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## 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 Act 77, Session Laws  
2 of Hawaii 1997 (Act 77), was enacted in response to the demand  
3 for an agency that focused exclusively on the needs of young  
4 children. Act 77 authorized the State to contract with the  
5 nonprofit Good Beginnings Alliance and established the nonprofit  
6 corporation's public counterpart, the interdepartmental council.  
7 The public-private partnership created by Act 77 was charged  
8 with the responsibility to improve early childhood outcomes  
9 through the development of quality early childhood education and  
10 care and related family support services. As enacted, Act 77  
11 was scheduled to be repealed on June 30, 2001.

12           In 2000, the joint legislative committee on early childhood  
13 education and care, established by House Concurrent Resolution  
14 No. 120, 1998, found that the components of a quality system of  
15 early childhood education and care were in place, and that the  
16 Good Beginnings Alliance was truly the link and focal point for  
17 policy development, disbursement of public funds, and  
18 implementation of early childhood community plans. The joint



1 legislative committee recommended that, among other things, the  
2 legislature make the Good Beginnings Alliance a permanent  
3 coordinating structure that cuts across existing social service  
4 systems to coordinate early childhood services for families with  
5 young children.

6 Act 60, Session Laws of Hawaii 2000 (Act 60), amended Act  
7 77 by expanding the representation of the Good Beginnings  
8 Alliance board of directors; expanding the membership of the  
9 interdepartmental council, and extending Act 77 to June 30,  
10 2010.

11 While legislative measures were introduced to further delay  
12 the repeal of Act 77 beyond June 30, 2010, none were enacted.  
13 As a result, Act 77, as amended by Act 60, was repealed on June  
14 30, 2010.

15 The American Recovery and Reinvestment Act of 2009 (ARRA),  
16 Pub. L. No. 111-5, made \$100,000,000 in federal funding  
17 available to states to improve coordination and collaboration  
18 among early childhood education and care programs and services.  
19 The funding appropriated by ARRA was for one-time start-up  
20 grants to develop and implement the plans of the state advisory  
21 council.



1 Hawaii has been allocated \$500,000 for its state advisory  
2 council. To be eligible for an applicable grant under ARRA, the  
3 governor was required to designate or establish a state advisory  
4 council. Acting pursuant to sections 26-41 and 29-13, Hawaii  
5 Revised Statutes, on April 12, 2010, the governor signed  
6 Executive Order No. 10-06, which:

7 (1) Established and continued the interdepartmental  
8 council as a temporary commission, with the same  
9 members, duties, and responsibilities as set forth in  
10 Act 77, as amended by Act 60;

11 (2) Established the Hawaii state advisory council as a  
12 temporary commission to provide advice and public  
13 input to the interdepartmental council;

14 (3) Provided that the Hawaii state advisory council shall  
15 consist of the members of the interdepartmental  
16 council and one member from an institution of higher  
17 education located in the State, one member from a  
18 local provider of early childhood education, one  
19 member from a head start provider agency located in  
20 the State, and the state director of the head start  
21 collaboration project;



- 1 (4) Set forth the duties and responsibilities of the
- 2 Hawaii state advisory council; and
- 3 (5) Provided for the termination of the interdepartmental
- 4 council and the Hawaii state advisory council upon the
- 5 completion of their respective duties and
- 6 responsibilities, but no later than the last day of
- 7 the legislature's regular session of 2012 or beyond
- 8 the period required to receive federal grants-in-aid,
- 9 whichever occurs later.

10 The legislature finds that the public-private partnership  
 11 created by Act 77, as amended by Act 60, is still needed to  
 12 enhance, develop, and coordinate quality early childhood  
 13 education and care services. The purpose of this Act is to  
 14 legislatively reestablish the Good Beginnings Alliance and  
 15 interdepartmental council as they existed before Act 77 was  
 16 repealed on June 30, 2010, and to expand the membership of the  
 17 interdepartmental council.

18 SECTION 2. The Hawaii Revised Statutes is amended by  
 19 adding a new chapter to be appropriately designated and to read  
 20 as follows:

21 "CHAPTER

22 HAWAII EARLY EDUCATION AND CARE



1           §   -1 Hawaii early education and care; designation;  
2 duties. (a) Any state agency may contract with a private  
3 nonprofit corporation that has tax exempt status in accordance  
4 with section 501(c)(3) of the Internal Revenue Code of 1986, as  
5 amended, for the purposes of coordinating policy, disbursing  
6 public funds, and implementing community plans related to the  
7 provision of early childhood education and care services. The  
8 corporation, as a condition for receiving public funds, shall be  
9 subject to this chapter and be organized to:

10           (1) Develop policy recommendations concerning all aspects  
11 of a coordinated early childhood education and care  
12 system, including coordination strategies, resource  
13 development, and advocacy more particularly described  
14 in the good beginnings early childhood education and  
15 care master plan as developed under the auspices of  
16 the office of the governor;

17           (2) Provide the recommendations developed in accordance  
18 with paragraph (1) to the interdepartmental council  
19 established under section -4 and other appropriate  
20 agencies;

21           (3) Disburse public funds in the manner authorized by law;  
22 and



1 (4) Perform other duties as delineated in this chapter.

2 (b) No powers or duties assigned to the corporation within  
3 this chapter shall be construed to designate the corporation as  
4 a state agency or public entity.

