

JAN 22 2010

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-1004, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302A-1004 Educational accountability system; annual
4 reports. (a) The department shall implement a comprehensive
5 system of educational accountability to motivate and support the
6 improved performance of students and the education system. This
7 accountability system shall:

8 (1) Include student accountability; school or collective
9 accountability; individual professional accountability
10 for teachers, principals, and other employees; and
11 public accounting to parents, community members,
12 businesses, higher education, media, and political
13 leadership;

14 (2) Link authority and resources to responsibility;

15 (3) Define clear roles for all parties and lines of
16 responsibility and mutual obligation and develop a
17 collaborative process with stakeholders, including



- 1 representatives of appropriate bargaining units,
2 parents, administration, and students;
- 3 (4) Assess and track measures of academic achievement,
4 safety and well-being, and civic responsibility of
5 individual students at [~~selected~~] all grade levels and
6 report trend data on these measures over time
7 annually;
- 8 (5) Invoke a full and balanced set of appropriate
9 consequences for observed performance, including
10 rewards and recognition for those schools that meet or
11 exceed their goals, assistance to those that fall
12 short, and sanctions for those that, given adequate
13 assistance and ample time, continue to fail to meet
14 goals;
- 15 (6) Involve an annual statewide assessment program that
16 provides a report card containing trend data on
17 school, school complex, and system performance at
18 selected benchmark grade levels with performance
19 indicators in areas relating to student achievement,
20 safety and well-being, and civic responsibility.
21 These performance indicators shall include but not be
22 limited to:



- 1 (A) Student performance relative to statewide content
2 and performance standards; [~~and~~]
- 3 (B) School attendance and dropout rates; and
- 4 (C) Workforce skills attained that enhance economic
5 development as measured by evidence of employment
6 and earnings.
- 7 (7) Require that teachers and administrators engage in the
8 continuous professional growth and development that
9 ensure their currency with respect to disciplinary
10 content, leadership skill, knowledge, or pedagogical
11 skill, as appropriate to their position. This
12 requirement may be established by the department in
13 terms of credit hours earned or their equivalent in
14 professional development activity certified by the
15 department as appropriate in focus and rigor;
- 16 (8) Establish an explicit link between professional
17 evaluation results and individual accountability
18 through professional development of the knowledge,
19 skill, and professional behavior necessary to the
20 position, by requiring that results of the
21 professional evaluation be used by the department to



1 prescribe professional development focus and content,
2 as appropriate;

3 (9) Include an annual statewide fiscal accountability
4 program, which includes a published report card that
5 contains trend data on school, school complex, and
6 systemwide plans and results, including:

- 7 (A) Amounts allocated;
- 8 (B) Amounts expended;
- 9 (C) Amounts carried over; and
- 10 (D) Any significant changes to the budget, with an
11 explanation for the change;

12 (10) Include an evaluation of the effectiveness of complex
13 area superintendents and principals in supporting:

- 14 (A) Students' academic achievement, safety and well-
15 being, and civic responsibility; and
- 16 (B) The satisfaction of stakeholders affected by the
17 work of the complex area superintendents and
18 principals, which may be measured by broadbased
19 surveys; and
- 20 (C) Fiscal accountability.

21 (b) The department shall develop a grading system for
22 schools. The grading system shall:



- 1 (1) Identify schools as having one of the following
2 grades:
- 3 (A) "A," schools making excellent progress;
4 (B) "B," schools making above average progress;
5 (C) "C," schools making satisfactory progress;
6 (D) "D," schools making less than satisfactory
7 progress; or
- 8 (E) "F," schools failing to make adequate progress;
- 9 (2) Be based on a combination of:
- 10 (A) Student achievement scores and learning gains
11 made throughout the year;
- 12 (B) Student growth; and
- 13 (C) Improvement of the lowest 25th percentile of
14 students in the school in reading, mathematics,
15 or writing on the Hawaii State Assessment;
- 16 (3) Beginning with the 2010-2011 school year for schools
17 comprised of high school grades nine, ten, eleven, and
18 twelve, base fifty per cent of a school's grade on a
19 combination of the factors in paragraph (2) and the
20 remaining fifty per cent on the high school graduation



1 rate of the school, and, as valid data becomes
2 available:

3 (A) The performance and participation of the school's
4 students in College Board Advanced Placement
5 courses, International Baccalaureate courses,
6 dual enrollment courses, and Advanced
7 International Certificate of Education courses;

8 (B) The postsecondary readiness of the school's
9 students as measured by the SAT, ACT, or the
10 common placement test;

11 (C) The high school graduation rate of at-risk
12 students in the bottom quartile of the Hawaii
13 State Assessment; and

14 (D) The growth or decline in these components from
15 year to year.

16 Each school that has students who are tested and included
17 in the school grading system shall receive a school grade,
18 except that a school shall not receive a school grade if the
19 number of its students tested and included in the school grading
20 system is less than the minimum sample size necessary, based on
21 accepted professional practice, for statistical reliability and
22 prevention of the unlawful release of personally identifiable



1 student data under 20 United States Code Section 1232g; or if
2 the school serves any combination of students in kindergarten
3 through grade three who are not tested.

4 (c) The department shall develop a school report card.
5 The report card shall include the school's grade; identification
6 of each school's performance as having improved, remained the
7 same, or declined; an explanation of school performance as
8 evaluated by the federal No Child Left Behind Act of 2001; and
9 indicators of return on investment. Each school's report card
10 shall be published annually by the department on its website,
11 and the schools shall provide their school report card to
12 parents throughout each school district on an annual basis.

13 (d) The department shall create a matrix that reflects
14 intervention and support strategies to address the needs of
15 schools based upon categories of school performance. The
16 department shall apply the most intense intervention strategies
17 to the lowest-performing schools. For all but schools in the
18 lowest performance category and "F" schools in the second lowest
19 performance category, the intervention and support strategies
20 shall be administered solely by the schools.

21 Schools falling in the lowest performance category shall be
22 schools that have received:



- 1 (1) A grade of "F" in the most recent school year and in 4
- 2 of the last 6 years; or
- 3 (2) A grade of "D" or "F" in the most recent school year
- 4 and meet at least three of the following criteria:
- 5 (A) The percentage of students who are not proficient
- 6 in reading has increased when compared to
- 7 measurements taken five years previously;
- 8 (B) The percentage of students who are not proficient
- 9 in mathematics has increased when compared to
- 10 measurements taken five years previously;
- 11 (C) At least sixty-five per cent of the school's
- 12 students are not proficient in reading; or
- 13 (D) At least sixty-five per cent of the school's
- 14 students are not proficient in mathematics.

15 In the school year after a school is initially identified
16 as a school in the lowest performance category, the school shall
17 submit a plan, which shall be subject to approval by the board
18 of education, for converting the school to a complex-area-
19 managed turnaround school by means that include implementing a
20 turnaround plan approved by the superintendent of education
21 which shall become the school's improvement plan; reassigning
22 students to another school and monitoring the progress of each



1 reassigned student; closing the school and reopening the school
2 as one or more charter schools, each with a governing board that
3 has a demonstrated record of effectiveness; or contracting with
4 an outside entity that has a demonstrated record of
5 effectiveness to operate the school. The plan shall be
6 implemented at the beginning of the next school year unless the
7 school moves from the lowest performance category. If a school
8 does not move from the lowest performance category during the
9 initial year of implementing one of these options, the complex
10 area shall submit an alternate plan, which shall be subject to
11 approval by the board of education, and be implemented at the
12 beginning of the next school year unless the board of education
13 determines that the school is likely to move from the lowest
14 performance category if additional time is provided to implement
15 existing intervention and support strategies. The board of
16 education shall determine whether a school may continue to
17 implement its improvement plan beyond one year while the school
18 remains in the lowest performance category.

19 To advance to a higher category, a school must make
20 significant progress by improving its school grade and by
21 increasing student performance in mathematics and reading.



1 (e) The department shall implement a training program to
2 develop among state educators a cadre of facilitators of school
3 improvement. These facilitators shall assist schools and school
4 complex areas to conduct needs assessments and develop and
5 implement school improvement plans to meet state goals. Upon
6 request, the department shall provide technical assistance and
7 training to any school for conducting needs assessments,
8 developing and implementing school improvement plans, or
9 implementing other components of school improvement and
10 accountability. Priority for these services shall be given to
11 schools designated with a grade of "D" or "F" and schools in
12 rural and sparsely populated areas of the state.

13 (f) The superintendent shall assign a community assessment
14 team to each school complex area or complex with a school graded
15 "F" or a school in the lowest performance category to review the
16 school performance data and determine causes for the low
17 performance, including the role of school and complex area
18 administrative personnel. The assessment team shall include but
19 not be limited to a department representative, and parents,
20 business representatives, educators, representatives of local
21 governments, and community activists, representing the
22 demographics of the community in which the low-performing school



1 is located. The community assessment team shall review a high
2 school's graduation rate calculated without GED tests for the
3 past three years, disaggregated by student ethnicity. The team
4 shall make recommendations to the school, school complex area,
5 and board of education which address the causes of the school's
6 low performance and may be incorporated into the school
7 improvement plan.

8 ~~[(b)]~~ (g) The department shall submit to the legislature,
9 the governor, and the board of education at least twenty days
10 prior to the convening of each regular legislative session a
11 report of the specifics of the implementation of the
12 comprehensive accountability system, as well as the fiscal
13 requirements and legislative actions necessary to maintain and
14 improve the accountability system.

15 ~~[(e)]~~ (h) The department shall submit to the legislature
16 and to the governor, at least twenty days prior to the convening
17 of each regular session, an educational status report that
18 includes but is not limited to the following:

- 19 (1) Results of school-by-school assessments of educational
20 outcomes;
- 21 (2) Summaries of each school's standards implementation
22 design;



- 1 (3) Summary descriptions of the demographic makeup of the
- 2 schools, with indications of the range of these
- 3 conditions among schools within Hawaii;
- 4 (4) Comparisons of conditions affecting Hawaii's schools
- 5 with the conditions of schools in other states;
- 6 (5) Other such assessments as may be deemed appropriate by
- 7 the board; and
- 8 (6) Any other reports required by this section.

9 [~~(d)~~] (i) The department shall provide electronic access
10 to computer-based financial management, student information, and
11 other information systems to the legislature and the auditor.
12 The department shall submit to the legislature and to the
13 governor, at least twenty days prior to the convening of each
14 regular session, a school-by-school expenditure report that
15 includes but is not limited to the following:

- 16 (1) The financial analysis of expenditures by the
- 17 department with respect to the following areas:
 - 18 (A) Instruction, including face-to-face teaching, and
 - 19 classroom materials;
 - 20 (B) Instructional support, including pupil, teacher,
 - 21 and program support;



1 (C) Operations, including non-instructional pupil
2 services, facilities, and business services;

3 (D) Other commitments, including contingencies,
4 capital improvement projects, out-of-district
5 obligations, and legal obligations; and

6 (E) Leadership, including school management, program
7 and operations management, and district
8 management; and

9 (2) The measures of accuracy, efficiency, and productivity
10 of the department, districts, and schools in
11 delivering resources to the classroom and the student.

12 [~~e~~] (j) The superintendent of education is responsible
13 for the development and implementation of an educational
14 accountability system. The system shall include consequences
15 and shall be designed through a collaborative process involving
16 stakeholders that shall include parents, community members, the
17 respective exclusive representatives, as well as others deemed
18 appropriate by the superintendent.

19 The superintendent of education shall also initiate and
20 maintain strategies to improve data quality and timeliness and
21 require all public schools, through the school principal, to
22 provide data to the superintendent in a format specified by the



1 superintendent. All data collected from public schools shall be
2 integrated into a centralized data system with the data used
3 solely for the purposes of conducting studies, reporting annual
4 and longitudinal student outcomes, and improving college
5 readiness and articulation.

6 For the purposes of this section, negotiations under
7 chapter 89 shall be between the superintendent or the
8 superintendent's designee and the respective exclusive
9 representative, and shall be limited to the impact on personnel
10 arising from the superintendent's decision in implementing the
11 educational accountability system. After the initial agreement
12 is negotiated, provisions on the impact of the accountability on
13 personnel may be reopened only upon mutual agreement of the
14 parties.

15 (k) The board of education shall be responsible for
16 holding all public schools accountable for student performance
17 and shall equitably enforce accountability requirements on the
18 public school system. The board of education may also impose
19 additional requirements on schools to improve the academic
20 performance of the school and its students.



1 (1) The board of education shall have access to the data
2 system under subsection (j) and shall also have the authority to
3 request information, data, and reports from individual schools."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7

INTRODUCED BY: Norman Sakamp



Report Title:

Educational Accountability; Schools; Education

Description:

Amends the Educational Accountability System to include additional requirements for the Department of Education, Superintendent of Education, and Board of Education. Establishes a school grading system based on certain criteria as well as a report card system to be furnished to parents. Requires the establishment of a longitudinal data collection system.

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