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# 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. The legislature reaffirms its findings in Act  
4 51, Session Laws of Hawaii 2004, that:

5 *[A]lthough many responsibilities are laid upon education,*  
6 *ultimately education must do no less than advance the*  
7 *endowment of human culture itself, so that each succeeding*  
8 *generation finds itself further along the road towards*  
9 *peace, social justice, and environmental sustainability in*  
10 *a society guided by creativity, compassion, and curiosity.*

11 The legislature finds that Hawaii's children, starting at birth,  
12 need support and guidance from parents, caregivers, and teachers  
13 to reach their full potential as citizens. As a report released  
14 in 2007 by the National Scientific Council on the Developing  
15 Child, *The Science of Early Childhood Development, Closing the*  
16 *Gap Between What We Know and What We Do*, so aptly states:

17 *The future of any society depends on its ability to*  
18 *foster the health and well-being of the next*



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

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

17       *[S]triking disparities in what children know and can*  
18       *do are evident well before they enter kindergarten.*  
19       *These differences are strongly associated with social*  
20       *and economic circumstances, and they are predictive of*  
21       *subsequent academic performance.*



1 Research has confirmed that a large gap exists between the  
2 academic abilities of high- and low-income children by age six:  
3 the latter "lag further behind in acquiring more sophisticated  
4 reading and math knowledge and skills such as recognizing words  
5 by sight or solving simple addition and subtraction problems"  
6 (National Child Care Association, 2002).

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

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

20 Hawaii is now one of only a few states in the nation that  
21 lacks a state-sponsored early learning system, despite the fact  
22 that it was one of the leaders in providing universal access for



1 kindergarten and providing in 2001 a definition for "school  
2 readiness," which acknowledged the joint responsibility of  
3 families, schools, and communities in preparing children for  
4 lifelong learning. The legislature also acknowledges the  
5 significant milestones achieved thus far in promoting young  
6 children's development and school readiness through public and  
7 private efforts:

- 8 (1) Hawaii's Healthy Start program provides home visiting  
9 support to 2,400 at-risk children each year, and Head  
10 Start and Early Head Start programs currently serve  
11 over 3,000 low-income children;
- 12 (2) Publicly-funded subsidies make private child care and  
13 early learning programs more accessible to many other  
14 children in need;
- 15 (3) Local philanthropic educational organizations, such as  
16 Kamehameha Schools, operate and otherwise contribute  
17 to a full spectrum of early learning services for  
18 children from birth until the time they enter  
19 kindergarten; and
- 20 (4) The United States Department of Defense has developed  
21 a nationally-renowned quality child care system that  
22 incorporates measures of accountability and offers



1 technical support, and is available to share its  
2 expertise with local communities.

3 However, the current landscape of Hawaii's early learning  
4 services remains highly fragmented and lacks cohesiveness. Act  
5 77, Session Laws of 1997, created a public-private partnership  
6 to build a coordinated system of early childhood care and  
7 education, but lacked sufficient authority, resources, and  
8 accountability to reach its intended goal.

9 The current array of services and expertise form the basis  
10 for further development and integration into an early learning  
11 system that better serves Hawaii's young children and their  
12 families. The legislature finds that the state needs a  
13 comprehensive, cohesive, and sustainable early learning system  
14 that ensures a spectrum of quality early learning opportunities  
15 for young children from birth until the time they enter  
16 kindergarten. It is vital that the early learning system be  
17 widely accessible and provide high-quality education and  
18 services that are standards-based and require accountability,  
19 all the while maintaining sensitivity to family choice and  
20 cultural elements.

21 In 2006, the 23<sup>rd</sup> legislature passed Act 259, establishing  
22 the early learning educational task force, a diverse group of



1 public and private stakeholders given the mission to develop a  
2 five-year plan for an early learning system. This Act takes  
3 into consideration the findings and recommendations of the task  
4 force.

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

- 7 (1) Establishing an early learning system to be known as  
8 keiki first steps;
- 9 (2) Creating the early learning council to develop and  
10 administer the state's early learning system; and
- 11 (3) Establishing the three- and four-year-old program.