5 § -2 **Board of directors; established; composition.** (a)

6 A corporation may qualify under section -1; provided that the  
7 board of directors of the corporation shall consist of not more  
8 than fourteen members, selected as follows:

9 (1) One member appointed by the interdepartmental council  
10 established under section -4 shall serve as an ex-  
11 officio voting member;

12 (2) One member shall represent each county of the State,  
13 except the county of Kalawao, to represent the various  
14 community councils established in a respective county  
15 under section -3;

16 (3) One member representing the general business  
17 community;

18 (4) One member representing the general philanthropic  
19 community;

20 (5) One member representing the early childhood education  
21 and care professional community;



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1           (6) One member representing consumers of early childhood  
2           education and care services;

3           (7) One member representing the University of Hawaii;

4           (8) One member representing the American Academy of  
5           Pediatrics;

6           (9) One member representing the early intervention  
7           community;

8           (10) One member representing an early childhood resource  
9           and referral agency; and

10          (11) One member representing head start.

11          (b) The members of the board shall possess knowledge of  
12 the educational and developmental needs of young children as  
13 well as the support needs of their families.

14          (c) Vacated positions shall be filled in the same manner  
15 through which the member whose position has been vacated was  
16 appointed.

17          §   -3 **Community councils.** (a) The corporation shall  
18 oversee the establishment and implementation of not less than  
19 four community councils; provided that each county in the State,  
20 except the county of Kalawao, shall be represented by a  
21 community council. The community councils shall reflect the  
22 cultural make-up of the community and shall consist of



1 representatives from groups or organizations that may be in a  
2 designated service delivery area, including but not limited to:

- 3 (1) Families;
- 4 (2) Organizations representing parents with young  
5 children;
- 6 (3) Public or private nonprofit health, human services,  
7 and education agencies; and
- 8 (4) Providers of early childhood education and care  
9 services, the business community, and local  
10 governments.

11 (b) Each community council shall be responsible for  
12 developing and implementing a community plan that includes:

- 13 (1) A description of incremental and collaborative  
14 community strategies to provide early childhood  
15 education and care services to children and families  
16 in a designated service delivery area; and
- 17 (2) A description of new local financial resources which  
18 can be used to enhance services in that community,  
19 outcomes to be achieved, and steps to ensure  
20 compliance with fiscal accountability requirements  
21 established by the corporation and the  
22 interdepartmental council.





1 (c) The community councils shall be given the maximum  
2 flexibility and discretion practicable in developing their  
3 community plans and shall submit their community plan to the  
4 corporation for review prior to the approval process required  
5 under section -5.

6 (d) No powers or duties assigned to the community councils  
7 by this chapter shall be construed to designate any community  
8 council as a state agency or public entity.

9 § -4 **Interdepartmental council.** There shall be a  
10 temporary interdepartmental council convened by the office of  
11 the governor for the special purpose of assisting the  
12 corporation in the implementation of its duties as delineated in  
13 the good beginnings early childhood education and care master  
14 plan. The governor shall appoint:

- 15 (1) The superintendent of education;
- 16 (2) The director of human services;
- 17 (3) The director of health;
- 18 (4) The director of labor and industrial relations;
- 19 (5) The governor's special assistant for children and  
20 youth;
- 21 (6) The director of business, economic development, and  
22 tourism;



- 1 (7) One member from the general business community;
- 2 (8) One member from the general philanthropic community;
- 3 (9) One member from an institution of higher education
- 4 located in the State;
- 5 (10) One member that is a local provider of early childhood
- 6 education and development services;
- 7 (11) One member from a Head Start provider agency located
- 8 in the State; and
- 9 (12) The state director of Head Start Collaboration,
- 10 to serve as members of the interdepartmental council. The
- 11 governor's special assistant for children and youth shall serve
- 12 as the presiding chairperson.

13 The appointments shall not be subject to section 26-34, and  
14 shall not be subject to senate confirmation.

15 § -5 **Approval of community plans; allocation of funding.**

16 (a) Subject to the availability of funds, the corporation and  
17 the interdepartmental council, in the spirit of a public and  
18 private partnership, shall jointly review and approve the  
19 community plan presented by a community council and determine  
20 funding levels for each community council. The  
21 interdepartmental council shall suggest the disbursement of

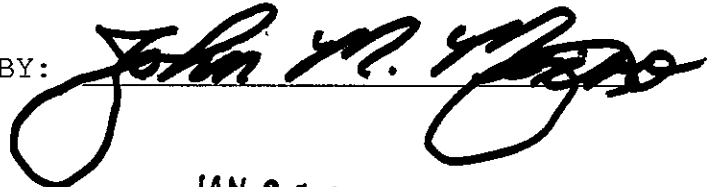
1 public funds through the appropriate departments represented on  
2 the council.

3 (b) The corporation and the interdepartmental council  
4 shall jointly submit an annual report to the governor and the  
5 legislature, twenty days prior to the convening of each regular  
6 session, that describes the activities and accomplishments of  
7 the corporation and the interdepartmental council, fund balances  
8 and expenditures, and the purpose of the expenditures."

9 SECTION 3. This Act shall take effect upon its approval  
10 and shall be repealed on June 30, 2014.

11

INTRODUCED BY:



JAN 21 2011



**Report Title:**

Early Childhood Education

**Description:**

Authorizes state agencies to contract with private nonprofit corporations to carry out certain tasks related to the provision of early childhood education and care services. Establishes requirements necessary for a corporation to receive public funds, including the composition of its board of directors. Establishes community councils and the interdepartmental council. Requires the corporation and interdepartmental council to jointly review and approve community plans and determine funding levels for each community council. Takes effect upon approval and sunsets on 6/30/14.

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

