposes of chapter 91, HRS and shall apply to all contested cases that may come before the board relating to the denial of an application for a license or permit or to discipline a licensee or permittee. [Eff 10/30/14] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)
§8-54-10.2 Notification of denial of application or proposed disciplinary action against a licensee or permittee.

In the event an application for a license or permit is denied, or the board intends to discipline a licensee or permittee, written notification shall be provided to the denied applicant, or to the licensee of the intended action. The notification shall include a concise statement of the reasons therefore and a statement informing the applicant or licensee or permittee of the right to a hearing if the applicant or licensee or permittee so desires. The notification shall further provide the time frame that a demand for hearing shall be filed. [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

Adding a clarifying step for applicants who do not meet HTSB’s licensure requirements
§8-54-10.3 Demand for a hearing. Any person whose application is denied, or a licensee or permittee who is to be disciplined by the board, shall be entitled to a hearing if a demand for hearing is filed with the board’s office within sixty (60) calendar days of the date of the letter informing the applicant of the denial or the licensee or permittee of the intent to discipline, respectively. The demand for hearing shall contain concise statements of: (1) the legal authority under which the hearing is to be held; (2) the denial or matter that is being contested by the petitioner; (3) the basic facts and issues raised; and (4) the relief to which the petitioner deems itself entitled. [Eff 10/30/14] (Auth: HRS §§302A-801 to -808)

§8-54-10.4 Action by the board; notification of hearing. If a demand for hearing is filed, the board shall schedule a hearing and give the petitioner or their counsel notice of the date, time, and place of the hearing. [Eff 10/30/14] (Auth: HRS §§302A-801 to -808)
For hearing is filed within sixty (60) calendar days of the date of the letter of denial or intent to discipline, the board, or a panel of the board, or a hearing officer approved by the board shall be designated as the hearings officer to conduct the hearing, and make recommendations in writing to the board. The hearings officer shall commence the hearing process and proceed to schedule a hearing and provide all parties written notice of the hearing by registered or certified mail with return receipt requested at least fifteen (15) calendar days before the hearing. [Eff 10/30/14] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-10.5 Notice of hearing. The hearing notice shall include:

(C) The date, time, place, and nature of the hearing;

(D) The legal authority under which the hearing is held;

(E) The particular sections of the statutes and rules involved; and

(F) A short and concise statement of the issues involved and the facts giving rise to the petition.

§8-54-10.5 Notice of hearing. The hearing notice shall include:

(A) The date, time, place, and nature of the hearing;

(B) The legal authority under which the hearing is held;

(C) The particular sections of the statutes and rules involved; and

(D) A short and concise statement of the issues involved and the facts giving rise to the petition.
| §8-54-10.6 Hearing. (a) All hearings shall be conducted pursuant to chapter 91, HRS and this subchapter. All hearings shall be held before a hearings officer duly designated by the board. All parties shall be afforded full opportunity to present evidence and argument on all issues involved. The hearing shall be at the time and place set forth in the notice of hearing, but at that time and place may be continued from day to day or adjourned thereof at the hearing. (b) The presiding hearings officer shall have the power to give notice of the hearing, arrange for the administration of oaths and affirmations, subpoena and examine witnesses, issue subpoenas, certify to official acts, rule on offers of proof, receive relevant evidence and exclude evidence which is irrelevant, immaterial, repetitious, cumulative, or merely scandalous and accordingly may restrict lines of questioning, regulate the course and conduct of the hearing, regulate the manner of any examination so as to prevent the | §8-54-10.6 Hearing. (a) All hearings shall be conducted pursuant to chapter 91, HRS and this subchapter. All hearings shall be held before a hearings officer duly designated by the board. All parties shall be afforded full opportunity to present evidence and argument on all issues involved. The hearing shall be at the time and place set forth in the notice of hearing, but at that time and place may be continued from day to day or adjourned thereof at the hearing. (b) The presiding hearings officer shall have the power to give notice of the hearing, arrange for the administration of oaths and affirmations, subpoena and examine witnesses, issue subpoenas, certify to official acts, rule on offers of proof, receive relevant evidence and exclude evidence which is irrelevant, immaterial, repetitious, cumulative, or merely scandalous and accordingly may restrict lines of questioning, regulate the course and conduct of the hearing, regulate the manner of any examination so as to prevent the |
needless and unreasonable harassment, intimidation, or embarrassment of any witness or party at the hearing, remove disruptive individuals including any party, legal counsel, witness, or observer, hold conferences including prehearing conferences, before or during the hearing, for the settlement or simplification of issues, rule on motions and to dispose of procedural matters, dispose of any other matters that normally and properly arise in the course of the proceedings, and take any action authorized by this subchapter or chapter 91, HRS, and perform such other duties necessary for the proper conduct of hearings.

