
A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL CURRICULUM.

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

1 SECTION 1. The legislature finds that the department of
2 education needs a clear and transparent process regarding the
3 development of public school curriculum that includes parents
4 and other members of public. Currently, new and amended
5 materials developed to meet Common Core State Standards are
6 required to go through an initial review by a consulting firm
7 followed by a review by teachers, school leaders, and complex
8 area and state staff. While this process provides some
9 oversight, it does not allow for adequate public review.
10 Requiring at least one public hearing by the Board of Education
11 on curriculum changes would help increase transparency, make
12 materials available to parents in a timely manner, and help
13 allay any concerns over the content of new and amended
14 curriculum.

15 The legislature further finds that parents and legal
16 guardians of public school students do not always agree with
17 specific sections of the standards-based curriculum taught in

1 public schools, and that any decision to opt-out from a specific
2 lesson or activity must be respected by school administrators
3 and teaching staff alike.

4 While an opt-out policy currently exists within the board
5 of education, and an opt-out process exists within the
6 department of education, the legislature finds that the
7 codification of a uniform set of opt-out guidelines and
8 standards will promote transparency and better serve the public.

9 The central goals of this measure are to:

- 10 (1) Increase transparency in the curriculum development
11 process;
- 12 (2) Increase public participation and community
13 involvement in Hawaii's public school system;
- 14 (3) Identify controversial issues in the early stages of
15 curriculum development; and
- 16 (4) Improve and enhance the education experience.

17 It is the intent of the legislature to establish a public
18 curriculum review and approval process that will resolve any
19 disputes over whether a given issue is "controversial" in the
20 context of classroom discussions and to ensure that parents and
21 legal guardians are able to exercise their discretion in

1 potentially controversial school matters without consequence to
2 their child.

3 Therefore, the purpose of this measure is to:

4 (1) Amend section 302A-321, Hawaii Revised Statutes, to
5 require the board of education to review and approve
6 all new or amended curriculum proposed by the
7 department of education prior to implementation;

8 (2) Add a new section to chapter 302A, Hawaii Revised
9 Statutes, to codify curriculum opt-out provisions for
10 parents and legal guardians who choose to exclude
11 their child from specific lessons and activities, and
12 require that an alternative standards-based curriculum
13 be developed and made available for opt-out students;
14 and

15 (3) Amend section 302A-1103, Hawaii Revised Statutes, to
16 require school principals to make any new or amended
17 curriculum available to the public.

18 SECTION 2. Section 302A-321, Hawaii Revised Statutes, is
19 amended as follows:

20 "[+]§302A-321[+] **Standards-based curriculum.** (a) When
21 developing a standards-based curriculum and implementing it in a

1 school or complex, including any school or complex pilot
2 program, at the minimum, the curriculum shall:

3 (1) Be specific in its standards-based scope and sequence
4 over a school year for each grade level and course;

5 (2) Be consistent in course content~~[+]~~, provided that an
6 alternative standards-based curriculum has been
7 developed and implemented for opt-out students;

8 (3) Be aligned across all grade levels;

9 (4) Specifically address the state content and performance
10 standards and related benchmark maps; [and]

11 (5) Be implemented in all appropriate classrooms in the
12 school or complex~~[+]~~, provided that the curriculum has
13 been reviewed and approved by the board; and

14 (6) Be implemented in conjunction with or subsequent to an
15 alternative standards-based curriculum for opt-out
16 students that is of equal academic value.

17 (b) School complexes may choose to develop an articulated
18 and aligned K-12 standards-based curriculum in one or more of
19 the following core content areas:

20 (1) Language arts;

21 (2) Mathematics;

22 (3) Science; and

1 (4) Social studies.

2 (c) School complexes shall provide professional
3 development.

4 (d) School complexes that develop a standards-based
5 curriculum shall use standards-based formative assessment tools
6 to monitor student progress, not less than on a quarterly basis
7 throughout the school year.

