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# 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 Hawai'i 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. Today, the Hawaiian language immersion  
11 program is offered at twenty-one public schools and educates  
12 more than two thousand students in kindergarten through the  
13 twelfth grade.

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



1 language to comply with the requirements of the No Child Left  
2 Behind Act. During the 2005-2006 and through the 2010-2011  
3 school years, these students have been taking the Hawaiian  
4 aligned portfolio assessment, which was developed in the  
5 Hawaiian language specifically for the Hawaiian language  
6 immersion program, to comply with the requirements of the No  
7 Child Left Behind Act.

8       The legislature finds that the Hawaiian language is a  
9 critical component of the heritage of the State of Hawai'i, and  
10 that the State has a solemn obligation to perpetuate the  
11 Hawaiian language. For example, the Hawai'i state constitution  
12 recognizes the Hawaiian language as one of two official  
13 languages of the State. Moreover, the board of education has  
14 adopted a policy, board of education policy 2105, acknowledging  
15 that its Hawaiian language immersion program is "an essential  
16 component to the revitalization and continuation of the Hawaiian  
17 language and culture." The policy further states that one of  
18 the goals of the Hawaiian language immersion program is to set a  
19 challenging curriculum that follows the Hawaii content and  
20 performance standards.

21       Furthermore, the federal Native American Languages Act of  
22 1990 recognizes the United States' responsibility to ensure the



1 survival of Native American languages and establishes the  
2 nation's policy of encouraging and supporting the use of Native  
3 American languages as a medium of instruction to help preserve  
4 those languages.

5 The legislature further finds that to uphold its obligation  
6 to perpetuate the Hawaiian language, the department of education  
7 must provide the students of the Hawaiian language immersion  
8 program with an assessment system that most accurately measures  
9 their academic achievement.

10 The purpose of this Act is to require the department of  
11 education to develop annual assessments in the Hawaiian language  
12 in language arts, mathematics, and science to be administered to  
13 students in grades three through six of the department of  
14 education's Hawaiian language immersion program.

15 SECTION 2. The Hawaii Revised Statutes is amended by  
16 adding a new chapter to be appropriately designated and to read  
17 as follows:

18 **"CHAPTER**

19 **HAWAIIAN LANGUAGE IMMERSION PROGRAM**

20 **§ -1 Assessments.** (a) The department of education, for  
21 purposes of educational accountability under the No Child Left



1 Behind Act of 2001, shall develop annual assessments in the  
2 Hawaiian language:

- 3 (1) In language arts and mathematics, to be administered  
4 to Hawaiian language immersion program students in  
5 grades three through six; and
- 6 (2) In science, to be administered to Hawaiian language  
7 immersion program students in grade four.

8 The assessments shall be administered annually commencing with  
9 the 2014-2015 school year.

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

- 12 (1) Aligned with the common core state standards or the  
13 Hawaii content and performance standards III, as  
14 appropriate;
- 15 (2) Valid, reliable, and consistent with nationally  
16 recognized professional and technical standards; and
- 17 (3) Compliant with the No Child Left Behind Act of 2001.

18 (c) All ancillary assessment materials and tools that are  
19 made available to students taking the general state assessment  
20 shall also be made available in the Hawaiian language to  
21 students in the Hawaiian language immersion program to the  
22 extent that these materials and tools can be adapted for use in



1 the Hawaiian language. The department of education shall work  
2 with the Hawaiian language community and any contractor to  
3 develop the ancillary materials and tools required under this  
4 subsection. Such materials and tools shall be comparable to  
5 those developed for Smarter Balanced Assessment Consortium  
6 assessments aligned with the common core state standards.

7 (d) The department of education, with the assistance of  
8 the Hawaiian language community, including the 'Aha Kauleo  
9 Kaiapuni Hawai'i, members of the Hawaiian language immersion  
10 program schools, the Hawaiian language programs at the  
11 University of Hawaii at Hilo and the University of Hawaii at  
12 Manoa, the office of Hawaiian affairs, and other Hawaiian  
13 language community organizations, shall develop:

14 (1) Common core state standards assessments for students  
15 in grades three through six; and

16 (2) A Hawaii content and performance standards, third  
17 edition, science assessment for students in grade  
18 four,

19 as required under subsection (a)."

20 SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ or so much  
22 thereof as may be necessary for fiscal year 2013-2014 and the



1 same sum or so much thereof as may be necessary for fiscal year  
2 2014-2015 to develop curriculum and professional development  
3 materials for teachers in Hawaiian language immersion program  
4 schools.

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

7 SECTION 4. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so much  
9 thereof as may be necessary for fiscal year 2013-2014 and the  
10 same sum or so much thereof as may be necessary for fiscal year  
11 2014-2015 to develop the assessments required pursuant to  
12 chapter , Hawaii Revised Statutes.

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

15 SECTION 5. The department of education shall report to the  
16 legislature on the status of the procedures for the development  
17 of assessments in the Hawaiian language, pursuant to section  
18 -1, Hawaii Revised Statutes, including the estimated costs  
19 and other critical resources or agreements for the development  
20 of the assessments, no later than twenty days prior to the  
21 convening of the regular session of 2014.

22 SECTION 6. This Act shall take effect on July 1, 2013.



**Report Title:**

Hawaiian Language Immersion Program; Student Assessment

**Description:**

Requires the Department of Education to develop annual assessments in the Hawaiian language in language arts and mathematics for students in grades three through six, and in science for students in grade four in the Hawaiian language immersion program. Effective July 1, 2013. (HB224 HD1)

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

