



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

Date: 03/25/2015
Time: 02:00 PM
Location: 309
Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 0778, SD2, HD1 RELATING TO EDUCATION.

Purpose of Bill: Requires and appropriates funds for the department of education to develop an assessment of established statewide performance standards for students in the kaiapuni program. Requires reports to the legislature. Effective 7/1/2050. (SD2)

Department's Position:

The Department has met with the Office of Hawaiian Affairs (OHA) and, collaboratively, we would like to offer amendments to the committee in support of SB778, SD2, HD1 for its consideration.

Substantial work has been accomplished in the area of Hawaiian educational assessments, but certainly much more work remains ahead.

In the continued spirit of our strong collaboration with interested stakeholders, the Department of Education joins with the Office of Hawaiian Affairs to propose language that provides an appropriation to continue the collaborative work, while also requiring a report to the 2016 and 2017 Legislature with a plan, status updates, federal compliance challenges, and budget requirements towards the full implementation of assessments administered in the Hawaiian language for language arts, mathematics, and science for all required grade levels. If the committee should opt not to adopt the suggested amendments at this time, the Department requests that the recommendations be incorporated into the committee report for continued consideration should the measure proceeds through the legislative process. Below, please find our proposed language.

PROPOSED SB778 HD2

SECTION 1. The Hawaiian language, the native language of the

Native Hawaiian people, was once a thriving language used by Native Hawaiians and foreigners alike. However, by the late twentieth century, the Hawaiian language was pushed to the brink of extinction due to a number of factors, including an 1896 law that functioned to ban the speaking of the Hawaiian language in Hawaii schools. Fortunately, 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. The Hawaiian language immersion program, ka papahana kaiapuni, is offered at twenty public schools and educates more than two thousand students in kindergarten through the twelfth grade.

Federal accountability assessment requirements present a challenge for ka papahana kaiapuni. Because English is not formally introduced in kaiapuni classrooms until the fifth grade, third and fourth grade kaiapuni students have been offered assessments in the Hawaiian language in order to comply with federal accountability assessment requirements. Beginning in the 2005-2006 school year and through the 2010-2011 school years, these students were offered the Hawaiian aligned portfolio assessment, which was developed in the Hawaiian language, specifically for ka papahana kaiapuni. During school years 2011-2012 through 2013-2014, English-to-Hawaiian translations of the Hawaii state assessment were instead offered to third and fourth grade kaiapuni students. These translated assessments

contained numerous flaws, including inconsistent and inaccurate translations, and as a result, failed to accurately measure kaiapuni students' academic achievement.

However, according to board of education policy 2105, "the program's effectiveness requires the development and proper administration of appropriate formative and summative assessment tools. These program evaluation tools should be in alignment with the State's kaiapuni curriculum and measure student growth and proficiency with the goal to prepare students for success in college, career and community."

Act 134, Session Laws of Hawaii 2013, appropriated \$1,000,000 to the department of education for the development of "a common core state standards assessment in the Hawaiian language." In 2014, the department of education entered into a three-year memorandum of agreement with the university of Hawaii to develop non-translated Hawaiian language assessments for kaiapuni students in grades three and four.

The purpose of this Act is to require the department of education to develop annual non-translated assessments in the Hawaiian language for language arts, mathematics, and science subjects, in accordance with federal accountability assessment requirements, to be administered to kaiapuni students in certain grades.

SECTION 2. No later than twenty days prior to the convening of the regular sessions of 2016 and 2017, the department of

education shall prepare and submit a preliminary and a final report, respectively, to the legislature on:

(1) The status of the development and administration of the non-translated Hawaiian language assessments pursuant to this Act;

(2) The status of federal compliance issues relating to the non-translated Hawaiian language assessments, including the status of any waivers sought from the United States Department of Education; and

(3) Any other actions taken to comply with this Act.

Provided that the final report include the department's long-term plan to develop and administer non-translated Hawaiian language assessments, including funding projections and any federal compliance issues.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ 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 for the development and administration of annual non-translated assessments in the Hawaiian language as required by section 2 of this Act.

The sums appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 4. This Act shall take effect upon approval.

DAVID IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: (808) 586-3775 Fax: (808) 586-3776

FOR: SB778 SD2 HD1 Relating to Education
DATE: Wednesday, March 25, 2015
TIME: 2:00 p.m.
COMMITTEE(S): House Committee on Education
ROOM: Conference Room 309
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Chair Takumi, Vice Chair Ohno, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this written testimony in support of the intent of Senate Bill 778 SD2 HD1, “Relating to Education,” which would require the Department of Education (“DOE”) to develop and implement state assessments in the Hawaiian language that are not Hawaiian translations of the general state assessments.

