



HB874 HD1
RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM
House Committee on Finance

February 26, 2015

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** HB874 HD1. This bill would provide our nationally-recognized Hawaiian language immersion schools and their students with a fair and meaningful opportunity to participate in national and state educational assessment programs, by allowing students taught in the Hawaiian language to take educational assessments that are developed originally in Hawaiian, their primary language of instruction.

HB874 HD1 addresses a long-standing problem with the state's standardized assessment program under the federal No Child Left Behind Act. During school years 2011-2012 through 2013-2014, Hawaiian language immersion program (Ka Papahana Kaiapuni or Kaiapuni) students have been offered an English-to-Hawaiian translated version of the statewide assessments for grades 3 and 4, where Hawaiian is the sole language of instruction. These translated assessments are replete with problems, including cultural biases, translation inaccuracies, grammatical errors, vocabulary errors, and inconsistent terminology. Kaiapuni students in grades in which the English language is formally taught are offered only the standard English-language assessments, notwithstanding the fact that Hawaiian is still the primary language of instruction. Frustration with such nonsensical or linguistically inappropriate assessments has now led to many Kaiapuni parents "opting out" their children from taking the statewide assessments. Without a solution, this problem threatens to substantially inhibit the state's and Hawaiian community's efforts to revitalize 'Ōlelo Hawai'i, one of the state's official languages, and reduce available funding for both Kaiapuni schools as well as Department of Education (DOE) programs generally.

HB874 HD1 addresses such linguistically and culturally inappropriate assessment practices by requiring the DOE to partner with the Hawaiian language community, and develop annual assessments originally in the Hawaiian language for language arts, mathematics, and science, in accordance with federal accountability assessment requirements, for Kaiapuni program students. Implementing such assessments will allow for a more fair and reasonable assessment process and a more accurate reflection of Kaiapuni students' academic achievement. The anticipated increase in assessment participation and reduction in how many students "opt out" from the assessment process may also prevent irreparable negative impacts to the the DOE, Ka Papahana Kaiapuni, Kaiapuni students, and ultimately, the revitalization of 'Ōlelo Hawai'i.

Therefore, OHA urges the Committee to **PASS** HB874 HD1. Mahalo nui for the opportunity to testify on this measure.



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Leimana DaMate, Executive Director

Before the House Committee on
Finance

Thursday, February 26, 2015
11:00 A.M.
State Capitol, Conference Room 308

In **SUPPORT** of
House Bill 874, HD1
Relating to the Hawaiian Language Immersion Program

House Bill 874, HD 1 requires the Department of Education to develop and implement for Ka Papahana Kaiapuni students, annual assessments in the Hawaiian language that are not Hawaiian translations of general state assessments. We strongly support this measure.

The Aha Moku System encompasses the eight main Hawaiian Islands and supports the traditional and generational resource knowledge of the people who are connected to each of the 43 moku and more than 500 ahupua'a. This knowledge is handed down generation to generation by experts in site-specific resource methodology. The Hawaiian language is the first and main language spoken by the majority of resource practitioners and their children.

The perpetuation of the Hawaiian language is critically important to the identity of Hawaii. Hawaiian language immersion students and their 'ohana (family) who choose, and are more comfortable and successful with immersion education deserve an assessment that accurately reflects their knowledge base that is rooted in their cultural practices.

We strongly support HB 874 HD1 and urge this committee to pass this bill.

Mahalo nui loa.



TO: Honorable Sylvia Luke, Chair
Honorable Scott Nishimoto, Vice Chair
Members of the Finance Committee

DATE: February 26, 2015
TIME: 11:00 a.m.
PLACE: Conference Room 308
Hawai'i State Capitol

FROM: Kamehameha Schools

RE: HOUSE BILL 874, RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

Chair Luke, Vice Chair Nishimoto, and members of the Committee,

Thank you for this opportunity to testify in support of HB 874, relating to the Ka Papahana Kaiapuni Hawaiian Language Immersion Program.

