

JAN 23 2015

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 provide a much-
2 needed early childhood education program for Hawaii's children
3 prior to the State's constitutional responsibility for education
4 from kindergarten through grade twelve, by establishing the
5 executive office on early learning prekindergarten program, to
6 be administered by the executive office on early learning. The
7 program's purpose is to provide high-quality early childhood
8 education through the public schools, including charter schools,
9 in either of Hawaii's two official languages. The program will
10 establish a solid foundation for children to enable them to
11 graduate from high school and be prepared for college and a
12 career.

13 Significant research affirms that the experiences and the
14 environments in which children develop in their earliest years
15 can have a lasting impact on their later success in school and
16 life. When provided with the opportunity for high-quality early
17 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 to be between
13 four and nine dollars for every dollar invested. The public
14 sees returns in the form of reduced welfare, crime, and special
15 education costs; reduced homelessness and substance abuse; and
16 increased tax revenues from program participants later in life.
17 This was validated for Hawaii in a 2008 study commissioned by
18 the Good Beginnings Alliance, which found more than four dollars
19 in return for every dollar invested in high-quality early
20 childhood education for the State.

1 Of particular concern are the low-income children of
2 Hawaii. Currently, one in six children lives in poverty in
3 Hawaii, making children the poorest members of our society,
4 according to data reported by the University of Hawaii center on
5 the family in 2013. This number is alarming because an
6 impoverished childhood leads to a greater risk of teen
7 pregnancy, failure to graduate from high school, poor health,
8 and lack of secure employment in later years.

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



1 only by individual children and families, but by the entire
2 country".

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

9 All children need high-quality, developmentally appropriate
10 early childhood education programs to enable them to arrive at
11 school ready to learn. Sadly, however, too many of our children
12 are starting without being prepared for kindergarten. According
13 to the Hawaii State School Readiness Assessment for the 2012-
14 2013 school year, forty-three per cent of children in public
15 school kindergarten had not attended a prekindergarten program.
16 In addition, not all prekindergarten services are of high
17 quality and close to seventy-five per cent of fourth graders are
18 not reading proficiently, according to data reported by the
19 University of Hawaii center on the family in 2013. The numbers
20 are telling.



1 Early childhood education can help close the achievement
2 gap between children of different socioeconomic backgrounds.
3 The Academic Pediatric Association's Task Force on Childhood
4 Poverty in 2013 identified providing high-quality early
5 childhood programs and high-quality affordable child care to
6 poor families as one of the key strategies to reducing poverty.
7 Studies have proven that high-quality early childhood education
8 programs are especially effective for children from low-income
9 families as well as otherwise disadvantaged children. These
10 programs are one of the strongest factors in school readiness
11 for children from low-income families because of the potential
12 to alter their lifetime trajectories for success.

13 It is important to note, however, that every child,
14 regardless of the child's family income, can benefit from early
15 childhood education. According to *Learning to Read*, three-
16 quarters of children from families with moderate or high incomes
17 are not ready for school at kindergarten entry. More than
18 ninety per cent of kindergarten classrooms in the department of
19 education reported that students did not meet benchmarks in all
20 dimensions of school readiness, which include literacy, math,
21 and school behaviors. Unfortunately, studies show that students



1 who struggle early in school rarely catch up, and consequently
2 they have less than a one-in-three chance of being ready for
3 college or a career at the end of high school.

4 Teachers in Hawaii, including some at the middle-school
5 level, are able to tell which students in their classrooms have
6 gone to preschool. Early childhood education helps teachers
7 because children will enter their classrooms better prepared and
8 teachers will spend less time helping individual students to
9 play catch up, which allows teachers to focus their time and
10 energy on helping all of their students to master the knowledge
11 and content needed to progress on-time.

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

1 The executive office on early learning has been working
2 toward a program that will provide access to high-quality early
3 childhood education for all of Hawaii's children. The United
4 States Census Bureau estimates there are more than seventeen
5 thousand four-year-olds in Hawaii each year, who come from
6 families of varying incomes. Although low-income families
7 require the most assistance, many moderate-income families,
8 especially those who are just entering the middle class, also
9 struggle to meet the cost of early learning on their own.
10 Hawaii ranks twenty-seventh among the least affordable states
11 for center-based programs for a four-year-old. In 2012, the
12 average annual cost of a full-time center-based program for a
13 four-year-old in Hawaii was \$8,172, which is more than nine per
14 cent of the state median income for a married couple.

