

HB498

Relating to Early Learning

HB498

Measure Title: RELATING TO EARLY LEARNING.
 Report Title: Executive Office on Early Learning; Early Learning System; Early Learning Advisory Board
 Description: Broadens the scope of the early learning program to include early childhood development. Expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members. Allows the board to appoint the director of the executive office on early learning.
 Companion: [SB687](#)
 Package: None
 Current Referral: EDN, FIN
 Introducer(s): TAKUMI, OHNO

Sort by Date	Status Text
1/20/2017	H Pending introduction.
1/23/2017	H Pass First Reading
1/23/2017	H Referred to EDN, FIN, referral sheet 2
2/2/2017	H Bill scheduled to be heard by EDN on Wednesday, 02-08-17 2:00PM in House conference room 309.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

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HB498

A BILL FOR AN ACT

RELATING TO EARLY LEARNING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The purpose of this bill is to:
- 2 (1) Broaden the scope of the early learning program to
- 3 include early childhood development;
- 4 (2) Expand the function of the early learning advisory
- 5 board beyond an advisory capacity and amend the
- 6 composition and powers of some board members; and
- 7 (3) Allow the board to appoint and evaluate the director
- 8 of the executive office on early learning.

9 SECTION 2. Section 302L-1, Hawaii Revised Statutes, is

10 amended as follows:

11 1. By adding two new definitions to be appropriately

12 inserted and to read:

13 "Early learning" means developmentally appropriate early

14 childhood development and education for children from prenatal

15 care until the time they enter kindergarten.



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1 "Early learning system" means a developmentally appropriate
2 early childhood development and education system for children
3 from prenatal care until the time they enter kindergarten."

4 2. By amending the definition of "advisory board" to read:

5 "~~["Advisory board"]~~ "Board" means the early learning
6 [advisory] board established pursuant to this chapter."

7 3. By amending the definition of "at-risk children" to
8 read:

9 "'At-risk children" means children who, because of their
10 home and community environment, are subject to language,
11 cultural, economic, and other disadvantages that cause them to
12 be at risk for school failure, including children:

- 13 (1) Who are eligible for special education services;
- 14 (2) Who are English as a second language learners;
- 15 (3) Who reside within a public school district,
16 established under chapter 302A, that is in need of
17 improvement based on the criteria of the federal No
18 Child Left Behind Act of 2001 (Public Law 107-110), as
19 amended; or
- 20 (4) Whose family income is no more than [~~two~~] three
21 hundred fifty per cent of the federal poverty level."



1 4. By amending the definition of "center-based" to read:

2 "Center-based" describes programs in which early
3 ~~[childhood education and care]~~ learning services are provided in
4 a facility, including private preschools, child care centers,
5 and head start programs, licensed, or excluded or exempt from
6 licensing, by the department of human services."

7 5. By amending the definition of "underserved children" to
8 read:

9 "Underserved children" means children who have no access
10 to, or are not qualified to attend, other early ~~[childhood~~
11 ~~education]~~ learning programs and whose family income is no more
12 than ~~[two]~~ three hundred fifty per cent of the federal poverty
13 level."

14 6. By repealing the definition of "early childhood
15 education".

16 ~~["Early childhood education" means a developmentally~~
17 ~~appropriate early childhood development and education program~~
18 ~~for children from birth until the time they enter~~
19 ~~kindergarten."]~~

20 SECTION 3. Section 302L-1.5, Hawaii Revised Statutes, is
21 amended by amending subsections (b) and (c) to read as follows:



1 "(b) The head of the executive office on early learning
2 shall be known as the director of the executive office on early
3 learning, hereinafter referred to as director. The director
4 shall:

- 5 (1) Be appointed by the [~~governor,~~] board and evaluated
6 annually by the board;
- 7 (2) Have professional training in the field of social
8 work, education, or other related fields;
- 9 (3) Have direct experience in programs or services related
10 to early [~~childhood education,~~] learning;
- 11 (4) Have recent experience in a supervisory, consultative,
12 or administrative position;
- 13 (5) Be paid a salary set by the [~~governor~~] board that
14 shall not exceed ninety per cent of the salary of the
15 director of human resources development; and
- 16 (6) Be included in any benefit program generally
17 applicable to the officers and employees of the State.
- 18 (c) The director shall be responsible for:
 - 19 (1) Serving as the principal officer in state government
20 responsible for the performance, development, and
21 control of programs, policies, and activities [~~related~~

- 1 ~~to a public private comprehensive early childhood~~
2 ~~system for children,]~~ under the jurisdiction of the
3 executive office on early learning from prenatal care
4 to entrance into kindergarten;
- 5 (2) Overseeing, supervising, and directing the performance
6 of the director's subordinates in various activities,
7 including planning, evaluation, and coordination of
8 early learning programs;
- 9 (3) Administering funds allocated for the office and
10 applying for, receiving, and disbursing grants and
11 donations from all sources for early learning programs
12 and services;
- 13 (4) Assessing the policies and practices of other agencies
14 impacting early learning and conducting advocacy
15 efforts for early learning;
- 16 (5) Advising agencies on new legislation, programs, and
17 policy initiatives relating to early learning;
- 18 (6) Employing and retaining staff as may be necessary for
19 the purposes of this section; and
- 20 (7) Contracting for services that may be necessary for the
21 purposes of this section, including through master



1 contracts, memoranda of understanding, and memoranda
2 of agreement with other state agencies receiving
3 federal and state funds for programs and services for
4 early learning, and purchase of service agreements
5 with appropriate agencies."