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

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

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

(f) The hearings officer may engage the services of a stenographer, or someone similarly skilled, to take a verbatim record of the evidence presented at the hearing. If a verbatim record is taken, any party may request a certified transcript of the proceedings. The party making the request shall be responsible for the fees for the transcript. [Eff 10/30/14] (Auth: HRS §§302A-801 to -808)
§8-54-10.7 Recommended decision. (a) As expeditiously as possible after the close of the hearing, the hearings officer shall file with the board a recommended decision together with separate findings of fact, conclusions of law, and a recommended order. The decision, findings of fact, conclusions of law, and any order recommended by the hearings officer shall be based upon the whole record and supported by the reliable probative and substantial evidence, including facts of which the hearings officer properly took judicial notice.

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

(c) Any party adversely affected by the hearings officer’s recommended decision within fifteen (15) calendar days after receipt of a copy of the decision, may file with the hearings officer written exceptions to the whole or any part of the recommended decision and request review by the board. Each
written exception shall specify the portions of the record and authorities relied upon to sustain each point. A copy of the written exceptions shall be served by the party so excepting upon each party to the proceeding. Unless the time has been extended, no written exceptions shall be filed or accepted for filing after the time specified.

(d) Any party may file with the hearings officer and serve upon all other parties a statement in support of the recommended decision within fifteen (15) calendar days after receipt of a copy of the written exceptions filed pursuant to subsection (c).

(e) The hearings officer shall transmit to the board the entire record together with the recommended decision, any timely filed exceptions, and any timely filed statement in support. [Eff 10/30/14] (Auth: HRS §§302A-802 to -808)
The board shall personally consider the whole record or portion of the record as may have been cited by the parties either in support of or in opposition to the recommended decision. All parties shall be served with notice of the time and place of argument at least five (5) calendar days prior to the time for argument. Within a reasonable time after argument has been heard, the board shall issue a written final decision and order.

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

[Eff 10/30/14] (Auth: HRS §302A-807)  
(Imp: HRS §§302A-801 to -808)
served upon each party by personal service or by registered or certified mail, return receipt requested. Service of the final decision and order shall be deemed complete upon its mailing to the party’s last known address. [Eff 10/30/14](Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-10.10 Judicial review of contested cases. Any party aggrieved by a final decision of the board is entitled to judicial review in conformance with section 91-14, HRS. Any party requesting judicial review shall serve a copy of the request upon the board and all other parties to the proceeding in accordance with the Hawaii Rules of Civil Procedure. [Eff 10/30/14](Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-11 Repealed (R 10/30/14)

§8-54-12 Repealed (R 10/30/14)

§8-54-13 Repealed (R 10/30/14)

§8-54-14 Repealed (R 10/30/14)

§8-54-15 Repealed (R 10/30/14)

§8-54-16 Suspension of the rules. (a) If the board determines that extenuating circumstances exist to justify suspending its rules, the board may, at a scheduled board meeting, vote to temporarily suspend any of its administrative rules, or any portion

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

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

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

(7) Active military duty impinges on compliance with the board’s rules; or

(8) An unforeseen event beyond the control of the board or teacher prevents or delays the ability to comply with the rules.

