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# A BILL FOR AN ACT

RELATING TO ACCESS TO LEARNING.

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

PART I. INTRODUCTION

SECTION 1. The purpose of this Act is to:

- (1) Expand the capacity, resources, affordability, and flexibility of childcare facilities licensed by the department of human services to significantly increase affordable and accessible childcare choices for Hawaii's families, especially those in financial need and in lesser-served areas of the State;
- (2) Expand the capacity, early learning, and availability of public pre-kindergarten;
- (3) Offset the cost of living for Hawaii families by subsidizing both childcare and preschool;
- (4) Clarify the coordination of the continuum of early learning and preschool programs throughout the State; and
- (5) Build the infrastructure and develop the resources necessary to achieve the objective of providing the



1 capacity to serve fifty per cent of all otherwise  
2 unserved children who are three to four years of age,  
3 or will not be at least five years of age on or before  
4 July 31 of the current school year, with access to  
5 learning by the year 2027, and providing the capacity  
6 to serve one hundred per cent of those children within  
7 the same age group with access to learning by the year  
8 2032.

9 This Act is part of the State's early childhood plan to  
10 increase access to child care and early learning opportunities  
11 for children in the State.

12 PART II. DEPARTMENT OF EDUCATION

13 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
14 amended by adding two new sections to subpart C of part IV to be  
15 appropriately designated and to read as follows:

16 **"§302A-A Standardized assessment for students entering**  
17 **kindergarten.** (a) The board of education shall adopt a student  
18 assessment model pursuant to section 302A-1101(a) to assess all  
19 students entering kindergarten.

20 (b) Within the first thirty days of each school year, the  
21 department shall assess all kindergarten students with the



1 student assessment model; provided that any assessment  
2 administered pursuant to this subsection shall be conducted in  
3 either English or Hawaiian.

4 (c) The department shall share the information gathered  
5 pursuant to this section with the department of human services,  
6 executive office on early learning, and public charter school  
7 commission to the extent not otherwise prohibited by  
8 administrative rule or law.

9 §302A-B Prior early learning programs attendance  
10 disclosure. (a) At least one parent or guardian of each child  
11 entering kindergarten shall disclose to the department the name  
12 of, address of, and duration of attendance at the early learning  
13 program that the child attended during the previous academic  
14 year. The department may also require the disclosure of any  
15 other information not otherwise prohibited by law that would  
16 assist the department, the department of human services, and the  
17 executive office on early learning in developing, assessing, and  
18 implementing strategies to meet the early learning needs of  
19 children in the State. The department and the executive office  
20 on early learning shall use the information to assist the  
21 executive office on early learning and department of human



1 services in determining the levels of prekindergarten attendance  
2 and need for child care in geographic regions of the State and  
3 identify the highest priority regions requiring prekindergarten  
4 programs and child care to meet the needs of unserved or  
5 underserved eligible children.

6 (b) The department may include a request for the  
7 information required by subsection (a) on a kindergarten  
8 enrollment form or any other appropriate form.

9 (c) The department shall share the information gathered  
10 pursuant to this section with the department of human services,  
11 executive office on early learning, and public charter school  
12 commission to the extent not otherwise prohibited by  
13 administrative rule or law."

14 SECTION 3. Chapter 302D, Hawaii Revised Statutes, is  
15 amended by adding three new sections to be appropriately  
16 designated and to read as follows:

17 **"§302D-A Standardized assessment for students entering**  
18 **kindergarten.** (a) The state public charter school commission  
19 shall adopt a student assessment model pursuant to section  
20 302A-1101(a) to assess all charter school students entering  
21 kindergarten.



1        (b) Within the first thirty days of each school year, the  
2 state public charter school commission shall ensure that all  
3 charter school kindergarten students are assessed by public  
4 charter schools with the student assessment model; provided that  
5 any assessment administered pursuant to this subsection shall be  
6 conducted in either English or Hawaiian.

7        (c) The state public charter school commission shall share  
8 the information gathered from public charter schools pursuant to  
9 this section with the department of education, department of  
10 human services, and executive office on early learning to the  
11 extent not otherwise prohibited by administrative rule or law.

