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DEPARTMENT OF EDUCATION

Amendment and Compilation of Chapter 8-54
Hawaii Administrative Rules

October 3, 2014

SUMMARY

1. §8-54-1 is amended.
2. §8-54-1.1 is added.
3. §8-54-2 is repealed.
4. §8-54-2.1 - §8-54-2.6 are added.
5. §8-54-3 is amended.
6. §8-54-3.1 is added.
7. §8-54-3.2 - §8-54-3.4 are reserved.
8. §8-54-4 - §8-54-9 are repealed.
9. §8-54-9.1 - §8-54-9.8 are added.
10. §8-54-9.9 - §8-54-9.12 are reserved.
11. §8-54-9.13 - §8-54-9.17 are added.
12. §8-54-9.18 - §8-54-9.20 are reserved.
13. §8-54-10 is repealed.
14. §8-54-10.1 - §8-54-10.10 are added.
15. §8-54-11 - §8-54-15 are repealed.
16. §8-54-16 is amended.
17. §8-54-17 is repealed.
18. §8-54-18 - §8-54-31 are added.
19. Chapter 54 is compiled.

DEPARTMENT OF EDUCATION

Amendment and Compilation of Chapter 8-54

1. Chapter 8-54, Hawaii Administrative Rules entitled "Teacher Licensing Standards" is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES"

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 2

EDUCATION

PART I

PUBLIC SCHOOLS

CHAPTER 54

TEACHER LICENSING STANDARDS

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SUBCHAPTER 1

GENERAL PROVISIONS

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

(b) The purpose of this chapter is to set the standards by which public school teachers shall be licensed and relicensed. These standards shall be established by the Hawaii teacher standards board. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; am and comp 10/27/2011; am and comp OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

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

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[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 ren §8-54-1.1](Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§8-54-2 Repealed [R OCT 30 2014]

§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. [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 ren §8-54-2.1 OCT 30 2014](Auth: HRS §302A-805) (Imp: HRS §§302A-801 to -808)

§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. [Eff 10/27/11; am and ren §8.54-2.2 OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§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 OCT 30 2014](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 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 $54
Standard license fee per year	not more than $54
Advanced license fee per year	not more than $54
Emergency Hire fee per year	not more than $54
CTE special permit fee per year	not more than $54
Niihau special permit fee per year	not more than $54
License application fee using paper form	$25
Adding a licensing field to an existing license, per field	$25
Name change using paper form	$25
Late payment of license 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
Provisional Review fee for each new license field	$500
Provisional Review fee for new Units	$1,000

[Eff OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808

§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.

(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 licensed must apply for a new license or permit and meet current application requirements. [Eff OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§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. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; comp 10/27/2011; am and ren §8-54-2.6 OCT 30 2014 (Auth: HRS §302A-806) (Imp: HRS §§302A-801 to -808)

§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.

"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.

"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 5 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.

"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.

"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.

"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 license or permit 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.

"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, teacher students at a specific developmental level, teacher 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 the 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 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 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 8/13/04; am and comp 11/9/07; am and comp 10/27/2011; am and comp OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§8-54-3.1 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 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 may be fined $500 per school year.

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

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

may be necessary in carrying out this section.
[Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04; comp 10/27/2011; am and ren §8-54-3.1]
(Auth: HRS §302A-808) (Imp: HRS §§302A-801 to -808)

§8-54-4 Repealed [R OCT 30 2014]

§8-54-5 Repealed [R OCT 30 2014]

§8-54-6 Repealed [R OCT 30 2014]

§8-54-7 Repealed [R OCT 30 2014]

§8-54-8 Repealed [R OCT 30 2014

§8-54-9 Repealed [R OCT 30 2014

SUBCHAPTER 2

LICENSE AND PERMITS; RENEWALS

§8-54-9.1 Provisional license. 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) Satisfactorily completed a State-approved teacher, librarian or counselor education program;
(2) Demonstrated basic skills and subject area competency in a manner prescribed by the board;
(3) Obtained clearance in the professional fitness check; and
(4) Pays license fees as established by the board.[Eff OCT 30 2014 (Auth: HRS §302A-802) (Imp: HRS §§302A-801 to -808