(b) The following describes the procedure for suspending rules:

(1) Any person or agency directly impacted by the rules may submit a signed written request to the board, citing the rule or portion thereof to be suspended, with at least thirty (30) calendar days’ notice prior to the next
regularly scheduled board meeting unless extenuating circumstances 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;

(2) A majority vote of board members is required to suspend the rules or any portion thereof;

(3) Robert’s Rules of Order pertaining to suspension of the rules will be followed;

(4) In considering the motion to suspend, the board may also determine if another resolution to the request exists and act accordingly;

(5) 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 to 808)
§8-54-17 Repealed [R 10/30/14]  §8-54-17 Repealed [R 10/30/14]

§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)

§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)

§8-54-19 Approval of educator preparation programs. When applying for approval of an educator preparation program the following requirements shall be met:

1. The unit must provide evidence that its candidates will meet the performance standards as applicable, that are contained in Appendix A, B, C, and incorporated at the end of this chapter;

2. The unit must provide evidence that its candidates will exhibit professional and ethical dispositions necessary to help all students learn as
The unit provider must provide evidence that their candidates will be prepared to incorporate the following areas into their practice:

(A) The integration of Hawaiian language, history and culture in order to promote and perpetuate traditional ways of knowing, learning and teaching;

(B) Student standards adopted by the department;

(C) Teaching of reading including working with students with reading difficulties;

(D) Working effectively with students with disabilities, including training related to participation as a member of individualized education program teams;

(E) Working effectively with students who are limited English proficient;

(F) Working with gifted and talented students;

and integrating technology outlined in the board's Code of Ethics;
effectively into curricula and instruction, including activities consistent with the principles of universal design for learning and the use of technology to effectively collect, manage and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.

(8) Each program must provide evidence that their candidates meet the standards from a national organization approved by the board for the license fields offered in the program or, for license fields without national standards, the standards approved for the field.

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

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

(4) Working with students who are gifted and talented students; and

(G) Integrating technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning and the use of technology to effectively collect, manage and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.

(4) Each program provider must provide evidence that their candidates will meet the board approved content area standards from created by a national specialty professional association (SPA) organization approved by the board for the license fields offered in the program or, for license fields without national standards, the standards approved by the board for the field.

Clarification on the board approved content area standards are created by the national associations.
(B) Demonstration of teaching proficiency through a combination of documented satisfactory work experience and observation by the EPP; or

(C) Passing a board approved performance assessment normed for Hawaii in combination with any other requirements determined by the EPP. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

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

(A) A minimum of four hundred fifty (450) hours of supervised, Hawaii-based, clinical experience in student teaching, internship or residency while holding an appropriate valid permit;

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

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

(6) Verification of online or face to face training in cardiopulmonary resuscitation (CPR) that covers child and adult skills. [Eff 10/30/14]

To emphasize that clinical experiences should be gained in Hawaii while holding a student teaching permit.

To clarify the acronym.
§ 8-54-20 Procedure for first-time provisional unit or program review.

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

(1) The letter of intent and preconditions must be submitted for consideration no less than one (1) year prior to the date of proposed program implementation; and

(2) Within two (2) years of acceptance of the letter of intent and preconditions, the unit must submit one (1) unit report and a program report for each program that will prepare educators for initial licensure.

(b) The board staff will convene a review team and conduct a virtual provisional review of the unit and

§ 8-54-20 Procedure for first-time provisional unit or program review. (a) When applying for approval of a first-time provisional unit or program review the following requirements shall be met:

(1) The letter of intent and preconditions must be submitted for consideration no less than one (1) year prior to the date of proposed program implementation; and

(2) Within two (2) years of the board's acceptance of the letter of intent and preconditions, the unit provider must submit one (1) unit report providing assurance that each of its programs is making progress towards meeting the requirements outlined in § 8-54.19 detailing the
programs within three (3) months of acceptance of the unit and program reports after staff review and board approval.

(c) The board will review the review team’s recommendation and issue a decision upon recommendation of the board’s Teacher Education Committee.

(d) A unit must receive board approval before advertising programs for initial licensure, implementing programs and accepting candidates into any educator preparation program. [Eff 10/30/14; am 9/5/19] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

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

(c) The board will review the review team’s recommendation and issue a decision upon recommendation of the board’s Teacher Education Committee.