Kamehameha Schools offers support to this measure that would help equalize testing for Ka Papahana Kaiapuni students by creating a test that is technically accurate to the language of instruction and intelligible to Hawaiian language speakers, rather than one that is often inaccurately translated from English. The Hawaii Department of Education and the Public Charter School Commission have worked very hard in conjunction with KS and other stakeholders to help preserve and protect an important piece of Hawaii's cultural heritage. The Hawaiian language is one of the few Native languages of North America to survive and thrive into this century. We must do all that we can to promote the continuation of measures that legitimize and equalize its standing in the context of our educational system.

This measure is very important, not only for the sake of Hawaiian language students, who deserve to be evaluated with fair measures, but also for the overall rankings of Hawaii's schools. Kamehameha Schools supports promoting the achievement and success of all Hawaii's students. Previously, the options for Hawaiian language students were to do their best with tests that were not optimally crafted to their language, or opt out, an action that resulted in a failing score. Because we know that Hawaiian language students and English language students work equally hard to achieve academic success, we feel that the statewide test statistics should reflect the true abilities of all of Hawaii's keiki.

We ask that you help to provide our state's courageous and talented youth who commit themselves to preserving the language of their ancestors with the tools they need to demonstrate their proficiency and hard work.

Thank you for the opportunity to testify on this measure.

Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
House Committee on Finance

Date of Hearing: 2-26-2015
Time: 11:00am
Location: Conference Room 308

*Testimony of Dr. Kauanoë Kamanā, Director of the Laboratory School
Program of Ka Haka 'Ula O Ke 'elikōlani College of Hawaiian Language of
the University of Hawai'i at Hilo*

HB874, HD1 RELATING TO THE HAWAIIAN LANGUAGE IMMERSION
PROGRAM:

Support

Aloha Chair Luke, Vice Chair Nishimoto and Members of the Committee on Finance:

My name is Dr. Kauanoë Kamanā, Director of the Laboratory School Program of Ka Haka 'Ula O Ke 'elikōlani College of Hawaiian Language of the University of Hawai'i at Hilo. The Laboratory School Program of the College of Hawaiian Language is in **support of HB874, HD1.**

Our families in Hawaiian medium education very much appreciate that this bill is intended to provide fair, reliable and valid assessments in Hawaiian, an official language of Hawai'i and the language of instruction for students in ka papahana kaiapuni.

Mahalo nui for the opportunity to provide testimony in **support of HB874, HD1.**

Mahalo nui.

finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 10:47 AM
To: FINTestimony
Cc: ikepono@hotmail.com
Subject: *Submitted testimony for HB874 on Feb 26, 2015 11:00AM*

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Isaiah Kala Kaaihue | King Kamehameha HCC | Support | No |

Comments:

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1288 Kapiolani Blvd, Apt 1905
Honolulu, Hawaii 96814
February 24, 2015

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Members, Committee on Finance

Subject: Testimony in Support of HB874, HD1

Aloha mai, kākou

The Kalihi Palama Hawaiian Civic Club is in support of HB 874 HD1, Relating to the Hawaiian Language Immersion Program, that would require the Dept of Education to develop and implement for Ka Papahana Kaiapuni students, annual assessments in the Hawaiian language that are not Hawaiian translations of general state assessments.

This bill AFFIRMS the actions taken by previous legislators in acting on similar bills introduced and acted upon in past legislative sessions that resulted in the legislature funding the DOE to do this work without final passage of the bills.

The Dept of Education has apparently done some work on the assessments. In providing testimony on other bills similar to this one during this legislative session, it has advised that, "This past June, the Department entered into a memorandum of agreement (MOA) with the University of Hawaii to develop a Hawaiian language version of the state assessment of the Hawaii Common Core Standards. This assessment is to be administered to grade 3 and 4 students enrolled in a Hawaiian language immersion program in the spring of 2015.

The Department also notes that expansion of the development of assessments in the Hawaiian language will require additional funding. The Department would like the opportunity to evaluate the UH - MOA effort for developing Hawaiian language assessments for the 3rd and 4th grade students at the end of the 2014-15 school year and is willing to submit a report on the outcome to the 29th legislature."

