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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 purpose of this Act is to establish a  
2 statewide early childhood education program to be administered  
3 by the executive office on early learning and implemented upon  
4 the ratification of the amendment to article X, section 1, of  
5 the Hawaii State Constitution, as proposed in Senate Bill No.  
6 1084, S.D. 1, H.D. 1, C.D. 1, which was passed by the  
7 legislature in the regular session of 2013. The program would  
8 provide high-quality early childhood education taught in either  
9 of Hawaii's two official languages to help establish a solid  
10 foundation for children to enable them to graduate from high  
11 school, prepared for college and a career.

12           It is not the intent of this Act to establish a voucher  
13 system.

14           Significant research affirms that the experiences and the  
15 environments in which children develop in their earliest years  
16 can have a lasting impact on their later success in school and  
17 life. When provided with the opportunity for high-quality early  
18 childhood education, children are more likely to succeed in



1 kindergarten and beyond and grow into capable adults who  
2 contribute positively to the larger community. They are more  
3 likely to reach higher levels of educational attainment, earn  
4 higher salaries, and even be healthier.

5 High-quality early childhood education programs also  
6 generate significant returns on investment for society as a  
7 whole, so much so, that some of the country's most respected  
8 economists are now touting early childhood education as an  
9 economic development strategy. The investments yield a return  
10 far exceeding the return on most public projects considered to  
11 spur economic development. Several of the most rigorous long-  
12 term studies done in this area determined returns between \$4 to  
13 \$9 for every dollar invested. The public sees returns in the  
14 form of reduced welfare, crime, and special education costs;  
15 reduced homelessness and substance abuse; and increased tax  
16 revenues from program participants later in life. This was  
17 validated for Hawaii in a 2008 study commissioned by the Good  
18 Beginnings Alliance, which found more than \$4 in return for  
19 every dollar invested in high-quality early childhood education  
20 for our State.

21 Of particular concern are the low-income children of  
22 Hawaii. Currently, one in six children lives in poverty in



1 Hawaii, making children the poorest members of our society,  
2 according to data reported by the University of Hawaii center on  
3 the family in 2013. This number, which continues an increasing  
4 trend, is alarming because an impoverished childhood leads to a  
5 greater risk of teen pregnancy, failure to graduate from high  
6 school, poor health, and lack of secure employment in later  
7 years.

8 The future is likely to be grim for this population of  
9 children, especially if left without the opportunity for early  
10 childhood education. Reading proficiency is the leading  
11 indicator of long-term academic and life success in life. High  
12 school dropout rates are heavily associated with the inability  
13 to read proficiently by the end of grade three, and the  
14 shortfall in reading proficiency is especially pronounced among  
15 low-income children. As stated by the 2010 national report  
16 "Learning to Read" from the Annie E. Casey Foundation, "(If) we  
17 don't get dramatically more children on track as proficient  
18 readers, the United States will lose a growing and essential  
19 proportion of its human capital to poverty, and the price will  
20 be paid not only by individual children and families, but by the  
21 entire country."



1 Lack of readiness for school directly undermines reading  
2 proficiency. If a child does not arrive at kindergarten ready  
3 to learn, the child will most likely struggle to keep up and  
4 then eventually lose the interest and motivation needed to  
5 learn. This achievement gap only widens with each subsequent  
6 year of schooling.

7 All children need high-quality, developmentally appropriate  
8 early childhood education programs to enable them to arrive at  
9 school ready to learn. Sadly, however, too many of our children  
10 are starting without being prepared for kindergarten. According  
11 to The Finance Project, 2012, only about forty per cent of  
12 Hawaii's four-year-olds receive services to prepare them for  
13 kindergarten. In addition, not all pre-kindergarten services  
14 are of high quality and close to seventy-five per cent of fourth  
15 graders are not reading proficiently, according to data reported  
16 by the University of Hawaii center on the family in 2013. The  
17 numbers are telling.

18 Early childhood education can help close the achievement  
19 gap between children of different socioeconomic backgrounds.  
20 The Academic Pediatric Association's Task Force on Childhood  
21 Poverty in 2013 identified providing high-quality early  
22 childhood programs and high-quality affordable child care to



1 poor families as one of the key strategies to reducing poverty.  
2 Studies have proven that high-quality early childhood education  
3 programs are especially effective for children from low-income  
4 families, as it is one of the strongest factors in school  
5 readiness for that population, as well as otherwise  
6 disadvantaged children because of the potential to alter their  
7 lifetime trajectories for success.