(d) A unit provider must receive board approval before advertising programs for initial licensure, implementing programs and accepting candidates into any educator preparation program. [Eff 10/30/14; am 9/5/19] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§8-54-21 Procedure for continuing unit review. When applying for continuing unit review one (1) of the following requirements shall be met:

§8-54-21 Procedure for continuing state unit review approval. When applying for continuing unit state approval, one (1) of the following requirements shall be met:
(1) Obtain accreditation from a national accrediting body prior to the expiration of their provisional approval to be eligible for continued state approval. The accrediting body must be approved in advance by the HTSB for use in continuing state approval. The HTSB Executive Director or designee will serve as an observer during the accreditation visit. It is the unit’s responsibility to apply for renewal of state approval and submit all documentation required for the board’s review at least six (6) months in advance of the expiration of provisional approval; or Indigenous and culturally focused units may obtain accreditation from a national or international Indigenous focused accrediting body prior to the expiration of their provisional approval to be eligible for continued state approval. The accrediting body must be approved in advance by the HTSB for use in continuing state approval. The HTSB Executive Director or designee will serve as an observer during the accreditation visit. It is the provider’s responsibility to apply for renewed continuing state approval.

(2) Submit all documentation required for the board’s review at least six (6) months in advance of the expiration of provisional approval and

(3) The board will review the documentations submitted, and issue a decision upon recommendation of the board’s Teacher Education Committee.

Reorganization of this section to make the steps clearer

To clarify the name of the continuing approval—continuing state approval

The following requirements shall be met:

(1) Obtain accreditation from a national accrediting body prior to the expiration of their current provisional approval to be eligible for continued state approval.

a. The accrediting body must be approved in advance by the HTSB for use in continuing state approval.

b. The HTSB Executive Director or designee will serve as an observer during the accreditation visit.

c. It is the unit’s responsibility to apply for renewal of state approval and submit all documentation required for the board’s review at least six (6) months in advance of the expiration of provisional approval and

(2) The board will review the documentations submitted, and issue a decision upon recommendation of the board’s Teacher Education Committee.
during the accreditation visit. It is the unit’s responsibility to apply for renewal of state approval and submit all documentation required for the board’s review at least six (6) months in advance of the expiration of provisional approval; or

(2) All program completers recommended for licensure by the unit shall submit official scores from a nationally normed performance assessment adopted by the HTSB. The unit will be reviewed by a State Team composed of:

a. One out of state professional educator, selected based on compatible experience with the type and size unit; and

b. One out of state practitioner licensed in the field of the program, preferably a National Board for Professional Teaching Standards (NBPTS) certified teacher or one with the Teacher Leader designation on their license; and

(4) Indigenous and culturally focused units may obtain accreditation from a national or international Indigenous focused accrediting body prior to the expiration of their provisional approval to be eligible for continued state approval. The accrediting body must be approved in advance by the HTSB for use in continuing state approval. The HTSB Executive Director or designee will serve as an observer during the accreditation visit. It is the unit’s responsibility to apply for renewal of state approval and submit all documentation required for the board’s review at least six (6) months in advance of the expiration of provisional approval; or

(5) All program completers recommended for licensure by the unit shall submit official scores from a nationally normed performance assessment adopted by the HTSB. The unit will be reviewed by a State Team composed of:

a. One out of state professional educator, selected based on...
c. HTSB Executive Director or designee; and
d. It is the unit’s responsibility to submit a Continuing Unit Review Report one (1) year in advance of the expiration of their existing approval period; or

(3) All program completers recommended for licensure by the unit are evaluated using unit-wide assessments. The unit will be reviewed by a State review by a team composed of:

a. Two or more out of state professional educators, selected based on compatible experience with the type and size unit; and

b. One or more out of state practitioners licensed in the field of the program, preferably a National Board for Professional Teaching Standards (NBPTS) certified teacher or a teacher with the Teacher Leader designation on their license; and

c. HTSB Executive Director or designee; and

d. It is the unit’s responsibility to submit a Continuing Unit Review Report one (1) year in advance of the expiration of their existing approval period; or

(6) All program completers recommended for licensure by the unit are evaluated using unit-wide assessments. The unit will be reviewed by a State review by a team composed of:

a. Two or more out of state professional educators, selected based on compatible experience with the type and size unit; and

b. One out of state practitioner licensed in the field of the program, preferably a National Board for Professional Teaching Standards (NBPTS) certified teacher or one with the Teacher Leader designation on their license; and
c. The number of program completers and number of separate licensure programs within the unit will determine the number of State Team reviewers; and
d. HTSB Executive Director or designee; and
e. It is the unit’s responsibility to submit a Continuing Unit Review Report one (1) year in advance of the expiration of their existing approval period. [Eff 10/30/14; am](Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)
§8-54-22 Procedure for continuing program review. (a) Programs may elect national review by the appropriate SPA. The program must receive national recognition or national recognition with conditions.