Maika'i, but a shortcoming that I see is that the DOE, in its testimony, didn't indicate any consultation with or involvement of Native Hawaiian organizations as described in former bills. I wish also to note that in 2012, the DOE gave testimony in support of HB224, Relating to the Hawaiian Language Immersion that required 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. Required the DOE, with the Hawaiian language community, to establish procedures for the development of the assessments. Report to the 2014 legislature.

We should **put this requirement into law and fund it. Several reasons:**

- The Hawaii State Constitution recognizes Hawaiian as one of two official languages of this state, the other being English. Hawaii is a unique situation as it has two official languages. As such, all educational experiences granted one language of instruction should be granted the other. To treat each language differently would open the door to the legal interpretation of governmental policy as racist.
- It affirms that the legislature recognizes the shortcomings of current assessments and the adverse effect it has had on students whose education has been in Hawaiian.
- It honors, respects, and gives credit to those leaders who acted on their passion to revitalize the Hawaiian language in their lifetime. The Hawaiian language was saved by several historic initiatives, including the department of education's Hawaiian language immersion program, which was launched in the 1980s and a group of Hawaiian language educators who recognized the need for strategies to perpetuate the Hawaiian language to prevent its demise. The key would be to re-establish Hawaiian Medium Education schools to nurture a new generation of speakers that would be able to describe the world through the lens of their language and culture. Thus began the Punana Leo preschool and a reemergence of a Hawaiian philosophy of education, now known as the Kumu Honua Mauli Ola. Today, the Hawaiian language immersion program is offered at twenty-one public schools and educates more than two thousand students in kindergarten through the twelfth grade.

Respectfully

Leimomi Khan

LEIMOMI KHAN
President
Kalihi Palama Hawaiian Civic Club

Attachment: History of 'Aha Pūnana Leo



96 Pu'uhonu Place
 Hilo, HI 96720
 (808) 935-4304
 (808) 969-7512
 www.ahapunaleo.org

Ka Papa Alaka'i
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Pūnana Leo o Ko'olau Loa

Pūnana Leo o Wai'anae

Pūnana Leo o Mānoa

Pūnana Leo o Kaua'i

Niuolahiki

Hawaiian Language Online

Rep. Sylvia Luke, Chair
 Rep. Scott Y. Nishimoto, Vice Chair
 House Committee on Finance

Date of Hearing: 2-26-2015
 Time: 11:00am
 Location: Conference Room 308

*Testimony of the 'Aha Pūnana Leo, Non-Profit Educational Organization
 Dedicated to the Revitalization of the Hawaiian Language*

HB874, HD1 RELATING TO THE HAWAIIAN LANGUAGE IMMERSION
 PROGRAM: **Support**

Aloha Chair Luke, Vice Chair Nishimoto and Members of the Committee on Finance:

My name is 'Ekekela Aiona, Executive Director of the 'Aha Pūnana Leo. The 'Aha Pūnana Leo is in **support of HB874, HD1.**

Our families in Hawaiian medium education very much appreciate that this bill will ensure fair, reliable and valid assessments in Hawaiian, an official language of Hawai'i and the language of instruction for students in ka papahana kaiapuni.

Mahalo nui for the opportunity to provide testimony in **support of HB874, HD1.**

Mahalo,

M. 'Ekekela Aiona
 Executive Director, 'Aha Pūnana Leo
 96 Pu'uhonu Place
 Hilo, HI 96720
 (808) 935-4304



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

HOUSE COMMITTEE ON FINANCE

HOUSE BILL 874HD1 RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

Thursday, 02/26/15; 11:00 am; Room 308

Aloha Madam Chair Luke, Vice Chair Nishimoto and members of the House Finance Committee. The Association of Hawaiian Civic Clubs, founded with a single club in 1918 by Prince Kuhio, now consisting of sixty-seven component clubs throughout Hawaii and sixteen states on the continent, supports this bill.

From the beginning our clubs have supported, lobbied and provided financial assistance for our young Hawaiian scholars to be educated. Happily, many of them have turned to the mother tongue of their kupuna and are today teaching Hawaiian language to the next generation. The Hawaiian language has made a remarkable recovery and the Civic Clubs have been consistent in support of the revival. Many of our present kupuna, unable to learn from their kupuna who were punished for speaking Hawaiian, now turn to their grand-children for help in translations.

