

ACT 238

S.B NO. 2837

A Bill for an Act Relating to Educational Accountability.

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

SECTION 1. Section 302A-1004, Hawaii Revised Statutes, is amended to read as follows:

“§302A-1004 Educational [assessment and] accountability[;] system; annual reports. (a) The department shall [establish] implement a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system. This accountability system shall:

- (1) Include student accountability; school or collective professional accountability; individual professional accountability for teachers, principals, and other employees; and public accounting for other significant partners to the education process (including, but not limited to, parents, community members, businesses, higher education, media, and political leadership);
- [(1)] (2) Link authority and adequate resources to responsibility;
- [(2)] (3) Define clear roles for all parties and lines of responsibility and mutual obligation[;] and develop a collaborative process with stakeholders, including representatives of appropriate bargaining units, parents, administration, and students;
- [(3)] (4) Involve fair and adequate assessment against agreed upon goals;
- [(4)] (5) Invoke a full and balanced set of appropriate [actions (assistance, rewards, or sanctions) for observed performance;] consequences for observed performance, including rewards and recognition for those schools that meet or exceed their goals, assistance to those that fall short, and sanctions for those that given adequate assistance and ample time, continue to fail to meet goals;
- [(5)] (6) Involve [a]:
 - (A) A statewide student assessment program that [is explicitly aligned with the Hawaii] provides annual data on student, school, and system performance at selected benchmark grade levels in terms of student performance relative to statewide content and performance standards and embodies high and rigorous expectations for the attainment of all students; and
 - (B) An annual assessment in core subjects for each grade level, as conducted by each school;
- [(6)] (7) Involve a comprehensive school profile or report card for each school, which shall include, but not be limited to, student performance measures, school attendance, drop-out rates, and parental involvement. These reports shall be made available annually to the board, the governor, the legislature, the parents, and the general public[.];

- (8) Require that teachers and administrators engage in the continuous professional growth and development that ensure their currency with respect to disciplinary content, leadership skill, knowledge, or pedagogical skill, as appropriate to their position. This requirement may be established by the department in terms of credit hours earned or their equivalent in professional development activity certified by the department as appropriate in focus and rigor; and
- (9) Establish an explicit link between professional evaluation results and individual accountability through professional development of the knowledge, skill, and professional behavior necessary to the position, by requiring that results of the professional evaluation be used by the department to prescribe professional development focus and content, as appropriate.

Beginning with the 2001-2002 school year, the department shall submit to the legislature, the governor, and the board of education at least twenty days prior to the convening of each regular legislative session a report of the specifics of the design of the comprehensive accountability system, as well as the fiscal requirements and legislative actions necessary to create the accountability system.

(b) The department shall submit to the legislature and to the governor, at least twenty days prior to the convening of each regular legislative session, an educational status report that includes but is not limited to the following:

- (1) Results of school-by-school assessments of educational outcomes[, including reference to such student performance standards and school-by-school assessment models as may be developed by the commission on performance standards and adopted by the board. This paragraph is repealed on June 30, 2001];
- (2) Summaries of [school improvement plans;] each school's standards implementation design;
- (3) Summary descriptions of the demographic makeup of the schools, with indications of the range of these conditions among schools within Hawaii;
- (4) Comparisons of conditions affecting Hawaii's schools with the conditions of schools in other states; and
- (5) Other such assessments as may be deemed appropriate by the board.

(c) The department shall provide electronic access to computer-based financial management, student information, and other information systems to the legislature and the auditor. The department shall submit to the legislature and to the governor, at least twenty days prior to the convening of each legislative session, a school-by-school expenditure report that includes but is not limited to the following:

- (1) The financial analysis of expenditures by the department with respect to the following areas:
 - (A) Instruction, including face-to-face teaching, and classroom materials;
 - (B) Instructional support, including pupil, teacher, and program support;
 - (C) Operations, including non-instructional pupil services, facilities, and business services;
 - (D) Other commitments, including contingencies, capitol improvement projects, out-of-district obligations, and legal obligations; and
 - (E) Leadership, including school management, program and operations management, and district management; and

- (2) The measures of accuracy, efficiency, and productivity of the department, districts, and schools in delivering resources to the classroom and the student.

(d) The superintendent of education is responsible for the development and implementation of an educational accountability system. The system shall include consequences and shall be designed through a collaborative process involving stakeholders that shall include parents, community members, the respective exclusive representatives, as well as others deemed appropriate by the superintendent.

For the purposes of this section, negotiations under chapter 89 shall be between the superintendent or the superintendent's designee and the respective exclusive representative, and shall be limited to the impact on personnel arising from the superintendent's decision in implementing the educational accountability system. After the initial agreement is negotiated, provisions on the impact of the accountability on personnel may be reopened only upon mutual agreement of the parties."

SECTION 2. Act 74, Session Laws of Hawaii 1999, is amended by amending section 3 to read as follows:

“SECTION 3. The department of education shall submit a report on [the findings and recommendations of the design of the comprehensive accountability system referred to in section 2 of this Act, to the legislature, and to the governor, at least twenty days prior to the convening of the regular legislative session of 2000. This report shall include, but not be limited to, the essential elements of the design, a timeline for its implementation, the legislative actions necessary to enable implementation, as well as a fiscal note describing resources necessary to execute the designs. The department of education shall submit a report on] the status of the implementation of the [comprehensive] educational accountability system to the legislature, and to the governor, at least twenty days prior to the convening of the regular legislative session of 2001.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 19, 2000.)