8 It is important to note, however, that every child,  
9 regardless of the child's family income can benefit from early  
10 childhood education. According to the 2010 national report  
11 entitled "Learning to Read," three-quarters of children from  
12 families with moderate or high incomes are not ready for school  
13 at kindergarten entry. More than ninety per cent of  
14 kindergarten classrooms in the department of education reported  
15 that students did not meet benchmarks in all dimensions of  
16 school readiness, which include literacy, math, and school  
17 behaviors. Unfortunately, studies show that students who  
18 struggle early in school rarely catch up, and consequently have  
19 less than a one in three chance of being ready for college or a  
20 career at the end of high school.

21 Teachers in Hawaii, including some at the middle-school  
22 level, are able to tell which students in their classrooms have



1 gone to preschool. Early childhood education helps teachers  
2 because children will enter their classrooms better prepared and  
3 teachers will spend less time helping individual students to  
4 play catch up, which allows teachers to focus their time and  
5 energy on helping all of their students to master the knowledge  
6 and content needed to progress on time.

7 Although it has been argued that the benefits of early  
8 learning disappear by the third grade, as reported by some  
9 studies of the federal Head Start program, reliable studies have  
10 found that gains made in life skills do not diminish over time.  
11 Graduates of Head Start, a federal program promoting school  
12 readiness for children from low-income families, were less  
13 likely to repeat grades or be diagnosed with a learning  
14 disability, and more likely to graduate from high school and  
15 attend college.

16 The executive office on early learning has been planning  
17 for a program that will provide access to high-quality early  
18 childhood education for all of Hawaii's children. The United  
19 States Census Bureau estimates there are seventeen thousand  
20 four-year-olds in Hawaii, who come from families of varying  
21 incomes. Although low-income families require the most  
22 assistance, many moderate-income families, especially those who



1 are just entering the middle class, also struggle to meet the  
2 cost of early learning on their own. Hawaii ranks twenty-  
3 seventh among the least affordable states for center-based care  
4 for a four-year-old. In 2012, the average annual cost of full-  
5 time center-based care for a four-year-old in Hawaii was \$8,172,  
6 which is more than nine per cent of the state median income for  
7 a married couple.

8 Once the constitutional amendment is ratified, the State  
9 will establish a program through which:

- 10 (1) Capacity can be built to serve four-year-old children;
- 11 (2) The infrastructure made available by the private  
12 sector would reduce the amount of public dollars that  
13 will be spent on facilities to accommodate four-year-  
14 old children; and
- 15 (3) Higher quality standards can be instituted across all  
16 providers participating in the program through the  
17 required use of quality standards that are linked to  
18 children's educational outcomes, which research  
19 emphasizes is necessary to produce significant  
20 outcomes for children both in the near- and long-term.

21 To help more of Hawaii's four-year-old children have a  
22 quality early childhood education experience, various program



1 options must be available to them based on community resources.  
2 Families face unique circumstances, and every community has  
3 limitations to access, such as proximity and transportation to a  
4 program, which factor into a family's ability to send their  
5 children to a program.

6 Therefore, this program will be delivered through several  
7 vehicles: center-based programs, group child care homes, and  
8 family child care homes, including those run by faith-based  
9 providers as far as state and federal laws allow; programs on  
10 department of education school campuses; and family-child  
11 interaction learning programs.

12 Private programs have been the backbone of the State's  
13 early childhood services for decades. The State has invested  
14 very little of its own general funds in early childhood care and  
15 education. Center-based programs are those found in preschools,  
16 nursery schools, and child care centers that are operated by  
17 private organizations and that are licensed by the department of  
18 human services. Group child care homes provide care by two  
19 adults for seven to twelve children and must be licensed.  
20 Family child care homes provide care for three to six children  
21 in the provider's own home and must be licensed if more than two  
22 unrelated children are enrolled.





1 Programs on department of education campuses will be  
2 staffed by department of education teachers. Currently, there  
3 are several experimental programs of this type, funded through  
4 the American Recovery and Reinvestment Act of 2009 and Race to  
5 the Top. Other existing school-based programs consist of  
6 special education programs staffed by department of education  
7 special education teachers and those participating in the Pre-  
8 Plus Program, a public-private partnership through which  
9 seventeen preschool facilities have been developed and built on  
10 public elementary school campuses and private, department of  
11 human services-licensed preschool providers contracted to  
12 operate them.

