



# SB 2234

**Measure Title:** RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING.

**Report Title:** Department of Human Services; Child Care Licensing; Exemptions

**Description:** Repeals the child care licensing exemption for child care programs licensed by the Hawaii council of private schools.

**Companion:**

**Package:** None

**Current Referral:** HMS/EDU, WAM

**Introducer(s):** TOKUDA, CHUN OAKLAND, KIDANI, RUDERMAN



EXECUTIVE OFFICE ON EARLY LEARNING  
HONOLULU

GG WEISENFELD  
DIRECTOR

Testimony in **Opposition** to  
S.B. 2234, Relating to Exemptions from Child Care Licensing  
By GG Weisenfeld, Director

Senate Committees on Human Services and Education  
February 5, 2014  
1:15 p.m., Room 414

Honorable Chairs and Members of the Committees:

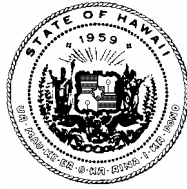
Good afternoon. I am GG Weisenfeld, Director of the Executive Office on Early Learning.

EOEL supports the Department of Human Services' opposition to the repeal of the exemption allowed for child care programs licensed by the Hawaii Council of Private Schools (HCPS).

We believe DHS will ensure that standards for health and safety will be upheld. Before HCPS can proceed to license group child care centers (i.e., preschools), their licensing standards must be approved by DHS and must meet or exceed the licensing standards of DHS.

It is our understanding that DHS has not yet approved HCPS licensing standards. Therefore, DHS continues to license preschools that belong to the Hawaii Association of Independent Schools.

Thank you for the opportunity to provide testimony on this bill.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 5, 2014

**MEMORANDUM**

TO: The Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services  
  
The Honorable Jill N. Tokuda, Chair  
Senate Committee on Education

FROM: Patricia McManaman, Director

SUBJECT: **S.B. 2234 – RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING**

Hearing: Wednesday, February 5, 2014, 1:15 p.m.  
Conference Room 414, State Capitol

**PURPOSE:** The purpose of S.B. 2234 is to repeal the child care licensing exemption for child care programs licensed by the Hawaii Council of Private Schools.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) **strongly opposes** this bill which would repeal the exemption allowed for child care programs licensed by the Hawaii Council of Private Schools (HCPS).

Under Hawaii Revised Statutes 346-152(a)(12), in order for a child care program licensed by HCPS to be exempt from licensure by the DHS, the child care program must apply and show evidence that the licensing standards of the HCPS meet or exceed the licensing standards of the DHS, and that the HCPS standards include a monitoring system that ensures compliance with the standards.

If the child care program requesting the exemption cannot demonstrate that the HCPS standards meet or exceed those of the Department, the Department shall have the discretion to deny the application for exemption and continue to license the child care program.

The DHS has worked collaboratively with the Hawaii Association of Independent Schools (HAIS) during 2013 in providing technical assistance and reviewed drafts of the HCPS licensing standards for group child care centers (i.e. preschools).

The DHS has not yet approved the HCPS licensing standards for group child care centers and therefore continues to license HAIS preschools. The HAIS and the DHS continue to discuss possible strategies as to how the HCPS standards may meet or exceed the DHS standards for health and safety, including the background checks required of all staff employed at a group child care center.

Once HCPS has established standards for group child care centers that the Department determines to meet or exceed the DHS standards, the DHS will begin to receive and approve requests for exemptions by HAIS member schools operating group child care centers that are licensed by HCPS.

Thank you for the opportunity to provide testimony on this bill.



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Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair  
COMMITTEE ON HUMAN SERVICES  
Senator Jill N. Tokuda, Chair  
Senator Michelle N. Kidani, Vice Chair  
COMMITTEE ON EDUCATION

Date: Wednesday February 5, 2014  
Time: 1:15 p.m.  
Place: Conference Room 414, State Capitol

From: Katherine Murphy, Executive Director  
Hawaii Association for the Education of Young Children (HAEYC)

RE: Senate Bill 2234 – Relating to exemptions from child care licensing.

Aloha Chair Oakland, Vice Chair Josh Green, Chair Tokuda, Vice Chair Kidani, and members of the Committees. Hawaii'i Association for the Education of Young Children (HAEYC) **strongly supports** of SB 2234.

This bill will help assure that all children in early childhood programs serving children up to kindergarten entry are meeting Department of Human Services licensing standards, which are minimum health and safety standards set by the state. High quality programs start by meeting licensing standards.

HAEYC is advocating for high quality programs/schools being ready for all children (which includes well-prepared, adequately compensated teachers), addressing the whole child (which includes physical and mental health as well as the child's family), and mixed delivery systems to provide a variety of programs that will meet the variety of needs. Some families have the resources to provide stimulating, healthy experiences for their young children. Others need varying levels of assistance to do this.

We acknowledge the vision and courage it takes for legislators to enact laws that will come to full fruition after they leave office. Investing in early childhood development and education will be a lasting legacy.

Mahalo for the opportunity to testify on this measure.

Katherine E. Murphy  
Executive Director  
HAEYC



Wednesday, February 5, 2014  
1:15 PM  
Conference Room 414

TESTIMONY TO  
THE SENATE COMMITTEES  
ON HUMAN SERVICES  
AND EDUCATION

**RE: SB 2234 – Relating to Exemptions from Child Care Licensing**

Chairs Chun Oakland and Tokuda, Vice Chairs Green and Kidani, and members of the Human Services and Education Committees:

My name is Robert Witt, Executive Director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide. I also oversee the Hawaii Council of Private Schools (HCPS), our organization's licensing entity, that licenses all of our member schools.

**HAIS is in strong opposition to SB 2234** a bill for an act which repeals the child care licensing exemption for child care programs licensed by the Hawaii Council of Private Schools.

- During the 2012 Legislative Session, unbeknownst to HAIS, **DHS** requested that the bill, which would later become Act 163 of the 2012 Session Laws of Hawaii and Act 140 of the 2013 Session Laws of Hawaii, be introduced. It was our understanding that DHS was limited in its resources and that they believed there should be consistency in the licensing and accreditation process for our pre-K through grade 12 member schools. We hold our member schools to a very high standard and would continue to do so if given the opportunity to license their pre-Ks as well.
- A Task Force, comprised of HAIS member school heads, early childhood representatives and DHS administrators was formed for the purpose of developing the standards and procedures for the licensing of group child care centers through the Hawaii Council of Private Schools (HCPS). After over two years of diligent work by the Task Force, the standards were developed and finalized, approved by DHS, and HCPS was scheduled to begin the transition in October 2013.
- Many hours and resources have already been expended on this collaboration with DHS to develop a program that would meet or exceed their licensing standards. We strongly believe that our standards enhance the current state licensing standards by assessing aspects of a pre-K program that foster a culture of continuous school improvement to

ensure that our youngest keiki are safe **AND** that they receive an education of high quality.

- We, along with our member schools, continue to be excited by the prospect of this public-private partnership, thereby alleviating DHS Child Care Licensing Workers of the responsibility for licensing our schools. We understand that they have a large case load and limited resources and that our assistance would be greatly appreciated. We have heard directly from Child Care Licensing Workers themselves saying that it makes sense for HCPS to license the child care centers of our member schools.
- With the necessary increase of group child care centers in the Fall to accommodate our late-born children, there will be an even greater need for relieving the state of the burden of licensing our schools.

We therefore humbly request that you continue to allow our member schools with child care centers to have the option of being exempt from DHS licensing and that you do not vote to rescind this section of the law.

Thank you for the opportunity to testify **in opposition** of this measure.

Sincerely,  
Robert M. Witt, MEd