12 PART II

13 EARLY LEARNING SYSTEM

14 SECTION 2. The Hawaii Revised Statutes is amended by  
15 adding a new chapter to be appropriately designated and to read  
16 as follows:

17 "CHAPTER

18 EARLY LEARNING SYSTEM

19 § -1 **Definitions.** As used in this chapter, unless the  
20 context otherwise requires:

21 "At-risk children" means children who, because of their  
22 home and community environment, are subject to language,



1 cultural, economic, and other disadvantages that cause them to  
2 be at risk for academic failure, including children:

- 3 (1) Who are eligible for special education services;
- 4 (2) Who are English as a second language learners;
- 5 (3) Who reside within a public school district,  
6 established under chapter 302A, that is in need of  
7 improvement based on the criteria of the federal No  
8 Child Left Behind Act of 2001 (Public Law 107-110), as  
9 amended; or
- 10 (4) Whose family income is no more than two hundred fifty  
11 per cent of the federal poverty level.

12 "Council" means the early learning council established  
13 pursuant to this chapter.

14 **§ -2 Keiki First Steps.** There is established an early  
15 learning system, to be known as Keiki First Steps, that shall  
16 ensure a spectrum of quality early learning opportunities for  
17 children throughout the state, from birth until the time they  
18 enter kindergarten, to be developed and administered by the  
19 early learning council to the extent permissible by law. The  
20 early learning system:

- 21 (1) Shall be voluntary and widely accessible;
- 22 (2) Shall be a comprehensive system in which:



- 1 (A) All existing programs and services, whether  
2 publicly- or privately-run, which consist of a  
3 variety of early learning approaches, service  
4 deliveries, and settings, including center-based  
5 settings, family child care, family-child  
6 interaction learning settings, home-based  
7 instruction, and home visiting services designed  
8 to promote early childhood development and early  
9 learning, are coordinated;
- 10 (B) Public and private resources are maximized; and
- 11 (C) The use of public facilities for either publicly-  
12 or privately-run early learning programs is  
13 maximized;
- 14 (3) Shall provide high-quality early childhood development  
15 and early learning experiences with standards-based  
16 content, curriculum, and accountability, and  
17 sufficient numbers of well-qualified educators and  
18 administrators who are fairly compensated and have  
19 access to continuing professional development;
- 20 (4) Shall offer opportunities for parent and community  
21 engagement and parent education and support; and





1 (5) Shall be sensitive to family choice and cultural  
2 diversity.

3 **§ -3 Early learning council.** (a) There is established  
4 an early learning council which shall be attached to the  
5 department of education for administrative purposes only. To  
6 the extent permissible by law, the council shall develop a  
7 comprehensive, cohesive, and sustainable early learning system  
8 of voluntary educational programs and services to benefit all  
9 children throughout the state, from birth until the time they  
10 enter kindergarten. In developing the early learning system,  
11 the council shall, among other things:

12 (1) Establishing policies and procedures governing its  
13 operations;

14 (2) Developing a plan, with goals and objectives, for the  
15 early learning system, including the development,  
16 execution, and monitoring of a phased implementation  
17 plan;

18 (3) Coordinating, improving, and expanding upon existing  
19 programs and services for children from birth until  
20 the time they enter kindergarten;



- 1           (4) Establishing policies and procedures governing the  
2           inclusion and establishment of additional programs and  
3           services;
- 4           (5) Developing incentives to enhance the quality of  
5           programs and services within the early learning  
6           system;
- 7           (6) Coordinating efforts to develop a highly-qualified,  
8           stable, and diverse workforce, including:
- 9           (A) Ensuring that more early childhood educators and  
10           administrators, existing or potential, have  
11           opportunities to receive early childhood  
12           education degrees, including offering higher  
13           education scholarships;
- 14           (B) Increasing the availability of early childhood  
15           education coursework, including distance learning  
16           courses and community-based early childhood  
17           education training;
- 18           (C) Providing access to continuing professional  
19           development for all educators and administrators;
- 20           (D) Providing consultation on the social-emotional  
21           development of children;



- 1 (E) Establishing a structure for standardized roles  
2 across the early learning system and for  
3 incentives such as awarding credentials to staff  
4 who have reached certain levels of achievement;  
5 and
- 6 (F) Providing substitute teacher allowances;
- 7 (7) Developing and implementing methods of maximizing the  
8 involvement of parents, caregivers, and teachers in  
9 the early learning system;
- 10 (8) Developing an effective, comprehensive, and integrated  
11 system to provide training and technical support to,  
12 and to monitor, programs and services within the early  
13 learning system, and otherwise providing for  
14 accountability within the early learning system to  
15 ensure that quality standards are met;
- 16 (9) Determining the appropriate proportion of state funds  
17 that should be distributed to programs and services  
18 within the early learning system, to ensure the most  
19 effective and efficient allocation of fiscal resources  
20 within the early learning system;
- 21 (10) Collecting, interpreting, and releasing data relating  
22 to early learning in the state; and



1 (11) Promoting awareness of early learning opportunities to  
2 families and the general public.