15 Through the executive office on early learning
16 prekindergarten program established by this Act, the State will
17 be able to:

- 18 (1) Build capacity to serve children in the year prior to
19 being eligible to attend kindergarten; and
20 (2) Institute a high level of quality that is linked to
21 children's educational outcomes, which research



1 emphasizes is necessary to produce significant
2 outcomes for children both in the near- and long-
3 terms.

4 Act 122, Session Laws of Hawaii 2014, included \$3,000,000
5 in the state budget for prekindergarten programs in fiscal year
6 2015, marking the first time state funds were invested in
7 prekindergarten in Hawaii. These funds provided for the launch
8 of the executive office on early learning prekindergarten
9 program. The executive office on early learning prekindergarten
10 program launched successfully in eighteen public elementary
11 schools statewide in the 2014-2015 school year, benefitting more
12 than four hundred four-year-old children. The program
13 institutes high-quality early childhood education standards, and
14 each classroom is staffed by a department of education teacher
15 and educational assistant who benefit from continual
16 professional development opportunities, including coaching and
17 mentoring support provided by resource teachers with master's
18 degrees, as well as extensive knowledge in early childhood
19 education. This Act provides statutory authority for the
20 executive office on early learning prekindergarten program.



1 There have also been several experimental public
2 prekindergarten programs funded through the Race to the Top
3 grant. Other existing school-based programs consist of special
4 education programs staffed by department of education special
5 education teachers and those participating in the pre-plus
6 program, a public-private partnership through which seventeen
7 preschool facilities have been developed and built on public
8 elementary school campuses and private, department of human
9 services-licensed preschool providers contracted to operate
10 them.

11 The executive office on early learning prekindergarten
12 program requires the use of high-quality standards that are
13 linked to children's educational outcomes. Research has shown
14 that there are certain components that are associated with an
15 early childhood education program's ability to produce positive
16 child outcomes. Although the early childhood field lacks
17 consensus on a single approach for categorizing factors that
18 define program quality, there are two broad dimensions commonly
19 associated with promoting higher rates of learning and
20 development in children: structural aspects, such as physical
21 environment, child-caregiver ratios, group size, caregiver

1 qualifications, and caregiver compensation; and the quality of
2 curriculum and intentional teaching. Recent research has shown
3 that the latter category has a more significant impact on
4 children's outcomes and is the basis for the high-quality
5 standards that are required by this program, which are positive
6 teacher-child interactions, individual child formative
7 assessments, and family engagement.

8 There is substantial evidence that children who attend
9 early childhood education programs are significantly affected by
10 their interactions with teachers. Recent studies, such as
11 *Features of Pre-Kindergarten Programs, Classrooms, and Teachers:
12 Do They Predict Observed Classroom Quality and Child-Teacher
13 Interactions?*, authored by Robert Pianta, Carollee Howes,
14 Margaret Burchinal, Donna Bryant, Richard Clifford, Diane Early,
15 and Oscar Barbarin, have found that of the five quality
16 indicators most often used in program evaluation systems,
17 teacher-child interactions were the strongest predictor of
18 children's learning.

19 Another key indicator linked to children's outcomes is the
20 use of a curriculum that is based on child development. The
21 degree to which it is implemented fully is dependent on the use



1 of an ongoing, authentic child assessment that is used to
2 individualize and is both intellectually rich and broad enough
3 to meet children's social and emotional development needs.
4 These are known as formative assessments.

5 Research has also demonstrated that high-quality programs
6 involve families who communicate on an ongoing basis. Through
7 various family engagement strategies, high-quality programs can
8 better engage families in their children's learning, especially
9 in acquiring the skills associated with kindergarten readiness.

10 The legislature notes that a state-funded early childhood
11 education program continues decades of work by the legislature
12 to advance early learning.

13 In 1989, state funding was approved for the preschool open
14 doors program to help families pay for child care at
15 participating preschools using a sliding fee scale based on
16 ability to pay. Components included child development workshops
17 and staff development for the preschools.

18 In 1991, the board of regents of the University of Hawaii
19 created the University of Hawaii center on the family in
20 response to Senate Concurrent Resolution No. 82, regular session
21 of 1989, to enhance the well-being of Hawaii's families through



1 interdisciplinary research, education, and community outreach.

2 Early childhood was one of the focal areas.

3 In 1997, the legislature enacted Act 77, Session Laws of
4 Hawaii 1997, which:

5 (1) Recognized a public-private partnership between the
6 State and the Good Beginnings Alliance, a private
7 nonprofit corporation created as a focal point for
8 policy development and dedicated to enhancing,
9 developing, and coordinating quality early childhood
10 education and care services;

11 (2) Tasked the Good Beginnings Alliance with overseeing at
12 least four community councils in each county to
13 develop plans to provide services to children and
14 families and possible local funding sources; and

15 (3) Established an interdepartmental council to assist
16 with the work.

17 In 1998, the legislature adopted House Concurrent
18 Resolution No. 38, regular session of 1998, which established in
19 state policy the goal that "all of Hawaii's children will be
20 safe, healthy and ready to succeed".



1 In 2002, the legislature enacted Act 177, Session Laws of
2 Hawaii 2002, which appropriated capital improvement funds to
3 build preschools on elementary school campuses throughout the
4 State. The lieutenant governor's office assumed planning
5 oversight for the pre-plus program until oversight was
6 transferred to the department of human services and subsequently
7 to the executive office on early learning.

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

12 In 2004, the legislature enacted Act 219, Session Laws of
13 Hawaii 2004, which established an unfunded, two-tiered junior
14 kindergarten and kindergarten program in the department of
15 education beginning with the 2006-2007 school year.

16 In 2005, the legislature enacted Act 151, Session Laws of
17 Hawaii 2005, which created the early childhood education task
18 force with the focus that "young children are ready to have
19 successful learning experiences when there is a positive
20 interaction among the child's developmental characteristics,
21 school practices, and family and community support".



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

16 In 2008, the legislature enacted Act 14, Special Session
17 Laws of Hawaii 2008, which established the State's early
18 learning system, known as keiki first steps. The legislature
19 recognized that a preschool setting might be a more appropriate
20 placement than junior kindergarten. That Act:



- 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 In 2009, the legislature enacted Act 194, Session Laws of
17 Hawaii 2009, which:
- 18 (1) Required the department of education, beginning with
19 the 2010-2011 school year, to use successful
20 assessment tools and protocols for determining a
21 student's initial placement and for decision-making



1 about a student's movement between junior
2 kindergarten, kindergarten, and into grade one; and
3 (2) Required the early learning council to develop a plan
4 to ensure the needs of junior kindergarteners are
5 addressed.

6 In 2010, the legislature enacted Act 183, Session Laws of
7 Hawaii 2010, which:

- 8 (1) Amended the public school kindergarten entry age
9 beginning with the 2013-2014 school year, so that
10 children must be at least five years old on the first
11 day of instruction; and
12 (2) Required the department of education and early
13 learning council to develop a plan to assess the
14 success of junior kindergarten programs at individual
15 schools that would also address providing educational
16 opportunities for those who would have been eligible
17 to attend kindergarten prior to the age change.

18 In 2012, the legislature enacted Act 178, Session Laws of
19 Hawaii 2012, which:

- 20 (1) Established the executive office on early learning;

- 1 (2) Tasked the office with creating a comprehensive early
2 childhood development and learning system for Hawaii's
3 keiki, prenatal to age five;
- 4 (3) Established the early learning advisory board to
5 replace the early learning council, as an advisory
6 body to the office;
- 7 (4) Repealed the existing junior kindergarten program for
8 four- and early five-year-olds at the end of the 2013-
9 2014 school year;
- 10 (5) Required that beginning with the 2014-2015 school
11 year, students must be at least five years old on July
12 31 of that school year to attend kindergarten; and
- 13 (6) Tasked the office with developing a plan to implement
14 an early learning program in the 2014-2015 school
15 year.

16 In 2013, the legislature passed Senate Bill No. 1084,
17 Senate Draft 1, House Draft 1, Conference Draft 1, which
18 proposed an amendment to the Hawaii State Constitution to permit
19 the appropriation of public funds for private early childhood
20 education programs and which passed with more than a two-thirds
21 majority in each house. The purpose of the constitutional



1 amendment was to include private early childhood education
2 providers in a mixed-delivery system of public and private
3 providers to provide access to early childhood education
4 opportunities for more four-year-old children. Ratification of
5 the amendment failed on November 4, 2014.

6 In 2014, the legislature enacted Act 122, Session Laws of
7 Hawaii 2014, which included \$3,000,000 in the state budget for
8 prekindergarten programs in fiscal year 2015. These funds
9 provided for public preschools on department of education
10 elementary school campuses in the 2014-2015 school year through
11 the executive office on early learning prekindergarten program.

