
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that education is the
2 bedrock of a healthy democracy. To advance the fundamental
3 democratic principles of equality, liberty, and justice for all,
4 a quality school system must deliver instruction that is
5 historically and scientifically accurate and free from
6 discrimination.

7 The legislature further finds that the department of
8 education used the Acellus Learning Accelerator to facilitate
9 virtual learning during the coronavirus disease 2019 pandemic.
10 However, teachers, parents, and community members found that the
11 Acellus Learning Accelerator curriculum contains content that
12 engages in racial, sexual, gender-based, and religious
13 discrimination. Teachers and parents also expressed concerns
14 that certain content provided by Acellus Learning Accelerator is
15 historically prejudicial and scientifically inaccurate. In
16 October 2020, these concerns prompted the board of education to
17 direct the department of education to phase out the Acellus



1 Learning Accelerator curriculum by the end of the 2020-2021
2 school year.

3 The legislature additionally finds that social justice
4 issues are a growing concern for Hawaii and the rest of the
5 United States. In 2020, large protests were coordinated in
6 Hawaii and throughout the nation to highlight systemic racism,
7 economic inequality, and police abuse faced by minority
8 communities. These demonstrations highlighted the urgency of
9 establishing structural reforms to address socioeconomic
10 inequality. The legislature therefore finds that to prepare
11 students to participate in the development of a more equal
12 society, it is important to create educational content that is
13 culturally relevant, nondiscriminatory, and inclusive of the
14 historical injustices endured by marginalized populations.

15 The purpose of this Act is to advance equality in Hawaii's
16 public education system by requiring:

- 17 (1) The board of education to adopt performance standards
18 that are culturally relevant, historically and
19 scientifically accurate, and nondiscriminatory;
- 20 (2) A standards-based curriculum and educational materials
21 that are nondiscriminatory with regard to race,



1 ethnicity, sex, gender identity or expression, sexual
2 orientation, color, religion, ancestry, or disability;
3 and

4 (3) School complexes to develop, to the greatest extent
5 possible, a standards-based curriculum that includes
6 content on the injustice endured by the indigenous
7 people of Hawaii and other historically
8 underrepresented populations.

9 SECTION 2. Section 302A-201, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§302A-201 Statewide performance standards.** The board
12 shall establish statewide performance standards and the means to
13 assess the standards based upon the recommendations in the final
14 report of the performance standards commission established
15 pursuant to Act 334, Session Laws of Hawaii 1991; provided that
16 the board may review and modify the performance standards, as
17 the board deems necessary, to reflect the needs of public school
18 students and educational goals adopted by the board[-]; provided
19 further that the performance standards adopted by the board may
20 be culturally relevant, historically and scientifically
21 accurate, and nondiscriminatory."



1 SECTION 3. Section 302A-321, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§302A-321[+] Standards-based curriculum. (a) When
4 developing a standards-based curriculum and implementing it in a
5 school or complex, at the minimum, the curriculum and any
6 related educational materials shall:

7 (1) Be specific in its standards-based scope and sequence
8 over a school year for each grade level and course;

9 (2) Be consistent in course content;

10 (3) Be aligned across all grade levels;

11 (4) Specifically address the state content and performance
12 standards and related benchmark maps; [~~and~~]

13 (5) Be implemented in all appropriate classrooms in the
14 school or complex[~~-~~];

15 provided that the curriculum may be historically and
16 scientifically accurate and nondiscriminatory with regard to
17 race, ethnicity, sex, gender identity or expression, sexual
18 orientation, color, religion, ancestry, or disability.

19 (b) School complexes may choose to develop an articulated
20 and aligned K-12 standards-based curriculum in one or more of
21 the following core content areas:



1 (1) Language arts;

2 (2) Mathematics;

3 (3) Science; and

4 (4) Social studies.

5 (c) School complexes shall provide professional
6 development.

7 (d) School complexes that develop a standards-based
8 curriculum shall use standards-based formative assessment tools
9 to monitor student progress, not less than on a quarterly basis
10 throughout the school year.

11 (e) School complexes shall develop rigorous
12 classroom-based performance assessments.

13 (f) School complexes may implement software programs at
14 the school level to help to align school course material with
15 Hawaii content and performance and federal educational
16 standards.

17 (g) To the greatest extent possible, school complexes
18 shall develop a standards-based curriculum that includes content
19 on the historical injustice, cultural subjugation, and
20 discrimination faced by the indigenous people of Hawaii and



1 other historically underrepresented populations as applicable to
2 units of study."

3 SECTION 4. The department shall submit a report to the
4 legislature regarding the implementation of this Act no later
5 than twenty days prior to the convening of the regular sessions
6 of 2022 and 2023.

7 The report shall include:

- 8 (1) Efforts made to improve the cultural relevance,
9 historical and scientific accuracy, inclusivity, and
10 nondiscrimination of Hawaii's performance standards
11 and standards-based curricula;
- 12 (2) Policies adopted to assist teachers, parents, and
13 community members in reporting inaccurate or
14 discriminatory educational content;
- 15 (3) Opportunities for increasing teacher engagement in the
16 development of culturally relevant, historically and
17 scientifically accurate, and nondiscriminatory
18 performance standards and standards-based curricula;
19 and
- 20 (4) Any proposed legislation.



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Statewide Performance Standards; Standards-Based Curriculum;
Nondiscrimination; Education Equality

Description:

Allows the board of education to develop statewide performance standards to be culturally relevant, historically and scientifically accurate, and nondiscriminatory. Authorizes a standards-based curriculum and its related educational materials to be nondiscriminatory. Establishes certain requirements for school complexes when developing standards-based curricula. Requires reports to the legislature. Effective 7/1/2050. (SD1)

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