8 (e) School complexes shall develop rigorous classroom-
9 based performance assessments~~[]~~ to, among other things,
10 evaluate any new or amended standards-based curriculum that has
11 been reviewed and approved by the board.

12 (f) School complexes may implement board approved software
13 programs at the school level to help to align school course
14 material with Hawaii content and performance and federal
15 educational standards.

16 (g) Prior to the implementation of any new or amended
17 standards-based curriculum, copies of the proposed curriculum
18 shall be made available to the public, and shall be subject to
19 the review and approval of the board in a public hearing that
20 complies with the open meeting and notice requirements of
21 chapter 92."

1 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to subpart B of part II to be
3 appropriately designated and to read as follows:

4 "§302A- Standards-based curriculum; opt-out alternative.

5 (a) A parent or legal guardian may opt-out their child from a
6 specific standards-based curriculum lesson or activity by
7 submitting a completed opt-out form to the school or school
8 principal no later than thirty days prior to the curriculum
9 implementation date.

10 (b) All opt-out students shall participate in an
11 alternative standards-based curriculum lesson or activity,
12 provided that:

13 (1) A parent or legal guardian who has decided to opt-out
14 their child from a specific standards-based curriculum
15 lesson or activity shall have the right to object to
16 any proposed alternative standards-based curriculum
17 lesson or activity; and

18 (2) The parent or legal guardian shall work directly with
19 the school principal to develop an equitable,
20 individualized solution that addresses the parent or
21 legal guardian's concerns.

1 (c) For any standards-based curriculum that is implemented
2 pursuant to section 302A-321, an alternative standards-based
3 curriculum shall be developed and made available for opt-out
4 students. An alternative standards-based curriculum shall:

5 (1) Incorporate lessons and activities that are of equal
6 academic value to their non-alternative standards-
7 based curriculum counterpart; and

8 (2) Ensure that participation in any opt-out lesson or
9 activity does not compromise, undermine, or threaten
10 the academic standing of an opt-out student.

11 (d) Any alternative standards-based curriculum developed
12 under this section shall be subject to the requirements set
13 forth in section 302A-321."

14 Section 4. Section 302A-1103, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§302A-1103 Principal; authority and responsibility.** The
17 role of the principal shall include but not be limited to
18 overseeing the day-to-day management of the school, the primary
19 function of which is to develop and deliver instructional
20 services to students in accordance with statewide educational
21 policy and to enable students to meet or exceed statewide
22 academic standards. The principal shall:

- 1 (1) Ensure that the curriculum, including any alternative
2 standards-based curriculum for opt-out students,
3 facilitates the achievement of the statewide student
4 performance standards adopted for the public school
5 system;
- 6 (2) Develop and present to the school community council
7 for its review and approval, academic and financial
8 plans relating to the school[+], and copies of any new
9 or amended curriculum;
- 10 (3) Exercise authority over the implementation of the
11 budget, policies, and operations of the school; and
- 12 (4) Collaborate with other principals in the principal's
13 school complex to ensure that:
- 14 (A) Logical, sequential, board approved curricula are
15 adopted within the school complex;
- 16 (B) Best practices are shared among and implemented
17 by schools within the school complex;
- 18 (C) The goals and objectives of the school complex
19 are being met;
- 20 (D) The use of school complex-based personnel and
21 contractors who divide their time between more

1 than one school in a school complex is
 2 coordinated to maximize efficiency; and
 3 (E) The passage of students through the continuum of
 4 grades is coordinated in a manner consistent with
 5 section 302A-1004."

6 SECTION 5. The board shall adopt rules under chapter 91 to
 7 implement this Act.

8 SECTION 6. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 7. This Act shall take effect on January 1, 2015.

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JAN 22 2014

H.B. NO. 2480

Report Title:

Education; Public School Curriculum; Opt-out

Description:

Requires the Board of Education to review and approve all curriculum proposed by the Department of Education prior to implementation; codifies opt-out provisions for parents and legal guardians; requires that alternative standards-based curriculum be developed for opt-out students.

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