(b) Programs not seeking national recognition shall:

1. Be reviewed as part of the unit report; and
2. Submit an audit to the board as an appendix to their annual report. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§8-54-23 Recommendations for approval. (a) Provisional review teams may make the following recommendations to the board:

1. Provisional approval;
2. Provisional approval with unit conditions and/or program areas for improvement; or
3. Deny approval.

(b) Unit and program reports from continuing reviews conducted by national accrediting bodies will be submitted by the unit and programs and considered by the board for continuing seven (7) year state approval or for provisional approval. (a) Provisional review teams may make the following recommendations to the board. The board may take the following actions for provisional approval:

1. Provisional approval for up to three years;
2. Provisional approval for up to three years with unit conditions and/or program areas for improvement; or
3. Deny approval. The unit provider may appeal under the process detailed in §8-54-30.

To give the board the authority to review a provider/program during the mid-accreditation cycle in the event that the provider/program’s performance raised any concerns.
(4) During the provisional approval period, in the event of any violation of law or any other activity that will have a materially adverse effect on the provider’s ability to fulfill its obligations to its students and/or the board, the board may take action on the provider’s approval status, including but not limited to revocation of approval, suspension, and imposition of conditions. The unit provider may appeal an adverse decision under the process detailed in §8-54-30.

(b) Unit and program Reports from continuing reviews conducted by national accrediting bodies will be submitted by the unit and program provider and considered by the board as:

(1) continuing seven (7) year state approval,

(2) continuing state approval for the full term of their accreditation by an external accrediting body recognized by the Hawaii teacher standards board. [Eff 10/30/14; am 9/5/19] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)
### §8-54-24 Procedure for added field program

(a) A unit or other organization may be approved to prepare licensed educators to add a field to an existing license.

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

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

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

### §8-54-25 Board action following review

(a) The board may take the following actions for provisional unit and program review:

### §8-54-2623 Board action following continuing state approval review

(a) The board may take the following actions for provisional unit and program review:

Renumbering the sections so board actions are clustered together
(1) Provisional approval for three (3) years or until the unit’s next national or state review; 
(2) Provisional approval with unit conditions and/or program areas for improvement for up to three (3) years; or 
(3) Deny approval. The unit may appeal or reapply for approval under the process determined by the board.

(b) The board may take the following actions for continued review:
(1) Full approval for seven (7) years; 
(2) Approval with unit conditions and/or program areas for improvement for up to seven (7) years; 
(3) Probationary approval and designation as "at-risk" for up to two (2) years. The unit and programs must correct the conditions and areas for improvement within two (2) years. The unit may appeal under the process determined by the board; 
(4) Denied and designation as "low performing". The unit may appeal under the process determined by the board; or 

To clarify length of accreditation that are available for the board to grant in conjunction to the national accreditation timeframe

To connect this rule with §8.54.28
probationary period. The unit provider may appeal under the process determined by the board detailed in §8-54-30.

(4) Denied due to designation as "low performing" based on criteria outlined in §8.54.29. The unit provider may appeal under the process determined by the board detailed in §8-54-30; or

(5) Revoke approval. The unit provider may appeal under the process determined by the board during the continuing state approval period, in the event of any violation of law or any other activity that will have a materially adverse effect on the provider’s ability to fulfill its obligations to its students and/or the board, the board may take action on the provider’s approval status, including but not limited to revocation of approval, suspension, and imposition of conditions. The unit provider may appeal an adverse decision under the process detailed in §8-54-10.

§8-54-26 Annual reporting by educator preparation programs. (a) Educator preparation programs will submit an annual report on a specified form to include at a minimum the following:

1. Current contact information for the unit;
2. A list of all current traditional and alternative licensure programs offered by the unit;
3. Substantive changes within the reporting year;
4. Progress toward addressing any conditions or areas for improvement on their current approval; and
5. Progress toward obtaining or continuing national accreditation.