13 Family-child interaction programs are provided in a variety  
14 of public and private facilities, including public schools and  
15 parks, operating, on average, several hours a day and a few days  
16 each week. They require the child's caregiver to participate  
17 with the child and educate the caregiver about how to encourage  
18 the child's learning at home. These programs provide an  
19 important option for our native Hawaiian community.

20 The program involves public-private partnerships to enable  
21 the State to make the best use of available resources, of  
22 capacity and expertise, in the public and private sectors.



1 The portion of the program that will be delivered through  
2 private providers will be done through contracts with the  
3 providers; this program does not institute a voucher system.

4 The program requires participating providers to use quality  
5 standards that are linked to children's educational outcomes.  
6 Research has shown that there are certain components that are  
7 associated with an early childhood education program's ability  
8 to produce positive child outcomes. Although the early  
9 childhood field lacks consensus on a single approach for  
10 categorizing factors that define program quality, there are two  
11 broad dimensions commonly associated with promoting higher rates  
12 of learning and development in children: structural aspects,  
13 such as physical environment, child-caregiver ratios, group  
14 size, caregiver qualifications, and caregiver compensation, and  
15 the quality of curriculum and intentional teaching. Recent  
16 research has shown that the latter category has a more  
17 significant impact on children's outcomes, and is the basis for  
18 the quality standards that will be required by this program,  
19 which is positive teacher-child interactions, individual child  
20 formative assessments, and family engagement.

21 There is substantial evidence that children who attend  
22 early childhood education programs are significantly affected by



1 their interactions with teachers or caregivers. A recent study  
2 found that of the five quality indicators most often used in  
3 program evaluation systems, teacher-child interactions were the  
4 strongest predictor of children's learning.

5 Another key indicator linked to children's outcomes is the  
6 use of a curriculum that is based on child development. The  
7 degree to which it is implemented fully is dependent on the use  
8 of an ongoing, authentic child assessment that is used to  
9 individualize and is both intellectually rich and broad enough  
10 to meet children's social and emotional development needs.  
11 These are known as formative assessments.

12 Research has also demonstrated that quality programs  
13 involve families who communicate on an ongoing basis. One of  
14 the evidence-based methods for engaging families is home-based  
15 instruction programs through a home visiting approach, which  
16 help families prepare their child for success in school and  
17 beyond.

18 The legislature has been interested in early learning for  
19 decades.

20 In 1989, state funding was approved for the preschool open  
21 doors program to help families pay for early education and care  
22 using a sliding fee scale based on ability to pay. Components



1 included child development workshops and staff development in  
2 participating preschools.

3 In 1991, the University of Hawaii board of regents created  
4 the University of Hawaii center on the family in response to  
5 Senate Concurrent Resolution No. 82, Regular Session of 1989, to  
6 enhance the well-being of Hawaii's families through  
7 interdisciplinary research, education, and community outreach.  
8 Early childhood was one of the focal areas.

9 Act 77, Session Laws of Hawaii 1997:

- 10 (1) Recognized a public-private partnership between the  
11 State and the Good Beginnings Alliance, a private  
12 nonprofit corporation created as a focal point for  
13 policy development and dedicated to enhancing,  
14 developing, and coordinating quality early childhood  
15 education and care services;
- 16 (2) Tasked Good Beginnings Alliance with overseeing at  
17 least four community councils in each county to  
18 develop plans to provide services to children and  
19 families and possible local funding sources; and
- 20 (3) Established an interdepartmental council to assist  
21 with the work.



1 House Concurrent Resolution No. 38, Regular Session of  
2 1998, established in state policy the goal that "all of Hawaii's  
3 children will be safe, healthy and ready to succeed."

4 Act 177, Session Laws of Hawaii 2002, appropriated funds  
5 for the pre-plus program, including capital improvement project  
6 moneys, to build preschools on elementary school campuses  
7 throughout the State. The lieutenant governor's office assumed  
8 planning oversight until oversight was transferred to the  
9 department of human services.