§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) Satisfactorily completed a State-approved teacher, librarian or counselor education program;
(2) Demonstrated basic skills and subject area competency in a manner prescribed by the board;
(3) Obtained clearance in the professional fitness check;
(4) Pays license fees as established by the board; and
(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching 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 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;
(2) Obtained clearance in the professional fitness check;
(3) Pays license fees as established by the board; and
(4) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching 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) Has received the Meritorious New Teacher Candidate (MNTC) designation on their valid

(2) 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
(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching 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 valid unrevoked teaching license from another state issued for the first time on or after July 1, 2006;
(2) Obtained clearance in the professional fitness check;
(3) Pays license fees as established by the board; and
(4) Effective July 1, 2015, submits verification of at least three (3) out of the last ~~seven~~ five (5) years of satisfactory full time teaching in Hawaii or another state;

(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 valid unrevoked teaching license from another state for at least three (3) out of the last five (5) years;
(2) 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;

(3) Obtained clearance in the professional fitness check;

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

(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state.

(f) 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) 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;

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

(3) Obtained clearance in the professional fitness check;

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

(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state. [Eff OCT 30 2014] (Auth: HRS §302A-802) (Imp: HRS §§302A-801 to -808)

§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 valid unrevoked National Board Certification by the National Board for

(2) Professional Teaching Standards in the field for which a license is sought and 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;
(3) Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience 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.

(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;
(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 satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License or under an equivalent license from the issuing 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) Is designated as a teacher leader or master teacher by the Hawaii Department of Education, Hawaii Charter School or a member school of the Hawaii Association of Independent Schools;

(2) Holds a valid Hawaii standard teaching license 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 satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License;

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

(5) Pays license fees as established by the board. [Eff OCT 30 2014] (Auth: HRS §302A-802) (Imp: HRS §§302A-801 to -808)

§8-54-9.4 Emergency hires. (a) An applicant who is unable to meet the requirements for a license may be employed by a public school for a period not to exceed one (1) year at a time, renewable up to a maximum 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 to the department or charter school;

(3) Is actively pursuing appropriate licensing, through the following:

(A) Is enrolled in a professional 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 employee suitability background 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 maximum of three (3) years, provided that emergency hire:

(1) Is actively pursuing licensing; and

(2) Submits evidence of satisfactory process towards obtaining a standard license.

[Eff 10/27/11; am and ren §8-54-9.4 OCT 30 2014](Auth: HRS §302A-803-804) (Imp: HRS §§302A-801 to -808)

§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) Successfully complete thirty (30) credit hours of course work in a state-approved teacher education program or the equivalent of a subject major for the new field 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 in the same license grade level span under a Hawai'i Standard License or its equivalent in another state; or

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

(3) Submit passing subject area examination scores for the new teaching field. The passing score must be the same as that used for program completers of the state-approved teacher education program 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 in the same license grade level span under a Hawai'i Standard License or its equivalent in another state; or

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

(4) Possess a valid National Board Certification in the new field; or

(5) 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.

(b) Adding "school librarian", reading specialist, and literacy specialist 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 OCT 30 2014] (Auth: HRS §302A-802-803)(Imp: HRS §§302A-801 to -808)

§8-54-9.6 Limited duty special permit. (a) Up to but no later than August 31, 2015, the board may grant a limited duty special permit to an instructor employed by a public school where instruction is conducted in the Ni`ihau dialect. The instructor shall provide evidence showing progress towards becoming properly licensed.