3 (b) The council may award grants and enter into contracts  
4 to qualified early childhood educators, community-based training  
5 programs, and higher education institutions.

6 (c) The council shall consist of the following members:

7 (1) The superintendent of education or the  
8 superintendent's designee;

9 (2) The director of human services or the director's  
10 designee;

11 (3) The director of health or the director's designee;

12 (4) The director of labor and industrial relations or the  
13 director's designee;

14 (5) The president of the University of Hawaii or the  
15 president's designee;

16 (6) A representative of center-based child care program  
17 providers;

18 (7) A representative of non-center-based child care  
19 program providers;

20 (8) One representative from a private institute of higher  
21 education that offers early childhood education  
22 programs;



1           (9) A representative of philanthropic organizations that  
2           support early learning; and

3           (10) A representative of the Association of Mayors.

4 Except for the superintendent of education, directors of state  
5 departments, and the president of the University of Hawaii, or  
6 their designees, the members shall be appointed by .

7           In addition, the council shall invite the director of the  
8 Head Start Collaboration Office, the chief executive officer of  
9 the Kamehameha Schools, and the executive director of the Hawaii  
10 Association of Independent Schools, or their designees, to serve  
11 as members of the council.

12           (d) The council shall select a chairperson by a majority  
13 vote of its members; provided that the chairperson shall be a  
14 representative from the private sector. A majority of the  
15 council shall constitute quorum to do business. The concurrence  
16 of a majority of all the members to which the council is  
17 entitled shall be necessary to make any action of the council  
18 valid.

19           (e) Members of the council shall serve three-year terms;  
20 provided that half of these members, as determined by the  
21 council, shall be appointed to two-year terms to allow for  
22 staggered terms.



1 (f) The council may form workgroups and subcommittees to:

2 (1) Obtain resource information from early learning  
3 professionals and other individuals as deemed  
4 necessary by the council;

5 (2) Make recommendations to the council; and

6 (3) Perform other functions as deemed necessary by the  
7 council to fulfill its duties and responsibilities.

8 The workgroups and subcommittees shall be exempt from chapter  
9 92.

10 (g) Members of the council shall serve without  
11 compensation but shall be reimbursed for expenses, including  
12 travel expenses, necessary for the performance of their duties.

13 (h) The council shall appoint, exempt from chapter 76, an  
14 executive director who shall serve at the pleasure of the  
15 council and whose duties shall be set by the council. The  
16 executive director may also appoint other personnel, exempt from  
17 chapters 76 and 89, to work directly for the executive director  
18 and the council.

19 (i) The council may contract with any state agencies to  
20 administer various components, programs, and services of the  
21 early learning system.



1 (j) The council shall submit to the legislature no later  
2 than twenty days prior to the convening of each regular session,  
3 a report regarding:

4 (1) Its progress; and

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

6 **§ -4 Three- and four-year-old program; establishment.**

7 (a) There is established the three- and four-year-old  
8 program, as part of keiki first steps, to be developed by the  
9 early learning council and administered by the department of  
10 human services. The program shall focus on the coordination,  
11 improvement, and expansion of existing programs and services,  
12 with priority to underserved or at-risk children.

13 (b) Grants; eligibility criteria. The department of human  
14 services may award grants to early learning programs and  
15 services that serve three- and four-year-old children and meet  
16 the criteria developed by the council pursuant to this section.

17 The council shall develop criteria for the awarding of  
18 grants by the department of human services for three- and four-  
19 year-old program services and programs. Eligible programs and  
20 services may be publicly- or privately-run, and consist of a  
21 variety of early learning approaches, service deliveries, and  
22 settings, including center-based settings, family child care,



1 family-child interaction learning settings, home-based  
2 instruction, and home visiting services designed to promote  
3 early childhood development and early learning.

