

STAND. COM. REP. NO. 423 -22

Honolulu, Hawaii

FEB 16 , 2022

RE: H.B. No. 438  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 438 entitled:

"A BILL FOR AN ACT RELATING TO EXTERNAL CONTRACTS IN THE DEPARTMENT OF EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Education to:

- (1) Develop a plan, in consultation with the Board of Education, to reduce the use of external contracts for curricula, instruction, and testing for public schools;
- (2) Convene an advisory committee to assist the Department in developing and implementing the plan; and
- (3) Submit an interim report, with a list of advisory committee members, findings, recommendations and a timeline for completion of the plan, and a final report that shall include the plan to the Legislature.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and two individuals. Your Committee

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received comments on this measure from the Department of Education.

Your Committee finds that during the COVID-19 pandemic, the Department of Education used the Acellus Learning Accelerator to facilitate virtual learning for students who were forced to adapt to remote learning environments. Your Committee further finds that numerous teachers, parents, and community members reported that components of the Acellus Learning Accelerator curriculum contained content that is biased against racial, sexual, and gender minorities and reflect an inaccurate, incomplete, or prejudicial view of historical events. These concerns led the Board of Education to unanimously vote in October 2020 to phase out Acellus Learning Accelerator by the end of the 2020-2021 school year. This measure will ensure that the use of external contracts for curricula, instruction, and testing for public schools will be reduced in the future to ensure the integrity, cultural appropriateness, and quality of educational programming for Hawaii's students.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to submit its interim report to the Legislature to December 31, 2023;
- (2) Requiring the Department of Education to submit its final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and
- (3) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 438, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committee on Education,

  
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JUSTIN H. WOODSON, Chair



