

**HB499**  
**Relating to**  
**Preschool**  
**Open Doors**  
**Program**

# HB499

Measure Title: RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM.  
 Report Title: Preschool Open Doors Program; At-risk Children; Underserved Children  
 Description: Repeals the priority given by the preschool open doors program 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.  
 Companion: [SB1189](#)  
 Package: None  
 Current Referral: EDN, FIN  
 Introducer(s): TAKUMI, OHNO

<a href="#">Sort by Date</a>	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

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

## HB499

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## A BILL FOR AN ACT

RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM.

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

1 SECTION 1. Section 346-181, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3 "(b) Subject to the availability of funds, the program  
4 shall serve four-year-old children, with priority extended to[+  
5 ~~(1) Children who are not eligible to attend public school~~  
6 ~~kindergarten in the calendar year in which they turn~~  
7 ~~five years of age because their birth date occurs~~  
8 ~~after the kindergarten eligibility date pursuant to~~  
9 ~~section 302A-411; and~~  
10 ~~(2) Underserved] underserved or at-risk children[-], as  
11 defined in section 302L-1."~~

12 SECTION 2. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.  
15

INTRODUCED BY: \_\_\_\_\_

*T. Stead*  
*Jakobi B. B.*

JAN 20 2017



# H.B. NO. 499

**Report Title:**

Preschool Open Doors Program; At-risk Children; Underserved Children

**Description:**

Repeals the priority given by the preschool open doors program 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.

*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)**

<http://CharterCommission.Hawaii.Gov>  
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813  
Tel: (808) 586-3775 Fax: (808) 586-3776

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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 499 – RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM**  
**Hearing Date:** February 8, 2017  
**Time:** 2:00 p.m.  
**Location:** Conference Room 309

**Purpose of Bill:** Repeals the priority given by the preschool open doors program 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.

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**STATE PUBLIC CHARTER SCHOOL COMMISSION’S POSTION:** The State Public Charter School Commission **supports** HB 499 – Relating to the Preschool Open Doors Program

The State Public Charter School Commission recognizes the importance of high quality early childhood education. We support the measure as it will assist the state in providing early childhood experiences for our children.

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

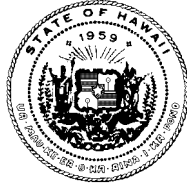
**SUBJECT: HB 499 – RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM.**  
**Hearing Date:** February 8, 2017  
**Time:** 2:00 p.m.  
**Location:** Conference Room 309

**Purpose of Bill:** RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM. Repeals the priority given by the preschool open doors program 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.

**EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION:** The Executive Office on Early Learning (EOEL) **supports** HB 499 with recommendations for amendments.

With respect to the definition of "at risk," which has been addressed through HB 498, EOEL has proposed that consideration be given to include children whose family income is no more than three hundred percent of the federal poverty level. To maintain consistency within the early childhood system of care and education, EOEL respectfully requests that the language in HB 499, Section 1, lines 3-11 be revised to read, "Subject to the availability of funds, the program shall serve four-year-old children, with priority extended to: (1) 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 after the kindergarten eligibility date pursuant to section 302A-411; (2) 4-year-old children; and (3) underserved or at-risk children as defined in section 302L-1 with priority for 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.<sup>1</sup> 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;

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<sup>1</sup> 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.



**TO:** Chair Takumi, Vice Chair Har, and Members of the House Committee on Education  
**FROM:** Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)  
**DATE/LOCATION:** February 8, 2017; 2:00 p.m., Conference Room 309

**RE: TESTIMONY TO PROVIDE COMMENTS FOR HB 499 – RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM**

**We wanted to provide comments to the bill: HB 499 – Relating to the Preschool Open Doors Program.** We believe that the intent of this bill is to expand the access to the Preschool Open Doors Program to serve more underserved or at-risk children. There are other bills that address the expansion of the age eligibility being heard in this year's legislature. We do express some concern regarding the removal of the priority given to those keiki who are not eligible to attend kindergarten in the calendar in which they turn five years of age. Participation in early learning and development programs for school readiness have immediate and long-term benefits that include higher levels of educational achievement, reduced homelessness, reduced crime, reduced substance abuse, improved health, and overall better social and economic well being. The first 5 years of a child's life lays the foundation for future development. Access to programs at an early age, especially the year prior to kindergarten, will help prepare the child for future success.