(b) Hawaii educator preparation programs must submit a recommendation for licensure for program completers within six (6) weeks of program completion on a form specified by the board. Out of state preparation programs which work primarily with active military and military spouses may also report program completers on this form. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

To relate to later section of progress modifications

§8-54-26 Annual reporting by educator preparation program providers. (a) Educator preparation program providers will submit an annual report on a specified form to include at a minimum the following:

1. Current contact information for the unit provider;
2. A list of all current traditional and alternative licensure programs offered by the unit provider;
3. Substantive changes within the reporting year; as outlined in §8-54-27;
4. Progress toward addressing any conditions or areas for improvement on their current approval; and
5. Progress toward obtaining or continuing national external accreditation.

(b) Hawaii educator preparation program providers must submit a recommendation for licensure for program completers within six (6) weeks of program completion on a form specified by the board. Out of state preparation programs which work primarily with active military and military spouses may also report program completers on this form.

To give the board the authority to conduct annual audits of EPPs which is already in practice
§8-54-27 Modification of programs.

(a) For minor modifications, the unit will describe the modifications in the annual report and include evidence that program quality is not affected.

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

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

To define what should be reported as substantive changes.

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<tr>
<th>§8-54-27 Modification of programs.</th>
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<td>(b) For major modifications, the unit will submit a request to the board for implementation, including a description of the changes and evidence that standards will continue to be met.</td>
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<td>(c) For program elimination, the unit will submit information to the board in writing stating when the program will end, reasons for elimination, and assurances that current candidates will be able to complete the program. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)</td>
<td>(1) Any change in the established mission or objectives of the program or provider;</td>
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<td>(2) Any change in legal status, form of control, or ownership of the program or provider;</td>
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<td>(3) Significant programmatic changes in content or method of delivery from the last accreditation review, including changes in degree or credential level;</td>
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<td>(4) Closing a program or removal or discontinuation of a program;</td>
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(5) Entering into a collaborative academic arrangement that includes the initiation of a dual or joint academic program with another institution;

(6) Acquiring, adding, merging with, or consolidating operations with another program or

(7) Adding an off-campus instructional site at which the program is conducting a teach-out for student of another institution.

The unit provider will submit a request to the board prior to implementation, including a description of the changes and evidence that standards will continue to be met.

(c) The board may act on the request(s) in accordance with criteria set in §§8.54.23-24.

(2) For program elimination, the unit provider will submit in writing the following information to the board:

[1] when the program will end,

[2] reasons for elimination,

[3] a list to the board of all candidates remaining in the affected programs and the expected dates of completion; and

To confirm this rule with 8.54.23-24

To detail what information is needed when program closure in order to protect candidates in the program
§8-54-28 At-risk educator preparation programs. (a) A unit will be designated "at-risk" under the following conditions:

1. The unit receives continuing accreditation/approval for less than five (5) years based on their national/state review; or
2. The unit’s summary pass rate on content examinations falls below eighty per cent (80%).

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

1. The program fails to correct conditions of its SPA approval within the timeline specified by the SPA;
2. The program receives an approval decision of "Recognition with Probation" on its SPA report;
3. During a State-approval period, in the event of any violation of law or any other activity that will have a materially adverse effect on the provider’s ability to fulfill its obligations to its students and/or the board, the board may take action on the provider’s approval status and

§8-54-28 At-risk educator preparation provider or programs. (a) A unit provider or program will be designated "at-risk" under the following conditions:

1. The unit provider or program receives continuing accreditation/approval for less than five (5) years based on their national/state review; or
2. The unit provider’s or program’s summary pass rate on content examinations falls below eighty per cent (80%).
3. During a State-approval period, in the event of any violation of law or any other activity that will have a materially adverse effect on the provider’s ability to fulfill its obligations to its students and/or the board, the board may take action on the provider’s approval status and

To add "programs" back into the rules since at times a program might be at risk while the provider is doing okay overall

