



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

July 12, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

GOV. MSG. NO. 859

Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 3059 SD2 HD1 CD1

On July 11, 2006, Senate Bill No. 3059, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The original purpose of Senate Bill 3059 was to mandate the establishment of a model curriculum for use by teachers statewide to meet the Hawaii Content and Performance Standards. Unfortunately, in its final form Senate Bill No. 3059 does not require the Department of Education to develop and implement a standards-based curriculum statewide. Rather, this measure appropriates a total of \$2,008,000 for software implementation to align school course material with Hawaii Content and Performance Standards and federal education standards, for the adaptation of a curriculum in one pilot school complex, and for the contractual services of programmers, data analysts, and clerical support to generate reports for the Department of Education's study on the curriculum implementation process.

This bill raises a number of concerns.

First, this bill does not require the Department of Education to develop and provide a statewide curriculum. Instead, a school or a school complex is left to take the initiative to choose to adopt a curriculum. One of the main purposes of having a curriculum is to ensure all students receive adequate instruction, regardless of exogenous forces such as the school district's funding or a teacher's natural abilities. With a curriculum as a guide, teachers and students can have a reasonable sense of what to expect and how to prepare for each school year, creating continuity within the statewide system. Senate Bill No. 3059 affords single schools and school complexes the choice to implement or not implement a curriculum. Therefore, the goal of a statewide curriculum that is aligned with the Hawaii Content and Performance Standards to increase student achievement will not be reached.

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Second, this measure appropriates \$900,000 for the development and implementation of a curriculum in one "pilot" school complex, according to the DOE. Therefore, the burden of curriculum development and implementation in all the other complexes is placed upon teachers, principals, school community council members, and complex area staff.

Third, while assessments of "progress" and "performance" are mandated in the bill, nothing exists to assure teachers can address the shortcomings these assessments demonstrate. The introduction paragraph of the bill states, "Although the State has established statewide standards and benchmarks, learner outcomes, (and) assessments, the legislature finds that Hawaii's public school system does not have an articulated and aligned standards-based curriculum to meet its goals." Despite recognizing this deficiency in the public education system, the Legislature, by passing Senate Bill No. 3059, is accepting the status quo.

Fourth, the Department must also report to the Legislature on the implementation of curricula in schools and complexes and indicators of student achievement to help evaluate the implementation of the curricula (not the curricula itself). Further, the bill says the reports must have a plan for the complex-by-complex development and implementation of a standards-based curriculum, as well as a time-line to implement specific portions of the curriculum for possible statewide application. The plan for the complex-by-complex implementation is problematic because it is not mandatory for schools to adopt a curriculum. This method of planning does not ensure that the different curricula developed by the different school complexes will be of equal caliber.

It is unfortunate that the final draft of Senate Bill No. 3059 is so significantly different from the original proposal that the major supporter of the bill, the Hawaii Automobile Dealers Association, revoked their support of the bill and requested its veto.

For the foregoing reasons, I allowed Senate Bill No. 3059 to become law as Act 301 effective July 11, 2006 without my signature.

Sincerely,



LINDA LINGLE

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Although the State has established statewide
2 standards and benchmarks, learner outcomes, assessments,
3 promotion requirements, and graduation requirements, the
4 legislature finds that Hawaii's public school system does not
5 have an articulated and aligned standards-based curriculum to
6 meet its goals.

7 In "The Link Between High School Reform and College Success
8 for Low-Income and Minority Youth," a publication of the
9 American Youth Policy Forum, the following two curriculum-
10 related practices were included in the key practices most
11 commonly cited for the success of low-income and minority high
12 school students in college:

- 13 (1) Access to a rigorous academic common core curriculum
14 for all students; and
- 15 (2) Alignment of the curriculum between various levels,
16 such as high school and post-secondary school, and
17 between levels within the kindergarten through twelfth
18 grade system.