6 SECTION 4. Section 302L-1.6, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "~~§~~302L-1.6~~§~~ **Early learning [advisory] board.** (a)

9 There is established an early learning [advisory] board, whose
10 members shall be appointed by the governor pursuant to section
11 26-34. The board shall have power, in accordance with law, to
12 formulate statewide policy relating to early learning. The
13 [advisory] board shall be responsible for:

- 14 (1) [Advising] Directing the office on how best to meet
15 the developmental and educational needs of children,
16 from prenatal care to entry into kindergarten;
- 17 (2) Providing recommendations to the office on improving
18 the quality, availability, and coordination of early
19 ~~[childhood care and education]~~ learning programs;
- 20 (3) Promoting collaboration across agencies and
21 stakeholders serving young children; and



1 ~~[(4) Being an independent voice for children's health,~~
2 ~~safety, development, and learning.]~~

3 (4) Appointing the director of the office and evaluating
4 the director on an annual basis.

5 (b) The [advisory] board shall consist of the following
6 voting members:

7 (1) A representative of center-based program providers or
8 the representative's designee;

9 (2) A representative of family child care program
10 providers;

11 (3) A representative of family-child interaction learning
12 program providers;

13 (4) A representative of philanthropic organizations that
14 support early learning or the representative's
15 designee;

16 (5) A representative from a head start provider agency;

17 (6) A representative from the Hawaii Early Intervention
18 Coordinating Council;

19 (7) A parent representative;

20 (8) A representative from the Hawaii chapter of the
21 American Academy of Pediatrics;



1 (9) A representative of home-visiting program providers;

2 (10) A representative of Hawaiian medium early learning
3 providers; and

4 (11) Two representatives of the Hawaii Council of Mayors or
5 each representative's respective designee.

6 The superintendent of education, director of human
7 services, director of health, and president of the University of
8 Hawaii shall serve as ex officio, [~~voting~~] non-voting members of
9 the [~~advisory~~] board.

10 The [~~advisory~~] board shall invite [~~the director of the~~
11 ~~Hawaii head start state collaboration office,~~] the chief
12 executive officer of Kamehameha Schools[~~7~~] and the executive
13 director of the Hawaii Association of Independent Schools, or
14 their designees, to serve as voting members of the [~~advisory~~]
15 board.

16 (c) Except for the superintendent of education, directors
17 of state departments, president of the University of Hawaii,
18 [~~director of the Hawaii head start state collaboration office,~~]
19 chief executive officer of Kamehameha Schools, and the executive
20 director of the Hawaii Association of Independent Schools, or



1 their designees, the members of the [advisory] board shall serve
2 staggered terms as follows:

- 3 (1) The representative of center-based program providers
4 shall serve a two-year term;
- 5 (2) The representative of family child care program
6 providers shall serve a three-year term;
- 7 (3) The representative of family-child interaction
8 learning program providers shall serve a three-year
9 term;
- 10 (4) The representative of philanthropic organizations that
11 support early learning shall serve a two-year term;
- 12 (5) The representative from a head start provider agency
13 shall serve a three-year term;
- 14 (6) The representative from the Hawaii Early Intervention
15 Coordinating Council shall serve a three-year term;
- 16 (7) The parent representative shall serve a two-year term;
- 17 (8) The representative from the Hawaii chapter of the
18 American Academy of Pediatrics shall serve a two-year
19 term;
- 20 (9) The representative of home-visiting program providers
21 shall serve a three-year term;



1 (10) The representative of Hawaiian medium early learning
2 providers shall serve a two-year term; and

3 (11) Of the two representatives of the Hawaii Council of
4 Mayors, one shall serve a two-year term, and the other
5 shall serve a three-year term as determined by the
6 Hawaii Council of Mayors.

7 (d) The [advisory] board shall select a chairperson by a
8 majority vote of its voting members [~~; provided that the~~
9 ~~chairperson shall be a representative from the private sector~~].

10 A majority of the voting members serving on the advisory board
11 shall constitute a quorum to conduct business. The concurrence
12 of the majority of the voting members serving on the [advisory]
13 board shall be necessary to make any action of the [advisory]
14 board valid.

15 (e) The [advisory] board may form workgroups and
16 subcommittees, including with individuals who are not [advisory]
17 board members, to:

18 (1) Obtain resource information from early learning
19 professionals and other individuals as deemed
20 necessary by the [advisory] board;

21 (2) Make recommendations to the [advisory] board; and



1 (3) Perform other functions as deemed necessary by the
 2 [advisory] board to fulfill its duties and
 3 responsibilities.

4 Two or more [advisory] board members, but less than a
 5 quorum, may discuss matters relating to official [advisory]
 6 board business in the course of their participation in a
 7 workgroup or subcommittee, and such discussion shall be a
 8 permitted interaction as provided for in section 92-2.5.

9 (f) The [advisory] board may testify before the
 10 legislature on any matter related to its duties and
 11 responsibilities.

12 (g) Members of the [advisory] board shall serve without
 13 compensation but shall be reimbursed for expenses, including
 14 travel expenses, necessary for the performance of their duties."

15 SECTION 5. Section 302L-1.7, Hawaii Revised Statutes, is
 16 amended by amending its title to read as follows:

17 " [H] §302L-1.7 [H] Early [~~childhood education~~] learning
 18 facilities; pre-plus."

19 SECTION 6. Section 302L-2, Hawaii Revised Statutes, is
 20 amended to read as follows:



1 "§302L-2 Early learning system[~~;~~ ~~keiki first steps~~].

2 There is established an early learning system[~~,~~ ~~to be known as~~

3 ~~keiki first steps,~~] that shall ensure a spectrum of high-quality

4 early learning opportunities for children throughout the State,

5 from [birth] prenatal care until the time they enter

6 kindergarten, with priority given to underserved or at-risk

7 children. The early learning system shall be developed and

8 administered by the executive office on early learning to the

9 extent permissible by law. The early learning system shall:

10 (1) Be widely accessible and voluntary for both those

11 served and program and service providers;

12 (2) Be a cohesive, comprehensive, and sustainable system

13 in which:

14 (A) All existing early learning programs and

15 services, whether publicly- or privately-run,

16 which consist of a variety of early learning

17 approaches, service deliveries, and settings,

18 including center-based programs, family child

19 care programs, family-child interaction learning

20 programs, and home-based instruction programs



- 1 designed to promote early learning, are
- 2 coordinated, improved, and expanded;
- 3 (B) Public and private resources are maximized; and
- 4 (C) The use of public facilities for either publicly-
- 5 or privately-run early learning programs is
- 6 maximized;
- 7 (3) Provide high-quality early learning experiences with:
- 8 (A) Standards-based content and curriculum, and
- 9 accountability; and
- 10 (B) Sufficient numbers of well-qualified educators
- 11 and administrators who are fairly compensated and
- 12 have access to continuing professional
- 13 development;
- 14 (4) Offer opportunities for family and community
- 15 engagement and parent education and support; and
- 16 (5) Be sensitive to family choice and cultural diversity."

17 SECTION 7. Section 302L-3.5, Hawaii Revised Statutes, is
18 amended by amending its title and subsections (a) through (e) to
19 read as follows:



1 "§302L-3.5 ~~[Advisory board]~~ Board meetings by
2 teleconference. (a) Notwithstanding any law to contrary, the
3 ~~[advisory]~~ board may meet by teleconference.
4 (b) Each member of the ~~[advisory]~~ board participating in a
5 meeting by teleconference shall be considered present at the
6 meeting for purposes of determining quorum and participating in
7 all proceedings.
8 (c) A meeting by teleconference:
9 (1) Need not have a quorum present at any one location;
10 and
11 (2) Is subject to the notice requirements applicable to
12 other ~~[advisory]~~ board meetings.
13 (d) The notice of each teleconference meeting shall
14 specify all physical locations from which members of the
15 ~~[advisory]~~ board will participate. The notice shall also
16 specify the physical location from which the presiding officer
17 of the ~~[advisory]~~ board will preside. All physical
18 teleconference locations shall be open to the public during the
19 open portion of the meeting.



1 (e) [~~Advisory board~~] Board materials that are to be
2 considered at the meeting shall be made available at all
3 physical teleconference locations."

4 SECTION 8. Section 302L-4, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§302L-4 [~~Keiki first steps grant~~] Grant program;
7 establishment. (a) There is established, as part of the early
8 learning system, [~~the keiki first steps~~] a grant program, to be
9 developed by the office [~~and administered by the department of~~
10 ~~human services~~]. The program shall increase early learning
11 opportunities that meet high standards of quality through the
12 awarding of grants to publicly- or privately-run:

- 13 (1) Center-based programs for three- and four-year-old
14 children; and
15 (2) Family child care programs, family-child interaction
16 learning programs, and other early learning programs
17 and services regardless of the age of children served.