12 Accordingly, the purpose of this Act is to fulfill the
13 State's intent to provide a much-needed early childhood
14 education program for Hawaii's children prior to the State's
15 constitutional responsibility for education from kindergarten
16 through grade twelve, by establishing the executive office on
17 early learning prekindergarten program, which will be provided
18 through public schools, including charter schools, and will
19 implement the use of high-quality standards that are strongly
20 linked 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- Public preschools; executive office on early
5 learning prekindergarten program. (a) There is established
6 within the early learning system an early childhood education
7 program, known as the executive office on early learning
8 prekindergarten program, to be administered by the office. The
9 program shall:

10 (1) Be provided through public schools, including charter
11 schools;

12 (2) Prepare children for school and active participation
13 in society through either of the State's two official
14 languages; and

15 (3) Provide access to high-quality early childhood
16 education that addresses children's physical,
17 cognitive, linguistic, social, and emotional
18 development.

19 (b) The program shall serve children in the year prior to
20 being eligible to attend kindergarten.



1 (c) Enrollment in the program shall be voluntary. A child
2 who is enrolled in or eligible to attend a public elementary
3 school, or who is required to attend school pursuant to section
4 302A-1132, shall not be eligible for enrollment in the program.

5 (d) The program shall incorporate high-quality standards,
6 which shall be research-based, developmentally appropriate
7 practices associated with better educational outcomes for
8 children, such as:

9 (1) Positive teacher-child interactions;

10 (2) Use of individual child assessments that are used for
11 ongoing instructional planning, based upon all areas
12 of childhood development and learning, including
13 cognitive, linguistic, social, and emotional
14 approaches to learning, health, and physical
15 development;

16 (3) Family engagement; and

17 (4) Alignment with the Hawaii early learning and
18 development standards, which align with department of
19 education standards, including common core state
20 standards, state content and performance standards,
21 and general learner outcomes for grades kindergarten



1 to twelve, to facilitate a seamless and high-quality
2 educational experience for children.

3 The office shall monitor implementation of the high-quality
4 standards.

5 (e) The office shall provide support to incorporate high-
6 quality standards, including support related to teacher-child
7 interactions, individual child assessments, and family
8 engagement.

9 (f) The office shall coordinate with other agencies and
10 programs to facilitate comprehensive services for early
11 childhood education.

12 (g) The office shall collect data to:

13 (1) Evaluate the services provided;

14 (2) Inform policy; and

15 (3) Make any improvements to the program.

16 (h) The department of education and any charter school
17 existing pursuant to chapter 302D shall use available classrooms
18 for public preschool classrooms statewide. Preschool classrooms
19 established pursuant to this section shall be in addition to any
20 pre-plus program established pursuant to section 302L-1.7.



1 (i) 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 SECTION 3. Section 302L-1, Hawaii Revised Statutes, is
5 amended by adding two new definitions to be appropriately
6 inserted and to read as follows:

7 "Early childhood education" means a developmentally
8 appropriate early childhood development and education program
9 for children from birth until the time they enter kindergarten.

10 "Family engagement" means practices that engage families in
11 recognition of the need for families to actively support their
12 child's learning and development, including classrooms that make
13 families feel welcome, communication with families on an ongoing
14 basis, the promotion of responsible parenting, and involvement
15 in decisions that affect the families and their children."

16 SECTION 4. The executive office on early learning shall
17 report to the legislature no later than twenty days prior to the
18 convening of the regular sessions of 2016, 2017, and 2018 on the
19 executive office on early learning prekindergarten program,
20 including:



- 1 (1) The number of classrooms established and their
- 2 locations;
- 3 (2) The number of children enrolled at each school;
- 4 (3) The number of applicants who were placed on a waitlist
- 5 for the program and for which schools;
- 6 (4) A description of the basic elements of each classroom;
- 7 (5) A description of the high-quality standards
- 8 incorporated in each classroom;
- 9 (6) The degree to which the program's standards as
- 10 incorporated in each classroom meet the research-based
- 11 National Institute for Early Education Research
- 12 Quality Standards benchmarks;
- 13 (7) The cost of each classroom; and
- 14 (8) Plans and costs for program expansion in fiscal years
- 15 2016, 2017, and 2018.

16 SECTION 5. New statutory material is underscored.

17 SECTION 6. This Act shall take effect upon its approval.

18

INTRODUCED BY: Michelle Tidoni



S.B. NO. 863

Report Title:

Executive Office on Early Learning Prekindergarten Program

Description:

Establishes the executive office on early learning prekindergarten program, to be administered by the executive office on early learning and provided through public schools, including charter schools.

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

