



GOV. MSG. NO. 883

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 8, 2008

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fourth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith SB2663 SD2 HD2 CD1, without my approval, and with the statement of objections relating to the measure.

SB2663 SD2 HD2 CD1

A BILL FOR AN ACT RELATING TO THE HAWAII  
TEACHER STANDARDS BOARD.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2663

Honorable Members  
Twenty-Fourth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2663, entitled "A Bill for an Act Relating to the Hawaii Teacher Standards Board."

The stated purpose of this bill is to increase the number of teachers on the Hawaii Teacher Standards Board, define who may nominate members to and serve on the Board, and require the Board to report its expenditures and income.

This bill is objectionable because it curtails the pool of qualified entities that may nominate persons to serve on the Hawaii Teacher Standards Board and prescribes a composition that would likely decrease the representation of neighbor islands on this important body.

The Hawaii Teacher Standards Board plays an important role in setting standards for and licensing teachers in the State of Hawaii. Current law allows the Governor to nominate members from lists provided by departments, agencies, and organizations that represent the constituents of the Board. This is appropriate and has resulted in a pool of candidates that come from a cross-section of educational facilities within the State.

This bill would prescribe and limit the organizations that can nominate persons for my consideration, effectively banning nominees from parent-teacher associations, school

STATEMENT OF OBJECTIONS  
SENATE BILL NO. 2663  
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community councils, the Charter School Administrative Office, the University of Hawaii, and national organizations that are working diligently to improve the quality of teachers in Hawaii, such as Teach for America.

Further, this bill requires that the composition of the membership of the Board be proportionate to the teachers and administrators who work on each island. Currently, 31% of the Teacher Standards Board members represent neighbor islands, and I have worked hard to nominate persons representing all islands, including Lanai and Molokai. This bill would make the Board more Oahu-centric, thus decreasing the important voice of teachers who work in rural locations or deal with non-urban school challenges.

For the foregoing reason, I am returning Senate Bill No. 2663 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE  
Governor of Hawaii



1 have been undertaken through a collaborative effort by the  
2 interested parties, including the Hawaii teacher standards  
3 board.

4 Furthermore, because the department has been facing a  
5 shortage of approximately sixteen hundred teachers each year  
6 over the past several years, it has become imperative that the  
7 Hawaii teacher standards board consider ways to expand the pool  
8 of qualified teachers. Adding a teacher on the board who has  
9 become a teacher through a nontraditional program can add  
10 perspective to the deliberations of the board as they consider  
11 licensure qualifications.

12 The purpose of this Act is to make necessary changes to the  
13 membership and nomination process for, provide for increased  
14 information accessibility for, and increase the accountability  
15 of the Hawaii teacher standards board.

16 PART II

17 SECTION 2. The purpose of this part is to:

- 18 (1) Increase the number of teaching professionals on the  
19 Hawaii teacher standards board;  
20 (2) Define "teachers regularly engaged in teaching"; and



1           (3) Clarify those organizations that may nominate  
2           candidates for membership on the Hawaii teacher  
3           standards board.

4           SECTION 3. Section 302A-801, Hawaii Revised Statutes, is  
5 amended by amending subsections (a) and (b) to read as follows:

6           "(a) There is established the Hawaii teacher standards  
7 board, which shall be placed within the department for  
8 administrative purposes only. The board shall consist of  
9 ~~[thirteen]~~ fourteen members, including not ~~[less]~~ fewer than  
10 ~~[six]~~ seven licensed teachers regularly engaged in teaching, at  
11 least one of which has completed a nontraditional teacher  
12 education program, three educational officers, the chairperson  
13 of the board of education or the chairperson's designee, the  
14 superintendent or the superintendent's designee, a  
15 representative of independent schools, and the dean of the  
16 University of Hawaii college of education or the dean's  
17 designee; provided that the dean's designee shall be chosen from  
18 the member institutions of the teacher education coordinating  
19 committee established under section ~~[+]~~304A-1202 ~~[+]~~. For  
20 purposes of this section, "teachers regularly engaged in  
21 teaching" means teachers, school counselors, or school



1 librarians who are not assigned the duties of a school  
2 administrator.

3 (b) Except for the chairperson of the board of education,  
4 the superintendent, and the dean of the college of education,  
5 the governor shall appoint the members of the board pursuant to  
6 section 26-34, from a list of qualified nominees submitted to  
7 the governor by [~~the departments, agencies, and organizations~~  
8 ~~representative of the constituencies of the board.~~]:

9 (1) The exclusive representative for public school  
10 teachers;

11 (2) The exclusive representative for public school  
12 administrators;

13 (3) Any state chapter of a national professional  
14 organization that represents teachers or school  
15 administrators; and

16 (4) The Hawaii Association of Independent Schools for  
17 private school teachers.

18 To the extent possible, the board membership shall reflect  
19 representation of elementary and secondary school personnel from  
20 [~~all islands.~~] Oahu and the neighbor islands approximating the  
21 proportion of teachers and administrators who work in these  
22 areas. The teacher members of the Hawaii teacher standards



1 board shall hold licenses representative of the range of subject  
2 matter and levels (elementary, middle, and high school) taught  
3 in public schools. The school administrator members of the  
4 Hawaii teacher standards board shall be administrators assigned  
5 to elementary, middle, and high schools."

