



**SB778 SD2 HD2**  
**RELATING TO EDUCATION**  
House Committee on Finance

April 7, 2015

2:30 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB778 SD2 HD2. This measure reflects an agreement that OHA reached with the Department of Education (DOE) regarding two legislative vehicles, SB778 and HB874, that seek to address long-standing problems with the state's standardized assessment program under the federal No Child Left Behind Act.

**This measure provides our nationally-recognized Hawaiian language immersion schools and their students with a fair and meaningful opportunity to participate in national and state educational assessment programs.** Unfortunately, for several years, schools and students in the Hawaiian language immersion program (Ka Papahana Kaiapuni or Kaiapuni) have encountered substantial challenges relating to the statewide assessments required under the federal No Child Left Behind Act. During school years 2011-2012 through 2013-2014, Kaiapuni students were offered an English-to-Hawaiian translated version of the statewide assessments for grades 3 and 4, where Hawaiian is the sole language of instruction. Due to their translated nature, these assessments are replete with problems, including cultural biases, translation inaccuracies, grammatical errors, vocabulary errors, and inconsistent terminology. Kaiapuni students in grades in which the English language is formally taught are offered only the standard English-language assessments, notwithstanding the fact that Hawaiian is still the primary language of instruction. Frustration with such nonsensical or linguistically inappropriate assessments has now led to many Kaiapuni parents "opting out" their children from taking the statewide assessments.

This long-standing problem threatens to substantially inhibit the state's and Hawaiian community's efforts to revitalize 'Ōlelo Hawai'i, one of the state's official languages, and reduce available funding for both Kaiapuni schools as well as Department of Education programs generally.

The clear solution to this problem is to allow students taught in the Hawaiian language to take educational assessments that are developed originally in Hawaiian, their primary language of instruction. Accordingly, OHA and the DOE have actively endeavored to develop a mutually acceptable and practical legislative approach to ensure that Kaiapuni students are provided with such linguistically appropriate assessment opportunities. Fortunately, such a measure has now been agreed upon.

In the spirit of continued collaboration with the DOE and affected stakeholders, OHA and the DOE joined in proposing amendments to the previous version of this measure to provide an appropriation to continue the development of non-translated assessments for Kaiapuni students, and to require a report to the 2016 and 2017 Legislature that includes status updates, identification of federal compliance issues, funding projections, and a long-term plan towards the full implementation of non-translated Hawaiian language assessments for language arts, mathematics, and science for each of the grade levels required for federal accountability purposes.

OHA offers the following recommended amendments to allow this measure to achieve the full benefits contemplated by OHA and the DOE:

Amend page 3, lines 6-7, to read as follows:

The purpose of this Act is to make an appropriation to support the department of education's continued development of non-translated assessments in the Hawaiian language, and to require the department of education to report on the status of annual non-translated assessments in the

Amend page 4, lines 13-15 to read as follows:

2016-2017 for the continued development of non-translated assessments in the Hawaiian language and to report on the status and long-term development and administration of annual non-translated assessments in the Hawaiian language.

Accordingly, OHA urges the Committee to **PASS WITH AMENDMENTS** SB778 SD2 HD2. Mahalo nui for the opportunity to testify on this measure.

DAVID Y. IGE  
GOVERNOR



KATHRYN S. MATAYOSHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 04/07/2015  
**Time:** 02:30 PM  
**Location:** 308  
**Committee:** House Finance

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 0778, SD2, HD2 RELATING TO EDUCATION.

**Purpose of Bill:** Requires, and appropriates funds for, the Department of Education to continue developing and administering annual non-translated assessments in the Hawaiian language of established statewide performance standards for students in the Hawaiian language immersion program. Requires a preliminary and final report to the Legislature. (SB778 HD2)

**Department's Position:**

The Department of Education supports the intent and substantive content of SB 0778 SD2 HD2.

Thank you for the opportunity to provide testimony on SB 0778 SD2 HD2.

