

JAN 27 2010

S.B. NO. 2940

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that despite the
2 establishment of a two-tiered junior kindergarten and
3 kindergarten program in 2004, effective means of assessing
4 students to determine appropriate placement into either tier
5 have not been developed.

6 The purpose of this Act is to:

- 7 (1) Establish and appropriate funds for a preschool
8 voucher system to supplement the junior kindergarten
9 and kindergarten program when funding for the junior
10 kindergarten and kindergarten program falls below
11 fiscal year 2008-2009 levels;
- 12 (2) Require the department of education to develop a
13 screening tool to measure the intellectual, social,
14 emotional, and physical abilities of junior
15 kindergarten students;
- 16 (3) Require the screening tool to be used in assessing
17 when a child should be allowed to graduate from junior
18 kindergarten directly to grade one;



- 1 (4) Ensure that an appropriate curriculum is established
2 for junior kindergarten students;
- 3 (5) Require the department of education to staff junior
4 kindergartens with qualified teachers with early
5 childhood education backgrounds and experience and
6 teacher aides;
- 7 (6) Require the incorporation of the Hawaii preschool
8 content standards for four-year-olds and kindergarten
9 content and performance standards;
- 10 (7) Appropriate funds for teacher professional
11 development; and
- 12 (8) Appropriate funds for a permanent educational
13 specialist to focus on early childhood education
14 issues.

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

18 "§302A- Preschool voucher program. There is established
19 a preschool voucher program to provide support for preschool
20 education for children who do not meet the age requirements for
21 kindergarten under section 302A-411(e) and who are enrolled in
22 an accredited preschool in the State. The department shall



1 adopt rules, pursuant to chapter 91, to establish the procedures
2 for the State to issue vouchers to preschools that enroll
3 children who do not meet the age requirements for kindergarten
4 under section 302A-411(e); provided that the total sum of
5 vouchers issued shall be limited by the funds available for the
6 purposes of this section.

7 This section shall apply only during fiscal years in which
8 funding for the junior kindergarten and kindergarten program,
9 established under section 302A-411, falls below fiscal year
10 2008-2009 levels; provided that during those years, the
11 preschool voucher program shall supplement, not replace, the
12 junior kindergarten and kindergarten program, and any funds
13 appropriated for the preschool voucher program shall not
14 supplant funds appropriated for the junior kindergarten and
15 kindergarten program."

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

18 **"§302A-411 Junior kindergarten and kindergarten program;**
19 **establishment; attendance.** (a) The department shall establish
20 and maintain junior kindergartens and kindergartens with a
21 program of instruction as a part of the public school system;
22 provided that:



1 (1) Attendance shall not be mandatory; and

2 (2) Charter schools shall be excluded from mandatory
3 participation in the program.

4 (b) The department shall establish a two-tier junior
5 kindergarten and kindergarten program to support the range of
6 developmental abilities of children in junior kindergarten and
7 kindergarten. Schools shall not move students between junior
8 kindergarten and kindergarten, except in cases where the
9 movement is warranted and based on appropriate assessments
10 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[-], including a
22 screening tool to measure the intellectual, social, emotional,



1 and physical abilities of junior kindergarten students, pursuant
2 to subsection (c).

3 (c) The department shall develop a screening tool as an
4 assessment tool to determine whether a student may graduate from
5 junior kindergarten directly to grade one. The screening tool
6 shall measure the intellectual, social, emotional, and physical
7 abilities of students against norms from other public school
8 students. The norms shall be developed from spring semester
9 measurements or testing and shall use separate norms for males
10 and females.

11 If a student scores at or above one and one-half standard
12 deviations of the selected norm in all four areas (intellectual,
13 social, emotional, and physical) tested, that student may be
14 allowed to graduate directly to grade one.

15 (d) The program shall include curricula for junior
16 kindergarten and kindergarten students that are tailored to the
17 specific needs and abilities of students in each tier. In
18 developing the choices of curriculum for the junior kindergarten
19 tier, the department shall incorporate the Hawaii preschool
20 content standards for four-year-olds and content and performance
21 standards for kindergarten, and may review and consider the use
22 of developmentally appropriate instructional practices.



1 ~~[(e) Beginning with the 2004-2005 school year, a child who~~
2 ~~will be at least five years of age on or before December 31 of~~
3 ~~the school year may attend a public school kindergarten.]~~

4 (e) Beginning with the 2006-2007 school year, a child who
5 will be at least five years of age on or before August 1 of the
6 school year may attend a public school kindergarten. Beginning
7 with the 2006-2007 school year, a child who will be at least
8 five years of age after August 1 and before January 1 of the
9 school year may attend a public school junior kindergarten.

10 (f) The department shall establish categories of qualified
11 teachers with early childhood education backgrounds and
12 experience and teacher aide paraprofessionals to be applied to
13 teachers and teacher aides to be hired for junior kindergartens
14 beginning with the 2010-2011 school year. The qualifications of
15 teachers and teacher aides to be hired shall be as follows:

16 (1) Qualified teachers with early childhood education
17 background and experience who are hired for junior
18 kindergartens shall have, at a minimum, a bachelor's
19 degree from an accredited teacher preparation program;

20 and

21 (2) Teacher aides who are hired for junior kindergartens
22 shall have, at minimum, an associate's degree and



1 background and experience in working with young
2 children.

3 ~~(d)~~ (g) The department may accept gifts to establish and
4 maintain junior kindergartens and kindergartens."

5 SECTION 4. The department of education shall complete the
6 planning and development of the appropriate curriculum for the
7 two-tiered kindergarten program and submit findings and
8 recommendations to the legislature on:

- 9 (1) The planned curriculum;
- 10 (2) Information on successful models;
- 11 (3) Plan for using appropriate assessments for placement
12 and decision making on movement between the junior
13 kindergarten and kindergarten tiers, and first grade;
14 and
- 15 (4) The facilities to be used for the junior kindergarten
16 program,

17 no later than twenty days prior to the convening of the regular
18 session of 2011.

19 SECTION 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2010-2011 for
22 teacher professional development to address curricular,



1 instructional, and assessment practices in a two-tiered
2 kindergarten, with a focus on junior kindergarten.

3 The sum appropriated shall be expended by the department of
4 education for the purposes of this Act.

5 SECTION 6. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2010-2011 for
8 the creation of one permanent educational specialist position,
9 which shall:

- 10 (1) Report directly to the superintendent of education;
- 11 (2) Focus on early childhood education issues; and
- 12 (3) Be responsible for policies, curriculum, and
13 assessments relating to kindergarten, junior
14 kindergarten, and other pre-kindergarten programs.

15 The sum appropriated shall be expended by the department of
16 education for the purposes of this Act.

17 SECTION 7. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2010-2011 to
20 establish the preschool voucher program and implement the
21 program during applicable fiscal years, pursuant to section
22 302A- , Hawaii Revised Statutes.



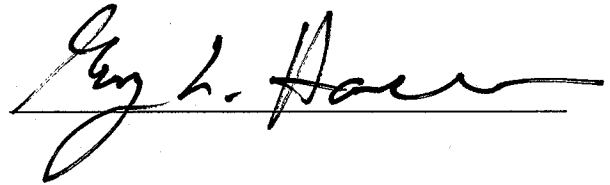
1 The sum appropriated shall be expended by the department of
2 education for the purposes of this Act.

3 SECTION 8. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 9. This Act shall take effect on July 1, 2010.

6

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Greg L. Haer", is written over a horizontal line.

Report Title:

DOE; Preschool Vouchers; Junior Kindergarten; Appropriation

Description:

Establishes a preschool voucher program to supplement the junior kindergarten and kindergarten program (JKK) when funding levels fall below a certain level. Requires the DOE to develop a screening tool to determine whether junior kindergarteners may graduate directly to grade one and to make other changes to JKK. Appropriates funds for JKK and preschool voucher program.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