4 The criteria shall include the requirement that programs  
5 and services meet certain standards of quality, including:

6 (1) The implementation of evidence-based and culturally  
7 responsive models of service delivery;

8 (2) Minimum scheduling requirements, as follows:

9 (A) For prekindergarten classroom settings:  
10 providing services for a full school day and full  
11 school year;

12 (B) For family child care programs in home settings:  
13 providing services for three hours daily for a  
14 full school year;

15 (C) For family-child interaction learning programs  
16 operating in classroom-like settings: providing  
17 early learning activities at least twice a week  
18 for a full school year, and for a minimum of  
19 three hours each day; and

20 (D) For home-based instruction programs: providing  
21 early learning activities for no fewer than  
22 weeks within a school year;





- 1 (3) The use of evidence-based curricula and methods;
- 2 (4) Staff-to-child ratios and group size that meet or
- 3 exceed nationally recommended standards;
- 4 (5) The employment of teachers and administrators who meet
- 5 the qualifications required by the council;
- 6 (6) The incorporation of preschool content standards or
- 7 other early learning guidelines;
- 8 (7) The implementation of health and developmental
- 9 screenings for children;
- 10 (8) Opportunities for parent or family engagement and
- 11 parent education and support; and
- 12 (9) Activities for monitoring and data collection to
- 13 evaluate programs and services and inform best
- 14 practices.

15 (c) Training; technical assistance; monitoring. The

16 department of human services:

- 17 (1) May offer technical support to; and
- 18 (2) Shall be responsible for monitoring,
- 19 programs and services within the three- and four-year-old
- 20 program, using the system developed by the council.

21 **§ -5 Keiki first steps special fund.** There is

22 established within the state treasury a special fund to be known



1 as the keiki first steps special fund, to be administered by the  
2 department of education. All moneys received by the council in  
3 the form of appropriations, fees, fines, grants, donations, or  
4 revenues regardless of their source, and earnings on moneys in  
5 the fund, shall be deposited into the fund. Moneys in the fund  
6 shall be used for the expenses of the council and early learning  
7 system."

8 SECTION 3. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ for fiscal  
10 year 2008-2009 to be deposited into the keiki first steps  
11 special fund.

12 SECTION 4. There is appropriated out of the keiki first  
13 steps special fund the sum of \$ or so much thereof as may  
14 be necessary for fiscal year 2008-2009 to support the early  
15 learning system and operations of the early learning council,  
16 including personnel, supplies, and travel expenses.

17 The sum appropriated shall be expended by the department of  
18 education for the purposes of this part.

19 SECTION 5. There is appropriated out of the general  
20 revenues of the State of Hawaii the sum of \$ or so much  
21 thereof as may be necessary for fiscal year 2008-2009 for the  
22 three- and four-year-old program.



1           The sum appropriated shall be expended by the department of  
2 human services for the purposes of this part.

3                                   PART III

4   EARLY LEARNING FACILITIES

5           SECTION 6. Chapter 346, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8           "§346-      Early childhood education facilities; pre-plus.

9           (a) There is established the pre-plus program within the  
10 department to expand access to affordable and quality early  
11 childhood education for three- to four-year-old children from  
12 low-income families, by allowing preschool programs to be set up  
13 on public school campuses through public-private partnerships.  
14 The department and the department of education shall work  
15 collaboratively to develop suitable pre-plus classrooms on  
16 department of education campuses statewide, including conversion  
17 charter school campuses, for programs in the early learning  
18 system established by chapter      , serving children between  
19 birth until the time they enter kindergarten.

20           (b) The department, with the department of education,  
21 shall coordinate site selection for public school sites, with

1 priority given to public school sites that serve at-risk  
2 children as defined in section -1."

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

5 "[+]§302A-1506.5[+] **Early childhood education facilities;**  
6 **identifying sites.** (a) The department of education shall  
7 identify unused public school facilities for use by early  
8 childhood education programs. Suitable empty classrooms, as  
9 determined by the department, shall be inventoried for potential  
10 use in early childhood education programs. Priority shall be  
11 given to facilities on sites with sufficient space for three or  
12 more classrooms to be renovated or constructed.

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

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

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



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

3                                       PART IV

4                                       MISCELLANEOUS

5           SECTION 8. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7           SECTION 9. This Act shall take effect on July 1, 2020.



**Report Title:**

Early Learning System; Early Learning Council

**Description:**

Establishes an early learning system in the state. Creates the Early Learning Council to develop and administer the early learning system. Establishes the Three- and Four-year-old Program. (HB2973 HD2)

