

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 778
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 778, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Education to establish assessments specifically for Ka Papahana Kaiapuni (Hawaiian language immersion program) students.

Specifically, this measure:

- (1) Requires the Department of Education to develop and implement annual assessments written in the Hawaiian language for language arts, mathematics, and science for Ka Papahana Kaiapuni students, subject to certain criteria;
- (2) Requires the Department of Education to develop procedures for the assessments with the assistance of various organizations of the Hawaiian language community;
- (3) Requires the Department of Education to submit reports to the Legislature on the status of the procedures the department is establishing for the development and administration of the assessments; and



- (4) Appropriates funds to the Department of Education for the development and administration of the assessments in the Hawaiian language.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, College of Hawaiian Language of the University of Hawaii at Hilo, and three concerned individuals. The Department of Education submitted written comments on the measure.

Your Committee finds that under the No Child Left Behind Act, assessments for Hawaiian language immersion students were made using English-to-Hawaiian translations of statewide assessments for grades 3 and 4, where the sole language of instruction is Hawaiian. These translated tests reportedly contained cultural biases, translation inaccuracies, grammatical errors, vocabulary errors, and inconsistent terminology. Your Committee believes that requiring the Department of Education to work with various Hawaiian language organizations to develop and implement assessments specifically for Hawaiian language immersion students will help to resolve the problems encountered with past assessments and will provide a fair and meaningful opportunity for the students to participate in national and state educational assessment programs.

Your Committee has amended this measure by:

- (1) Deleting the provisions regarding Hawaiian language immersion assessments that were in a new section in chapter 302A, Hawaii Revised Statutes, and placing the provisions in section 302H-5, Hawaii Revised Statutes;
- (2) Requiring that the Department of Education develop and implement the annual assessments beginning with an unspecified school year;
- (3) Requiring the Department of Education to include in its reports to the Legislature the status of the waivers sought from the United States Department of Education, as well as other actions taken to comply with the provisions of the measure; and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 778, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 778, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

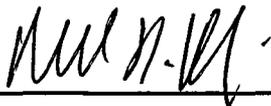


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 778 SD1	Committee Referral: HWN/EDU, WAM	Date: 3/2/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	11	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes