

ACT 334

S.B. NO. 1381

A Bill for an Act Relating to the Creation of a Commission for Performance Standards.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that one of the unresolved issues in Hawaii's educational system is accountability. It is difficult to determine the success or failure of the system in meeting the central goal of education: students' ability to lead full and productive lives. To insure that students in Hawaii's public school system are able to master basic skills and essential competencies necessary to succeed in life, standards of achievement must be established. Further, competency or performance-based measures must be developed that would provide a meaningful measurement of how well a student can perform in tasks necessary to meet the standards of achievement set.

SECTION 2. There is established a commission for performance standards. The commission shall be placed within the department of education for administrative purposes, in accordance with section 26-35, Hawaii Revised Statutes. The commission shall set the performance standards of achievement expected of students in public schools and the means to assess educational achievement.

SECTION 3. The commission shall consist of eleven voting members. The superintendent of education, the chairperson of the board of education, and the president of the University of Hawaii, or their respective designated representatives shall serve as ex officio, voting members. The remaining eight members shall be appointed by the governor from a list of prospective appointees recommended by the board of education. The members shall represent a cross-section of the community.

The terms of all commission members shall terminate on June 30, 1993. The commission shall select a chairperson and vice-chairperson from among its members.

SECTION 4. The commission shall submit an interim report on performance standards and the means to assess educational achievement to the governor, the legislature, and the board of education by June 30, 1992. A final report shall be submitted to the governor, the legislature, and the board of education, twenty days prior to the convening of the regular session of 1993.

SECTION 5. For the purposes of this Act, "performance standards" means the levels of performance expected of students on assessments of educational achievement.

The means used to assess educational achievement may include multiple measures. These measures may include direct and indirect measures such as writing samples, portfolios, open-ended and essay questions, demonstrations, experiments, individual or group projects, or multiple-choice tests.

In conducting its work, the commission shall perform the following tasks:

- (1) Gather relevant data from a broad range of individuals and groups;
- (2) Conduct public forums to obtain broad-based community input on student performance standards;
- (3) Establish student performance standards based upon national goals

for education, Hawaii goals for education, and the Hawaii department of education's foundation program objectives, student performance expectations, and essential competencies;

- (4) Recommend assessment methods appropriate for each recommended student performance standard;
- (5) Obtain baseline data reflecting current levels of achievement in the selected performance standards; and
- (6) Establish a schedule for development and implementation of these performance standards, assessment methods, and baseline data.

SECTION 6. The commission shall consider performance standards that balance direct and indirect measures, inform instruction, and are valid, reliable, and cost-effective.

SECTION 7. The commission shall be assisted by a technical advisory panel composed of persons knowledgeable in matters pertaining to student assessment. The panel shall be appointed by the commission.

SECTION 8. The commission may engage employees necessary to perform its duties, including administrative personnel and a director, not to exceed five positions. Employees of the commission shall be exempt from chapters 76 and 77, Hawaii Revised Statutes, and excluded from collective bargaining under chapter 89, Hawaii Revised Statutes. The director shall support the activities of the commission and facilitate efforts to achieve the objectives of this Act. The responsibilities of the director shall include, but not be limited to, acting as liaison between the commission and various organizations, coordinating meetings, writing reports, keeping records, researching information, communicating with local and national experts and organizations, supervising clerical support, and other related duties.

SECTION 9. Members of the commission, except ex officio members, shall be allowed:

- (1) Compensation at the rate of \$100 per day for each day's actual attendance at meetings;
- (2) Transportation fares between islands and abroad; and
- (3) Personal expenses at the rates specified by section 78-15, Hawaii Revised Statutes, while attending commission meetings or while on official business as authorized by the chairperson, when such commission meetings or official business requires a member to leave the island upon which the member resides.

SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$230,600, or so much thereof as may be necessary for fiscal year 1991-1992, and the same sum, or so much thereof as may be necessary for fiscal year 1992-1993, to carry out the purposes of this Act. The sums appropriated shall be expended by the department of education.

SECTION 11. This Act shall take effect upon its approval, except that section 10 shall take effect on July 1, 1991.

(Approved July 8, 1991.)