DAVID Y. IGE  
GOVERNOR



CATHERINE PAYNE  
CHAIRPERSON

STATE OF HAWAII  
**STATE PUBLIC CHARTER SCHOOL COMMISSION**  
**(‘AHA KULA HO‘ĀMANA)**

<http://CharterCommission.Hawaii.Gov>  
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813  
Tel: (808) 586-3775 Fax: (808) 586-3776

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FOR: SB778 SD2 HD2 Relating to Education  
DATE: Tuesday, April 7, 2015  
TIME: 2:30 p.m.  
COMMITTEE(S): House Committee on Finance  
ROOM: Conference Room 308  
FROM: Tom Hutton, Executive Director  
State Public Charter School Commission

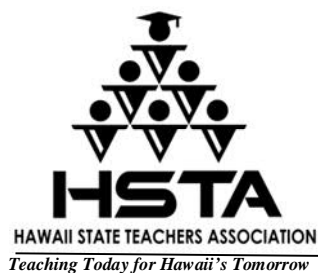
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Chair Luke, Vice Chair Nishimoto, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this written testimony in support of the intent of Senate Bill 778 SD2 HD2, “Relating to Education,” which would require the Department of Education (“DOE”) to develop and implement state assessments in the Hawaiian language that are not Hawaiian translations of the general state assessments.

This issue is of great importance to Hawaii’s charter school system, as public charter schools are subject to the same state assessment requirements as all other public schools, and six of them deliver some or all of their instruction through the Hawaiian language. In the absence of Hawaiian language assessments, under an option the Commission made available to these schools as a short-term mitigating measure, five of the six schools requested that the Commission exclude the Hawaii State Bridge Assessment results for some younger grades from consideration under the Commission’s Academic Performance Framework for charter schools, because students in those grades are taught exclusively or primarily in Hawaiian. The Commission defers to the DOE as to the timing and merits of this particular bill but supports the intent of providing the additional support and resources needed to help enable Hawaii’s educational infrastructure reflect the fact that our state has two official languages.

Thank you for the opportunity to provide this testimony.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819  
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: [www.hsta.org](http://www.hsta.org)

Wil Okabe  
President  
Joan Kamila Lewis  
Vice President  
Colleen Pasco  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE HOUSE  
COMMITTEE ON FINANCE

DATE: APRIL 7, 2015

RE: SB 778, SD2, HD2 – HAWAIIAN LANGUAGE ASSESSMENTS

PERSON TESTIFYING: JOAN LEWIS, VICE PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chair Sylvia Luke, Vice Chair Scott Nishimoto and Members of the Committee:

THE HAWAII STATE TEACHERS ASSOCIATION (HSTA) specifically the Hawaiian Language Immersion teachers that are in both public school systems, we thank you for the opportunity to share our **SUPPORT of the INTENT of SB 778, SD2, HD2 with COMMENTS.**

When the session first started, HSTA was in strong support of the measure. We believed that it was in keeping with the commitment the state of Hawai'i made when they first provided for full Hawaiian Immersion Education.

While no one could have predicted the impact that the standardized testing frenzy would bring to our educational system, it is clear that no public school program is immune from it. Standardized testing, in any form, seems to be the antithesis of the kind of authentic learning that occurs in our immersion schools. Its presence, however, will remain until Federal law changes.

This is why the legislation before you matters. If we are going to abide by Federal law AND do right by our beliefs about immersion education, we must have assessments developed in the language in which our children learn. It is clear, both from the feedback that we have received from our affected members, and from the testimony that we have heard, that this journey is nowhere near done and as such, requires more time to get it right.

HSTA's primary concern at this point is for our students, our teachers and our immersion schools. We ask for support in ensuring that the assessments be developed in a manner that addresses the concerns of all affected parties. More importantly, we ask that until that journey is concluded, our students, teachers and immersion schools are held harmless. Whether this be with waivers or modifications or any remedy that can be enacted, we believe that the very people and entities engaged in this good work should be supported, protected, and ultimately provided what they need to do what the state of Hawai'i has asked of them.

