
A BILL FOR AN ACT

RELATING TO EARLY LEARNING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 PURPOSE

3 SECTION 1. As stated in Act 51, Session Laws of Hawaii
4 2004, the legislature finds that "although many responsibilities
5 are laid upon education, ultimately education must do no less
6 than advance the endowment of human culture itself, so that each
7 succeeding generation finds itself further along the road
8 towards peace, social justice, and environmental sustainability
9 in a society guided by creativity, compassion, and curiosity."
10 The legislature finds that Hawaii's children, starting at birth,
11 need support and guidance from parents, caregivers, and teachers
12 to reach their full potential as citizens. As a report released
13 in 2007 by the National Scientific Council on the Developing
14 Child, *The Science of Early Childhood Development, Closing the*
15 *Gap Between What We Know and What We Do*, so aptly states:
16 "The future of any society depends on its ability to
17 foster the health and well-being of the next
18 generation. Stated simply, today's children will



1 *become tomorrow's citizens, workers, and parents.*
2 *When we invest wisely in children and families, the*
3 *next generation will pay that back through a lifetime*
4 *of productivity and responsible citizenship. When we*
5 *fail to provide our children with what they need to*
6 *build a strong foundation for healthy and productive*
7 *lives, we put our future prosperity and security at*
8 *risk."*

9 Yet, many of Hawaii's children lack the fundamental skills
10 they should have when they enter kindergarten, a problem for
11 which our state, let alone society as a whole, cannot afford a
12 delayed response. *From Neurons to Neighborhoods*, a report
13 developed by a committee of seventeen national experts in the
14 fields of education, psychiatry, neuroscience, economics, and
15 public policy, found that

16 *"striking disparities in what children know and can do*
17 *are evident well before they enter kindergarten.*

18 *These differences are strongly associated with social*
19 *and economic circumstances, and they are predictive of*
20 *subsequent academic performance."*

21 Research has confirmed that a large gap exists between the
22 academic abilities of high- and low-income children by age six:



1 the latter "lag further behind in acquiring more sophisticated
2 reading and math knowledge and skills such as recognizing words
3 by sight or solving simple addition and subtraction problems"
4 (National Child Care Association, 2002).

5 The gap can be closed by building an early learning system
6 for Hawaii. Decades of research have determined that
7 investments in high-quality early learning systems, grounded on
8 the collective involvement of parents, caregivers, and teachers,
9 produce significant, long-term benefits for all children. These
10 benefits include improved school success, reduced dropout rates,
11 reduced crime, and increased workforce preparedness and
12 productivity.

13 Thirty-six states now offer some type of publicly-funded
14 preschool program. Two states, Oklahoma and Georgia, have
15 established preschool systems for all four-year-olds statewide,
16 and New York, Florida, and Illinois are in the process of
17 establishing similar systems.

18 Hawaii is now one of only a few states in the nation that
19 lacks a state-sponsored early learning system, despite the fact
20 that it was one of the leaders in providing universal access for
21 kindergarten and providing in 2001 a definition for "school
22 readiness", which acknowledged the joint responsibility of



1 families, schools, and communities in preparing children for
2 lifelong learning. However, it is not too late for Hawaii to
3 move forward, and Hawaii can benefit from the lessons learned
4 and best practices developed across the rest of the country.

5 The legislature finds that the state needs a comprehensive,
6 cohesive, and sustainable early learning system that ensures a
7 spectrum of quality early learning opportunities for young
8 children from birth until the time they enter kindergarten. It
9 is vital that the system be widely accessible and provide high-
10 quality education and services that are standards-based and
11 require accountability, all the while maintaining sensitivity to
12 family choice and cultural elements.

13 In 2006, the 23rd legislature passed Act 259, establishing
14 the early learning educational task force, a diverse group of
15 public and private stakeholders given the mission to develop a
16 five-year plan for an early learning system. This Act takes
17 into consideration the findings and recommendations of the task
18 force.