We support HB874HD1 as yet another step toward completing the cycle of cultural, historic and language retrieval and revival for Hawaii's native people. We listen to our grandchildren in awe as they speak to one another in the language that we were denied. It is cause for celebration.

Thank you for the opportunity to present the view of the Association of Hawaiian Civic Clubs.

Contact: Jalna.keala2@hawaiiantel.net

finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 7:09 AM
To: FINTestimony
Cc: robertl@oha.org
Subject: *Submitted testimony for HB874 on Feb 26, 2015 11:00AM*

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------------|---------------------|---------------------------|---------------------------|
| Robert K. Lindsey, Jr. | Individual | Support | No |

Comments:

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finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 7:04 AM
To: FINTestimony
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for HB874 on Feb 26, 2015 11:00AM*

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kama Hopkins | Individual | Support | No |

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finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 10:20 AM
To: FINTestimony
Cc: ukotner@mindspring.com
Subject: *Submitted testimony for HB874 on Feb 26, 2015 11:00AM*

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Usha Kotner | Individual | Support | No |

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 10:47 AM
To: FINTestimony
Cc: pohaimm@gmail.com
Subject: *Submitted testimony for HB874 on Feb 26, 2015 11:00AM*

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------------|---------------------|---------------------------|---------------------------|
| C.R.P. Montague-Mullins | Individual | Support | No |

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FIN-Jo

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 11:27 AM
To: FINTestimony
Cc: burgharc@gmail.com
Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl | Individual | Support | No |

Comments: Strongly support that all testing required by the DOE or the Federal govt. given to Hawaiian immersion students or others who require it as their language within the DOE be given in 'olelo Hawai'i.

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finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 1:25 PM
To: FINTestimony
Cc: peepuhala@hotmail.com
Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Iolani Kuoha | Individual | Support | No |

Comments: Aloha, as a Hawaiian Language Immersion educator, I strongly SUPPORT HB874 HD1 which would require the Department of Education to collaborate with the Hawaiian language community to develop accurate assessment tests for our Hawaiian language immersion students. I believe that the perpetuation of the Hawaiian language holds significant importance to the identity of our state and should be valued. As such, Hawaiian language immersion students and families who have chosen immersion education over traditional school deserve an assessment that accurately reflects their knowledge base rooted in their cultural practices. I urge the committee to PASS this bill. Mahalo for your support!!

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finance8-Melanie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 1:50 PM
To: FINTestimony
Cc: lho@hawaiiublicpolicy.com
Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM

HB874

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| McKenna Fuata | Individual | Support | No |

Comments: Hawaiian language is important to the Hawaiian culture because Hawaiian language is dying.

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:: Leanne Kealoha Fox ::

2nd Congressional District

House District: 39
Senate District: 18

February 2, 2015

HB874 HD1

RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

House Committees on Finance, Education, & Ocean, Marine Resources, and Hawaiian Values

Aloha a welina mai nei e nā alaka'i:

It is with great enthusiasm that I write testimony to **STRONGLY SUPPORT** HB 208 HD1 to require 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.

I strongly **SUPPORT HB208 HD1** which would require the Department of Education to collaborate with the Hawaiian language community to develop accurate assessment tests for our Hawaiian language immersion students. I believe that the perpetuation of the Hawaiian language holds significant importance to the identity of our state and should be valued. As such, Hawaiian language immersion students and families who have chosen immersion education over traditional school deserve an assessment that accurately reflects their knowledge base rooted in their cultural practices. I urge the committee to **PASS** this bill.

I urge the committee to **PASS** HB 208 HD1.

Respectfully, me ka `oia`i`o.