12        **§302D-B Prior early learning programs attendance**

13 **disclosure.** (a) At least one parent or guardian of each child  
14 entering kindergarten shall disclose to the public charter  
15 school at which the child is enrolled the name and address of  
16 the early learning program that the child attended during the  
17 previous academic year. Each public charter school shall  
18 provide the information disclosed pursuant to this section to  
19 the state public charter school commission. The state public  
20 charter school commission may also require the disclosure of any  
21 other information not otherwise prohibited by law that would



1 assist the department, the department of human services, and the  
2 executive office on early learning in developing, assessing, and  
3 implementing strategies to meet the early learning needs of  
4 children in the State. The state public charter school  
5 commission and the executive office on early learning shall use  
6 the information to assist the department of human services and  
7 executive office on early learning in determining the levels of  
8 prekindergarten attendance and need for child care in geographic  
9 regions of the State and identify the highest priority regions  
10 requiring prekindergarten programs and child care to meet the  
11 needs of unserved or underserved eligible children and shall  
12 provide the information to the department of human services.

13 (b) The state public charter school commission may include  
14 a request for the information required by subsection (a) on a  
15 kindergarten enrollment form or any other appropriate form used  
16 at all public charter schools.

17 (c) The state public charter school commission shall share  
18 the information gathered pursuant to this section with the  
19 department of education, department of human services, and  
20 executive office on early learning to the extent not otherwise  
21 prohibited by administrative rule or law.



1           §302D-C Public early learning and preschool programs;  
2 administrative authority. (a) The state public charter school  
3 commission shall have administrative authority over all state-  
4 funded early learning programs and private partnership-funded  
5 preschool programs in public charter schools except for special  
6 education and Title I-funded prekindergarten programs.

7           (b) The early learning programs in charter schools  
8 shall enroll no more than a maximum of twenty children per  
9 classroom who are three- or four-years-old on or before  
10 July 31 of the school year, as aligned with the department of  
11 education kindergarten age entry requirements.

12           (c) Subject to the availability of funding, the state  
13 public charter school commission shall implement an application  
14 process for schools to establish an early learning program.

15           (d) Each early learning program and preschool program  
16 shall meet the following requirements:

17           (1) The availability of a classroom and outdoor play area  
18 that meet department of human services requirements  
19 for the health and safety of three- and four-year-old  
20 children and is exempt from section 346-161 as a  
21 public preschool provider;



1       (2) The commitment of the principal to implementing an  
2       early learning program, including through active  
3       participation in professional development sessions  
4       offered through the state public charter school  
5       commission, and promoting continuity and alignment  
6       between and across other early learning programs in  
7       the community and other grade levels in the school to  
8       ensure the positive outcomes of children are  
9       sustained;

10       (3) The inclusion of students with disabilities based on  
11       individualized education program placement; provided  
12       that:

13       (A) The in-classroom ratio of students with  
14       disabilities shall be based on the inclusion of  
15       children with disabilities in proportion to the  
16       general population of the school;

17       (B) Subparagraph (A) does not anticipate or permit  
18       imposing caps or quotas on the number of children  
19       with disabilities in a program or not  
20       individualizing services for children with  
21       disabilities under the Individuals with





1                   Disabilities Education Act of 2004 (20 U.S.C.  
2                   1400 et seq., as amended);

3           (C)   The department of education shall collaborate  
4                   with the charter school to coordinate services  
5                   for students with disabilities who are placed in  
6                   the classroom offered through the program; and

7           (D)   Funding for all costs associated with the  
8                   implementation of the individualized education  
9                   program of students shall be provided through the  
10                  department of education;

11           (4)   Enrollment in the program shall be free and voluntary;

12           (5)   The enrollment shall not exceed twenty children per  
13                  classroom;

14           (6)   The incorporation of standards that are research-based  
15                  and developmentally-appropriate practices associated  
16                  with improved educational outcomes for children, such  
17                  as:

18           (A)   Positive teacher-child interactions that shall be  
19                  evaluated through observations conducted by the  
20                  state public charter school commission using a  
21                  research-based tool at least twice a year, for



1           the purposes of professional development;  
2           provided that the observations shall not be used  
3           for the purposes of teacher evaluation;