10 In Act 13, Session Laws of Hawaii 2002, the legislature led  
11 the nation by statutorily defining "school readiness," which  
12 acknowledged the joint responsibility of families, schools, and  
13 communities in preparing children for lifelong learning.

14 Act 219, Session Laws of Hawaii 2004, established an  
15 unfunded, two-tiered junior kindergarten and kindergarten  
16 program in the department of education beginning with the 2006-  
17 2007 school year.

18 Act 151, Session Laws of Hawaii 2005, created the early  
19 childhood education task force with the focus that "young  
20 children are ready to have successful learning experiences when  
21 there is a positive interaction among the child's developmental



1 characteristics, school practices, and family and community  
2 support."

3 Act 259, Session Laws of Hawaii 2006, established the early  
4 learning educational task force to develop a five-year plan for  
5 a comprehensive and sustainable early learning system. The  
6 plan, completed prior to the regular session of 2008, included  
7 detailed costs for the establishment and operation of an early  
8 learning system in Hawaii that would include children from birth  
9 to age five. It also included, as requested by the legislature,  
10 an implementation and financing schedule that begins with  
11 services to four-year-old children and proceeds to younger age  
12 groups; mechanisms to ensure cross-sector and interdepartmental  
13 collaboration; measures to ensure the continuing professional  
14 development of teachers and administrators; and provisions for  
15 the promotion of the importance of early learning to families,  
16 policymakers, and the general public.

17 Act 14, Special Session Laws of Hawaii 2008, established  
18 the State's early learning system, known as keiki first steps.  
19 Research has indicated that a preschool setting might be a more  
20 appropriate placement than junior kindergarten.

21 In addition, Act 14, Special Session Laws of Hawaii 2008:



- 1           (1) Established the early learning council, which was  
2           attached to the department of education for  
3           administrative purposes only, to develop and  
4           administer the early learning system to benefit all  
5           children throughout the state, from birth until the  
6           time they enter kindergarten;
- 7           (2) Established the keiki first steps grant program;
- 8           (3) Established the pre-plus program within the department  
9           of human services and designated the department of  
10          human services and department of education to work  
11          collaboratively to develop suitable pre-plus  
12          classrooms on department of education campuses  
13          statewide, including conversion charter school  
14          campuses; and
- 15          (4) Promoted the development of early learning facilities.
- 16          Act 194, Session Laws of Hawaii 2009:
- 17          (1) Required the department of education, beginning with  
18          the 2010-2011 school year, to use successful assessment  
19          tools and protocols for determining a student's  
20          initial placement and for decision-making about a  
21          student's movement between junior kindergarten,  
22          kindergarten, and into grade one; and



1           (2) Required the early learning council to develop a plan  
2           to ensure the needs of junior kindergarteners are  
3           addressed.

4           Act 183, Session Laws of Hawaii 2010:

5           (1) Amended the public school kindergarten entry age  
6           beginning with the 2013-2014 school year, so that  
7           children must be at least five years old on the first  
8           day of instruction; and

9           (2) Required the department of education and early  
10          learning council to develop a plan to assess the  
11          success of junior kindergarten programs at individual  
12          schools that would also address providing educational  
13          opportunities for those who would have been eligible  
14          to attend kindergarten prior to the age change.

15          Act 178, Session Laws of Hawaii 2012:

16          (1) Established the executive office on early learning;  
17          (2) Charged the office with creating a comprehensive early  
18          childhood development and learning system for Hawaii's  
19          keiki, prenatal to age five;  
20          (3) Established the early learning advisory board to  
21          replace the early learning council, as an advisory  
22          body to the office;





- 1 (4) Repealed the existing junior kindergarten program for  
2 four- and early five-year-olds at the end of the 2013-  
3 2014 school year;
- 4 (5) Required that beginning with the 2014-2015 school  
5 year, students must be at least five years old on July  
6 31 of that school year to attend kindergarten; and
- 7 (6) Tasked the office with developing a plan to implement  
8 an early learning program in the 2014-2015 school  
9 year.

10 S.B. No. 1084, S.D. 1, H.D. 1, C.D. 1 (2013), proposes an  
11 amendment to the Hawaii State Constitution to permit the  
12 appropriation of public funds for private early childhood  
13 education programs and passed with more than a two-thirds  
14 majority in each house.

