
A BILL FOR AN ACT

RELATING TO EARLY LEARNING.

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

1 SECTION 1. The purpose of this Act is to improve early
2 learning by:

3 (1) Requiring the department of education, beginning with
4 the 2010-2011 school year, to use successful
5 assessment tools and protocols for determining a
6 student's initial placement and for decision making
7 about a student's movement between junior
8 kindergarten, kindergarten, and into grade one; and

9 (2) Clarifying provisions of the early learning system,
10 established by Act 14, Special Session Laws of Hawaii
11 2008, including requiring development of a plan to
12 ensure the needs of junior kindergarteners are
13 addressed, authorizing designees for all members of
14 the early learning council, and changing the name of
15 the keiki first steps trust fund to the early learning
16 trust fund.



1 SECTION 2. Section 302A-411, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The department shall establish a two-tier junior
4 kindergarten and kindergarten program to support the range of
5 developmental abilities of children in junior kindergarten and
6 kindergarten. ~~[Any school may]~~ Schools shall not move students
7 between junior kindergarten and kindergarten ~~[as the school~~
8 ~~deems appropriate. Junior kindergarten students may graduate~~
9 ~~directly to grade one.]~~, except in cases where the movement is
10 warranted and based on appropriate assessments determined by:

- 11 (1) A qualified teacher with early childhood education
12 background or experience; and
- 13 (2) The formative and summative assessment of a student's
14 academic, physical, social, and emotional abilities,
15 provided that, beginning with the 2010-2011 school year, the
16 department shall use successful assessment tools and protocols
17 for determining a student's initial placement and for decision
18 making about a student's movement between tiers and into grade
19 one. Junior kindergarten students may graduate directly to
20 grade one when promotion is based on appropriate assessments and
21 other progress data collected over time."



1 SECTION 3. Section 302L-3, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) There is established an early learning council which
4 shall be attached to the department of education for
5 administrative purposes only, notwithstanding any other law to
6 the contrary. To the extent permissible by law, the council
7 shall develop and administer the early learning system
8 established in section 302L-2 to benefit all children throughout
9 the State, from birth until the time they enter kindergarten.
10 In developing the early learning system, the council shall,
11 among other things:

- 12 (1) Establish policies and procedures governing its
13 operations;
- 14 (2) Develop 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) Coordinate, improve, and expand upon existing early
19 learning programs and services for children from birth
20 until the time they enter kindergarten;
- 21 (4) Establish policies and procedures to include existing
22 early learning programs and services;



- 1 (5) Establish additional early learning programs and
2 services;
- 3 (6) Establish policies and procedures governing the
4 inclusion of children with special needs;
- 5 (7) Develop incentives to enhance the quality of programs
6 and services within the early learning system;
- 7 (8) Coordinate 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) Establishing a system for awarding appropriate
21 credentials to educators and administrators, as
22 incentives to improve the quality of programs and



1 services, relevant to the various early learning
2 approaches, service deliveries, and settings,
3 such as for experience or coursework or degrees
4 completed;

5 (E) Providing consultation on the social-emotional
6 development of children; and

7 (F) Providing substitute teacher allowances;

8 (9) Develop and implement methods of maximizing the
9 involvement of families, caregivers, and teachers in
10 the early learning system;

11 (10) Develop an effective, comprehensive, and integrated
12 system to provide training and technical support to
13 programs and services within the early learning
14 system;

15 (11) Develop standards of accountability to ensure that
16 high-quality early learning experiences are provided
17 by programs and services of the early learning system;

18 (12) Collect, interpret, and release data relating to early
19 learning in the State;

20 (13) Recommend the appropriate proportion of state funds
21 that should be distributed to programs and services
22 across the early learning system, to ensure the most



1 effective and efficient allocation of fiscal resources
2 within the early learning system;

3 (14) Develop a plan to ensure that the needs of junior
4 kindergarteners are addressed, including:

5 (A) Recommending an appropriate and effective
6 curriculum;

7 (B) Establishing criteria for junior kindergarten
8 teachers and aides;

9 (C) Incorporating Hawaii's preschool content
10 standards for junior kindergarteners; and

11 (D) Recommending an effective transition from the
12 early learning system to kindergarten;

13 ~~[(14)]~~ (15) Promote awareness of early learning
14 opportunities to families and the general public; and

15 ~~[(15)]~~ (16) Consult with community groups, including
16 statewide organizations that are involved in early
17 learning professional development, policy and
18 advocacy, and early childhood programs, to broaden the
19 council's knowledge of early learning.

20 (b) The council shall consist of the following voting
21 members:



- 1 (1) The superintendent of education or the
- 2 superintendent's designee;
- 3 (2) The director of human services or the director's
- 4 designee;
- 5 (3) The director of health or the director's designee;
- 6 (4) The president of the University of Hawaii or the
- 7 president's designee;
- 8 (5) A representative of center-based program providers[+]
- 9 or the representative's designee;
- 10 (6) A representative of family child care program
- 11 providers[+] or the representative's designee;
- 12 (7) A representative of family-child interaction learning
- 13 program providers[+] or the representative's designee;
- 14 (8) A representative of philanthropic organizations that
- 15 support early learning[+and] or the representative's
- 16 designee;
- 17 (9) A representative from a Head Start provider agency or
- 18 the representative's designee; and
- 19 [+9+] (10) Two representatives of the Hawaii Council of
- 20 Mayors[-] or each representative's respective
- 21 designee.



1 The council shall invite the director of the Hawaii head
2 start state collaboration office, the chief executive officer of
3 the Kamehameha Schools, and the executive director of the Hawaii
4 Association of Independent Schools, or their designees, to serve
5 as voting members of the council.

6 Except for the superintendent of education, directors of
7 state departments, president of the University of Hawaii,
8 director of the Hawaii head start state collaboration office,
9 chief executive officer of the Kamehameha Schools, executive
10 director of the Hawaii Association of Independent Schools, and
11 the two representatives of the Hawaii Council of Mayors, or
12 their respective designees, the members shall be nominated and,
13 by and with the advice and consent of the senate, appointed by
14 the governor."

15 SECTION 4. Section 302L-5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~[-] §302L-5 [-]~~ ~~[Keiki first steps]~~ Early learning trust
18 fund. There is established within the state treasury the ~~[keiki~~
19 ~~first steps]~~ early learning trust fund, to be administered by
20 the early learning council, into which shall be deposited all
21 moneys received by the council in the form of:

22 (1) Fees;



- 1 (2) Grants;
- 2 (3) Donations;
- 3 (4) Appropriations made by the legislature to the fund;
- 4 and
- 5 (5) Revenues regardless of their source,
- 6 and earnings on moneys in the fund. Moneys in the fund shall be
- 7 used for the early learning system. Expenditures from the fund
- 8 may be made by the council without appropriation or allotment."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.



S.B. NO. 1329
S.D. 2
H.D. 2
C.D. 1

Report Title:

Early Learning Council; Department of Education

Description:

Requires the department of education, beginning with the 2010-2011 school year, to use successful assessment tools and protocols for determining a student's initial placement and for decision making about a student's movement between junior kindergarten, kindergarten, and into grade one; clarifies provisions of the early learning system, established by Act 14, SSLH 2008, including requiring development of a plan to ensure the needs of junior kindergarteners are addressed, authorizing designees for all members of the early learning council, and changing the name of the keiki first steps trust fund to the early learning trust fund. (CD1)

