

JAN 18 2013

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 Hawai'i schools. Fortunately, the Hawaiian language was saved by
8 several historic initiatives, including the department of
9 education's Hawaiian language immersion program, which was
10 launched in the 1980s. Today, the Hawaiian language immersion
11 program is offered at twenty-one public schools and educates
12 more than two thousand students in kindergarten through the
13 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 Hawai'i, and
9 that the State has a solemn obligation to perpetuate the
10 Hawaiian language. For example, the Hawai'i constitution
11 recognizes the Hawaiian language as one of the two official
12 languages of the State. Moreover, the board of education has
13 adopted a policy (Board of Education Policy 2105) acknowledging
14 that its Hawaiian language immersion program is "an essential
15 component to the revitalization and continuation of the Hawaiian
16 language and culture." The policy further states that one of
17 the goals of the Hawaiian language immersion program is to set a
18 challenging curriculum that follows the Hawaii content and
19 performance 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 Hawai'i 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 2015-2016.

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 Hawai'i 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 Hawai'i, members of the Hawaiian language immersion
4 program schools, the Hawaiian language programs at the
5 University of Hawai'i at Hilo and the University of Hawai'i at
6 Mānoa, 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 2014, 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. This Act shall take effect upon its approval.

17

INTRODUCED BY: *Anna Inez Kii*

By Request



Report Title:

OHA Package; 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 2014 legislature.

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