(b) Effective June 30, 2006, 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 provided that 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 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;
(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) Effective July 1, 2009, the board may also grant a limited duty special permit to an individual recommended by the superintendent or charter school administrator to provide instruction as an emergency hire in a declared shortage area where no licensed teacher is available and the individual is assigned to a school that is identified as hard to staff, provided that the individual meets the following criteria:

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

Limited duty special permits issued to emergency hires may be renewed annually for no more than three years provided the individual submits required documentation to the department or charter school and the superintendent or charter school administrator recommends that a special permit be renewed. [Eff 11-9-07; am and comp 10/27/11; am and ren §8-54-9.6 OCT 30 2014](Auth: HRS §302A-803-804)(Imp: HRS §§302A-801 to -808)

§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 or in hard copy sent by United States mail which shall be considered timely filed if the envelope bears a postmark of the required renewal date.

(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) 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 permit is prohibited from engaging in the teaching profession.

(h) A licensee or permittee shall have two 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.

(i) 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 OCT 30 2014] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)

§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 ten (10) audit samples per month, 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 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 OCT 30 2014] (Auth: HRS §302A-805) (Imp: HRS §§302A-801 to -808)

SUBCHAPTER 3

DISCIPLINE

§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 OCT 30 2014] (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;

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(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 or images of minors or students;
(6) Committing a crime on school premises or while fulfilling the duties of a teacher;
(7) Practicing the profession of teaching while possessing, using, distributing or being under the influence of illegal drugs;
(8) 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;
(9) Practicing the profession of teaching with a fraudulent teaching license;
(10) Making and/or submitting false, inaccurate or misleading statements and/or documents in applying for a license, permit, license or permit update, or renewal;
(11) Having a license or permit denied, revoked, not renewed or suspended by another jurisdiction;
(12) Violation of any condition or limitation on a licensee's license;
(13) Misrepresents or falsifies information on their application;
(14) Provides falsified or fraudulent documents with an application;
(15) Does not meet the board's licensing or renewal requirements;
(16) Does not meet the professional fitness portion of the application; or
(17) Does not pay the required license or permit fees. [Eff OCT 30 2014] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-9.15 Forms of disciplinary sanctions. Notwithstanding any other others 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 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 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 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

(5) Monetary penalties. [Eff OCT 30 2014] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-9.16 Reporting of violations. (a) Reports of violations(s) to 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 re-hired 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 30 calendar days of the event, the following:

(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 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 NASCTEC Clearinghouse.

§8-54-9.16

[Eff OCT 30 2014] (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; or

(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; and

(4) 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

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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 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 OCT 30 2014] (Auth: HRS §302A-803, §302A-807) (Imp: HRS §§302A-801 to -808)

SUBCHAPTER 4

PRACTICE AND PROCEDURES

§8-54-10 Repealed [R OCT 30 2014]

§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 OCT 30 2014] (Auth: HRS §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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§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 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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-10.4 Action by the board; notification of hearing. If a demand for hearing is filed within sixty 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 days before the hearing.

[Eff OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

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

(1) The date, time, place, and nature of the hearing;
(2) The legal authority under which the hearing is held;
(3) The particular sections of the statutes and rules involved; and
(4) A short and concise statement of the issues involved and the facts giving rise to the petition.

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

[Eff OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§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 arises 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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: 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 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 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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-10.8 Argument of written exceptions; no written exceptions; issuance of final decision and order. (a) Whenever written exceptions have been timely filed and a party has requested the opportunity to present oral argument, all parties to the proceedings shall be afforded the opportunity to present oral argument to the board concerning the recommended decision. 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 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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

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

(b) The board shall cause a copy of the final decision and order to be 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 OCT 30 2014] (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 OCT 30 2014] (Auth: HRS §302A-807) (Imp: HRS §§302A-801 to -808)

§8-54-11 Repealed [R OCT 30 2014]

§8-54-12 Repealed [R OCT 30 2014]

§8-54-13 Repealed [R OCT 30 2014]

§8-54-14 Repealed [R OCT 30 2014]

§8-54-15 Repealed [R OCT 30 2014]