There are approximately 8,000 keiki in Hawaii between the ages of 3-5 living in poverty. The majority of these keiki do not have the financial means to support opportunities that Preschool Open Doors would fund.

There are important secondary impacts with Preschool Open Doors. For example, these funds allow parents to have the time to find work and earn wages to support their family. It is a key component to our war on intergenerational poverty.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 16 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, child and adolescent behavioral health programs, and community building programs.

Thank you for the opportunity to testify **with comments of HB 499**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.



February 7, 2017

2850 Kahawai Street  
Honolulu, HI 96822

808 988 5505  
www.ppsHI.org

Committee on Education  
Representative Roy Takumi, Chair  
Representative Sharon Har, Vice Chair

Re: HB 499 – Relating to Preschool Open Doors Program  
Hearing: Wednesday, February 8, 2017, 2:00 pm, Room 309

Lois Yamauchi  
President  
Honolulu, Hawaii

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

Kashmira Reid  
Vice President

**This testimony is in strong opposition for HB 499**

Sue Haglund  
Secretary

Parents for Public Schools of Hawai'i opposes HB 499. We oppose repealing the priority given by the Preschool Open Doors program 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 is after the kindergarten eligibility date.

Ernestine Enomoto  
Treasurer

Deborah Bond-Upson

Zachary Dillonno

As you know, research is conclusive that early learning opportunities, such as preschool, prepare children for school and are important for all children. Unfortunately, many families are unable to afford preschool without funding from Preschool Open Doors.

Clare Hanusz

Kate Righter

Mary Weir

Thousands of children have been denied preschool since Jr. Kindergarten was eliminated. Preschool Open Doors has given some of those late born children the opportunity to attend an early learning program. Late-born children, who are not eligible for kindergarten, do not deserve being denied preschool, yet again.

We do not support changing the eligibility priorities for Preschool Open Doors or increasing funding for Preschool Open Doors. If more funds are appropriated for preschool, we urge lawmakers to prioritize increasing the number of pre-kindergarten classrooms within our public school system.

Parents for Public Schools of Hawai'i opposes HB499. Thank you for your time and consideration.

Aloha,

Lois Yamauchi, PhD  
President, Parents for Public Schools of Hawai'i

*Parents for Public Schools Hawaii (PPSHI) is a not-for-profit 501(c)(3) volunteer organization of parents, community members, and educators working to improve and support public education through family engagement. We are committed to ensuring all children in Hawai'i have access to a quality public education.*



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 499 – Relating to Preschool Open Doors Program**  
**Hawaii State Capitol, Room 309, February 8, 2017, 2:00 PM**

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**On behalf of Hawaii Children's Action Network (HCAN), we are writing to support HB 499 – Relating to Preschool Open Doors Program**

HCAN supports the intention to expand the Preschool Open Doors program to at-risk and underserved children by expanding the definition. When Preschool Open Doors started in 1990, this state-funded program served 3 & 4 year olds from qualifying low-income families. However, the program was significantly reduced in 2012 and 2013. Although services and funding for the program increased in the last year, the program has not been restored to the needed service levels.

Hawaii ranks second to last out of the most affordable states in the nation. Childcare is generally the second largest expense in family budgets after housing cost, averaging about \$8,040 per year. For children under two years that cost is generally much higher. The average POD subsidy is \$540/month to families with a median annual income of \$33,000 in 2015.

As of February 1, 2016, 2,213 applications were received for the Preschool Open Doors program, which provides subsidies for tuition assistance for families earning up to 142% over poverty line. As of the same date, only 1,156 children were being served. This is an opportunity to improve the chances for Hawaii's children to succeed by increasing the reach of the program.

By expanding the definition of at-risk and underserved, it will provide more low- to moderate-income parents, especially single parents, the opportunity to pursue higher education, training, or work as well as better prepare students to succeed in school. Preschool Open Doors promotes cognitive, social, and emotional development of young children and school readiness in our state, where only 14.5% of children display comprehensive readiness for kindergarten.

**For these reasons, HCAN respectfully requests that the committee vote to pass this bill.**

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>.