1 The purpose of this Act is to enable school complexes to
2 develop and maintain an articulated and aligned standards-based
3 curriculum to support teachers in helping all students to meet
4 the Hawaii content and performance standards.

5 SECTION 2. Chapter 302A, part II, subpart B, Hawaii
6 Revised Statutes, is amended by adding a new section to be
7 appropriately designated and to read as follows:

8 "§302A- Standards-based curriculum. (a) When
9 developing a standards-based curriculum and implementing it in a
10 school or complex, at the minimum, the curriculum shall:

- 11 (1) Be specific in its standards-based scope and sequence
12 over a school year for each grade level and course;
13 (2) Be consistent in course content;
14 (3) Be aligned across all grade levels;
15 (4) Specifically address the state content and performance
16 standards and related benchmark maps; and
17 (5) Be implemented in all appropriate classrooms in the
18 school or complex.

19 (b) School complexes may choose to develop an articulated
20 and aligned K-12 standards-based curriculum in one or more of
21 the following core content areas:

- 22 (1) Language arts;



1 (2) Mathematics;

2 (3) Science; and

3 (4) Social studies.

4 (c) School complexes shall provide professional
5 development.

6 (d) School complexes that develop a standards-based
7 curriculum shall use standards-based formative assessment tools
8 to monitor student progress, not less than on a quarterly basis
9 throughout the school year.

10 (e) School complexes shall develop rigorous classroom-
11 based performance assessments.

12 (f) School complexes may implement software programs at
13 the school-level to help to align school course material with
14 Hawaii content and performance and federal educational
15 standards."

16 SECTION 3. The department of education shall submit annual
17 progress reports to the legislature no later than twenty days
18 prior to the convening of the 2007, 2008, and 2009 regular
19 sessions. These progress reports shall include information on
20 the process of aligning course materials for all grades with
21 Hawaii content and performance standards and federal educational



1 standards, and on any vendor selected to provide its software
2 program or programs to assist in course material alignment.
3 Additionally, no later than twenty days prior to the convening
4 of the 2007, 2008, 2009 regular sessions, the department of
5 education shall submit to the legislature a second report that
6 includes the following:

- 7 (1) An assessment of the implementation of articulated and
8 aligned standards-based curricula in schools and
9 complexes;
- 10 (2) Performance and competency indicators of student
11 achievement for evaluating the implementation of a
12 standards-based curriculum;
- 13 (3) A plan for a complex-by-complex development and
14 implementation of a standards-based curriculum;
- 15 (4) Resource requirements and a time line to implement
16 specific portions of the curriculum to other school
17 complexes or possible statewide application; and
- 18 (5) Any need to contract with a curricula developer or
19 consultant to carry out the purposes of this section.

20 SECTION 4. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$900,000, or so much
22 thereof as may be necessary for fiscal year 2006-2007, to



1 develop and maintain an articulated and aligned standards-based
2 curriculum within a school complex, purchase quarterly content
3 area assessment tools, and develop rigorous classroom-based
4 performance assessments pursuant to this Act.

5 SECTION 5. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$800,000, or so much
7 thereof as may be necessary for fiscal year 2006-2007, to
8 provide for software implementation and support to align school
9 course material with Hawaii content and performance standards
10 and federal education standards pursuant to this Act.

11 SECTION 6. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$308,000, or so much
13 thereof as may be necessary for fiscal year 2006-2007, for the
14 contractual services of programmers, data analysts, and clerical
15 support to lay the foundation and generate reports for
16 longitudinal study assessments pursuant to this Act.

17 SECTION 7. The sums appropriated shall be expended by the
18 department of education for the purposes of this Act.

19 SECTION 8. New statutory material is underscored.

20 SECTION 9. This Act shall take effect on July 1, 2006.




THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate



Clerk of the Senate

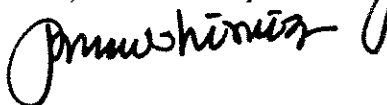
**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives