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# A BILL FOR AN ACT

RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM.

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

1           SECTION 1. The Hawaiian language, the native language of  
2 the Native Hawaiian people, was once a thriving language used by  
3 Native Hawaiians and foreigners alike. However, by the late  
4 twentieth century, the Hawaiian language was pushed to the brink  
5 of extinction due to a number of factors, including an 1896 law  
6 that functioned to ban the speaking of the Hawaiian language in  
7 Hawaii schools.

8           Fortunately, the Hawaiian language was saved by several  
9 historic initiatives, including the department of education's  
10 Hawaiian language immersion program, which was launched in the  
11 1980s. Today, the Hawaiian language immersion program is  
12 offered at twenty-one public schools and educates more than two  
13 thousand students in kindergarten through the twelfth grade.

14           The assessment requirements of the No Child Left Behind Act  
15 of 2001 present a challenge for the Hawaiian language immersion  
16 program. As English is not formally introduced in Hawaiian  
17 language immersion program classrooms until the fifth grade,  
18 third and fourth grade students take assessments in the Hawaiian



1 language to comply with the requirements of the No Child Left  
2 Behind Act. Since the 2005-2006 school year, these students  
3 have been taking the Hawaiian aligned portfolio assessment,  
4 which was developed in the Hawaiian language specifically for  
5 the Hawaiian language immersion program, to comply with the  
6 requirements of the No Child Left Behind Act.

7 The legislature finds that the Hawaiian language is a  
8 critical component of the heritage of the State of Hawaii, and  
9 the State has a solemn obligation to perpetuate the Hawaiian  
10 language. For example, the Hawaii constitution recognizes the  
11 Hawaiian language as one of the two official languages of the  
12 State. Moreover, the board of education has adopted a policy  
13 (Board of Education Policy 2105) acknowledging that its Hawaiian  
14 language immersion program is "an essential component to the  
15 revitalization and continuation of the Hawaiian language and  
16 culture." The policy further states that one of the goals of  
17 the Hawaiian language immersion program is to set a challenging  
18 curriculum that follows the Hawaii content and performance  
19 standards.

20 Furthermore, the federal Native American Languages Act of  
21 1990 recognizes the United States' responsibility to ensure the  
22 survival of Native American languages and establishes the



1 nation's policy of encouraging and supporting the use of Native  
2 American languages as a medium of instruction to help preserve  
3 those languages.

4 The legislature further finds that to uphold its obligation  
5 to perpetuate the Hawaiian language, the department of education  
6 must provide the students of the Hawaiian language immersion  
7 program with an assessment system that most accurately measures  
8 their academic achievement.

9 The purpose of this Act is to require the department of  
10 education to develop annual assessments in the Hawaiian language  
11 in language arts, mathematics, and science to be administered to  
12 students in grades three through six of the department of  
13 education's Hawaiian language immersion program.

14 SECTION 2. The Hawaii Revised Statutes is amended by  
15 adding a new chapter to be appropriately designated and to read  
16 as follows:

17 "CHAPTER

18 HAWAIIAN LANGUAGE IMMERSION PROGRAM

19 § -1 Assessments. (a) The department of education, for  
20 purposes of educational accountability under the Elementary and  
21 Secondary Education Act of 1964, as amended, shall develop  
22 annual assessments in the Hawaiian language:



1 (1) In language arts and mathematics, to be administered  
2 to Hawaiian language immersion program students in  
3 grades three through six; and

4 (2) In science, to be administered to Hawaiian language  
5 immersion program students in grade four.

6 The assessments shall be administered annually commencing in  
7 school year 2014-2015.

8 (b) The assessments shall not be Hawaiian translations of  
9 the general state assessments and shall be:

10 (1) Aligned with the common core state standards or the  
11 Hawaii content and performance standards III, as  
12 appropriate;

13 (2) Valid, reliable, and consistent with nationally  
14 recognized professional and technical standards; and

15 (3) Compliant with the Elementary and Secondary Education  
16 Act of 1964, as amended.

17 (c) All ancillary assessment materials and tools that are  
18 made available to students taking the general state assessment  
19 shall also be made available in the Hawaiian language to  
20 students in the Hawaiian language immersion program to the  
21 extent that these materials and tools can be adapted for use in  
22 the Hawaiian language.



1 (d) The department of education, with the assistance of  
2 the Hawaiian language community, including the Aha Kauleo  
3 Kaiapuni Hawaii, members of the Hawaiian language immersion  
4 program schools, the Hawaiian language programs at the  
5 University of Hawaii at Hilo and the University of Hawaii at  
6 Manoa, the office of Hawaiian affairs, and other Hawaiian  
7 language community organizations, shall establish procedures for  
8 the development of the assessments specified in subsection (a)."

9 SECTION 3. The department of education shall report to the  
10 legislature no later than twenty days prior to the convening of  
11 the regular session of 2013, on the status of the procedures for  
12 the development of assessments in the Hawaiian language,  
13 pursuant to this Act, including the estimated costs and other  
14 critical resources or agreements for the development of the  
15 assessments.

16 SECTION 4. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so much  
18 thereof as may be necessary for fiscal year 2012-2013 to develop  
19 annual assessments in the Hawaiian language in language arts,  
20 mathematics, and science, to be administered to students in the  
21 department of education's Hawaiian language immersion program,  
22 pursuant to this Act.



1           The sum appropriated shall be expended by the department of  
2 education for the purposes of this Act.

3           SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Hawaiian Language Immersion Program; Student Assessment

**Description:**

Requires the DOE to develop annual assessments in the Hawaiian language in language arts and mathematics to be administered to students in grades three through six of the DOE's Hawaiian language immersion program and in science to be administered to students in grade four of the DOE's Hawaiian language immersion program. Requires the DOE, with the Hawaiian language community, to establish procedures for the development of the assessments. Report to the 2013 legislature. Makes an appropriation. Effective 7/1/2050. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