19 The purpose of this Act is to help Hawaii's children
20 succeed upon entry into kindergarten by:



- 1 (1) Establishing an early learning system;
- 2 (2) Creating the early learning council to govern the
- 3 state's early learning system; and
- 4 (3) Establishing the keiki first steps program.

PART II

EARLY LEARNING SYSTEM

7 SECTION 2. The Hawaii Revised Statutes is amended by
 8 adding a new chapter to be appropriately designated and to read
 9 as follows:

"CHAPTER

EARLY LEARNING SYSTEM

12 § **-A Definitions.** As used in this chapter, unless the
 13 context otherwise requires, "at-risk children" means children
 14 who, because of their home and community environment, are
 15 subject to language, cultural, economic, and other disadvantages
 16 that cause them to have been determined through screening
 17 procedures to be at risk for academic failure, including
 18 children:

- 19 (1) Who are eligible for special education services;
- 20 (2) Who are English as a second language learners;
- 21 (3) Who reside within a public school district,
- 22 established under chapter 302A, that is in need of



1 improvement based on the criteria of the federal No
2 Child Left Behind Act of 2001 (Public Law 107-110), as
3 amended; or

- 4 (4) Whose family income is no more than two hundred per
5 cent of the federal poverty level.

6 § -B **Early learning system.** (a) There is established
7 an early learning system that shall ensure a spectrum of quality
8 early learning opportunities for children, throughout the state,
9 from birth until the time they enter kindergarten, to be
10 developed and administered by the early learning council. When
11 complete, the system shall provide a seamless learning
12 experience for children from birth until the time they enter
13 kindergarten, that maximizes their potential for success upon
14 entry into kindergarten. The system:

- 15 (1) Shall be voluntary and widely accessible. In its
16 first phases, the system shall focus on all three- and
17 four-year old children in the state, giving priority
18 to underserved or at-risk children;

- 19 (2) Shall be a comprehensive system in which:

- 20 (A) All existing programs, whether publicly- or
21 privately-run, which consist of a variety of
22 early learning approaches, service deliveries,



- 1 and settings, including center-based settings,
2 family child care, family-child interaction
3 learning settings, and home-based instruction,
4 are coordinated;
- 5 (B) Public and private resources are maximized; and
6 (C) The use of public facilities for either publicly-
7 or privately-run early learning programs is
8 maximized;
- 9 (3) Shall provide high-quality early childhood development
10 and early learning experiences with standards-based
11 content, curriculum, and accountability, and well-
12 qualified educators and administrators who are fairly
13 compensated and have access to continuing professional
14 development;
- 15 (4) Shall offer opportunities for parent and community
16 engagement and parent education and support; and
17 (5) Shall be sensitive to family choice and cultural
18 elements.
- 19 (b) Actions may be taken to increase the numbers in and
20 enhance the quality of the early learning workforce, as part of
21 the early learning system, including:



- 1 (1) Offering higher education scholarships to existing or
2 potential early childhood educators and
3 administrators;
- 4 (2) Providing community-based early childhood education
5 training;
- 6 (3) Providing consultation on social-emotional
7 development;
- 8 (4) Increasing the availability of early childhood
9 education coursework, including distance learning
10 courses;
- 11 (5) Supplementing child care subsidy rates administered by
12 the department of human services; and
- 13 (6) Providing substitute teacher allowances.
- 14 Grants and contracts may be awarded to qualified early childhood
15 educators, community-based training programs, and higher
16 education institutions to achieve the purposes of this
17 subsection.

