
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) The board shall notify students and their parents or
15 guardians of the right to opt out of participating in
16 standardized testing, excluding those tests that are required
17 under 20 U.S.C. section 6311(b) (2), which are described in the
18 Hawaii Consolidated State Plan.

19 (c) For purposes of this section, "standardized testing"
20 means any assessment that is scored in a consistent manner and
21 intended to measure a student's academic readiness, achievement



1 level, learning progress, or skill acquisition, including any
2 diagnostic, interim, or practice test used to prepare for such
3 an assessment."

4 SECTION 3. The board of education shall amend any
5 necessary board policies relating to standardized testing or the
6 evaluation of teachers and educational officers to conform with
7 the requirements of this Act.

8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Education; Standardized Testing; Opt-out

Description:

Requires the Board of Education to inform students and their parents or guardians of ability to opt out of standardized tests. Takes effect on 7/1/2050. (HD1)

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