Leanne Kealoha Fox

Letter of Support for HB208 HD1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 26, 2015 12:30 PM
To: FINTestimony
Cc: janetgoodmanson@gmail.com
Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM



HB874

Submitted on: 2/26/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Janet Goodmanson | Individual | Support | No |

Comments: Please vote to pass this bill. It is so important to protect our fish.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 26, 2015 1:01 PM
To: FINTestimony
Cc: dkapua@gmail.com
Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM



HB874

Submitted on: 2/26/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------------|--------------|--------------------|--------------------|
| Kapua Keliikoa-Kamai | Individual | Comments Only | Yes |

Comments: I FULLY SUPPORT HB 874, HD1 (HSCR430) RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM. Requires the Department of Education to develop and implement for Ka Papahana Kaiapuni students, annual assessments in the Hawaiian language that are not Hawaiian translations of general state assessments. Mahalo for your consideration and passage of this much needed legislation! Me ka ha'aha'a, Kapua Keliikoa-Kamai

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LATE

DAVID Y. IGE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/26/2015
Time: 11:00 AM
Location: 308
Committee: House Finance

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 0874, HD1 RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM.

Purpose of Bill: Requires the Department of Education to develop and implement for Ka Papahana Kaiapuni students, annual assessments in the Hawaiian language that are not Hawaiian translations of general state assessments. (HB874 HD1)

Department's Position:

The Department of Education (Department) fully appreciates the intent and substantive content of HB 0874, HD1.

Board Policy 2105 directs the Department to develop and administer "appropriate formative and summative assessment tools." The Department is also required to develop curriculum and standards "to prepare students for college, career and contributors to community with the assistance of the appropriate stakeholders including the 'Aha Kauleo, Office of Hawaiian Affairs, University of Hawai'i system of colleges, 'Aha Pūnana Leo, the Charter School Commission and any other stakeholders selected by the Department. The development of the Kaiapuni curriculum, content, instruction and assessment should be informed and researched-based utilizing qualitative and quantitative data."

This past June, the Department, entered a 3-year memorandum of agreement (MOA) with the University of Hawaii stating that both parties agree to:

- Create and support statewide assessments in the Hawaiian language for use within the Department of Education for grades 3 and 4 (language arts, mathematics and grade 4 science);
- Field test the assessments in Hawaiian language immersion schools;
- Provide documentation regarding the alignment of the assessments with applicable State standards;
- Provide documentation regarding validity and reliability of the assessments.

The MOA is being implemented on schedule and field tests for Hawaiian Language Arts and math are set to be administered to 3rd and 4th grade Kaipauni students in May 2015. The Department would like the

opportunity to evaluate progress of the work and administration of field tests at the end of the 2014-15 school year and determine the most appropriate and effective way to proceed.

Currently, federal accountability as written in ESEA Section 1111 (b)(3)(C)(1) requires that assessments shall "be the same academic assessments used to measure the achievement of all children." The Department submitted a double testing waiver to the U.S. Department of Education and was granted a one year waiver in February 2015 allowing students participating in the Hawaiian language field test to forego the statewide assessment, Smarter Balanced. The Department is requesting continued support from stakeholders in addressing challenges presented in ESEA to administering Hawaiian language assessments. State bill HB 874, HD1 requires that the Hawaiian language assessment "be compliant with applicable federal accountability assessment requirements," yet federal accountability requires that the state administer one test and that that test be in English. The Department would request more time to work with stakeholders to address these challenges.

The Department notes that the continued development and administration of assessments in the Hawaiian language for grades 3 and 4 (language arts, mathematics and grade 4 science) will cost the sum of \$1,100,000 or so much thereof as may be necessary for fiscal year 2015-2016 and the same sum or so much thereof as may be necessary for fiscal year 2016-2017.

The Department is willing to submit a report, including a plan delineating a process and timeline for the full implementation of assessments administered in the Hawaiian language for language arts, mathematics, and science for all required grade levels, to the legislature no later than twenty days prior to the convening of the regular session of 2017.

LATE

From: mailinglist@capitol.hawaii.gov
 Sent: Wednesday, February 25, 2015 9:40 PM
 To: FINTestimony
 Cc: skkaauwai@gmail.com
 Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM
 Attachments: 150225.HB874 Testimony.pages

HB874

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|-----------------|--------------------|--------------------|
| Samuel Kaauwai | Kawaikini NCPCS | Support | No |

Comments:

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LATE

Testimonial for HB874 HD1: Joanne Okiko Shigeko Kelly

First and foremost, as a human being, I stand in solidarity with all marginalized communities and minority populations struggling with issues around identity, equity, and empowerment. Serving those communities has been a central theme in my life, and I see this testimony as a continuation of that service.