SUBCHAPTER 5

SUSPENSION OF THE BOARD RULES

§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:

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

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

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

(4) 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

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(2) prevent the individual or agency from meeting this timeframe. The request shall also contain the name of the individual(s) or agency impacted by the rule and the reason and rational for the request.
(3) A majority vote of board members is required to suspend the rules or any portion thereof.
(4) Robert's Rules of Order pertaining to suspension of the rules will be followed.
(5) In considering the motion to suspend, the board may also determine if another resolution to the request exists and act accordingly.
(6) If a motion to suspend the rules or any portion thereof fails, a future request may be heard again if new, relevant information is obtained relating to the request. [Eff OCT 30 2014 10/27/11; comp 10/27/11; am and comp] (Auth: HRS §302A-803) (Imp HRS §§302A-801-808)

§8-54-17 Repealed [R OCT 30 2014]

SUBCHAPTER 6

EDUCATOR PREPARATION PROGRAMS

§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 OCT 30 2014] (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 their candidates 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 their candidates exhibit professional and ethical dispositions necessary to help all students learn as outlined in the board's Code of Ethics;
(3) The unit must provide evidence that their candidates are 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 of 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
    (G) Integrating technology effectively into curricula and instruction, including activities consistent with the principals 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 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

(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 OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§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

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

(2) Within six (6) months 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 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 panel's recommendation and issue a decision within three (3) months.

(d) A unit must receive board approval before advertising programs for initial licensure, implementing programs and accepting candidates into any educator preparation program. [Eff OCT 30 2014] (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 the following requirements shall be met:

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

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

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the expiration of provisional approval and one (1) year in advance of the expiration of an existing continuing approval period. [Eff OCT 30 2014] (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 OCT 30 2014] (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. [Eff OCT 30 2014] (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 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 OCT 30 2014] (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:

(1) Provisional approval for three (3) years;

(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

(5) Revoke approval. The unit may appeal under the process determined by the board.

[Eff OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§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 OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§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 OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§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) The program is given areas for improvement on its board approval and fails to correct the

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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 OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

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

(1) It receives continuing accreditation/approval for less than five (5) years based on their national/state review and fails to correct deficiencies and gain full approval within three (3) years;

(2) It receives a national accreditation/state approval decision of "Denied" or "Revoked"; or

(3) The unit's summary pass rate on content examinations falls below seventy per cent (70%).

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

(1) It receives a continuing review decision of Not Nationally Recognized on its SPA review;

(2) The program receives a status of Denied Approval on its HTSB review; or

(3) The program's summary pass rate on content examinations falls below seventy per cent (70%) for a three (3) year average where applicable.

(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 OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

§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 of 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 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 OCT 30 2014] (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 posted electronically on the board's website. [Eff OCT 30 2014] (Auth: HRS §302A-805.5) (Imp: HRS §§302A-801 to -808)

Amendments to and compilation of chapter 54, title 8, Hawaii Administrative Rules, on the Summary Page dated October 3, 2014, were adopted on October 3, 2014, following public hearing held on October 1, 2014, after public notice was given in the Honolulu Star Advertiser on August 26, 2014.

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

Terry Lynn Holck
Chairperson
Hawaii Teacher Standards Board

APPROVED:

Neil Abercrombie
Governor
State of Hawaii

Dated: 10.15.14

APPROVED AS TO FORM:

Deputy Attorney General

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LIEUTENANT GOVERNOR'S OFFICE

TEACHER PERFORMANCE STANDARDS

INTRODUCTION

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

There are ten individual standards organized into four priority areas:

The Learner & Learning (standards 1-3)

Content (standards 4-5)

Instructional Practice (standards 6-8)

Professional Responsibility (standards 9-10)

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

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

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

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

Standard #1: Learner Development

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard #2: Learning Differences

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

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

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

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

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

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

supporting their development of English proficiency.