Thank you for allowing us to share our comments on this important matter before you.

HSTA **SUPPORTS the INTENT of SB778, SD2, HD2 with COMMENTS.**

From: mailinglist@capitol.hawaii.gov  
Sent: Friday, April 03, 2015 9:26 AM  
To: FINTestimony  
Cc: mkhan@hawaiiantel.net  
Subject: Submitted testimony for SB778 on Apr 7, 2015 14:30PM

**SB778**

Submitted on: 4/3/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Kalihi Palama Hawaiian Civic Club	Support	No

Comments: The Kalihi Palama Hawaiian Civic Club continues to testify in support of SB778, now with SD2, HD2, that requires the Dept of Education to develop non-translated assessments in the Hawaiian language of established statewide performance standards for students in the ka papahana kaiapuni program and requires the DoD to report its progress to the legislature. The legislature and the community have been working on this issue for several years. In fact, within the last two years, the legislature funded the DOE to develop the assessment. The lack of a sound assessment has adversely impacted on student outcomes. Thus, the legislature's passage of this measure should help to expedite correction of this situation. We encourage the Finance Committee to please pass SB778, SD2, HD2.

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 06, 2015 2:08 PM  
To: FINTestimony  
Cc: kealohafox@gmail.com  
Subject: Submitted testimony for SB778 on Apr 7, 2015 14:30PM

**SB778**

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Leanne Fox	Individual	Support	No

Comments: I strongly SUPPORT SB778 which would require the Department of Education to collaborate with the Hawaiian language community to develop accurate assessment tests for our Hawaiian language immersion students. I believe that the perpetuation of the Hawaiian language holds significant importance to the identity of our state and should be valued. As such, Hawaiian language immersion students and families who have chosen immersion education over traditional school deserve an assessment that accurately reflects their knowledge base rooted in their cultural practices. I urge the committee to PASS this bill.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 06, 2015 2:23 PM  
**To:** FINTestimony  
**Cc:** pohaimm@gmail.com  
**Subject:** \*Submitted testimony for SB778 on Apr 7, 2015 14:30PM\*

### **SB778**

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
C.R.P. Montague-Mullins	Individual	Support	No

### Comments:

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April 6, 2015

**LATE**

Hon. Rep. Sylvia Luke, Chair, House Committee on Finance  
Hon. Rep. Scott Y. Nishimoto, Vice Chair, House Committee on Finance  
Members of the House Committee on Finance  
Hawai'i State Legislature State Capitol  
Honolulu, HI 96813

RE: Testimony in support of SB 778 SD2 HD2, RELATING TO EDUCATION

Dear Chair Luke and Members of the Committee:

Thank you for the opportunity to provide testimony.

I wholeheartedly **support** the proposed legislation that requires, and appropriates funds for, the Department of Education to continue the development and administration of non-translated assessments in the Hawaiian language of established statewide performance standards for students in *ka papahana kaiapuni*.

As a doctoral candidate in clinical psychology at the University of Hawai'i at Mānoa, I have gained clinical and research experience related to issues in educational and psychological assessment. "Standard" English test formats have factors that can confound scores of students from diverse educational backgrounds (Cawthon et al., 2013), and translated tests can result in cultural biases (Hambleton & Patsula, 1998). Thus, it is imperative to develop assessments for *ka papahana kaiapuni* students in their native language.

