



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

OFFICE OF THE SUPERINTENDENT

January 8, 2015

Ms. Deborah S. Delisle
Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, NW
Washington, DC 20202

Re: Request for Double Testing Waiver

Dear Assistant Secretary Delisle:

I am writing on behalf of the Hawaii Department of Education (HIDOE) to request a waiver from the following provisions [section 9401] of the Elementary and Secondary Education Act of 1965 (ESEA): Sections 1111(b)(1)(B) and 1111(b)(3)(C)(i), as well as the corresponding regulatory guidance that accompanies these provisions requiring the state to use the same assessment for all students in grades 3-8 to measure the achievement of all students in English/language arts and mathematics. This waiver will:

- Only apply to students in grades 3 and 4 who are enrolled in Hawaiian Language Immersion Programs throughout the state, approximately 250 students;
- Allow the HIDOE to implement our approved ESEA flexibility request by ensuring that students instructed solely in the Hawaiian language through the HIDOE Hawaiian Language Immersion Program are assessed in their language of instruction; and
- Reduce the burden on students, teachers, and schools of "double testing" proficiency of the common core standards.

In 1978, the Hawaii State Legislature recognized Hawaiian as the official language of Hawaii, along with English. Hawaii is the only state in the United States that has designated a native language as one of its two official state languages. In 1987, in light of the Hawaii State Constitution mandate (Article X, Section 4) to promote the study of Hawaiian culture, language and history, the Hawaii State Department of Education established the Hawaiian Language Immersion Program called Ka Papahana Kaiapuni Hawaii. Ka Papahana Kaiapuni Hawaii begins in kindergarten and continues through the twelfth grade. Students are instructed solely in Hawaiian up until fifth grade when English is introduced as part of the curriculum to ensure bilingual ability at the high school level. The "No Child Left Behind Act of 2001," Public Law 107-110 under the "Native Hawaiian Education Act" further asserts the federal government's recognition and commitment to support Native Hawaiian educational initiatives.

The HIDOE has executed a Memorandum of Understanding with the University of Hawaii at Manoa to develop an assessment of the common core standards in English/language arts and mathematics in the Hawaiian language for students in grades 3 and 4. Beginning in the 2014-2015 school year, any grade 3 or 4 student enrolled in Ka Papahana Kaiapuni Hawaii will be assessed with the field test of the Hawaiian language state assessment. Participation rates will be calculated for these students.

Student scores from the field test will not be used for school or educator effectiveness accountability purposes in school year 2014-2015. Instead, the test will be submitted for the peer review process under ESEA Section 111(b)(3)(C)(iv) in the fall of 2015. Usable scores will be generated beginning with the 2015-2016 school year. School-level accountability determinations and classifications will be generated utilizing assessment scores of students in other grades. The HIDOE will ensure that students enrolled in Ka Papahana Kaiapuni Hawaii who do not participate in the field test instead take the current State assessment (the Smarter Balanced assessment), as required by the ESEA.

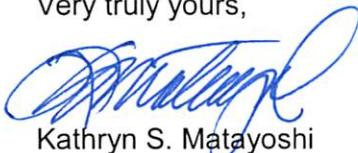
In summary, to ensure the success of the development of the Hawaiian language assessment, the HIDOE is seeking a "double testing" waiver to ensure that students in grades 3 and 4 enrolled in Ka Papahana Kaiapuni Hawaii are not "double tested" for proficiency of the common core standards.

The HIDOE has worked with many stakeholders to develop the waiver, including the 'Aha Kauleo Hawaiian language immersion advisory council, the Office of Hawaiian Affairs, and the State's Congressional delegation. The HIDOE is also working in partnership with the US Department of Education (USED) on this exciting initiative. Upon submittal to the USED, the waiver request will be posted on the HIDOE webpage for public viewing and comment. The HIDOE will ensure that parents of students in each school and grade participating in the field test be notified of the school's participation. Upon approval, the HIDOE will submit a report to the USED that will provide the total number of schools and students that took advantage of the waiver on both the mathematics and English/language arts assessments. The HIDOE will keep the USED regularly apprised of progress of the development of the assessment.

Should you have any questions regarding this waiver request, please contact myself or Stephen Schatz, Assistant Superintendent, Office of Strategy, Innovation and Performance, at 808-586-3800 or via e-mail at stephen_schatz@notes.k12.hi.us.

Thank you for your consideration.

Very truly yours,



Kathryn S. Matayoshi
Superintendent

KSM:ja

c: Office of Strategy, Innovation and Performance