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

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

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

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

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

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

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

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

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

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

Standard #3: Learning Environments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard #4: Content Knowledge

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard #5: Application of Content

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

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

factual information and social studies to examine policy implications).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard #6: Assessment

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

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

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

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

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

6(e) The teacher engages learners in multiple ways of demonstrating knowledge and skill as part of the assessment process.

6(f) The teacher models and structures processes that guide learners in examining their own thinking and learning as well as the performance of others.

6(g) The teacher effectively uses multiple and appropriate types of assessment data to identify each student's learning needs and to develop differentiated learning experiences.

6(h) The teacher prepares all learners for the demands

of particular assessment formats and makes appropriate accommodations in assessments or testing conditions, especially for learners with disabilities and language learning needs.

6(i) The teacher continually seeks appropriate ways to employ technology to support assessment practice both to engage learners more fully and to assess and address learner needs.

6(j) The teacher understands the differences between formative and summative applications of assessment and knows how and when to use each.

6(k) The teacher understands the range of types and multiple purposes of assessment and how to design, adapt, or select appropriate assessments to address specific learning goals and individual differences, and to minimize sources of bias.

6(l) The teacher knows how to analyze assessment data to understand patterns and gaps in learning, to guide planning and instruction, and to provide meaningful feedback to all learners.

6(m) The teacher knows when and how to engage learners in analyzing their own assessment results and in helping to set goals for their own learning.

6(n) The teacher understands the positive impact of effective descriptive feedback for learners and knows a variety of strategies for communicating this feedback.

6(o) The teacher knows when and how to evaluate and report learner progress against standards.

6(p) The teacher understands how to prepare learners for assessments and how to make accommodations

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

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

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

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

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

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

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

Standard #7: Planning for Instruction

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

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

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

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

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

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

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

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

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

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

7(j) The teacher understands the strengths and needs

of individual learners and how to plan instruction that is responsive to these strengths and needs.

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

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

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

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

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

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

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

Standard #8: Instructional Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8(o) The teacher understands how content and

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

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

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

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

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

Standard #9: Professional Learning and Ethical Practice

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

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

curriculum and learning experiences based on local and state standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard #10: Leadership and Collaboration

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHOOL LIBRARIAN PERFORMANCE STANDARDS

INTRODUCTION

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

Standard 1: Teaching for Learning

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

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

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1.1 Knowledge of learners and learning

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

1.2 Effective and knowledgeable teacher

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

1.3 Instructional partner

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

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

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

Standard 2: Literacy and Reading

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

2.1 Literature

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

2.2 Reading promotion

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

2.3 Respect for diversity

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

2.4 Literacy strategies

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

Standard 3: Information and Knowledge

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

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

3.2 Access to information

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

3.3 Information technology

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

3.4 Research and knowledge creation

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

Standard 4: Advocacy and Leadership

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

4.1. Networking with the library community

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

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4.2 Professional development

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

4.3 Leadership

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

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

Standard 5: Program Management and Administration

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

5.1 Collections and Information Access

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

5.2 Professional Ethics

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

5.3 Personnel, Funding, and Facilities

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

5.4 Strategic planning and assessment

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

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

SCHOOL COUNSELOR PERFORMANCE STANDARDS

INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

shared.

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

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

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

10.1 The professional school counselor promotes academic success of students.

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

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

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

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

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

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

CODE OF ETHICS

Preface

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

Principle I: Commitment to Students

Hawaii P-12 educators shall:

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

acquire the necessary knowledge to achieve their full potential;
- not exploit professional relationships with students for personal gain.

Principle II: Commitment to the Profession

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

Principle III: Commitment to the Community

Hawaii P-12 educators shall:
- distinguish between personal and institutional views in communication to the public;
- be truthful in representing facts concerning educational matters;
- decline any gratuity, gift or favor that would impair or influence professional decisions or actions;
- make information about education research and best practices available to students, parents, colleagues, and the public;
- be open and honest with students, parents, colleagues, and the public.