Ours is the only state in the nation that recognizes two official languages – one of which is an indigenous language – and for that I am infinitely proud. Growing up in Ewa Beach, we learned the Hawaiian names of sea creatures when the kupuna would visit us at Pohakea Elementary. Now, families across the state have the freedom to provide education for their keiki in English or Hawaiian, and we are the first people to have a fully accredited P-20 program of indigenous language education. As a Native Hawaiian, this truly stirs my soul.

The preservation and perpetuation of the ever-evolving Native Hawaiian culture has made phenomenal progress in the last 35 years, thanks in great part to the tireless contributions of community members and the cooperation and sincere engagement of the state and federal governments. The bill in question, however, is not simply a Native Hawaiian issue.

This bill raises questions of legality, validity, and fairness for all citizens of the state of Hawai‘i.

On the issue of legality

As legislators, the subject matter of this section will likely be ingrained in your understanding of the legal responsibility of the state and federal governments to work toward the preservation of the Native Hawaiian language and culture, and the fair delivery of education for all. It is my understanding that more in-depth and nuanced documentation around the legality (and validity) of this matter will be submitted by supporting organizations. Please bear with me as I lay general legal grounding as part of my testimony in favor of HB874 HD1.

Under the Native American Languages Act (NALA), the federal government is required to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages” – Native Hawaiians are also protected under this act. Furthermore, NALA declares federal support for “the use of Native American languages as a medium of instruction” (NALA 1990, 25 USC, 2903). If Hawaiian Language Immersion Program (HLIP) students are not given accurate assessments, and their scores suffer as a result of inadequate testing, this could potentially endanger the continuation of the program and their rights to continue learning in Hawaiian. I will address the issue of accurate assessments and validity in the following section.

According to the Elementary and Secondary Education Act (ESEA), the federal government will support both “the basic elementary and secondary educational needs” of Indian children and “the unique educational culturally related academic needs of these children” (The No Child Left Behind Act of 2001, 20 USC 7401) [emphasis added]. Native Hawaiians are also included in this act, and without question, reliable and valid assessment is to be included as an academic need. Title I of the ESEA declares *specifically* that states are required to provide technically sound assessments that produce valid and reliable data that are consistent with both the letter and spirit of the ESEA. While I have no doubt that has always been the sincere *intention* of the HIDOE, no easily accessible public documentation has been provided to the public to prove this requirement has been met by the translated tests.

In addition to the aforementioned federal laws, and any state laws I have not cited, there are international laws relevant to this bill. Examples of this proliferation of international charters, conventions, and other instruments surrounding the education rights of indigenous peoples include:

- Universal Declaration of Human Rights
- International Covenant on Economic, Social, and Cultural Rights
- International Covenant on Civil and Political Rights
- Declaration on the Elimination of all Forms of Racial Discrimination
- Discrimination (Employment & Occupation) Convention
- Convention Against Discrimination in Education
- Working Group on Indigenous Populations (Draft Declaration on Indigenous Rights)
- Kari-Oca Indigenous Peoples Earth Charter

As just one example from that list, the Kari-Oca Declaration includes the following statement on indigenous education:

“Indigenous people should have the right to their own knowledge, languages, and culturally appropriate education, including bicultural and bilingual education. . . Indigenous people must have the necessary resources and control over their own education systems.”

If assessments are not valid, reliable, and culturally related, HLIP keiki may produce scores that could potentially undermine the sustainability of Hawaiian language programs, thereby robbing them of their legally-protected rights to an education in Hawaiian. Have we been providing these students with valid, reliable, and culturally related assessments as the law requires? If not, how can we move forward to ensure that we are?

On the issue of validity

There are many perspectives on education assessments for emerging bilinguals.