18 (b) Eligibility criteria for grants. The [~~department of~~
19 ~~human services~~] office may award grants [~~for the keiki first~~
20 ~~steps grant program~~] based on criteria that shall be developed
21 by the office. The criteria shall include the requirement that



1 early learning programs and services meet certain standards of
2 quality, including:

3 (1) The implementation of evidence-based and culturally
4 responsive models of service delivery;

5 (2) The use of evidence-based curricula and methods;

6 (3) Minimum scheduling requirements, as follows:

7 (A) For center-based programs: providing services
8 for a full school day and full school year;

9 (B) For family child care programs: providing
10 services for three hours daily for a full school
11 year;

12 (C) For family-child interaction learning programs
13 operating in classroom-like settings: providing
14 early learning activities at least twice a week
15 for a full school year, and for a minimum of
16 three hours each day; and

17 (D) For home-based instruction programs: providing
18 early learning activities for no fewer than
19 thirty weeks within a school year;

20 (4) Staff-to-child ratios and group size that meet or
21 exceed nationally recommended standards;



- 1 (5) The employment of teachers and administrators who meet
- 2 the qualifications required by the office;
- 3 (6) The incorporation of preschool content standards or
- 4 other early learning guidelines;
- 5 (7) The implementation of health and developmental
- 6 screenings for children;
- 7 (8) Opportunities for parent or family engagement and
- 8 parent education and support; and
- 9 (9) Activities for monitoring and data collection to
- 10 evaluate early learning programs and services and
- 11 inform best practices.

12 (c) Training; technical assistance; monitoring. The

13 ~~[department of human services]~~ office may offer technical

14 support to, and shall be responsible for monitoring to ensure

15 the accountability of programs and services within the ~~[keiki~~

16 ~~first steps]~~ grant program, according to the standards developed

17 by the office."

18 SECTION 9. Section 302L-6, Hawaii Revised Statutes, is

19 amended to read as follows:



1 " [†] §302L-6 [†] **Federal funds.** The office may use and
2 expend federal funds for the purpose of early [childhood
3 ~~education.] learning."~~

4 SECTION 10. Section 302L-7, Hawaii Revised Statutes, is
5 amended to read as follows:

6 " [†] §302L-7 [†] **Executive office on early learning public**
7 **prekindergarten program; public preschools.** (a) There is
8 established within the early learning system an early childhood
9 education program to be known as the executive office on early
10 learning public prekindergarten program and to be administered
11 by the office pursuant to rules adopted by the office. The
12 program shall:

- 13 (1) Be provided through the executive office on early
14 learning, which may partner with the department of
15 education;
- 16 (2) Prepare children for school and active participation
17 in society through the use of either of the State's
18 two official languages; and
- 19 (3) Provide access to high-quality early childhood
20 education that addresses children's physical,



1 cognitive, linguistic, social, and emotional
2 development.

3 (b) The program shall serve children in the year prior to
4 the year of kindergarten eligibility, with priority extended to
5 underserved or at-risk children, as defined in section 302L-1.

6 ~~[The department of education may grant geographic exceptions for~~
7 ~~children to attend prekindergarten outside their assigned~~
8 ~~service area, as the department of education deems appropriate;~~
9 ~~provided that the department of education shall grant a request~~
10 ~~for geographic exception to attend a prekindergarten in another~~
11 ~~service area if the request is based on the employment location~~
12 ~~of the parent or guardian of the student.] Enrollment priority~~
13 shall be given but is not limited to children who attend
14 prekindergarten at schools to which the children will be
15 assigned upon entering kindergarten under section 302A-1143.

16 (c) Enrollment in the program shall be voluntary. A child
17 who is enrolled in, or is eligible to attend, a public
18 elementary school, or who is required to attend school pursuant
19 to section 302A-1132, shall not be eligible for enrollment in
20 the program.



1 (d) The program shall incorporate high-quality standards
2 pursuant to rules adopted by the office. High-quality standards
3 shall be research-based, developmentally-appropriate practices
4 associated with better educational outcomes for children, such
5 as:

- 6 (1) Positive teacher-child interactions;
- 7 (2) Use of individual child assessments that are used for
8 ongoing instructional planning, based upon all areas
9 of childhood development and learning, including
10 cognitive, linguistic, social, and emotional
11 approaches to learning and health and physical
12 development;
- 13 (3) Family engagement; and
- 14 (4) Alignment with the Hawaii early learning and
15 development standards, which align with department of
16 education standards, state content and performance
17 standards, and general learner outcomes for grades
18 kindergarten to twelve, to facilitate a seamless and
19 high-quality educational experience for children.

20 The office shall monitor implementation of the high-quality
21 educational experience for children.



1 (e) Prior to opening a public prekindergarten class in a
2 school, the principal, and other school personnel as required by
3 the executive office on early learning, shall participate in an
4 early learning induction program.

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

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

12 [~~g~~] (h) 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~~] (i) The department of education and any public
17 charter school existing pursuant to chapter 302D, may use
18 available classrooms for public preschool programs statewide.
19 The office shall give priority to public charter schools that
20 serve high populations of underserved or at-risk children.
21 Preschool classrooms established pursuant to this section shall



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1 be in addition to any classrooms used for the pre-plus program
2 established pursuant to section 302L-1.7.

