
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 PART I

2 SECTION 1. The purpose of this Act is to increase the
3 supply and enhance the quality of early childhood education
4 opportunities for young children in the State by:

5 (1) Promoting developmentally-appropriate junior
6 kindergarten and kindergarten programs with
7 appropriate student-to-teacher ratios, standards,
8 curricula, and assessments; and

9 (2) Supporting the preparation and professional
10 development of early childhood educators and
11 administrators; and

12 (3) Increasing the availability of facilities for early
13 childhood education programs through the
14 identification of unused public school facilities and
15 a new pre-plus initiative.

16 PART II



1 SECTION 2. The legislature finds that according to a 2006
2 junior kindergarten pilot program evaluation report commissioned
3 by the Hawaii Educational Policy Center, additional funding and
4 support are needed to implement a flexible, developmentally-
5 appropriate junior kindergarten program for young children.
6 Specifically, the junior kindergarten program requires qualified
7 teaching professionals who will implement developmentally-
8 appropriate standards, curricula, and assessments, in a
9 classroom environment of one adult for every ten students.

10 The legislature further finds that public-private
11 partnerships provide opportunities to address the needs of both
12 junior kindergarten students as well as preschool-age students
13 with special needs, who would benefit from more opportunities
14 for inclusion. The legislature therefore encourages greater
15 collaboration between state-funded junior kindergarten and early
16 childhood special education programs, with private early
17 childhood education providers, to better meet the needs of our
18 young students.

19 SECTION 3. Section 302A-411, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§302A-411 Junior kindergarten and kindergarten program;**
22 **establishment; attendance.** (a) The department shall establish



1 and maintain junior kindergartens and kindergartens with a
2 program of instruction as a part of the public school system;
3 provided that:

- 4 (1) Attendance shall not be mandatory; and
- 5 (2) Charter schools shall be excluded from mandatory
- 6 participation in the program.

7 (b) The department shall establish a two-tier junior
8 kindergarten and kindergarten program to support the range of
9 developmental abilities of children in junior kindergarten and
10 kindergarten. ~~[Any] No school [may] shall~~ move students between
11 junior kindergarten and kindergarten ~~[as the school deems~~
12 ~~appropriate. Junior kindergarten students may graduate directly~~
13 ~~to grade one.]~~ except in cases in which the movement is based on
14 appropriate assessments determined by:

- 15 (1) The professional judgment and experience of a
- 16 qualified teacher with early childhood education
- 17 background and experience; or
- 18 (2) The testing of a student's academic, physical, social,
- 19 and emotional abilities;

20 provided that beginning with the 2008-2009 school year, the
21 department shall use assessment guidelines for determining a
22 student's placement and for deciding a student's movement.



1 (c) The program shall include separate curricula for
 2 junior kindergarten and kindergarten students that are tailored
 3 to the specific needs and abilities of students in each tier.
 4 In developing the curriculum for the junior kindergarten tier,
 5 the department shall incorporate the Hawaii preschool content
 6 standards for four-year-old children and may review and consider
 7 the use of established preschool curriculum.

8 (d) The program shall include any or all of the following
 9 models:

- 10 (1) Classrooms composed exclusively of either junior
- 11 kindergarten or kindergarten students;
- 12 (2) Coordination with public, private, or public-private
- 13 entities to address the needs of junior [~~kindergarten-~~
- 14 ~~eligible~~] kindergarten and preschool-age special
- 15 education students within the school's community[~~and~~
- 16 ~~(3) The blending of junior kindergarten and kindergarten~~
- 17 ~~students in a single classroom.]~~

18 [~~(c)~~] (e) Beginning with the 2004-2005 school year, a
 19 child who will be at least five years of age on or before
 20 December 31 of the school year may attend a public school
 21 kindergarten. Beginning with the 2006-2007 school year, a child
 22 who will be at least five years of age on or before August 1 of



1 the school year may attend a public school kindergarten.
2 Beginning with the 2006-2007 school year, a child who will be at
3 least five years of age after August 1 and before January 1 of
4 the school year may attend a public school junior kindergarten.