This issue is of great importance to Hawaii’s charter school system, as public charter schools are subject to the same state assessment requirements as all other public schools, and six of them deliver some or all of their instruction through the Hawaiian language. In the absence of Hawaiian language assessments, under an option the Commission made available to these schools as a short-term mitigating measure, five of the six schools requested that the Commission exclude the Hawaii State Bridge Assessment results for some younger grades from consideration under the Commission’s Academic Performance Framework for charter schools, because students in those grades are taught exclusively or primarily in Hawaiian. The Commission defers to the DOE as to the timing and merits of this particular bill but supports the intent of providing the additional support and resources needed to help enable Hawaii’s educational infrastructure reflect the fact that our state has two official languages.

Thank you for the opportunity to provide this testimony.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

TESTIMONY BEFORE THE HOUSE COMMITTEE
ON EDUCATION

Wil Okabe
President
Joan Kamila Lewis
Vice President
Colleen Pasco
Secretary-Treasurer
Wilbert Holck
Executive Director

DATE: WEDNESDAY, MARCH 25, 2015

RE: S.B. 778, S.D. 2, H.D. 1 – RELATING TO EDUCATION

PERSON TESTIFYING: JOAN LEWIS, VICE PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chair Roy Takumi, Honorable Vice Chair Takashi Ohno and Members of the Committee:

On behalf of Hawai'i's 13,500 public and public charter school teachers, and more specifically the Hawaiian Language Immersion teachers that are in both public school systems, we thank you for the opportunity to share our **SUPPORT of the INTENT of S.B. 778, S.D. 2, H.D. 1 with COMMENTS.**

When the session first started, HSTA was in strong support of the measure. We believed that it was in keeping with the commitment the state of Hawai'i made when they first provided for full Hawaiian Immersion Education.

While no one could have predicted the impact that the standardized testing frenzy would bring to our educational system, it is clear that no public school program is immune from it. Standardized testing, in any form, seems to be the antithesis of the kind of authentic learning that occurs in our immersion schools. Its presence, however, will remain until Federal law changes.

This is why the legislation before you matters. If we are going to abide by Federal law AND do right by our beliefs about immersion education, we must have assessments developed in the language in which our children learn. It is clear, both from the feedback that we have received from our affected members, and from the testimony that we have heard, that this journey is nowhere near done and as such, requires more time to get it right.

HSTA's primary concern at this point is for our students, our teachers and our immersion schools. We ask for support in ensuring that the assessments be developed in a manner that addresses the concerns of all affected parties. More importantly, we ask that until that journey is concluded, our students, teachers and immersion schools

be held harmless. Whether this be with waivers or modifications or any remedy that can be enacted, we believe that the very people and entities engaged in this good work should be supported, protected, and ultimately provided what they need to do what the state of Hawai'i has asked of them.

Thank you for allowing us to share our **SUPPORT of the INTENT of S.B. 778, S.D. 2, H.D. 1 with COMMENTS.**



SB778 SD2 HD1
RELATING TO EDUCATION
House Committee on Education

March 25, 2015

2:00 p.m.

Room 309

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB778 SD2 HD1. The amendments proposed by OHA reflect an agreement that OHA reached with the Department of Education (DOE) regarding two legislative vehicles, HB874 HD1 and SB778 SD2 HD1, that seek to address long-standing problems with the state's standardized assessment program under the federal No Child Left Behind Act.

This measure provides 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. Unfortunately, for several years, schools and students in the Hawaiian language immersion program (Ka Papahana Kaiapuni or Kaiapuni) have encountered substantial challenges relating to the statewide assessments required under the federal No Child Left Behind Act. During school years 2011-2012 through 2013-2014, Kaiapuni students were offered an English-to-Hawaiian translated version of the statewide assessments for grades 3 and 4, where Hawaiian is the sole language of instruction. Due to their translated nature, these 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.

This long-standing 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 programs generally.

The clear solution to this problem is to allow students taught in the Hawaiian language to take educational assessments that are developed originally in Hawaiian, their primary language of instruction. Accordingly, OHA and the DOE have actively endeavored to develop a mutually acceptable and practical legislative approach to ensure that Kaiapuni students are provided with such linguistically appropriate assessment opportunities. Fortunately, such a measure has now been agreed upon.