3 ~~[(i)]~~ (j) The office shall adopt rules pursuant to chapter
4 91 necessary to carry out the purposes of this section,
5 including compliance with all applicable state and federal
6 laws."

7 SECTION 11. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 12. This Act shall take effect upon its approval.

10

INTRODUCED BY:

Blakes

Jakub Bm

JAN 20 2017



H.B. NO. 498

Report Title:

Executive Office on Early Learning; Early Learning System; Early Learning Advisory Board

Description:

Broadens the scope of the early learning program to include early childhood development. Expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members. Allows the board to appoint the director of the executive office on early learning.

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



DAVID Y. IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

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TO: Representative Roy Takumi, Chair
Representative Sharon Har, Vice Chair
House Committee on Education

FROM: Sione Thompson, Executive Director
State Public Charter School Commission

SUBJECT: HB 498 – RELATING TO EARLY LEARNING
Hearing Date: February 8, 2017
Time: 2:00 p.m.
Location: Conference Room 309

Purpose of Bill: Broadens the scope of the early learning program to include early childhood development. Expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members. Allows the board to appoint the director of the executive office on early learning.

STATE PUBLIC CHARTER SCHOOL COMMISSION’S POSITION: The State Public Charter School Commission **supports** HB 498 – Relating to Early Learning.

The State Public Charter School Commission recognizes the importance of broadening the scope of the early learning programs to include early childhood development to support a holistic approach for Hawaii’s youngest keiki.

The State Public Charter School Commission **supports** the expansion of the early learning governance structure to support high quality early childhood programs in Hawaii. We support the measure as it will assist the state in providing a multi-dimensional, cross-sector approach to address the needs of our keiki.

For these reason, the Hawaii State Public Charter School Commission respectfully requests that the committee pass this bill.

Thank you for the opportunity to provide this testimony.



STATE OF HAWAII
Executive Office on Early Learning
1390 Miller Street, Room 303
HONOLULU, HAWAII 96813

February 7, 2017

TO: Representative Roy Takumi, Chair
Representative Sharon Har, Vice Chair
House Committee on Education

FROM: Lauren Moriguchi, Director
Executive Office on Early Learning

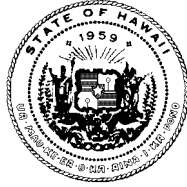
SUBJECT: HB 498 – Relating to Early Learning
Hearing Date: February 8, 2017
Time: 2:00 p.m.
Location: Conference Room 309

Purpose of Bill: Broadens the scope of the early learning program to include early childhood development. Expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members. Allows the board to appoint the director of the executive office on early learning.

EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION: The Executive Office on Early Learning (EOEL) **supports** HB 498 with recommendations for amendments.

In addition to transforming the Early Learning Advisory Board (ELAB) into a governing board, this legislation proposes to redefine the definition of "at risk" to include children whose family income is no more than "three hundred fifty percent of the federal poverty level." EOEL proposes that consideration be given to include children whose family income is no more than three hundred percent of the federal poverty level on page 3, lines 12-13. While this will allow EOEL to extend the Public Pre-Kindergarten Program to working class families, EOEL recommends that priority should be extended to those who may not otherwise be able to afford a high-quality pre-kindergarten program for their child. EOEL respectfully proposes that the language on page 19, lines 3-5 be revised to, "The program shall serve children in the year prior to the year of kindergarten eligibility, with priority extended to those whose family income is below two-hundred and fifty percent of the federal poverty level."

Thank you for the opportunity to testify on this bill.



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

February 8, 2017

TO: The Honorable Representative Roy Takumi, Chair
House Committee on Education

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 498 - RELATING TO EARLY LEARNING**
HB 499 - RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM

Hearing: Wednesday, February 8, 2017, 2:00 p.m.
Conference Room 309, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent, in part, of these measures provided that passage does not replace or adversely impact priorities in the Executive Budget or existing operations, and offers comments.

PURPOSE: The purpose of HB 498 broadens the scope of the early learning program to include early childhood development; expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members; allows the board to appoint the director of the executive office on early learning. HB 498 also amends definitions in section 302L-1, Hawaii Revised Statutes (HRS), which may have impact on the eligible population for the Preschool Open Doors Program (POD). DHS provides comments regarding proposed changes to the definitions in HB 498.

The purpose of HB 499 is to repeal the priority given by the Preschool Open Doors (POD) program to children who are not eligible to attend public school kindergarten in the calendar year in which they turn 5 years of age because their birth date occurs after the kindergarten eligibility date.