18 § -C **Early learning council.** (a) There is established
19 an early learning council which shall be attached to the
20 department of education for administrative purposes only. The
21 council shall develop a comprehensive, cohesive, and sustainable
22 early learning system of voluntary educational programs to



1 benefit all children, throughout the state, from birth until the
2 time they enter kindergarten, including:

3 (1) Establishing policies and procedures governing its
4 operations;

5 (2) Developing a plan, with goals and objectives, for the
6 early learning system, including the development,
7 execution, and monitoring of a phased implementation
8 plan;

9 (2) Coordinating, improving, and expanding upon existing
10 programs and services for children from birth until
11 the time they enter kindergarten;

12 (3) Establishing policies and procedures governing the
13 inclusion and establishment of additional programs and
14 services;

15 (4) Developing and implementing methods of maximizing the
16 involvement of parents, caregivers, and teachers in
17 the early learning system;

18 (5) Providing for accountability within the early learning
19 system to ensure improvement of programs and services
20 and high-quality results;



- 1 (6) Providing for the most effective and efficient
2 allocation of fiscal resources within the early
3 learning system;
- 4 (7) Collecting, interpreting, and releasing data relating
5 to early learning in the state; and
- 6 (8) Promoting awareness of early learning opportunities to
7 families and the general public.
- 8 (b) The early learning council may offer scholarships and
9 may award grants and contracts to qualified early childhood
10 educators, community-based training programs, and higher
11 education institutions, pursuant to section -B(B).
- 12 (c) The early learning council shall include
13 representation from both public and private organizations, and
14 its membership shall reflect regional and cultural and ethnic
15 diversity to ensure representation of the needs of all children
16 in the state. The early learning council shall consist of 13
17 members as follows:
- 18 (1) One representative of the office of the governor;
- 19 (2) The superintendent of education or the
20 superintendent's designee;
- 21 (3) The director of human services or the director's
22 designee;



- 1 (4) The director of health or the director's designee;
- 2 (5) The director of labor and industrial relations or the
3 director's designee;
- 4 (6) The president of the University of Hawaii or the
5 president's designee;
- 6 (7) The director of the Head Start State Collaboration
7 Office or the director's designee;
- 8 (8) A representative of the military child care system in
9 the Hawaii region;
- 10 (9) One representative from a private institute of higher
11 education that offers early childhood education
12 programs;
- 13 (10) The chief executive officer of the Kamehameha Schools
14 or the chief executive officer's designee;
- 15 (11) A representative of child care program providers;
- 16 (12) A representative from the Keiki Funders Network, which
17 is a network of public and private funders that
18 support early learning; and
- 19 (13) A representative of the Association of Mayors.
- 20 (d) The early learning council shall select a chairperson
21 by a majority vote of its members; provided that the chairperson
22 shall be a representative from the private sector. A majority



1 of the council shall constitute quorum to do business. The
2 concurrence of a majority of all the members to which the
3 council is entitled shall be necessary to make any action of the
4 council valid.

5 (e) Members of the early learning council shall serve
6 three-year terms; provided that half of these members, as
7 determined by the council, shall be appointed to two-year terms
8 to allow for staggered terms.

9 (f) The early learning council may contract with any state
10 agencies to administer various components and programs of the
11 early learning system.

12 (g) The early learning council may adopt rules as
13 necessary to effectuate the purposes of this part.

14 (h) All meetings of the early learning council shall be
15 exempt from chapter 92, Hawaii Revised Statutes.

16 (i) The early learning council shall submit to the
17 legislature no later than twenty days prior to the convening of
18 each regular session, a report regarding:

19 (1) Its progress; and

20 (2) The status of the early learning system in the state.

21 § -D **Keiki first steps program.** There is established
22 the keiki first steps program, to be developed and administered



1 by the early learning council as the first phase in the
2 development of the state's early learning system. The program
3 shall focus on the coordination, improvement, and expansion of
4 existing programs and services within the early learning system
5 for three- and four-year-old children in the state, with
6 priority for underserved or at-risk children. The core
7 components of the program shall be:

- 8 (1) The identification of research-based and proven
9 curricula and methods, and implementation of various
10 means of improving existing curricula and methods,
11 including:
- 12 (A) Research-based early learning program models for
13 three- and four-year-old children, including at-
14 risk children;
- 15 (B) Ensuring that written program standards exist and
16 are implemented in early learning programs;
- 17 (C) Developing incentives to enhance quality in child
18 care and early learning programs; and
- 19 (D) Developing an effective, comprehensive, and
20 integrated system to provide training, technical
21 assistance, and monitoring to ensure high quality