Many states, districts, and schools have opted to level the playing ground using accommodations such as reading aloud, using dictionaries, translations, and language modification. In the case of translations, even when properly validated, this kind of assessment is not appropriate in all circumstances for emerging bilinguals. Educators should employ this kind of accommodation with sensitivity to the effect of language in specific content areas, the language proficiency of the students, and the language of instruction (Stansfield, 2003) [emphasis added].

Developing a valid translated test is time consuming, resource intensive, and rather complicated. One major issue with translated tests involves technical difficulties and complications in accurately translating items.

Another major concern are issues in aligning the instructional language and assessment language. Due to semantics, cultural conventions, and word frequency differences, comparing a test to its translated version can be very complex. According to Pitoniak et al., the translation process often changes the intent of the items, resulting in changes in the construct (the thing the test is measuring - e.g. literacy) (2009).

There are many ways to ensure quality translated assessments: employing an iterative or concurrent development process for translation, hiring quality translators, explicit recognition of the intrinsic link between language and culture, considering the specific mental processes that make bilingual students unique, ample time for iterative high quality translation, cognitive interviews, as well as pilot/field testing, and statistical analyses of bias.

That being said, "translation error is inevitable...effective translation cannot eliminate translation error-although it can minimize it" (p. 83, Solano-Flores et al., 2009) [emphasis added].

Translation is a complex resource-intensive approach to assessments of our HLIP keiki. Additionally, students enrolled in the HLIP receive instruction in Hawaiian and may speak Hawaiian, English, or another language at home. If we are to test these students on math, literacy, and science learned in school, doesn't it make sense to test them in their language of instruction?

Both the Maori in New Zealand and the Sami in Norway have opted to create assessments in their native tongues to ensure tests assess in a way that is culturally relevant, but also valid and reliable. Assessments must provide valid information on what students can do in order to guide policy and practice that are supportive of the needs of all students.

On the issue of fairness

Taking a step back from the important details surrounding test validity and appropriateness, and the legal issues raised here, we cannot ignore the larger issues around fairness, what is right, what is *pono*.

All Hawaii's keiki deserve education assessments that are free from bias, and stand up to rigorous testing. Investing in fair treatment of these children is vital in preparing them for a bright and successful future.

As a side but very important note, as citizens of the state of Hawai'i, we deserve complete transparency and accountability from our governing bodies and local departments. In many other states, detailed documentation about education assessments are easily accessed online, including specifics like translation process, item maps, test blueprints, and test manuals. This kind of information is vital to make fully accessible and public so that our students are provided with equal opportunities to succeed in public schools, no matter their language of instruction. We deserve to see the form construction process so that experts can ensure proper techniques (like differential item functioning and confirmatory factor analysis) are used for test-level investigations. In fact, the evaluation of test form comparability really begins at the beginning, when the test is being constructed.

By creating new tests, tests that can be done properly from the very beginning, we can be sure our keiki are being assessed fairly. The increase in student testing nationwide has resulted in unprecedented stress level increases for both students and administrators. Why exacerbate this problem by forcing unreliable invalid assessments on an already marginalized group?

I am strongly in favor of HB874 HD1. Creating assessments in Hawaiian will ensure their cultural relevance and comprehension. I am also strongly in favor of putting these new assessments through a rigorous testing process so that they truly are testing the constructs they aim to test, and are completely without bias. Using assessments created in Hawaiian is the fairest, most valid, and legal way for the state to use public funds to measure HLIP student achievement.

We have an opportunity here to offer assessments properly from beginning to finish. Let's do the right thing.

Ua Mau ke Ea o ka 'Āina i ka Pono

The life of the land is perpetuated in righteousness.



