

JAN 19 2007

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that since the enactment  
2 of the No Child Left Behind Act of 2001, Public Law 107-110,  
3 there has been a significant amount of experience and analyses  
4 of the effectiveness of the No Child Left Behind approach to  
5 assessments and standards.

6           At the same time, many school systems, including the  
7 department of education of Hawaii, have sought to utilize  
8 nationally produced assessment instruments that have not always  
9 met the needs of our communities. In fact, our State, like many  
10 others, has not taken full advantage of the flexibilities that  
11 are offered by federal law.

12           It is also apparent that referencing our standards  
13 requirements to a law that may be modified or repealed may limit  
14 the State's options.

15           The legislature further finds that greater collaboration  
16 between the University of Hawaii's many educational resources,



1 including the Hawaii educational policy center, and the  
2 department of education will benefit all of Hawaii's students.

3 Finally, the legislature further finds that most reform  
4 efforts in the United States have the benefit of a well funded,  
5 independent policy research institute to assist policy makers.  
6 The Hawaii educational policy center, located at the University  
7 of Hawaii, has provided valuable analyses in the past, but has  
8 not received the financial commitment from the State to permit  
9 the level of assistance needed by policy makers in the field of  
10 education.

11 The purpose of this Act is to:

- 12 (1) Update the performance standards commission membership  
13 and reporting schedule;
- 14 (2) Remove references to specific federal laws and the  
15 current testing grades in anticipation of possible  
16 changes in federal law;
- 17 (3) Call for a greater focus on the use of alternative  
18 assessments based on student performance;
- 19 (4) Call for a more concerted effort to develop a "growth  
20 model" for Hawaii public schools; and
- 21 (5) Provide funds to the Hawaii educational policy center  
22 to take the lead in development of these assessments



1           and to continue to provide expert analyses and  
2           commentary to assist policy makers.

3           SECTION 2. Section 302A-201, Hawaii Revised Statutes, is  
4 amended to read as follows:

5           "**§302A-201 Statewide performance standards.** (a) The  
6 board shall establish statewide performance standards and the  
7 means to assess the standards based upon the recommendations in  
8 the final report of the performance standards commission  
9 established pursuant to Act 334, Session Laws of Hawaii 1991;  
10 provided that the board may review and modify the performance  
11 standards, as the board deems necessary, to reflect the needs of  
12 public school students and educational goals adopted by the  
13 board.

14           (b) The board shall appoint a performance standards review  
15 commission, to be convened at the beginning of the [~~1997-1998~~]  
16 2007-2008 school year, and every four years thereafter, to  
17 assess the effectiveness of the performance standards. The  
18 commission shall include representatives of the Hawaii State  
19 Parent, Teacher, Student Association; the Hawaii State Student  
20 Council; the superintendent; the dean of the college of  
21 education of the University of Hawaii; the executive director of  
22 the charter schools administrative office, and the professional



1 education community. The commission [~~may request the assistance~~  
2 ~~of such department or school staff as may be necessary to~~  
3 ~~facilitate its review.~~] shall be staffed by the Hawaii  
4 educational policy center.

5 (c) The commission shall review the implementation of the  
6 performance standards by the board and the schools to determine  
7 whether the standards should be modified. In making this  
8 determination, the commission shall seek public input by holding  
9 public forums to discuss the implementation and effectiveness of  
10 the performance standards. [~~The commission shall submit a~~  
11 ~~report of its findings and recommendations regarding the~~  
12 ~~effectiveness of the standards and the need for modification of~~  
13 ~~the standards to the board and the legislature prior to the~~  
14 ~~convening of the 1999 regular session. The board shall consider~~  
15 ~~and implement the modifications beginning with the 1999-2000~~  
16 ~~school year.]~~

17 (d) Notwithstanding any law to the contrary, the  
18 department shall establish procedures and guidelines for, and  
19 shall expand, its statewide assessment program to include norm-  
20 referenced testing in the same grades as required by [the  
21 ~~federal No Child Left Behind Act of 2001 (Public Law 107-110)~~  
22 ~~standards based assessment (grades 3 through 8 and one grade in~~



1 ~~high school) in reading and math, using the most appropriate~~  
2 ~~nationally normed test.]~~ federal law and state standards-based  
3 assessments.

4 (e) The department shall work with the University of  
5 Hawaii and other educational organizations to develop  
6 alternative assessment tools, including the use of portfolios  
7 that might be used as part of the University of Hawaii's  
8 admission standards, performance-based assessments that provide  
9 alternatives to multiple-choice formats, and assessments that  
10 measure the academic growth of students while at a school. The  
11 department and the University of Hawaii shall report annually to  
12 the legislature not later than twenty days prior to the  
13 convening of each regular session on the progress in the  
14 development of these alternatives."

15 SECTION 3. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$400,000, or so much  
17 thereof as may be necessary for fiscal year 2007-2008, to the  
18 Hawaii educational policy center at the University of Hawaii to  
19 provide staff for the performance standards commission, to:

20 (1) Work with the department of education, and other  
21 educational research organizations such as Kamehameha  
22 schools, to develop alternative assessment tools,



1 including a so-called "growth model" for use in  
2 measuring student achievement over time at a school;  
3 and

4 (2) Provide independent comment and analyses on issues  
5 before the legislature, the board of education, and  
6 the department of education.

7 The sum appropriated shall be expended by the Hawaii  
8 educational policy center for the purposes of this section.

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval,  
12 provided that section 3 shall take effect on July 1, 2007.

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INTRODUCED BY: Norman Sakuma

**Report Title:**

Education Standards; Appropriation

**Description:**

Updates performance standards commission membership and reporting schedule, removes references to specific federal law, calls for alternative assessments based on student performance, calls for a growth model for Hawaii public schools, and appropriates \$400,000 for the 2007-2008 fiscal year to the Hawaii educational policy center for assessments and analyses.

