UNIVERSITY OF HAWAIʻI SYSTEM
Legislative Testimony

Testimony Presented Before the
Senate Committee on Ways and Means
for
Wednesday, February 25, 2015 at 9:00 am
by
Robert Bley-Vroman, Chancellor
and
Donald B. Young, Dean, College of Education
University of Hawaiʻi at Mānoa

SB 1348 – Relating to Education

Chair Tokuda, Vice Chair Kouchi, and members of the Committee on Ways and Means:

My name is Donald Young. I am Dean of the College of Education at the University of Hawaiʻi at Mānoa. I was formerly Director of the Curriculum Research & Development Group and have worked in and with the University Laboratory School (ULS) since 1970. I thank you for hearing this bill relating to the admissions policy of University Laboratory School.

The University of Hawaiʻi at Mānoa and its College of Education support SB 1348. Its passage will enable the Charter School Commission to approve the long-standing and highly impactful admissions policy of the University Laboratory School.

Background
As you know, ULS has a long history of affiliation with the College of Education dating back to 1931. For the last 50 years, ULS has served as a research and development site and an incubator of innovations in teaching, learning, and assessment.

At question is the ULS admissions policy that has been carefully crafted and implemented to provide an inclusive student population reflective of Hawaiʻi's population by gender, family income, ethnicity, and school achievement, including English language learners and special needs students. Such a student population is essential for research and development purposes to better ensure generalizability of the innovations created within ULS to Hawaiʻi's schools. The policy is one of inclusion, not exclusion.

The policy and procedure dates back to the early 1970s prior to the school becoming a Charter School in 2001. We believe the ULS lottery system is in compliance with State statutes. The language in the current Hawaiʻi Charter School Law, HRS 302D-34 mirrors the language of the federal statute 42 USC 2000d, which states "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination..." The Ninth Circuit Court has upheld a race and ethnic conscious admission policy for the laboratory

school run by the University of California Los Angeles for the purpose of conducting educational research—the same situation as ULS with the College of Education. Case law has shown that this policy is not unconstitutional as to the federal law. Since federal law supersedes state law, it is unlikely the Hawai‘i statute was intended to be any more restrictive. Nevertheless, questions have been raised about compliance of the ULS selection procedures under the revised charter school law, HRS 302D-34. SB 1348 addresses those concerns.

HRS 302D-34 provides in paragraph four (4) that a start-up charter school may give an enrollment preference to students within a given age group or grade level and may be organized around a special emphasis, theme, or concept. The proposed amendment in SB 1348 clarifies that one of the enrollment preferences is for research and development purposes. However, the Charter School Commission has recently challenged the ULS admissions policy. At its most recent meeting the Commission conditionally approved the admissions policy, “with the understanding that the passage of Senate Bill 1348 would allow the school to continue its admission and enrollment practices.”

The purposely-diverse ULS student population enables randomized trials of educational innovations that cannot be performed at other sites for many reasons. High impact programs developed at ULS include those in science, mathematics, social studies, English, technology, and others. Examples are attached to my testimony. Products from the research and development conducted at ULS are effective in public schools locally and nationally because the efficacy studies have been conducted with diverse students along the full spectrum of variables known to affect educational outcomes, including gender, family education level, ability, and ethnicity.

Impact of Supporting the ULS Admissions Policy
Innovations developed with ULS have been used throughout the Hawai‘i, the nation, and indeed in many foreign countries. By conservative estimate, over 20,000 teachers and more than 7 million students have benefited from the innovations created in the Laboratory School. Current R&D work includes developing high school mathematics courses in collaboration with the Hawai‘i Department of Education; the third edition of the *A History of Hawai‘i*, a required high school course statewide; inquiry-based curriculum and professional development in marine/aquatic science being used statewide in secondary schools; innovative technology applications that improve instruction and learning. None of these innovative and effective programs could be developed without the student population available at ULS.

Impact of Not Supporting the ULS Admissions Policy
Absent a valid research population at ULS, the school will be unable to fulfill its mission in support of educational research in collaboration with the College of Education. Researchers and developers will not have access to a population of students reflective of the State population with whom to research, develop, disseminate, and support

innovations. ULS is the only school in Hawai‘i that provides access to an appropriate student population for R&D work in K–12 grades.

We have been transparent in our admissions policy and procedures before and after the granting of the charter in 2001. The policy is widely known and accepted. It is inclusive of diversity. It is defensible on research and legal grounds, is not in violation of federal or State law, and serves a highly valuable public purpose.

For these reasons, I urge you to continue to support ULS in its admissions policy and mission by approving SB 1348.

Thank you for the opportunity to testify on SB 1348.

University Laboratory School
Curriculum Research & Development Group

Noteworthy Achievements and Recognitions

1. The University Laboratory School in collaboration with the College of Education Curriculum Research & Development Group brings national and international recognition to Hawai‘i through its role as a leader in the field of curriculum research and development.
    - Over seven million students in Hawai‘i, in 42 other states, in foreign countries (e.g., Russia, Slovakia, Australia, New Zealand, Federated States of Micronesia, the Virgin Islands), and several International Schools throughout the world use in CRDG/ULS-developed curricula each year.
    - The CRDG/ULS is the major source of curriculum designs, teaching materials, and teacher professional development keyed to Hawai‘i’s unique culture, history, and physical and human ecology. All these programs have been tested and validated in ULS.
    - CRDG/ULS programs are being widely recognized as effective. CRDG’s philosophy and approach to curriculum development are consistently and increasingly validated in formal studies and through comparison with state, regional, and national standards. Major programs in the sciences, mathematics, and social studies, have earned awards or recognitions from national professional associations, the U.S. Department of Education, or both. Successful programs include:

Science

Foundational Approaches in Science Teaching (FAST) grades 6–9
Developmental Approaches in Science, Health, & Technology (DASH) grades K–6
Hawaii Marine Science Studies (HMSS) grades 9–12
Fluid Earth/Living Ocean grades 9–12

Mathematics

Algebra I: A Process Approach grades 8–10
Weather and Ratios
Traffic on the Information Superhighway
Explorations in Algebra
Measure Up grades K–6
Reshaping Mathematics for Understanding grades 6–8
The Write Way Journal Prompts for Mathematics grades 4–8

Social Studies

A History of Hawai‘i grades 9–11
China: Understanding Its Past grades 9–12
The Rise of Modern Japan grades 9–12

Multicultural Studies grades 6–8

Hawaiian Studies

Ka Wana Series
Hapai Na Leo
No Na Mamo
Island Fire
Growing Up Local
To Find A Way

Language Arts

Performance English grades 6–12

Programs Currently in Development include

Teaching Science as Inquiry: Aquatic grades 9–12
High School Biology
High School Physics
Modeling Our World graded 9–10 (high-school mathematics course in collaboration with HIDOE)
The Koreas Since 1945 grades 9–12
Use of technology and Google tools in support of teaching and learning

2. The University Laboratory School itself serves as a model for school design and a real-world example of what can be accomplished in public education.
    - ULS enrolls a cross-section of students who typify the Hawai‘i school system’s population in ethnicity, family status, and school achievement levels. There are currently about 450 students K–12 enrolled in the school.
    - All students receive a comprehensive academic program, enrolling each year in English, social studies, science, mathematics, art, music, physical education, and second languages (in grades 10–12).
    - All students are taught in common classes without segregation or less-demanding courses, on the principle that the best should be available to all.
    - Since 1970 over 2,200 students graduated from ULS. This relatively small test population has enabled the CRDG/ULS to have a major impact on education in Hawai‘i.