
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that there is a public
2 benefit from substantial investment in high-quality,
3 developmentally-appropriate early learning programs. These
4 investments have been driven by significant and continuing
5 research affirming the positive effects of high-quality early
6 learning programs on the physical, cognitive, linguistic,
7 social, emotional, and economic outcomes of young children.
8 Provided with such opportunities, children are more likely to
9 succeed in kindergarten and beyond as well as grow into healthy,
10 capable, and contributing adults.

11 Longitudinal studies have also proven that high-quality
12 early learning programs are especially effective for high-risk
13 children, including low-income and otherwise disadvantaged
14 children, with great potential to alter their lifetime
15 trajectories. Well-executed and well-targeted early learning
16 programs have immediate and long-term benefits not only for the
17 children participating in the programs but also for the



1 societies in which they live, which boast higher levels of
2 educational attainment; reduced homelessness, crime, and
3 substance abuse; improved health; and better overall social and
4 economic well-being.

5 The legislature further finds that although the department
6 of education administers programs of education and public
7 instruction throughout the State, including special education
8 and Title I funded programs at the prekindergarten level, the
9 executive office on early learning, under policies established
10 by the early learning board, should be responsible for the
11 administration of programs related to state-funded
12 prekindergarten.

13 The purpose of this Act is to authorize the executive
14 office on early learning to serve as the overseer of state-
15 funded early learning programs, except for special education and
16 Title I funded programs.

17 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:

20 "§302A- Public prekindergarten classes; annual report to
21 the legislature. The department shall submit to the legislature



1 an annual report regarding the number of public prekindergarten
2 classes that it operates."

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

6 "§302D- Public prekindergarten classes; annual report to
7 the legislature. Every authorizer shall submit to the
8 legislature an annual report regarding the number of
9 prekindergarten classes under its chartering authority."

10 SECTION 4. Chapter 302L, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§302L- Public prekindergarten classes; annual report to
14 the legislature. The office shall submit to the legislature an
15 annual report regarding the number of public prekindergarten
16 classes that it administers."

17 SECTION 5. Section 26-12, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "§26-12 Department of education. The department of
20 education shall be headed by an executive board to be known as
21 the board of education.



1 Under policies established by the board, the superintendent
2 shall administer programs of education and public instruction
3 throughout the State, including education at the primary and
4 secondary school levels, adult education, school library
5 services, health education and instruction (not including dental
6 health treatment transferred to the department of health),
7 special education and Title I funded programs at the
8 prekindergarten level, and such other programs as may be
9 established by law. Under policies established by the early
10 learning board, the executive office on early learning shall
11 have oversight, as defined and determined by the early learning
12 board, of all state-funded prekindergarten programs, except for
13 special education and Title I funded programs. The state
14 librarian, under policies established by the board of education,
15 shall be responsible for the administration of programs relating
16 to public library services and transcribing services for the
17 blind.

18 The functions and authority heretofore exercised by the
19 department of education (except dental health treatment
20 transferred to the department of health), library of Hawaii,
21 Hawaii county library, Maui county library, and the transcribing



1 services program of the bureau of sight conservation and work
2 with the blind, as heretofore constituted are transferred to the
3 public library system established by this chapter.

4 The management contract between the board of supervisors of
5 the county of Kauai and the Kauai public library association
6 shall be terminated at the earliest time after November 25,
7 1959, permissible under the terms of the contract and the
8 provisions of this paragraph shall constitute notice of
9 termination, and the functions and authority heretofore
10 exercised by the Kauai county library as heretofore constituted
11 and the Kauai public library association over the public
12 libraries in the county of Kauai shall thereupon be transferred
13 to the public library system established by this chapter.

14 The management contracts between the trustees of the
15 library of Hawaii and the Friends of the Library of Hawaii, and
16 between the library of Hawaii and the Hilo library and reading
17 room association, shall be terminated at the earliest time after
18 November 25, 1959, permissible under the terms of the contracts,
19 and the provisions of this paragraph shall constitute notice of
20 termination.



1 Upon the termination of the contracts, the State or the
2 counties shall not enter into any library management contracts
3 with any private association; provided that in providing library
4 services, the board of education may enter into contracts
5 approved by the governor for the use of lands, buildings,
6 equipment, and facilities owned by any private association.

7 Notwithstanding any law to the contrary, the board of
8 education may establish, specify the membership number and
9 quorum requirements for, appoint members to, and disestablish a
10 commission in each county to be known as the library advisory
11 commission, which shall in each case sit in an advisory capacity
12 to the board of education on matters relating to public library
13 services in their respective county."

14 SECTION 6. Section 302A-1111, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Under policies established by the board, the
17 superintendent shall be designated as the chief executive
18 officer of the public school system having jurisdiction over the
19 internal organization, operation, and management of the public
20 school system, as provided by law; and shall administer programs
21 of education and public instruction throughout the State,



1 including education at the primary and secondary school levels,
2 and such other programs as may be established by law[-];
3 provided that all state-funded prekindergarten programs, other
4 than special education and Title I funded programs, shall be
5 under the oversight, as defined and determined by the early
6 learning board, of the executive office on early learning."

7 SECTION 7. Section 302A-1128, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "§302A-1128 Department powers and duties. The department
10 shall have entire charge and control and be responsible for the
11 conduct of all affairs pertaining to public instruction in the
12 public schools the department establishes and operates,
13 including operating and maintaining the capital improvement and
14 repair and maintenance programs for department and school
15 facilities. The department may establish and maintain schools
16 for secular instruction at such places and for such terms as in
17 its discretion it may deem advisable and the funds at its
18 disposal may permit. The schools may include high schools,
19 kindergarten schools, [~~schools or classes for early childhood~~
20 ~~education,~~] boarding schools, Hawaiian language medium education
21 schools, and evening and day schools. The department may also



1 maintain classes for technical and other instruction in any
2 school where there may not be pupils sufficient in number to
3 justify the establishment of separate schools for these
4 purposes."

5 SECTION 8. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2019-2020 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2020-2021 for early childhood education programs administered by
10 the executive office on early learning.

11 The sums appropriated shall be expended by the executive
12 office on early learning for the purposes of this Act.

13 SECTION 9. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 10. This Act shall take effect on July 1, 2050.



Report Title:

DOE; Executive Office on Early Learning; Appropriation

Description:

Places all state-funded prekindergarten programs in Hawaii, other than special education and Title I funded programs, under the oversight of the Executive Office on Early Learning. (HB921 HD1)

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