
A BILL FOR AN ACT

RELATING TO STANDARDIZED TESTING.

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

1 SECTION 1. The legislature finds that the No Child Left
2 Behind Act of 2001 and federal Department of Education Race to
3 the Top program of 2009 shifted education priorities from
4 inquiry-based teaching to standardized testing. Following the
5 enactment of No Child Left Behind and the implementation of Race
6 to the Top, Hawaii's public school system spent important
7 resources of time, money, and energy to standardized testing at
8 the expense of authentic education.

9 The legislature further finds that an overemphasis on
10 standardized testing narrows academic curricula, reduces arts
11 and cultural education, causes teachers to teach to the test,
12 decreases vocational programming, and creates a climate of
13 compliance and fear among students, teachers, and
14 administrators. Moreover, research shows that the negative
15 impacts of standardized testing most directly harm students in
16 low-income communities.



1 The legislature additionally finds that the Every Student
2 Succeeds Act of 2015, which replaced the No Child Left Behind
3 Act, permits states to reduce the amount of time that students
4 spend preparing for and taking standardized tests. Accordingly,
5 the purpose of this Act is to promote real-world learning
6 experiences for Hawaii's children by limiting the amount of time
7 students spend participating in standardized testing.

8 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§302A- Standardized testing limitations; opt out. (a)
12 The department shall only administer standardized tests that are
13 required by law.

14 (b) Each complex area superintendent shall submit an
15 annual report to the board that includes the number of
16 standardized tests required for each school within the complex
17 area, and the amount of instructional time devoted to
18 standardized testing at each school within the complex area.

19 (c) The board shall notify students and their parents or
20 guardians of the right to opt out of participating in
21 standardized testing.



1 (d) For purposes of this section, "standardized testing"
2 means any assessment that is scored in a consistent manner and
3 intended to measure a student's academic readiness, achievement
4 level, learning progress, or skill acquisition, including any
5 diagnostic, interim, or practice test used to prepare for such
6 an assessment."

7 SECTION 3. Section 302A-638, Hawaii Revised Statutes, is
8 amended to read as follows:

9 " ~~[+] §302A-638 [+]~~ **Evaluation of teachers and educational**
10 **officers.** The department shall establish an evaluation program
11 for all teachers and educational officers. The evaluation shall
12 be performed at least once in each school year. The program
13 shall define the criteria for evaluation and assign
14 responsibilities for the application of the criteria. The
15 evaluation of a teacher or educational officer shall be on the
16 basis of efficiency, ability, and such other criteria as the
17 department shall determine ~~[-]~~; provided that standardized tests
18 shall not be used to evaluate the performance of any teacher or
19 educational officer."

20 SECTION 4. The board of education shall amend any
21 necessary board policies relating to standardized testing or the



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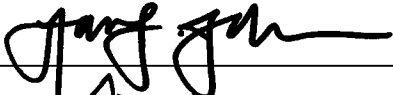
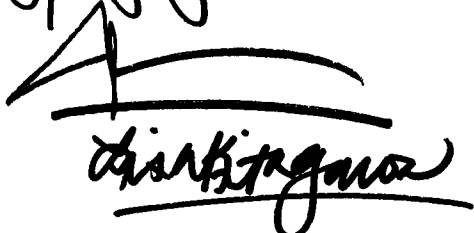
1 evaluation of teachers and educational officers to conform with
2 the requirements of this Act.

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

6

INTRODUCED BY:

JAN 15 2020



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Report Title:

Education; Standardized Testing; Opt-out

Description:

Requires each complex area superintendent to submit an annual report to the Board of Education on the number of standardized tests required for each school within the complex area and the amount of instructional time devoted to such tests. Requires the Board of Education to inform students and their parents or guardians of ability to opt out of standardized tests. Removes standardized test results as an evaluation metric on performance reviews for teachers or educational officers.

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