5 (f) The department shall give preference to qualified
6 individuals to be placed in junior kindergarten and kindergarten
7 programs beginning in the 2008-2009 school year, who have early
8 childhood education credentials and experience as follows:

9 (1) For teachers:

10 (A) Early childhood education, program level PK-3 as
11 licensed by the Hawaii teacher standards board;

12 (B) Elementary education, program level K-6 as
13 licensed by the Hawaii teacher standards board,
14 with additional coursework leading to a
15 certificate in early childhood education; or

16 (C) Special education, program level K-12, as
17 licensed by the Hawaii teacher standards board,
18 with additional coursework leading to a
19 certificate in early childhood education;

20 and

21 (2) For junior kindergarten educational assistants:



1 (A) An associate's degree in early childhood

2 education; or

3 (B) A child development associate certification.

4 The department shall ensure that school administrators of junior

5 kindergarten and kindergarten programs receive professional

6 development in best practices for effective leadership of all

7 kindergarten programs.

8 ~~[(d)]~~ (g) The department may accept gifts to establish and
9 maintain junior kindergartens and kindergartens."

10 SECTION 4. The department of education shall, no later
11 than twenty days prior to the convening of the regular session
12 of 2008:

13 (1) Complete the planning and development of the
14 appropriate curriculum for the junior kindergarten
15 program; and

16 (2) Submit its findings and recommendations to the
17 legislature on the planned junior kindergarten
18 curricula, successful models, and assessments to be
19 used in the placement and movement of students between
20 junior kindergarten, kindergarten, and first grade, as
21 well as facilities to be used for junior kindergarten.



1 SECTION 5. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2007-2008 and the
 4 same sum of so much thereof as may be necessary for fiscal year
 5 2008-2009 for junior kindergarten teachers to achieve a student-
 6 to-teacher ratio of ten students to one teacher in junior
 7 kindergarten programs.

8 The sum appropriated shall be expended by the department of
 9 education for the purposes of this section.

10 PART III

11 SECTION 6. An interim report of the early learning
 12 educational task force, established by Act 259, Session Laws of
 13 Hawaii 2006, recommended increasing early educator capacity
 14 through improved access to education and training opportunities.
 15 The legislature finds that early childhood teacher training and
 16 professional development opportunities may be expanded by
 17 providing educators with greater access to state-funded
 18 financial aid and increasing the availability of distance
 19 learning and relevant early childhood education college courses.

20 SECTION 7. Section 304A-701, Hawaii Revised Statutes, is
 21 amended to read as follows:



1 "[-]§304A-701[+] **Hawaii educator loans; eligibility;**
2 **amounts.** There is created the Hawaii educator loan program to
3 be administered by the University of Hawaii, to provide
4 financial support to students who complete a state-approved
5 teacher education program and who agree to teach in the Hawaii
6 public school system[-]; provided that ten per cent of the sums
7 appropriated into the Hawaii educator loan program special fund
8 shall be used to assist educators seeking associate's or
9 bachelor's degrees in early childhood education. Eligibility
10 shall be awarded by the university to students on a competitive
11 basis. The amount to be loaned to a student shall be determined
12 by the board of regents based on need for financial aid and
13 proof of acceptance into a state-approved teacher education
14 program at the university. The maximum amount of loans that a
15 student may receive under this program shall be an aggregate
16 amount equivalent to tuition payments and costs of textbooks and
17 other instructional materials necessary to complete a state-
18 approved teacher education program."

19 SECTION 8. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ for fiscal
21 year 2007-2008 to be deposited into the Hawaii educator loan
22 program special fund to assist early childhood educators who are



1 seeking associate's or bachelor's degrees in early childhood
2 education.

3 The sum appropriated shall be expended by the University of
4 Hawaii for the purposes of this part.

5 SECTION 9. 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 2007-2008 for
8 developmental courses for public school junior kindergarten and
9 kindergarten teachers that will result in a 12-credit
10 certificate in early childhood education.

11 The sum appropriated shall be expended by the Hawaii P-20
12 initiative of the University of Hawaii for the purposes of this
13 part.

14 PART IV

15 SECTION 10. The legislature recognizes that a 2002 public-
16 private initiative entitled "pre-plus" resulted in the
17 development of seventeen additional preschool classroom
18 facilities on public elementary school campuses. The department
19 of education, department of human services, and department of
20 accounting and general services collaborated with private early
21 childhood education providers to increase the availability of
22 early education opportunities for over three hundred and fifty,



1 four-year-old children with high needs. However, more support
2 is needed to increase the supply of suitable classrooms for
3 early childhood programs statewide.

