

JAN 23 2015

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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. 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 1980's. Today, the Hawaiian language immersion  
11 program, now known as Ka Papahana Kaiapuni ("Kaiapuni"), is  
12 offered at twenty 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 Kaiapuni program. Because  
16 English is not formally introduced in Kaiapuni program  
17 classrooms until the fifth grade, third and fourth grade



1 Kaiapuni program students have been offered assessments in the  
2 Hawaiian language to comply with the requirements of the No  
3 Child Left Behind Act. From the 2005-2006 and through the 2010-  
4 2011 school years, these students were offered the Hawaiian  
5 aligned portfolio assessment, which was developed in the  
6 Hawaiian language specifically for the Kaiapuni program. From  
7 school years 2011-2012 through 2013-2014, English-to-Hawaiian  
8 translations of the Hawaii State Assessment were instead offered  
9 to third and fourth grade Kaiapuni program students. These  
10 Hawaiian translated assessments contained numerous flaws,  
11 including inconsistent or inaccurate translations, and as a  
12 result failed to accurately measure Kaiapuni students' academic  
13 achievement.

14 The legislature finds that the Hawaiian language is a  
15 critical component of Hawaii's heritage, and that the State has  
16 a solemn obligation to perpetuate the Hawaiian language. For  
17 example, the state constitution recognizes the Hawaiian language  
18 as one of two official languages of the State, and Hawaii was  
19 the first state in the nation to recognize its native language  
20 as an official language. Moreover, the board of education, in  
21 adopting Board of Education Policy 2105 in 2006, acknowledged



1 that the Kaiapuni program is "an essential component to the  
2 revitalization and continuation of the Hawaiian language and  
3 culture". The board of education revised Board of Education  
4 Policy 2105 in February 2014, reiterating that "the program  
5 contributes to the continuation of our Hawaiian language and  
6 culture", and that "[t]he program's effectiveness requires the  
7 development and proper administration of appropriate formative  
8 and summative assessment tools. These program evaluation tools  
9 should be in alignment with the State's Kaiapuni curriculum and  
10 measure student growth and proficiency with the goal to prepare  
11 students for success in college, career and community".

12 Furthermore, the federal Native American Languages Act of  
13 1990 recognizes the United States' responsibility to ensure the  
14 survival of native American languages and establishes the  
15 nation's policy of encouraging and supporting the use of native  
16 American languages as a medium of instruction to help preserve  
17 those languages.

18 The legislature finds that to uphold its obligation to  
19 perpetuate the Hawaiian language, the department of education  
20 must provide Kaiapuni program students with an assessment system  
21 that most accurately measures their academic achievement.



1           The purpose of this Act is to require the department of  
2 education to develop annual assessments in the Hawaiian language  
3 for language arts, mathematics, and science subjects that are to  
4 be administered to students in certain grades of the Kaiapuni  
5 program.

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

9           "§302A-       Ka Papahana Kaiapuni assessments. (a) The  
10 department of education shall develop annual assessments in the  
11 Hawaiian language for:

12           (1) Language arts and mathematics, to be administered to  
13           Ka Papahana Kaiapuni students in grades three through  
14           six; and

15           (2) Science, to be administered to Ka Papahana Kaiapuni  
16           students in grade four.

17           The language arts and mathematics assessments for grades  
18 three and four and the science assessment for grade four shall  
19 be administered annually commencing with the 2015-2016 school  
20 year. The language arts and mathematics assessments for grades



1 five and six shall be administered annually commencing with the  
2 school year.

3 (b) The assessments shall not be Hawaiian translations of  
4 the general state assessments but shall be:

5 (1) Aligned with the vision, mission, and programmatic  
6 goals of Ka Papahana Kaiapuni;

7 (2) Aligned with applicable state academic content and  
8 achievement standards;

9 (3) Valid, reliable, and consistent with relevant,  
10 nationally recognized professional and technical  
11 standards; and

12 (4) Compliant with applicable federal requirements.

13 (c) All ancillary assessment materials and tools that are  
14 made available to students taking the general state assessment  
15 shall also be made available in the Hawaiian language to  
16 students in Ka Papahana Kaiapuni to the extent that these  
17 materials and tools can be adapted for use in the Hawaiian  
18 language. The department of education shall work with the  
19 Hawaiian language community and contractors to develop the  
20 ancillary materials and tools required under this subsection.



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 Ka Papahana Kaiapuni schools, the  
4 Hawaiian language programs at the University of Hawaii at Hilo  
5 and the University of Hawaii at Manoa, the office of Hawaiian  
6 affairs, and other Hawaiian language community organizations,  
7 shall establish procedures for the development of the  
8 assessments specified in subsection (a)."

9        SECTION 3. The department of education shall prepare and  
10 submit a preliminary and final report to the legislature on the  
11 status of the procedures the department is establishing for the  
12 development of assessments in the Hawaiian language, pursuant to  
13 section 302A- , Hawaii Revised Statutes, including the  
14 estimated costs and other critical resources or agreements  
15 necessary for the development of the assessments, no later than  
16 twenty days prior to the convening of the regular sessions of  
17 2016 and 2017, respectively.

18        SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *James Overland*  
By Request



**Report Title:**

OHA Package; Ka Papahana Kaiapuni; Assessments; Report

**Description:**

Requires the DOE to develop annual assessments in the Hawaiian Language for language arts, mathematics, and science, to be administered to Ka Papahana Kaiapuni students. Requires the DOE to submit a preliminary and final report.

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