6 **PART III**

7 SECTION 4. Over the past several years, the Hawaii teacher  
8 standards board has been developing an electronic licensing  
9 system that has the capability of interfacing with public and  
10 private Hawaii teacher education institutions and the department  
11 of education to share information about licensed teachers. The  
12 system also has the capacity to receive data from these same  
13 institutions and agencies in a new way that expedites  
14 operations, as well as avoids the need for duplicative  
15 collection of data by multiple institutions and agencies. This  
16 sharing of information will enable all parties to expedite the  
17 performance of their duties and responsibilities.

18 The data-sharing effort has three facets:

- 19 (1) Technology;  
20 (2) Functionality; and  
21 (3) Project management and coordination.





1 The Hawaii teacher standards board and partner agencies are  
2 directed to determine a mutually acceptable data transfer method  
3 for the data to be exchanged.

4 The legislature further finds that, over the next several  
5 months, the participating organizations will work to agree on  
6 the list of transactions that each will be prepared to service  
7 and originate. These transactions shall include all information  
8 that each participating institution or agency, including the  
9 department of education, stores in its automated system that may  
10 support teacher licensing, re-licensing, teacher education, and  
11 hiring, including but not limited to license information for any  
12 current licensees, license application information for any  
13 applicant, state-approved teacher education program completer  
14 information, university course completion information for any  
15 licensee, higher education degree information, teacher  
16 employment and work site information, and teacher termination,  
17 resignation, retirement, and leave status.

18 The purpose of this part, based on the support of the  
19 teacher education coordinating committee, is to authorize the  
20 Hawaii teacher standards board to coordinate an effort to create  
21 a network incorporating the teacher education institutions and



1 the department of education to support the free interchange of  
2 information valuable to all of the participating organizations.

3 PART IV

4 SECTION 5. The purpose of this part is to increase  
5 accountability and expand the scope of the information provided  
6 by the Hawaii teacher standards board to the legislature and the  
7 governor to include information on income and expenditures and  
8 to require a summary report with data from the previous five  
9 years of the Hawaii teacher standards board's accomplishments  
10 and objectives, efforts to improve and maintain teacher quality,  
11 and efforts to keep its operations responsive and efficient.

12 SECTION 6. Section 302A-803, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14 "(a) In addition to establishing standards for the  
15 issuance and renewal of licenses and any other powers and duties  
16 authorized by law, the board's powers shall also include:

- 17 (1) Setting and administering its own budget;
- 18 (2) Adopting, amending, or repealing the rules of the  
19 board in accordance with chapter 91;
- 20 (3) Receiving grants or donations from private  
21 foundations, and state and federal funds;



- 1           (4) Submitting an annual report to the governor and the  
2           legislature on the board's operations, including  
3           income and expenditures, and [~~from the 2007-2008~~  
4           ~~school year, submitting~~] a summary report [every] with  
5           data from the previous five years of the board's  
6           accomplishment of objectives, efforts to improve or  
7           maintain teacher quality, and efforts to keep its  
8           operations responsive and efficient;
- 9           (5) Conducting a cyclical review of standards and  
10          suggesting revisions for their improvement;
- 11          (6) Establishing licensing fees in accordance with chapter  
12          91, including the collection of fees by means of  
13          mandatory payroll deductions, which shall subsequently  
14          be deposited into the state treasury and credited to  
15          the Hawaii teacher standards board special fund;
- 16          (7) Establishing penalties in accordance with chapter 91;
- 17          (8) Issuing, renewing, revoking, suspending, and  
18          reinstating licenses;
- 19          (9) Reviewing reports from the department on individuals  
20          hired on an emergency basis;
- 21          (10) Applying licensing standards on a case-by-case basis  
22          and conducting licensing evaluations;



- 1       (11)   Preparing and disseminating teacher licensing
- 2               information to schools and operational personnel;
- 3       (12)   Approving teacher preparation programs;
- 4       (13)   Administering reciprocity agreements with other states
- 5               relative to licensing;
- 6       (14)   Conducting research and development on teacher
- 7               licensure systems, beginning teacher programs, the
- 8               assessment of teaching skills, and other related
- 9               topics;
- 10      (15)   Participating in efforts relating to teacher quality
- 11               issues, conducting professional development related to
- 12               the board's standards, and promotion of high teacher
- 13               standards and accomplished teaching; and
- 14      (16)   Adopting applicable rules and procedures."

PART V

16       SECTION 7.   Statutory material to be repealed is bracketed  
17 and stricken.   New statutory material is underscored.

18       SECTION 8.   This Act shall take effect upon its approval;  
19 provided that the amendments made to section 302A-803(a), Hawaii  
20 Revised Statutes, in section 6 of this Act, shall not be  
21 repealed when that section is reenacted on July 1, 2009,  
22 pursuant to section 4 of Act 263, Session Laws of Hawaii 2007.