4 SECTION 11. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 **"§302A- Early childhood education facilities; pre-plus.**

8 (a) The department, department of human services, and
9 department of accounting and general services shall work
10 collaboratively to develop suitable pre-plus classrooms on
11 department of education school campuses statewide, including
12 conversion charter school campuses, for early childhood
13 education programs serving preschool-age children between three
14 and five years of age.

15 (b) The department shall coordinate site selection, with
16 priority given to public school sites that serve students
17 predominantly of low socioeconomic status or with special needs
18 who require full-inclusion opportunities, or schools that are in
19 restructuring under the federal No Child Left Behind Act.

20 (c) The department of human services shall administer the
21 appropriated capital improvement project funds for the planning,
22 design, and construction of temporary facilities to support pre-



1 plus programs on designated public school campuses. The
2 department of human services shall collaborate with the
3 department on the eventual transfer of capital improvement
4 project administration.

5 (d) The department of accounting and general services
6 shall implement required planning, design, and construction
7 functions for temporary facilities to support pre-plus programs
8 on designated public school campuses, subject to adequate
9 department and department of human services guidance, direction,
10 and capital improvement project funding being approved. The
11 department of accounting and general services shall collaborate
12 with the department on the eventual transfer of planning,
13 design, and construction functions.

14 (e) The department shall procure preschool service
15 delivery and implementation and provide general oversight of the
16 pre-plus program. Programs shall meet quality early childhood
17 education standards, such as Head Start performance standards,
18 accreditation requirements of the National Association for the
19 Education of Young Children, or the requirements of other
20 appropriate accreditation bodies as determined by the
21 department."



1 SECTION 12. Section 302A-1506.5, Hawaii Revised Statutes,
2 is amended to read as follows:

3 "~~[+]§302A-1506.5[+]~~ **Early childhood education facilities;**
4 **identifying sites~~[-]~~; inspections.** (a) The department of
5 education shall identify unused public school facilities for use
6 by early childhood education programs. Suitable empty
7 classrooms, as determined by the department, shall be
8 ~~[inventoried for potential use in]~~ prepared and utilized for
9 early childhood education programs~~[-]~~; provided that the
10 classrooms shall meet the licensing standards determined by the
11 departments of education and human services. ~~[Priority shall be~~
12 ~~given to facilities on sites with sufficient space for three or~~
13 ~~more classrooms to be renovated or constructed.]~~

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

17 (c) The department of human services, which currently
18 inspects early childhood education facilities for the proper
19 operation, sanitation, and safety of the facilities, shall
20 submit regular reports with its findings and recommendations to
21 the department of education. All early childhood education
22 facilities shall be open at all times to visitation and



1 inspection by representatives of the departments of education,
2 human services, and health, and by the designated
3 representatives of the respective county fire departments.

4 (d) The department may adopt rules pursuant to chapter 91
5 to effectuate this section."

6 SECTION 13. The director of finance is authorized to issue
7 general obligation bonds in the sum of \$ or so much thereof
8 as may be necessary and the same sum or so much thereof as may
9 be necessary is appropriated for fiscal year 2007-2008 for the
10 plans, design, and construction of facilities as part of the
11 pre-plus initiative.

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

14 SECTION 14. The appropriation made for the capital
15 improvement project authorized by this Act shall not lapse at
16 the end of the fiscal biennium for which the appropriation is
17 made; provided that all moneys from the appropriation
18 unencumbered as of June 30, 2010, shall lapse as of that date.

19 PART V

20 SECTION 15. 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 2007-2008 for an



1 early childhood education specialist to focus on early childhood
2 education, kindergarten programs, and pre-plus program
3 administration; provided that the early childhood education
4 specialist shall report directly to the superintendent of
5 education.

6 The sum appropriated shall be expended by the department of
7 education for the purposes of this section.

8 PART VI

9 SECTION 16. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 17. This Act shall take effect on July 1, 2050.



Report Title:

Early Childhood Education

Description:

Improves the junior kindergarten program. Promotes the training and professional development of early childhood educators. Increases the availability of facilities for early childhood education programs. Appropriates funds. (SB613 HD1)