From: mailinglist@capitol.hawaii.gov
 Sent: Wednesday, February 25, 2015 11:42 PM
 To: FINTestimony
 Cc: elamafarms@gmail.com
 Subject: Submitted testimony for HB874 on Feb 26, 2015 11:00AM

HB874

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------------|--------------------------------|--------------------|--------------------|
| Patrick L. Kahawaiolaa | Keaukaha Community Association | Support | No |

Comments: As a native Hawaiian community celebrating its 90th year of existences we are in total support of HB 874 whereby the DOE is required to collaborate with Hawaiian language community and hopefully the native Hawaiian community. KCA believes that the assessme nt to accurately reflect their knowledge base rooted in their cultrual practices. Kokua mai and Kakoo this bill. 'Owau me kahaahaa Patrick L. Kahawaiolaa President KCA

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE



COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT

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HB 874 HD1 RELATING TO PUBLIC CHARTER SCHOOLS

HOUSE COMMITTEE ON EDUCATION

Chair Takumi, Vice Chair Ohno and members of the committee, thank you for the opportunity to provide testimony in **support** of HB 874 HD1 that requires the Department of Education to develop annual assessments in the Hawaiian language for the subject matters of language arts, mathematics, and science that are to be administered to students in certain grades of the kaiapuni program in accordance with federal accountability assessment requirements. Such assessments shall not be mere verbatim translations of the English language into Hawaiian.

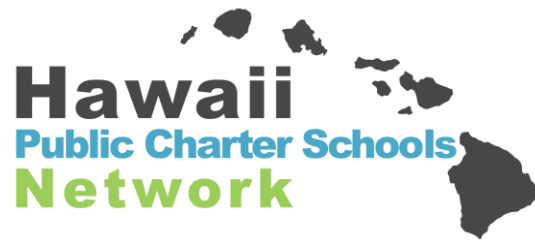
My name is Michelle Kauhane, President & CEO at the Council for Native Hawaiian Advancement (CNHA). Founded in 2001, CNHA is a Native Hawaii non-profit membership organization with more than 150 voting members. CNHA's mission is to enhance the well being of Hawaii through the cultural, economic and community development of Native Hawaiians. CNHA offers strong support for facilities funding for Hawaii's Charter Schools with over 30% of our membership made up of educators that include Native Hawaiian Charter Schools.

In 2014, CNHA's policy center hosted a roundtable for charter school leaders and educators throughout Hawaii to meet with Secretary Arne Duncan of the US Department of Education. One of the main topics of discussion included the need to provide an appropriate language assessment for students learning in Hawaiian language. In addition, the Council adopted a policy priority that came forth from the education caucus convened at our most recent Annual Native Hawaiian Convention to support the need for appropriate assessments for language learners. The Council believes the measure is appropriate based on the two-language reality of our state and we support proper assessments for language learners at all levels of education.

Over the last year, CNHA has worked with the Federal and State DOE, OHA, Kamehameha and other stakeholders in addressing the need for language appropriate assessments. We are excited about the headway being made to properly assess students learning in Hawaiian language and will continue to support the need to assess all language learners appropriately.

Our language learners in Hawaii play an integral role in preserving Hawaiian language and culture. We strongly support the measure.

Thank you.



LATE

State of Hawaii House of Representatives
Committee on Finance

DATE: Thursday, February 26, 2015
TIME: 11:00 a.m.
PLACE: Conference Room 308, Hawaii State Capitol

Chair Luke, Vice Chair Nishimoto, and Members of the Committee,

Re: HB 874 HD1 RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

Mahalo for the opportunity to testify *in support* of HB 874 HD1, a bill that requires the Department of Education to develop and implement for Ka Papahana Kaiapuni students, annual assessments in the Hawaiian language that are not Hawaiian translations of general state assessments.

6 out of 34 (or 17%) of Hawaii's charter schools are immersion/Hawaiian medium schools. The mission to keep the Hawaiian language alive and have it flourish should be one of our state goals. Hawaiian immersion schools, whether under the Hawaii Department of Education or a public charter school, should have appropriate and fair state assessments that measure student achievement and progress. This is why HPCSN supports this measure and is thankful for the herculean effort that the Hawaiian language community and the HDOE have made to make significant progress on this issue over the last year.

Hawaii Public Charter Schools Network (HPCSN) represents 30 of 34 public charter schools in Hawaii and is committed to quality education for all public school students through our support of, and work with, charter schools. Thank you for your attention to and consideration of this very important matter to charter schools. Your support of Hawaii's public students is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Finnegan".

Lynn Finnegan
Executive Director