EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

July 12, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 3059 SD2 HD1 CD1

On July 11, 2006, Senate Bill No. 3059, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The original purpose of Senate Bill 3059 was to mandate the establishment of a model curriculum for use by teachers statewide to meet the Hawaii Content and Performance Standards. Unfortunately, in its final form Senate Bill No. 3059 does not require the Department of Education to develop and implement a standards-based curriculum statewide. Rather, this measure appropriates a total of $2,008,000 for software implementation to align school course material with Hawaii Content and Performance Standards and federal education standards, for the adaptation of a curriculum in one pilot school complex, and for the contractual services of programmers, data analysts, and clerical support to generate reports for the Department of Education's study on the curriculum implementation process.

This bill raises a number of concerns.

First, this bill does not require the Department of Education to develop and provide a statewide curriculum. Instead, a school or a school complex is left to take the initiative to choose to adopt a curriculum. One of the main purposes of having a curriculum is to ensure all students receive adequate instruction, regardless of exogenous forces such the school district's funding or a teacher's natural abilities. With a curriculum as a guide, teachers and students can have a reasonable sense of what to expect and how to prepare for each school year, creating continuity within the statewide system. Senate Bill No. 3059 affords single schools and school complexes the choice to implement or not implement a curriculum. Therefore, the goal of a statewide curriculum that is aligned with the Hawaii Content and Performance Standards to increase student achievement will not be reached.

Second, this measure appropriates $900,000 for the development and implementation of a curriculum in one "pilot" school complex, according to the DOE. Therefore, the burden of curriculum development and implementation in all the other complexes is placed upon teachers, principals, school community council members, and complex area staff.

Third, while assessments of "progress" and "performance" are mandated in the bill, nothing exists to assure teachers can address the shortcomings these assessments demonstrate. The introduction paragraph of the bill states, "Although the State has established statewide standards and benchmarks, learner outcomes, (and) assessments, the legislature finds that Hawaii's public school system does not have an articulated and aligned standards-based curriculum to meet its goals." Despite recognizing this deficiency in the public education system, the Legislature, by passing Senate Bill No. 3059, is accepting the status quo.

Fourth, the Department must also report to the Legislature on the implementation of curricula in schools and complexes and indicators of student achievement to help evaluate the implementation of the curricula (not the curricula itself). Further, the bill says the reports must have a plan for the complex-by-complex development and implementation of a standards-based curriculum, as well as a time-line to implement specific portions of the curriculum for possible statewide application. The plan for the complex-by-complex implementation is problematic because it is not mandatory for schools to adopt a curriculum. This method of planning does not ensure that the different curricula developed by the different school complexes will be of equal caliber.

It is unfortunate that the final draft of Senate Bill No. 3059 is so significantly different from the original proposal that the major supporter of the bill, the Hawaii Automobile Dealers Association, revoked their support of the bill and requested its veto.

For the foregoing reasons, I allowed Senate Bill No. 3059 to become law as Act 301 effective July 11, 2006 without my signature.

Sincerely,

LINDA LINGLE