Therefore, **please find attached a proposed SB778 SD2 HD2.** This proposed Senate draft: (1) Provides that the purpose of this Act is to require the DOE to develop annual non-translated assessments in the Hawaiian language for language arts, mathematics, and science subjects in accordance with federal accountability assessment requirements; (2) Makes express references to the \$1,000,000 appropriation made to the DOE by the 2013 State Legislature to develop assessments in the Hawaiian language, and to the three-year memorandum of agreement between the DOE and the University of Hawai'i to develop non-translated Hawaiian language assessments for Kaiapuni students in grades three and four; (3) Requires the DOE to submit a preliminary and final report to the 2016 and 2017 State Legislatures on the status of the development and administration of non-translated Hawaiian language assessments, the status of any federal compliance issues and waivers sought from the United States Department of Education, the DOE's long-term plan to develop and administer non-translated Hawaiian language assessments for each of the required grade levels under federal accountability requirements, and its relevant funding projections; (4) Provides an appropriation to the DOE for the continued development and administration of annual non-translated assessments in the Hawaiian language; and (5) Removes amendments to Hawai'i Revised Statutes Chapter 302H. OHA believes that this proposed draft will provide the needed direction and support to finally address the long-standing assessment challenges of our Kaiapuni schools.

Accordingly, OHA urges the Committee to **PASS WITH AMENDMENTS** SB778 SD2 HD1. Mahalo nui for the opportunity to testify on this measure.

A BILL FOR AN ACT

RELATING TO EDUCATION.

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 1980s. The Hawaiian language immersion program,
11 ka papahana kaiapuni, is offered at twenty public schools and
12 educates more than two thousand students in kindergarten through
13 the twelfth grade.

14 Federal accountability assessment requirements present a
15 challenge for ka papahana kaiapuni. Because English is not
16 formally introduced in kaiapuni classrooms until the fifth
17 grade, third and fourth grade kaiapuni students have been
18 offered assessments in the Hawaiian language in order to comply

1 with federal accountability assessment requirements. Beginning
2 in the 2005-2006 school year and through the 2010-2011 school
3 years, these students were offered the Hawaiian aligned
4 portfolio assessment, which was developed in the Hawaiian
5 language, specifically for ka papahana kaiapuni. During school
6 years 2011-2012 through 2013-2014, English-to-Hawaiian
7 translations of the Hawaii state assessment were instead offered
8 to third and fourth grade kaiapuni students. These translated
9 assessments contained numerous flaws, including inconsistent and
10 inaccurate translations, and as a result, failed to accurately
11 measure kaiapuni students' academic achievement.

12 However, according to board of education policy 2105, "the
13 program's effectiveness requires the development and proper
14 administration of appropriate formative and summative assessment
15 tools. These program evaluation tools should be in alignment
16 with the State's kaiapuni curriculum and measure student growth
17 and proficiency with the goal to prepare students for success in
18 college, career and community."

19 Act 134, Session Laws of Hawaii 2013, appropriated
20 \$1,000,000 to the department of education for the development of
21 "a common core state standards assessment in the Hawaiian
22 language." In 2014, the department of education entered into a

1 three-year memorandum of agreement with the university of Hawaii
2 to develop non-translated Hawaiian language assessments for
3 kaiapuni students in grades three and four.

4 The purpose of this Act is to require the department of
5 education to develop annual non-translated assessments in the
6 Hawaiian language for language arts, mathematics, and science
7 subjects, in accordance with federal accountability assessment
8 requirements, to be administered to kaiapuni students in certain
9 grades.

10 SECTION 2. No later than twenty days prior to the
11 convening of the regular sessions of 2016 and 2017, the
12 department of education shall prepare and submit a preliminary
13 and a final report, respectively, to the legislature on:

- 14 (1) The status of the development and administration of
15 the non-translated Hawaiian language assessments
16 pursuant to this Act;
- 17 (2) The status of federal compliance issues relating to
18 the non-translated Hawaiian language assessments,
19 including the status of any waivers sought from the
20 United States Department of Education; and
- 21 (3) Any other actions taken to comply with this Act;

1 Provided that the final report include the department's
2 long-term plan to develop and administer non-translated Hawaiian
3 language assessments, for each of the grade levels required for
4 federal accountability purposes, including funding projections
5 and any federal compliance issues.

6 SECTION 3. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so much
8 thereof as may be necessary for fiscal year 2015-2016 and the
9 same sum or so much thereof as may be necessary for fiscal year
10 2016-2017 for the continued development and administration of
11 annual non-translated assessments in the Hawaiian language as
12 required by section 2 of this Act.

