
A BILL FOR AN ACT

RELATING TO EXTERNAL CONTRACTS IN THE DEPARTMENT OF EDUCATION.

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

1 SECTION 1. The legislature finds that the ethnic and
2 socioeconomic diversity of Hawaii's public school student
3 population requires that providers and facilitators of curricula
4 and learning materials be familiar with such unique attributes
5 of Hawaii's students. Empowering professionals who are most
6 directly involved with instructional delivery, especially
7 teachers, to develop learning materials will ensure that
8 students are provided with educational opportunities that are
9 culturally sensitive and account for different learning styles.

10 The legislature also finds that the department of education
11 used the Acellus Learning Accelerator to facilitate virtual
12 learning for students who were forced to adapt to remote
13 learning environments during the COVID-19 pandemic. Acellus
14 Learning Accelerator's educational programs were developed by
15 founder Roger Billings, who has come under scrutiny and
16 criticism because of various allegations against him and
17 complaints concerning substandard content and the quality of the



1 online program. Numerous teachers, parents, and community
2 members have reported that components of the Acellus Learning
3 Accelerator curriculum contain content that is biased against
4 racial, sexual, and gender minorities and reflect an inaccurate,
5 incomplete, or prejudicial view of historical events. In
6 October 2020, these concerns led the board of education to
7 unanimously vote to phase out Acellus Learning Accelerator as a
8 virtual learning program by the end of the 2020-2021 school
9 year. In November 2020, the department of education released
10 its report on the curriculum, affirming previously raised
11 concerns and finding that the lessons were not aligned with
12 Hawaii content performance standards.

13 The purpose of this Act is to advance the integrity,
14 cultural appropriateness, and quality of educational programming
15 for Hawaii's students by requiring the department of education
16 to develop a plan to reduce the use of external contracts for
17 curricula, instruction, and testing for public schools.

18 SECTION 2. (a) In consultation with the board of
19 education, the department of education shall develop and, with
20 board approval, implement a plan to reduce the use of external
21 contracts for curricula, instruction, and testing, including



1 recommendations for additional steps to reduce external
2 contracts.

3 (b) The department of education shall convene an advisory
4 committee to make recommendations to assist the department in
5 developing and implementing the plan required by subsection (a).
6 The advisory committee shall include members from the exclusive
7 representative for bargaining unit (5) and other stakeholders
8 deemed appropriate by the department of education.

9 SECTION 3. The department of education shall submit to the
10 legislature, reports of its progress in meeting the requirements
11 of section 2 of this Act, as follows:

12 (1) An interim report no later than December 31, 2021,
13 including a list of advisory committee members,
14 findings, recommendations, and a timeline for
15 completing the plan and its implementation required by
16 section 2 of this Act; and

17 (2) A final report, which shall include the plan required
18 by section 2 of this Act and any proposed legislation
19 to implement the plan, if necessary, no later than
20 twenty days prior to the convening of the regular
21 session of 2022.



H.B. NO. 438

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

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INTRODUCED BY:

Amy Parusso

JAN 22 2021



H.B. NO. 438

Report Title:

Department of Education; External Contracts; Curricula, Instruction, and Testing; Advisory Committee

Description:

Requires the DOE, in consultation with and approval by the BOE, to develop and implement a plan to reduce the use of external contracts for curricula, instruction, and testing. Requires DOE to convene an advisory committee to make recommendations for developing and implementing the plan. Requires DOE to submit interim and final reports to the legislature.

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