- 1 services are provided in all early learning
2 programs;
- 3 (2) Low staff-child ratio and group size in various early
4 learning settings, including center-based settings,
5 family child care, family-child interaction learning
6 settings, and home-based instruction;
- 7 (3) Opportunities for parent and community engagement and
8 parent education and support;
- 9 (4) Health and developmental screenings for children;
- 10 (5) Well-qualified and adequately-compensated staff,
11 including:
- 12 (A) Ensuring more staff have opportunities to receive
13 early childhood education degrees;
- 14 (B) Providing access to continuing professional
15 development for all staff;
- 16 (C) Establishing a structure for standardized roles
17 across the early learning system and for
18 incentives such as awarding credentials to staff
19 who have received certain levels of achievement;
20 and



1 (D) Addressing the early learning labor market and
2 working conditions to build a qualified, diverse,
3 and stable early learning workforce;

4 and

5 (6) Child assessment and program and service evaluation to
6 maintain and promote high quality in early learning
7 programs and services, including:

8 (A) Developing guidelines for developmental screening
9 and ongoing assessment of individual children
10 served by early learning programs to facilitate
11 appropriate instruction and document progress;

12 (B) Developing guidelines for the use of child and
13 program data for programs to perform self-
14 assessments to assist continuous efforts to
15 improve the programs;

16 (C) Developing an evaluation plan for programs and
17 services; and

18 (D) Sharing of data across programs and services to
19 assist evaluation and planning."

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so much
22 thereof as may be necessary for fiscal year 2008-2009 to support



1 the operations of the early learning council, including
2 supplies, personnel, and travel expenses.

3 The sum appropriated shall be expended by the department of
4 education for the purposes of § -C.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2008-2009 for the
8 keiki first steps program.

9 The sum appropriated shall be expended by the department of
10 education for the purposes of § -D.

11 PART III
12 EARLY LEARNING FACILITIES

13 SECTION 5. Chapter 302A, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§302A- Early childhood education facilities; pre-plus.

17 (a) There is established the pre-plus program. The department
18 and the department of human services shall work collaboratively
19 to develop suitable pre-plus classrooms on department campuses
20 statewide, including conversion charter school campuses, for
21 programs in the early learning system established by chapter

1 , serving children between birth until the time they enter
2 kindergarten.

3 (b) The department shall coordinate site selection for
4 public school sites, with priority given to public school sites
5 that serve at-risk children as defined in section -A."

6 SECTION 6. Section 302A-1506.5, Hawaii Revised Statutes,
7 is amended to read as follows:

8 **"[+]§302A-1506.5[+] Early childhood education facilities;**
9 **identifying sites.** (a) The department of education shall
10 identify unused public school facilities for use by early
11 childhood education programs. Suitable empty classrooms, as
12 determined by the department, shall be inventoried for potential
13 use in early childhood education programs. Priority shall be
14 given to facilities on sites with sufficient space for three or
15 more classrooms to be renovated or constructed.

16 (b) The department shall assist in the identification of
17 possible construction sites for private providers to build early
18 childhood education facilities.

19 (c) The department shall submit an annual report to the
20 legislature no later than twenty days prior to the convening of
21 each regular session on:



1 (1) The number of classrooms that would be suitable for
2 programs in the early learning system established by
3 chapter ; and

4 (2) The cost of renovating these classrooms to meet the
5 standards of programs in the early learning system."

6 PART IV

7 MISCELLANEOUS

8 SECTION 7. In codifying the new sections added by section
9 2 of this Act, the revisor of statutes shall substitute
10 appropriate section numbers for the letters used in designating
11 the new sections in this Act.

12 SECTION 8. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 9. This Act shall take effect on July 1, 2008.



Report Title:

Early Learning System; Early Learning Council; Keiki First Steps

Description:

Establishes an early learning system in the state. Creates the Early Learning Council to govern the early learning system. Establishes the Keiki First Steps Program. (HB2973 HD1)