To further define what at-risk is in addition to licensure test passing rate
(3) The program is given areas for improvement on its board approval and fails to correct the areas within the timeline specified by the board; or
(4) The program’s summary pass rate on content examinations falls below eighty per cent (80%) for a three (3) year average, if applicable.
(c) Once a unit or program is designated as being "at-risk", the board will conduct periodic monitoring throughout the conditional period. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)
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<th>§8-54-29 Low performing programs</th>
<th>(a) A unit is designated “low performing” under the following conditions:</th>
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<tr>
<td>(1) It receives continuing</td>
<td>accreditation/approval for less than five (5) years based on</td>
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<td>their national/state review and fails to correct deficiencies</td>
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<td>for less than five</td>
<td>and gain full approval within three (3) years;</td>
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<td>years based on their</td>
<td>(2) It receives a national accreditation/state approval</td>
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<td>national/state review</td>
<td>decision of “Denied” or “Revoked”; or</td>
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<td>and fails to correct</td>
<td>(3) The unit’s summary pass rate on content examinations falls</td>
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<td>(2) It receives a national</td>
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<td>Nationally Recognized on its SPA review;</td>
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<td>approval decision of</td>
<td>(2) The program receives a status of Denied Approval on its</td>
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<td>“Denied” or “Revoked”;</td>
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<td>(3) The unit’s summary pass</td>
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<td>rate on content</td>
<td>below seventy per cent (70%) for a three (3) year average where</td>
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<td>examinations falls below</td>
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<td>seventy per cent (70%)</td>
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<td>the board may take action on</td>
</tr>
<tr>
<td></td>
<td>the provider’s approval status</td>
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To add “programs” back into the rules since at times a program might be low performing while the provider is doing okay overall.

To clarify where the information should be posted.

To further define what low performing is in addition to licensure test passing rate.
(c) Once a unit or program is designated as being "low performing", the unit must:

1. Post its status on a website accessible to the public;
2. Not accept candidates seeking licensure into the unit/program affected;
3. Submit a list to the board of all candidates remaining in the affected unit/program and the expected dates of completion;
4. Counsel all affected candidates about choices for program completion both in the unit and transferring to other preparation programs; and
5. Submit evidence of progress toward meeting these conditions in their annual report to the board. [Eff 10/30/14] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

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

5. If receives a continuing review decision of Not Nationally Recognized on its SPA review;
6. The program receives a status of Denied Approval on its HTSB review; or
7. The program’s summary pass rate on content examinations falls below seventy per cent (70%) for a three (3) year average where applicable.

(b) Once a unit provider or program is designated as being "low performing", the unit provider must:

1. Post its status on the program’s webpage site accessible to the public;
2. Not accept candidates seeking licensure into the unit/programs affected;
3. Submit a list to the board of all candidates remaining in the affected unit/programs and the expected dates of completion;
4. Counsel all affected candidates about choices for

To clarify where the information should be posted
§8-54-30 Appeals. (a) Any Hawaii educator preparation program that receives an adverse decision may appeal that decision. An adverse decision includes:

1. The denial of an application for state approval of a unit or program;
2. The conditional approval of a unit or program;
3. The designation of “at-risk” or “low performing” status; or
4. The denial or revocation of approval of a unit or program.

(b) An appeal must be based on the following grounds:
1. National or state standards were disregarded;
2. Stated procedures were not followed;
3. Evidence favorable to the unit or program provided to the

§8-54-30 Appeals. (a) Any Hawaii educator preparation provider that receives an adverse decision may appeal that decision. An adverse decision includes:

1. The denial of a letter of application intent or subsequent report for state approval of a unit or program provider or program;
2. The conditional approval of a unit or program provider or program;
3. The designation of “at-risk” or “low performing” status; or
4. The denial or revocation of approval of a unit or program provider or program.

(b) An appeal must be based on the following grounds:
1. National or state standards were disregarded;
review team was not considered; or
(4) Evidence favorable to the unit or program provided to the board was not considered.

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

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

§8-54-31 Reference materials for units and programs. The board shall maintain an electronic repository of guidance materials for prospective and approved units. Reports from unit and program reviews and board approval will be

§8-54-31 Reference materials for units and programs. The board shall maintain an electronic repository of guidance materials for prospective and approved units. Reports from unit and program provider reviews and board approval