15 Therefore, the purpose of this Act is to fulfill the  
16 State's intent to provide a much-needed early childhood  
17 education program for Hawaii's children prior to the State's  
18 obligation for education from kindergarten to grade 12. This  
19 addresses the unique needs of families and communities and  
20 implements the use of quality standards that are strongly linked  
21 to children's educational outcomes.



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

4 "§302L- Early childhood education program. (a) There  
5 is established within the early learning system an early  
6 childhood education program to be administered by the office.

7 The early childhood education program shall:

8 (1) Prepare children for school and active participation  
9 in society through either of the State's two official  
10 languages; and

11 (2) Provide equitable access to high-quality early  
12 childhood education that addresses children's  
13 physical, cognitive, linguistic, social, and emotional  
14 development.

15 (b) The early childhood education program shall serve  
16 three- and four-year-old children, with priority extended to:

17 (1) Children in the year prior to being eligible to attend  
18 kindergarten; and

19 (2) Underserved or at-risk children.

20 (c) Enrollment in the early childhood education program  
21 shall be voluntary. A child who is enrolled in or eligible to  
22 attend a public elementary school, or who is required to attend



1 school pursuant to section 302A-1132, shall not be eligible for  
2 enrollment in the early childhood education program.

3 (d) The office may contract with eligible providers, which  
4 may include private providers, of early childhood education to  
5 increase the capacity of the early childhood education program  
6 to provide high-quality early childhood education to children  
7 across the state. Eligible providers shall incorporate quality  
8 standards in their programs as required by the early childhood  
9 education program pursuant to rules adopted by the office. The  
10 office may provide support to eligible providers to incorporate  
11 these quality standards, including support related to teacher-  
12 child interactions, individual child assessments, and family  
13 engagement. Eligible providers shall comply with all applicable  
14 state and federal laws.

15 (e) Eligible providers of the early childhood education  
16 program shall incorporate quality standards in their programs  
17 that are research-based, developmentally appropriate practices  
18 associated with better educational outcomes for children, such  
19 as:

- 20 (1) Positive teacher-child interactions;  
21 (2) Use of individual child assessments that are used for  
22 ongoing instructional planning, based upon all areas



1 of childhood development and learning, including  
2 cognitive, linguistic, social, and emotional  
3 approaches to learning and health and physical  
4 development;

5 (3) Family engagement; and

6 (4) Alignment with the Hawaii early learning and  
7 development standards, which align with department of  
8 education standards, including common core state  
9 standards, state content and performance standards,  
10 and general learner outcomes for grades kindergarten  
11 to twelve, to facilitate a seamless and high-quality  
12 educational experience for children.

13 The office shall monitor implementation of the quality standards  
14 pursuant to rules adopted by the office.

15 (f) The office shall coordinate with other agencies and  
16 programs to facilitate comprehensive services for early  
17 childhood education.

18 (g) The office shall collect data to:

19 (1) Evaluate the services provided;

20 (2) Inform policy; and

21 (3) Make any improvements to the early childhood education  
22 program.



1       (h) The office shall adopt rules pursuant to chapter 91  
2 necessary to carry out the purposes of this section, including  
3 compliance with all applicable state and federal laws.

4       (i) Nothing in this section shall be construed to enable  
5 the establishment of a voucher program for educational  
6 purposes."

7       SECTION 3. Section 302L-1, Hawaii Revised Statutes, is  
8 amended by adding two new definitions to be appropriately  
9 inserted and to read as follows:

10       "Early childhood education program" means an education  
11 program for children provided for in section 302L- .

12       "Family engagement" means practices that engage families in  
13 meaningful ways and recognize the need for families to actively  
14 support their child's learning and development, including  
15 classrooms that make families feel welcome, communication with  
16 families, the promotion of responsible parenting, and  
17 involvement in decisions that affect the families and their  
18 children."

19       SECTION 4. New statutory material is underscored.

20       SECTION 5. This Act shall take effect on July 1, 2030, and  
21 upon the ratification of a constitutional amendment permitting



- 1 the appropriation of public funds for private early childhood
- 2 education.



**Report Title:**

Early Childhood Education Program

**Description:**

Establishes the Early Childhood Education Program within the Early Learning System established by section 302L-2, Hawaii Revised Statutes. Effective on July 1, 2030, and upon the ratification of a constitutional amendment permitting the appropriation of public funds for private early childhood education. Effective July 1, 2030. (HB2276 HD1)

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