

JAN 25 2012

A BILL FOR AN ACT

RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM.

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.

8 Fortunately, the Hawaiian language was saved by several
9 historic initiatives, including the department of education's
10 Hawaiian language immersion program, which was launched in the
11 1980s. Today, the Hawaiian language immersion program is
12 offered at twenty-one public schools and educates more than two
13 thousand students in kindergarten through the twelfth grade.

14 The assessment requirements of the No Child Left Behind Act
15 of 2001 present a major problem for the Hawaiian language
16 immersion program. As English is not formally introduced in
17 Hawaiian language immersion program classrooms until the fifth
18 grade, third and fourth grade students take assessments in the



1 Hawaiian language to comply with the requirements of the No
2 Child Left Behind Act. Since the 2005-2006 school year, these
3 students took the Hawaiian aligned portfolio assessment, which
4 was developed in the Hawaiian language specifically for the
5 Hawaiian language immersion program. However, the department of
6 education has decided to stop using the Hawaiian aligned
7 portfolio assessment and is instead administering a Hawaiian
8 translation of the Hawaii state assessment this school year.

9 Fifth and sixth grade Hawaiian language immersion students,
10 who take the assessment tests in English, are also at a
11 disadvantage, since they have spent only a limited amount of
12 time using an English-based curriculum. As a result, the
13 English-administered assessments for these students are unlikely
14 to be an accurate reflection of their individual abilities, or
15 their standing among their peers in English language-based
16 schools.

17 In addition, a number of problems arise when a test is
18 translated from one language to another. One problem is that,
19 in many cases, the construct of the test will have changed
20 because of the translation. For example, an English reading
21 test, once translated into Hawaiian, does not necessarily
22 measure reading proficiency in either English or Hawaiian.



1 These translation problems can be mitigated through the
2 development of a parallel test written originally in the
3 Hawaiian language.

4 The legislature finds that the Hawaiian language is a
5 critical component of the heritage of the State of Hawaii, and
6 the State has a solemn obligation to perpetuate the Hawaiian
7 language. For example, the Hawaii constitution recognizes the
8 Hawaiian language as one of the two official languages of the
9 State. Moreover, the board of education has adopted a policy
10 (Board of Education Policy 2105) acknowledging that its Hawaiian
11 language immersion program is "an essential component to the
12 revitalization and continuation of the Hawaiian language and
13 culture."

14 Furthermore, the federal Native American Languages Act of
15 1990 recognizes the United States' responsibility to ensure the
16 survival of Native American languages and establishes the
17 nation's policy of encouraging and supporting the use of Native
18 American languages as a medium of instruction to help preserve
19 those languages.

20 In light of this, the legislature further finds that to
21 uphold its obligation to perpetuate the Hawaiian language, the
22 department of education must provide the students of the



1 Hawaiian language immersion program with an assessment system
2 that most accurately measures their academic achievement.

3 The purpose of this Act is to require the:

4 (1) Reading, math, science, and other assessments
5 administered to students in grades three through six
6 of the department of education's Hawaiian language
7 immersion program to be developed originally in the
8 Hawaiian language; and

9 (2) Board of education to adopt rules establishing
10 procedures for the development of these assessments in
11 collaboration with the Hawaiian language community.

12 SECTION 2. The Hawaii Revised Statutes is amended by
13 adding a new chapter to be appropriately designated and to read
14 as follows:

15 "CHAPTER

16 HAWAIIAN LANGUAGE IMMERSION PROGRAM

17 § -1 Assessments. (a) The reading, math, science, and
18 other assessments administered to students in grades three
19 through six of the department of education's Hawaiian language
20 immersion program shall be developed originally in the Hawaiian
21 language and include accommodations regularly provided to these
22 students in their classrooms.



1 (b) The assessments shall not be Hawaiian translations of
2 the general state assessments and shall be:

3 (1) Aligned with the vision, mission, and programmatic
4 goals of the Hawaiian language immersion program;

5 (2) Aligned with state academic content and achievement
6 standards;

7 (3) Valid, reliable, and consistent with relevant,
8 nationally recognized professional and technical
9 standards; and

10 (4) Compliant with federal requirements.

11 (c) All ancillary assessment materials and tools that are
12 made available to students taking the general state assessment
13 shall also be made available in the Hawaiian language to
14 students in the Hawaiian language immersion program.

15 (d) The board of education shall adopt rules establishing
16 procedures for the development of these assessments, including
17 the requirement that the Hawaiian language community, including
18 the department's Hawaiian education program section, the Aha
19 Kauleo Kaiapuni Hawaii, members of Hawaiian language immersion
20 program schools and the Hawaiian language programs at the
21 University of Hawaii at Hilo and the University of Hawaii at



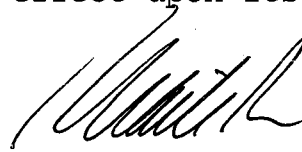
1 Manoa, be consulted and collaborated with in good faith
2 throughout the drafting and review of the assessments."

3 SECTION 3. The department of education shall report to the
4 legislature no later than twenty days prior to the convening of
5 the regular sessions of 2013 and 2014, on the status of the
6 development and administration of reading, math, science, and
7 other assessments in the Hawaiian language for students in
8 grades three through six of the department of education's
9 Hawaiian language immersion program.

10 SECTION 4. This Act shall take effect upon its approval.

11

INTRODUCED BY: _____



S.B. NO. 3009

Report Title:

Hawaiian Language Immersion Program; Student Assessment

Description:

Requires reading, math, science, and other assessments administered to students in grades three through six of the department of education's Hawaiian language immersion program to be developed originally in the Hawaiian language; requires the board of education to adopt rules establishing procedures for the development of these assessments in collaboration with the Hawaiian language community; requires status reports to the 2013 and 2014 legislatures.

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

