

MAR 09 2012

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# SENATE CONCURRENT RESOLUTION

REQUESTING A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF  
EDUCATION AND AHA KAULEO KAIAPUNI HAWAII FOR DEVELOPMENT IN  
THE HAWAIIAN LANGUAGE OF THE READING, MATH, SCIENCE, AND  
OTHER ASSESSMENTS ADMINISTERED TO STUDENTS IN GRADES THREE  
THROUGH SIX OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN  
LANGUAGE IMMERSION PROGRAM AND FORMAL ACKNOWLEDGMENT BY  
STATUTE OR RULE OF AHA KAULEO KAIAPUNI HAWAII

1           WHEREAS, the Hawaiian language, the native language of the  
2 Native Hawaiian people, was once a thriving language used by  
3 Native Hawaiians and foreigners alike; and  
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5           WHEREAS, by the late twentieth century, however, the  
6 Hawaiian language was pushed to the brink of extinction due to a  
7 number of factors, including an 1896 law that banned the  
8 speaking of the Hawaiian language in Hawaii schools; and  
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10           WHEREAS, fortunately, the Hawaiian language was saved by  
11 several historic initiatives, including the Department of  
12 Education's Hawaiian Language Immersion Program that was  
13 launched in the 1980s and is presently offered at twenty-one  
14 public schools and educates more than two thousand students in  
15 kindergarten through the twelfth grade; and  
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17           WHEREAS, the assessment requirements of the No Child Left  
18 Behind Act of 2001 present a major problem for the Hawaiian  
19 Language Immersion Program; and  
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21           WHEREAS, as English is not formally introduced in Hawaiian  
22 Language Immersion Program classrooms until the fifth grade,  
23 since the 2005-2006 school year, third and fourth grade students  
24 had been taking the Hawaiian aligned portfolio assessment, which  
25 was developed in the Hawaiian language specifically for the  
26 Hawaiian Language Immersion Program, to comply with the  
27 requirements of the No Child Left Behind Act; and  
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1           WHEREAS, the Department of Education decided it will no  
2 longer use the Hawaiian aligned portfolio assessment and is  
3 instead administering a Hawaiian translation of the Hawaii state  
4 assessment this school year; and

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6           WHEREAS, fifth and sixth grade Hawaiian language immersion  
7 students, who take the assessment tests in English, are also at  
8 a disadvantage, since they have spent only a limited amount of  
9 time using an English-based curriculum; and

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11           WHEREAS, problems arise when a test is translated from one  
12 language to another and, in many cases, the construct of the  
13 test will have changed because of the translation and an English  
14 reading test, once translated into Hawaiian, does not  
15 necessarily measure reading proficiency in either English or  
16 Hawaiian; and

17  
18           WHEREAS, as a result, the English-administered assessments  
19 for these students are unlikely to be an accurate reflection of  
20 their individual abilities, or their standing among their peers  
21 in English language-based schools; and

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23           WHEREAS, the Board of Education has adopted a policy (Board  
24 of Education Policy 2105) acknowledging that its Hawaiian  
25 Language Immersion Program is "an essential component to the  
26 revitalization and continuation of the Hawaiian language and  
27 culture"; and

28  
29           WHEREAS, in 1990, the Board of Education approved the  
30 establishment of the 'Aha Kauleo Kaiapuni Hawai'i, or the  
31 Hawaiian Language Immersion Advisory Council, to advise the  
32 Department of Education on the educational needs of the Hawaiian  
33 Language Immersion Program students; and

34  
35           WHEREAS, 'Aha Kauleo Kaiapuni Hawai'i has expressed a  
36 commitment to develop the reading, math, science, and other  
37 assessments administered to students in grades three through six  
38 of the Department of Education's Hawaiian Language Immersion  
39 Program in the Hawaiian language, in an original form, and at no  
40 cost to the Department of Education for the initial development  
41 of the assessments; now, therefore,

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1 BE IT RESOLVED by the Senate of the Twenty-sixth  
 2 Legislature of the State of Hawaii, Regular Session of 2012, the  
 3 House of Representatives concurring, that the Department of  
 4 Education is requested to establish a Memorandum of Agreement  
 5 with 'Aha Kauleo Kaiapuni Hawai'i for the development in the  
 6 Hawaiian language of the reading, math, science, and other  
 7 assessments administered to students in grades three through six  
 8 of the Department of Education's Hawaiian Language Immersion  
 9 Program; and

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 11 BE IT FURTHER RESOLVED that the Board of Education and the  
 12 Department of Education are urged to formally acknowledge the  
 13 establishment of 'Aha Kauleo Kaiapuni Hawai'i, or the Hawaiian  
 14 Language Immersion Advisory Council, in the Hawaii Revised  
 15 Statutes, or through the Hawaii Administrative Rules, to assist  
 16 in the Memorandum of Agreement process; and

17  
 18 BE IT FURTHER RESOLVED that the Department of Education,  
 19 with the assistance of 'Aha Kauleo Kaiapuni Hawai'i, is requested  
 20 to establish procedures for the development of these assessments  
 21 by 'Aha Kauleo Kaiapuni Hawai'i at no cost to the Department; and

22  
 23 BE IT FURTHER RESOLVED that the assessments not be Hawaiian  
 24 translations of the general state assessments and be:

- 25  
 26 (1) Aligned with the vision, mission, and programmatic  
 27 goals of the Hawaiian Language Immersion Program;  
 28  
 29 (2) Aligned with state academic content and achievement  
 30 standards;  
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 32 (3) Valid, reliable, and consistent with relevant,  
 33 nationally recognized professional and technical  
 34 standards; and  
 35  
 36 (4) Compliant with federal requirements; and

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 38 BE IT FURTHER RESOLVED that all ancillary assessment  
 39 materials and tools that are made available to students taking  
 40 the general state assessment are also made available in the  
 41 Hawaiian language to students in the Hawaiian Language Immersion  
 42 Program; and  
 43



1 BE IT FURTHER RESOLVED that the Department of Education is  
2 requested to report on the status of the Memorandum of Agreement  
3 to the Legislature no later than twenty days prior to the  
4 convening of the Regular Session of 2013; and

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6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the Chairperson of the  
8 Board of Education, Superintendent of Education, and 'Aha Kauleo  
9 Kaiapuni Hawai'i.

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OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'M. Smith', is written over a horizontal line that serves as a signature line.