Act 169, Session Laws of Hawaii (SLH) 2013, established the POD program as the statewide school readiness program. The POD program assists low and moderate income families who are least able to afford preschool. POD child care subsidies help families with assistance to pay for the cost of attending licensed group child care centers and group child care homes (i.e. preschools). Children benefit with the opportunity to attend an early learning program to improve kindergarten readiness.

DHS agrees with the proposal in HB 499 to delete the priority given to children who are not eligible to attend public school kindergarten in the calendar year in which they turn five years of age because their birth date occurs after the kindergarten eligibility date.¹ If all other parts of section 346-181, HRS, remained the same, DHS does not currently anticipate too many problems with implementing such a change.

However, DHS requires clarification with the bill's defining "underserved" or "at-risk children" by referring to the definitions in section 302L-1, HRS. Section 302L-1, HRS, is part of the chapter 302L, HRS, which established the Executive Office on Early Learning (EOEL). Section 302L-1, HRS, definition of "at-risk children" is used for the EOEL public pre-kindergarten program in public preschools and includes children who are eligible for special education services. POD services are not provided to a child who attends a Department of Education (DOE) special education class room as provided by Part B, of the Individual with Disabilities Education Act (IDEA), and DOE does not charge families for special education services. POD was established, in part, to provide children with access to school readiness services at preschools. DHS asks that the proposed phrase in HB 499 "as defined in section 302L-1" be deleted from the measure.

POD is governed by section 346-181, HRS, not section 302L-1, HRS. While section 346-181, HRS, does not define "Underserved or at risk children," §17-799-2, Hawaii Administrative Rules (HAR), provides POD with the definition of "special populations referral" that includes a child that:

- (1) Has a physical, developmental, behavioral, or emotional health condition that is outside of the normal range;

¹ Act 178, SLH 2012, repealed junior kindergarten programs at the end of the 2013-2014 school year, and beginning with the 2014-2015 school year, required students to be at least five years of age on July 31 of the school year in order to attend kindergarten.

- (2) Meets the state department of health criteria for environmental risk as defined in HRS §321-351;
- (3) Resides in a Limited English Proficiency household; or
- (4) Is homeless.

Additionally, income eligibility requirements for the POD program are described in Chapter 799, Preschool Open Doors Program, §17-799, et seq., HAR.

HB 498 proposes to establish under section 302L-1, HRS, that the definition of underserved be changed to 350% of the Federal Poverty Level (FPL), which is an increase from the current definition of 250% of the FPL. The proposed definition is broader than the existing 250% FPL requirement provided in Chapter 17-799, HAR. Waiting lists for POD subsidies may be a potential impact with expanding those eligible based upon an increased FPL.

Also, the DHS is currently moving the state's regulated child care system into compliance with recent amendments to the Child Care and Development Block Grant (CCDBG) Act of 2014, Public Law 113-186. The CCDBG provides federally funded support for Hawaii's statewide child care licensing infrastructure and DHS child care subsidies under Child Care Connection Hawaii. The CCDBG Act made significant changes to health and safety requirements as it re-authorized the U.S. Department of Health and Human Services, Administration for Children and Families, to provide block grants for child care regulation, quality support services, and child care subsidies. Hawaii receives \$22 million per year from these federal CCDBG grants. To maintain the level of federal funding, complying with federal law changes to increase health and safety of children in child care is the paramount focus.

Regarding current program operations, POD is accepting applications until March 31, 2017 for services in the 2017-2018 POD year. If both HB 499 and HB 498 were to pass as drafted with the Legislature's expectation of implementation effective FY 2018, given the current program demands and compliance efforts for continued receipt of the federal CCDBG funds, and changes to administrative rules and operations, including modifications to its IT system, which would be required in response to passage of either or both bills, DHS requests additional time and a delay of the effective date to one year or more.

Thank you for the opportunity to provide comments on this measure.



February 7, 2017

To: Representative Roy Takumi, Chair
Representative Sharon Har, Vice Chair
House Committee on Education

From: Karen Worthington, Project Coordinator
Early Childhood Action Strategy

Re: HB498– Relating to Early Learning
Hawaii State Capitol, Room 309, February 8, 2017, 2:00 PM

Position: Action Strategy supports HB498 Relating to Early Learning

Dear Representative Takumi, Representative Har, and Committee Members:

Thank you for the opportunity to provide testimony on behalf of Hawaii's Early Childhood Action Strategy, a public private collaborative that recognizes the strength of communities and works across sectors to increase the number of young children in Hawaii who are born healthy, developing on track, ready for school when they enter kindergarten, and proficient learners by third grade.

Action Strategy supports the passage of HB498 because the Executive Office on Early Learning (EOEL) and the Early Learning Advisory Board (ELAB) are critical components of an early childhood system in Hawaii that can lead to more children born healthy, developing on track and successful in school.