13 The sums appropriated shall be expended by the department
14 of education for the purposes of this Act.

15 SECTION 4. This Act shall take effect upon approval.

16



KAMEHAMEHA SCHOOLS®

TO: Honorable Roy Takumi, Chair
Honorable Takashi Ohno, Vice Chair
Members of the Committee on Education

DATE: March 25, 2015
TIME: 2:00 p.m.
PLACE: Conference Room 309
Hawai'i State Capitol

FROM: Kamehameha Schools

RE: SENATE BILL 778, SD 1, HD1 RELATING TO EDUCATION

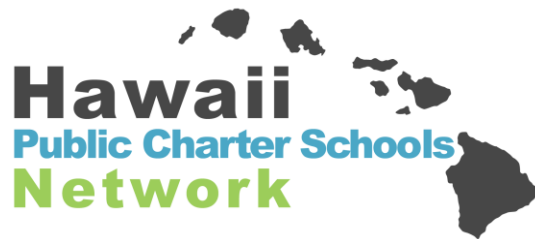
Chair Takumi, Vice Chair Ohno and members of the Committee,

Thank you for this opportunity to testify in support of SB 778, SD 1, HD1 relating to education.

The purpose of this bill is to require the department of education to develop annual assessments in the Hawaiian language for language arts, mathematics, and science subjects, in accordance with federal accountability assessment requirements, to be administered to kalapuni students in certain grades.

Kamehameha Schools supports promoting the achievement and success of Hawai'i's public school students and, as such, has been a collaborator with the Hawai'i Department of Education to promote Hawaiian language immersion programs and culture-based learning. Through this work, we hope to significantly impact more children and their families through education. We believe this measure will help support students and their families who make positive choices for Hawaiian language education and ultimately enhance both achievement and engagement for students across Hawai'i.

Thank you for the opportunity to testify on this measure.



LATE

State of Hawaii, House of Representatives
Committee on Education

DATE: Wednesday, March 25, 2015
TIME: 2:00 p.m.
PLACE: Conference Room 309, Hawaii State Capitol

Chair Takumi, Vice Chair Ohno, and Members of the Committee,

Re: SB778 SD2 HD1RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM

Mahalo for the opportunity to testify *in support* of SB778 SD2 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 HIDOE 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

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Odegaard	Hawaii Bilingual / Hawaii 'Olelo Palua	Support	No

Comments: Hawai'i Bilingual / Hawai'i 'Ōlelo Pālua strongly SUPPORTS SB778 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. We 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. We urge the committee to PASS this bill.

KALIHI PALAMA HAWAIIAN CIVIC CLUB

Email: mkhan@hawaiiantel.net

TESTIMONY IN SUPPORT WITH AMENDMENT
of SB 778, SD2, HD1, RELATING TO EDUCATION

Committee on Education
March 25, 2:00 p.m., Conf Rm 309

Representative Roy M. Takumi, Chair
Representative Takashi Ohno, Vice Chair
Members, Committee on Education

Aloha,

The Kalihi Palama Hawaiian Civic Club testifies in support, with amendment, SB778, SD2, HD1 that requires and appropriates funds for the Dept of Education to develop an assessment in the Hawaiian language of established statewide performance standards for students in the ka papahana kaiapuni program by the 2020-2021 school year. Requires reports to the legislature.

The legislature and the community have been working on this issue for several years. In fact, within the last two years, the legislature funded the DOE to develop the assessment. Thus, we kindly ask that the bill be amended to “require” the development of the annual assessment by 2016, which should be doable given that the DOE has already begun work on this, with “implementation” by the 2018-2019 school year. As it reads now, the deadline for “development” and “implementation” is the 2020-2021 school year.

As noted in the bill, the lack of a sound assessment has adversely impacted on student outcomes. Thus, there is an urgency to get this situation corrected.

Mahalo for your consideration of our recommendation.

Respectfully

LEIMOMI KHAN
President

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	Ewa Puuloa Hawaiian Civic Club	Support	No

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

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

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

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

Comments: Though I do not support the incessant standardized testing in Hawai'i, I do believe that if it is going to be required that funds need to be allocated. The Hawaiian education dept. has worked hard on this effort and deserves funding.

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

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

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	Individual	Support	No

SB778

Submitted on: 3/23/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Shane Nelsen	Individual	Support	No

SB778

Submitted on: 3/24/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

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

SB778

Submitted on: 3/24/2015

Testimony for EDN on Mar 25, 2015 14:00PM in Conference Room 309

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