

---

---

# A BILL FOR AN ACT

RELATING TO EARLY CHILDHOOD EDUCATION.

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

1           SECTION 1. The legislature finds that the federal  
2 Individuals with Disabilities Education Act (Public Law 108-446,  
3 reauthorized 2004) governs how states and public agencies  
4 provide early intervention, special education, and related  
5 services to infants, toddlers, children, and youth with  
6 disabilities. The Individuals with Disabilities Education Act  
7 requires that, to the maximum extent appropriate, children with  
8 disabilities be educated in the least restrictive environment  
9 with children who are non-disabled.

10           The legislature also finds that including children with  
11 disabilities in natural settings within their communities helps  
12 them to develop a higher level of socialization; gain language,  
13 motor, and cognitive skills; and improve play skills. The  
14 legislature further finds that the department of education has  
15 extremely limited opportunities for preschool-age children with  
16 developmental delays to interact with their typically developing  
17 peers. The philosophy of including special needs preschoolers  
18 in learning environments with non-disabled children is supported



1 by the Council for Exceptional Children and the National  
2 Association for the Education of Young Children.

3       The legislature further finds that the concept of universal  
4 design, which is an approach that maximizes usability of  
5 products, services, and environments for as many people as  
6 possible regardless of age, ability, or situation, is an  
7 approach that would benefit Hawaii's preschools. With universal  
8 design, a minority of students will need "special"  
9 accommodations.

10       The department of education currently has no regular  
11 education preschool programs that can adequately provide  
12 opportunities for inclusion. However, the department of  
13 education has limited partnerships with Head Start and private  
14 preschools to provide opportunities for special needs  
15 preschoolers to interact with their non-disabled peers. These  
16 extremely limited opportunities are not sufficient to meet the  
17 needs of all of Hawaii's preschoolers who could benefit from  
18 inclusive settings.

19       The purpose of this Act is to increase opportunities for  
20 special needs preschoolers to interact with their non-disabled  
21 peers.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§302A- Inclusion opportunities for special needs  
5 preschoolers. (a) The department of education quality early  
6 education plan, pursuant to section 302A-410, shall include  
7 opportunities for special needs preschoolers who are between  
8 three to five years old to interact with their non-disabled  
9 peers. The department shall collaborate with parents and  
10 private providers to increase opportunities and implement  
11 classes that include both special education eligible students  
12 and general education students, subject to available resources  
13 and individualized education plans.

14 (b) A special education eligible student may receive  
15 special education and related services in a private preschool  
16 program that is located on a public school site or in the  
17 community, if the services are required by the student's  
18 individualized education program.

19 (c) Special education personnel may provide services as  
20 provided in the student's individualized education plan at any  
21 preschool site. Special education personnel may also provide



1 services to general education students in a special education  
2 classroom."

3 SECTION 3. The department of education and the department  
4 of human services shall consider the following options in their  
5 efforts to include special needs preschoolers in general  
6 education preschool programs:

7 (1) Increasing and developing methods for increasing the  
8 number of eligible recipients of preschool program  
9 tuition subsidies to enable all parents, including  
10 those of children with disabilities, to access  
11 preschool programs offered by the department of human  
12 services;

13 (2) Executing additional contracts to purchase services  
14 for five to six slots per preschool for special needs  
15 children to receive special education and related  
16 services under part B of the Individuals with  
17 Disabilities Act;

18 (3) Providing intervention specialist services for  
19 students who are unilaterally placed in preschools in  
20 the community by their parents;

21 (4) Establishing partnerships among private and public  
22 preschool programs to meet personnel needs, including



1 but not limited to, the hiring of teachers who are  
2 dually certified in early childhood education and  
3 special education, educational assistants, or other  
4 necessary staff; and

5 (5) Providing pre-service and in-service training  
6 opportunities for early childhood professionals to  
7 incorporate the concept of universal design in  
8 education to prepare them to teach all children  
9 utilizing an approach that provides learners with a  
10 variety of ways to access and process information.

11 SECTION 4. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so  
13 much thereof as may be necessary for fiscal year 2008-2009 to  
14 increase opportunities for special needs preschoolers to  
15 interact with their non-disabled peers.

16 The sum appropriated shall be expended by the department of  
17 education and the department of human services, as appropriate,  
18 for the purposes of this Act.

19 SECTION 5. New statutory material is underscored.

20 SECTION 6. This Act shall take effect on July 1, 2008.

**Report Title:**

Early Childhood Education; Preschool; Special Needs

**Description:**

Requires the department of education to increase opportunities for special needs preschoolers to interact with their non-disabled peers. Appropriates funds. (SD1)