Action Strategy supports HB498 which seeks to change the role of ELAB by giving it the authority to appoint and evaluate the director of the Executive Office on Early Learning; allowing it to set the Director's salary; and providing it the power, in accordance with the law, to formulate statewide policy relating to early learning. The bill provides that ELAB

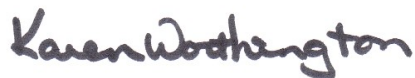
Action Strategy Testimony on HB498
February 7, 2017
Page 2

retains its diverse public-private membership that is essential to developing a high-quality, comprehensive, cohesive early childhood system while also keeping the membership number manageable for a board with this scope of responsibilities.

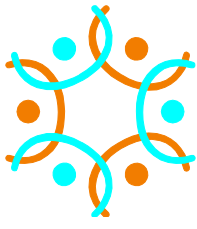
HB498 also amends the statutory definition of "at risk children" to include children whose family income is no more than "three hundred fifty per cent of the federal poverty level" rather than the current statutory designation of "two hundred fifty percent." This change will expand opportunities for many children to benefit from early learning programs.

Action Strategy is committed to ensuring Hawaii's young children are healthy, safe and ready to learn and HB498 supports that vision. Please feel free to contact me for additional information. I can be reached at 808-214-9336 or karen@clnhawaii.org.

Sincerely,

A handwritten signature in black ink that reads "Karen Worthington". The signature is written in a cursive, slightly slanted style.

Karen Worthington, JD



Hawaii
Children's Action Network
Building a unified voice for Hawaii's children

February 6, 2017

To: Representative Roy M. Takumi, Chair
Representative Sharon E. Har, Vice Chair
Committee on Education

From: Deborah Zysman, Executive Director
Hawaii Children's Action Network

Re: **HB 498 – Relating to Early Learning**
Hawaii State Capitol, Room 309, February 8, 2017, 2:00 PM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to support HB 498 – Relating to Early Learning.

This bill will widen the scope of the early learning program to include early childhood development, expand the function of the Early Learning Advisory Board (ELAB), and allow the ELAB to appoint and evaluate the Executive Director of Early Learning.

The Executive Office on Early Learning's (EOEL) mission is to develop and administer a high-quality early learning system for Hawaii's children from birth until they enter kindergarten. In 2015, the EOEL shifted from being an office of the Governor to become an attached agency to the Department of Education. The same act that established EOEL also created the ELAB, whose role has been strictly advisory. **HB 498** seeks to change the ELAB's role by giving it the authority to appoint and evaluate the director of the Executive Office on Early Learning; allowing it to set the Director's salary; and providing it the power, in accordance with the law, to formulate statewide policy relating to early learning.

HB 498 would provide the oversight and authority of a board to guide the strategic direction of the system development while supporting and holding the EOEL accountable for developing a high-quality, cohesive, comprehensive, and sustainable system. The ELAB would retain the diverse public/private membership but reduces the number of voting members. In the end, this bill will add a key aspect needed in governance for the P-20 continuum, a board for early learning to compliment the Board of Education and the Board of Regents.

Another important facet of **HB 498** is the amendment of the “at risk” definition to include children whose family income is no more than “three hundred fifty per cent of the federal poverty level” rather than current statute designation of “two hundred fifty percent.” This change will expand opportunities for families currently excluded to gain access to early learning programs. Providing many more children the opportunity to benefit from quality early learning experiences leading to school and life success.

For these reasons, HCAN respectfully requests that the committee pass this bill with amendments matching those of the companion bill SB 687.

HCAN is committed to building a unified voice advocating for Hawaii’s children by improving their safety, health, and education. Last fall, HCAN convened input in person and online from more than 50 organizations and individuals that came forward to support or express interest for a number of issues affecting children and families in our state that resulted in the compilation of 2017 Hawaii Children’s Policy Agenda, which can be accessed at <http://www.hawaii-can.org/2017policyagenda>.

Representative Roy Takumi, Chair
Representative Sharon Har, Vice Chair
Members of the House Committee on Education

Re: Testimony in Support of HB 498, Relating to Early Learning -- Hearing
February 8, 2017, 2:00 PM, Conference Room 309

Dear Chair Takumi, Vice Chair Har and Members of the Education Committee:

My name is Robert G. Peters and over the past 10 years, I have served as a Chair of the Early Learning Task Force, the Early Learning Council and currently as Chair of the Early Learning Advisory Board (ELAB). Thank you for this opportunity to offer testimony on behalf of the ELAB in support of HB 498, relating to early learning, which broadens the scope of the early learning program to include early childhood development, expands the function of the Early Learning Advisory Board, and allows the Board to appoint and evaluate the Executive Director of Early Learning.

Act 178 established the Executive Office on Early Learning (EOEL) as an office of the Governor, created the ELAB and provided for the EOEL to become an attached agency to the Department of Education for administrative purposes beginning in 2015. The ELAB's function has been strictly an advisory one and the EOEL has lacked an oversight board. This legislation seeks to change the ELAB's role by giving it authority to appoint and evaluate the director of the Executive Office on Early Learning, set the Director's salary and the power, in accordance with the law, to formulate statewide policy relating to early learning.