Creating an assessment in a student's native language is extremely important, given the language and cultural expectations embedded in a test. The *Standards for Educational and Psychological Testing* caution that any test including a language component, at least partially measures a student's language skill in the tested language (American Educational Research Association [AERA], American Psychological Association [APA], National Council on Measurement in Education [NCME], 2014). Thus, even tests intended to measure a construct thought to be independent of language ability (e.g. math problem solving) disadvantage students with limited proficiency in the tested language and interfere with a fair and valid measurement of the construct intended (Ercikan & Lyons-Thomas, 2013; Stansfield, 2003). Furthermore, items of a standardized norm-referenced test in English might include content that is not appropriate for students with different cultural backgrounds who primarily speak and are instructed in their native language (Estrin & Nelson-Barber, 1996).

There are many potential adverse implications for students who are assessed in a language in which they are not proficient including underestimating their competencies, inappropriate labeling (e.g. learning disabled, intellectually impaired), and even incorrect diagnoses (Ercikan & Lyons-Thomas, 2013). Studies have found low test scores of bilingual students have been interpreted as evidence of disorders or deficits (August & Hakuta, 1997) and often underestimate their achievement abilities (Alderman, 1981). Such mistakenly low estimates of students' abilities have consequences for the students, their teachers, and their school. As performance on

statewide assessments is being used for important school-based decisions, low scores may result in inappropriate educational placement for these students (Jacob, 2009; Robinson, 2010). Additionally, repeatedly scoring low on these assessments, can suggest to students that their mastery of a concept is lower than they thought, which might affect their self-efficacy in that subject area and later performance in that area (e.g., Pajares & Miller, 1994; Robinson, 2010).

As test formats in English have factors that can disadvantage scores of students from different educational and language backgrounds, and have potential negative consequences for these students, it is vital that we develop assessments in the Hawaiian language for *ka papahana kaiapuni* students. **I strongly urge the committee to pass SB 778.** Mahalo nui for the opportunity to testify.

Aloha,

Puanani Hee, M.A.  
Ph.D. Candidate  
Clinical Studies Program  
Department of Psychology  
University of Hawai'i at Mānoa



KAMEHAMEHA SCHOOLS®

**LATE**

TO: Honorable Sylvia Luke, Chair  
Honorable Scott Nishimoto, Vice Chair  
Members of the Committee on Finance

DATE: April 7, 2015  
TIME: 9:00 a.m.2:30 p.m.  
PLACE: Conference Room 308  
Hawai'i State Capitol

FROM: Kamehameha Schools

RE: SENATE BILL 778, SD 1, HD2, RELATING TO EDUCATION

Chair Luke, Vice Chair Nishimoto and members of the Committee,

Thank you for this opportunity to testify in support of SB 778, SD 1, HD 2, relating to education.

The purpose of this bill is to require the department of education to develop annual assessments in the Hawaiian language for language arts, mathematics, and science subjects, in accordance with federal accountability assessment requirements, to be administered to kaiaipuni students in certain grades.

Kamehameha Schools supports promoting the achievement and success of Hawai'i's public school students and, as such, has been a collaborator with the Hawai'i Department of Education to promote Hawaiian language immersion programs and culture-based learning. Through this work, we hope to significantly impact more children and their families through education. We believe this measure will help support students and their families who make positive choices for Hawaiian language education and ultimately enhance both achievement and engagement for students across Hawai'i.

Thank you for the opportunity to testify on this measure.

finance1-Kim

**LATE**

From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 06, 2015 2:55 PM  
To: FINTestimony  
Cc: kaimomuhlestein@yahoo.com  
Subject: \*Submitted testimony for SB778 on Apr 7, 2015 14:30PM\*

**SB778**

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimo Muhlestein	Individual	Support	No

Comments:

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finance1-Kim

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Cc: ikepono@hotmail.com  
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**SB778**

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	King Kamehameha HCC	Support	No

Comments:

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Sent: Monday, April 06, 2015 2:49 PM  
To: FINTestimony  
Cc: ikepono@hotmail.com  
Subject: \*Submitted testimony for SB778 on Apr 7, 2015 14:30PM\*

**SB778**

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	Ewa Puuloa Hawaiian Civic Club	Support	No

**Comments:**

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