
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 early childhood
2 education is one of the best investments that our State can
3 make. It benefits children, their families, and their
4 communities. From improved academic outcomes to the economic
5 savings to schools and the State, the benefits of high-quality
6 early childhood education are irrefutable. Research shows that
7 providing a high quality education for young children yields
8 significant long-term benefits. Early childhood education
9 results in successful students, because it increases high school
10 graduation rates, improves children's performance on
11 standardized tests, reduces grade repetition, and decreases the
12 number of children placed in special education. Early childhood
13 education results in responsible adults, because it reduces
14 crime and delinquency, lowers rates of teen pregnancy, leads to
15 greater employment and higher wages as adults, and contributes
16 to more stable families. Early childhood education results in
17 stronger communities, because it improves efficiency and
18 productivity in the classroom.



1 The purpose of this Act is to:

2 (1) Make kindergarten attendance mandatory, except for
3 home-schooled children; and

4 (2) Establish the transition to kindergarten as one of the
5 mandates of the early learning system, also known as
6 keiki first steps.

7 SECTION 2. Section 302A-411, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) The department shall establish and maintain
10 kindergartens with a program of instruction as a part of the
11 public school system; provided that:

12 (1) Attendance shall [~~not~~] be mandatory; and

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

15 (b) Beginning with the 2014-2015 school year, a child who
16 will be at least five years of age on July 31 of the school year
17 [~~may~~] shall attend a public school kindergarten."

18 SECTION 3. Section 302A-1132, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Unless excluded from school or excepted from
21 attendance, all children who will have arrived at the age of at
22 least [~~six~~] five years [~~7~~] by July 1 of any school year and who



1 will not have arrived at the age of eighteen years[7] by January
2 1 of any school year, shall attend either a public or private
3 school for, and during, the school year, and any parent,
4 guardian, or other person having the responsibility for, or care
5 of, a child whose attendance at school is obligatory shall send
6 the child to either a public or private school. Attendance at a
7 public or private school shall not be compulsory in the
8 following cases:

- 9 (1) Where the child is physically or mentally unable to
10 attend school (deafness and blindness excepted), of
11 which fact the certificate of a duly licensed
12 physician shall be sufficient evidence;
- 13 (2) Where the child, who has reached the fifteenth
14 anniversary of birth, is suitably employed and has
15 been excused from school attendance by the
16 superintendent or the superintendent's authorized
17 representative, or by a family court judge;
- 18 (3) Where, upon investigation by the family court, it has
19 been shown that for any other reason the child may
20 properly remain away from school;
- 21 (4) Where the child has graduated from high school;



1 (5) Where the child is enrolled in an appropriate
2 alternative educational program as approved by the
3 superintendent or the superintendent's authorized
4 representative in accordance with the plans and
5 policies of the department, or notification of intent
6 to home school, including kindergarten, has been
7 submitted to the principal of the public school that
8 the child would otherwise be required to attend in
9 accordance with department rules adopted to achieve
10 this result; or

11 (6) Where:

12 (A) The child has attained the age of sixteen years;

13 (B) The principal has determined that:

14 (i) The child has engaged in behavior which is
15 disruptive to other students, teachers, or
16 staff; or

17 (ii) The child's non-attendance is chronic and
18 has become a significant factor that hinders
19 the child's learning; and

20 (C) The principal of the child's school, and the
21 child's teacher or counselor, in consultation
22 with the child and the child's parent, guardian,



1 or other adult having legal responsibility for or
2 care of the child, develops an alternative
3 educational plan for the child. The alternative
4 educational plan shall include a process that
5 shall permit the child to resume school.

6 The principal of the child's school shall file the
7 plan made pursuant to subparagraph (C) with the
8 child's school record. If the adult having legal
9 responsibility for or care of the child disagrees with
10 the plan, then the adult shall be responsible for
11 obtaining appropriate educational services for the
12 child."

13 SECTION 4. Section 302L-2, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§302L-2 Early learning system; keiki first steps.** There
16 is established an early learning system, to be known as keiki
17 first steps, that shall ensure a spectrum of high-quality early
18 learning opportunities for children throughout the State, from
19 birth until the time they enter kindergarten, with priority
20 given to underserved or at-risk children. The early learning
21 system shall be developed and administered by the executive



1 office on early learning to the extent permissible by law. The
2 early learning system shall:

3 (1) Be widely accessible and voluntary for both those
4 served and program and service providers;

5 (2) Be a cohesive, comprehensive, and sustainable system
6 in which:

7 (A) All existing early learning programs and
8 services, whether publicly- or privately-run,
9 which consist of a variety of early learning
10 approaches, service deliveries, and settings,
11 including center-based programs, family child
12 care programs, family-child interaction learning
13 programs, and home-based instruction programs
14 designed to promote early learning, are
15 coordinated, improved, and expanded;

16 (B) Public and private resources are maximized; and

17 (C) The use of public facilities for either publicly-
18 or privately-run early learning programs is
19 maximized;

20 (3) Provide high-quality early learning experiences with:

21 (A) Standards-based content and curriculum, and
22 accountability; and



1 (B) Sufficient numbers of well-qualified educators
 2 and administrators who are fairly compensated and
 3 have access to continuing professional
 4 development;

5 (4) Offer opportunities for family and community
 6 engagement and parent education and support; [~~and~~]

7 (5) Be sensitive to family choice and cultural
 8 diversity[-]; and

9 (6) Facilitate the transition to kindergarten of children
 10 in the program, with priority given to underserved or
 11 at-risk children."

12 SECTION 5. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2014;
 15 provided that section 4 shall take effect upon approval.

16

INTRODUCED BY: *Cynthia Thielan*

JAN 16 2013



H.B. NO. 14

Report Title:

Early Education; Kindergarten; Early Learning System

Description:

Makes attendance at kindergarten mandatory. Makes transition to kindergarten a directive for the early learning system.

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