The EOEL is charged with the development and administration of a high quality early learning system for Hawai'i's children from birth until they enter kindergarten. This legislation would provide the oversight and authority of a board to guide the strategic direction of that system development while supporting and holding the EOEL accountable for designing a high quality cohesive, comprehensive and sustainable system. It retains the diverse public/private membership to assist these efforts but reduces the number of voting members. In the end, this bill will address the one missing link in governance for the P-20 continuum, a board for early learning to complement the BOE and the Board of Regents.

The ELAB also wishes to emphasize the importance of amending the "at risk" definition to include children whose family income is no more than "three hundred fifty per cent of the federal poverty level" rather than current statute designation of "two hundred fifty percent." This change will expand opportunities for families currently excluded to gain access to early learning programs. And, we know that all children benefit from quality early learning experiences which improve school and life success.

Thank you again for this opportunity to provide testimony on behalf of the ELAB which strongly encourages the passage of this bill.

Sincerely,
Robert G. Peters, EdD
Early Learning Advisory Board, Chair

EDNtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 3:51 PM
To: EDNtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB498 on Feb 8, 2017 14:00PM*

Follow Up Flag: Follow up
Flag Status: Flagged

HB498

Submitted on: 2/2/2017

Testimony for EDN on Feb 8, 2017 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Aloha,

I am a Teacher at a community-based preschool serving Native Hawaiian families in the Ko'olaupoko district and I strongly support this bill. Research has shown that quality education is critical for life-long success outcomes and overall economic success per the National Conference of State Legislators 2016 report:

“Continuing positive long-term effects of high-quality early childhood care and education on low-income 3- and 4-year-olds. Overall, the study recently documented a return to society of more than \$17 for every dollar invested in the early care and education program, primarily because of the large continuing effect on the reduction of male crime. These new figures are a dramatic increase in long-term returns.”

Highlights from the study's major findings include:

- Economic/Workforce: More of the group who received high-quality early education than the non-program group were employed at age 40 (76 percent vs. 62 percent).
- Education: More of the group who received high-quality early education, particularly females, graduated from high school than the non-program group.
- Crime Prevention: The group who received high-quality early education had significantly fewer arrests than the non-program group (36 percent vs. 55 percent were arrested five times or more).

For more information: www.highscope.org/Research/PerryProject/PerryAge40SumWeb.pdf.

Hawai'i needs to provide and support quality early education programs for young children for an investment in children is an investment in our futures.

Mahalo,

Kali M. Linder

Klinder@hawaii.edu

TESTIMONY BEFORE THE HOUSE COMMITTEE ON EDUCATION

PERSON TESTIFYING: Robyn S. B. Chun

DATE: Wednesday, February 8, 2017

TIME: 2:00 PM

LOCATION: State Capitol Conference Room 309

TITLE OF BILL: HB 498 RELATING TO EARLY LEARNING

Honorable Chair, Roy Takumi, Vice Chair Ohno and Committee Members

I strongly support HB 498 Relating to Early Learning. I appreciate the forward thinking of our state lawmakers. Supporting early learning is a long-term investment in the well-being of our state.

HB 498 makes needed amendments to Sec. 302L-1 of the Hawaii Revised Statutes that defines the scope of the Executive Office of Early Learning (EOEL) so that it is consistent with the focus of programs and services provided for young children (pre-natal-kindergarten) and their families. Early learning programs are concerned about health and well-being and support learning across all developmental domains so that each child can reach his or her developmental potential.

Revisions to the statute clarify the role and responsibilities of the board as well as the Board's relationship to the Executive Office of Early Learning. They provide constancy in the Director's position that will enable smooth functioning of the Office when there are changes in Administration.

Additionally, the requirement for principals and key personnel to participate in an induction program prior to opening public prekindergarten classrooms increases the likelihood that elementary schools are better informed about the developmental needs of preschoolers and are better prepared to select staff with coursework and qualifications in early childhood education and implement the programmatic differences necessary to support the learning and development of preschoolers. This is especially important since coursework or training in child development and early childhood education falls outside of the scope of teacher preparation programs for principals and a majority of the K-6 personnel.

I would suggest two revisions. First, I believe it is imperative that the Director of the Executive Office of Early Learning has professional training that includes major coursework in early childhood education and child development and preferably a degree in the field (p. 4, line 7-8). The Director needs a solid grounding in the early childhood education in order to serve as a bridge-builder across programs that touch the lives of children (pre-natal through 8 years), multiple agencies (DOH, DHS, DOE, and Headstart), and diverse non-profit service providers.

Furthermore, I would suggest revisions redefining the scope of children served in the state public preschool program from “underserved children” and “at-risk” children to include families with no more than 350% of the federal poverty level (p.19, line 5). This would increase the number of eligible families in rural communities where programs are scarce without negatively impacting the most vulnerable families.