4           (B) The early learning environment shall be assessed  
5           using a tool that measures its effectiveness and  
6           shall be conducted at least two times per school  
7           year by a certified observer who is employed or  
8           contracted by the state public charter school  
9           commission; provided that the teaching staff  
10           shall use the assessment data and feedback to  
11           improve the quality of the learning environment;  
12           provided further that observations shall be used  
13           for the purposes of professional development and  
14           shall not be used for the purposes of teacher  
15           evaluation;

16           (C) Use of individual child formative assessments  
17           that are used for ongoing planning relating to  
18           all areas of child development and learning  
19           including cognitive, linguistic, social emotional  
20           approaches to learning, and health and physical  
21           development;



- 1           (D) Family engagement in partnership with charter  
2           schools, including conducting outreach for  
3           enrollment and engagement of families in their  
4           children's education in recognition of families'  
5           role as their child's first and most important  
6           teacher;
- 7           (E) Alignment with the Hawaii early learning and  
8           development standards, department of education  
9           standards, state content and performance  
10           standards, and general learner outcomes for  
11           grades kindergarten to twelve to facilitate a  
12           seamless educational experience for children;
- 13           (F) Requirements that any teacher shall have  
14           coursework in early childhood education pursuant  
15           to Hawaii teacher standards board licensing  
16           requirements for a prekindergarten teacher or be  
17           enrolled in a state-approved teacher education  
18           program and be working toward satisfying the  
19           Hawaii teacher standards board licensing  
20           requirements; and



1           (G) Requirements that any educational assistant has a  
2           current child development associate credential,  
3           coursework for a certificate that meets the  
4           requirements for child development associate  
5           credential preparation, or be enrolled in and  
6           working toward completing a program that prepares  
7           the individual to obtain the credential.

8           (e) The state public charter school commission shall  
9           monitor the implementation of the educational experience for  
10          children.

11          (f) The state public charter school commission shall  
12          provide support to incorporate the standards developed pursuant  
13          to subsection (d), including support related to teacher-child  
14          interactions, early childhood learning environment, individual  
15          child assessments, and family engagement.

16          (g) Teaching staff participating in a program established  
17          pursuant to this section shall participate in coaching and  
18          mentoring and professional development opportunities offered  
19          through the state public charter school commission; provided  
20          that the commission shall cover the associated travel and  
21          substitute teacher costs, contingent upon funding availability.



1 The commission may extend this support, excluding travel and  
2 substitute teacher costs, to individuals who are not  
3 participating in the program to promote alignment between all  
4 grade levels, programs, and settings.

5 (h) School leaders shall attend professional development  
6 sessions related to P-3 (preschool to grade three) alignment  
7 offered through the state public charter school commission, as  
8 provided by the commission. The commission shall cover the  
9 costs associated with travel and substitute teacher  
10 expenditures, contingent upon the availability of funding. The  
11 commission may extend this support, excluding travel and  
12 substitute teacher costs, to individuals who are not  
13 participating in the program to promote alignment between all  
14 grade levels, programs, and settings.

15 (i) The state public charter school commission shall work  
16 with each charter school to develop and annually update a  
17 written three-year plan that promotes, within the school and  
18 community, alignment of and transitions between learning  
19 experiences, and report on the progress made toward the plan by  
20 the end of the school year.



1       (j) The state public charter school commission shall  
2 coordinate with other agencies and programs to facilitate  
3 comprehensive services for early learning.

4       (k) The state public charter school commission shall  
5 promote the development of a cohesive, comprehensive, and  
6 sustainable early learning system. The commission shall  
7 coordinate with other early learning providers, including those  
8 providing the programs and services, to promote alignment  
9 between prekindergarten and elementary school programs and to  
10 support children and their families in making successful  
11 transitions from prekindergarten into kindergarten.

12       (l) The state public charter school commission shall adopt  
13 rules pursuant to chapter 91 for the purpose of this section.

14       (m) The state public charter school commission shall  
15 submit a report to the legislature no later than twenty days  
16 prior to the convening of each regular session regarding state-  
17 funded early learning programs in charter schools. The report  
18 shall include, as related to each type of program:

19       (1) The number and location of classrooms;

20       (2) Sources of funding for each classroom;



- 1        (3) Aggregated data reflecting the quality of teacher-
- 2        child interactions relating to emotional support,
- 3        classroom organization, and instructional support;
- 4        (4) Aggregated data reflecting the quality of the early
- 5        learning environment and the teacher-child
- 6        interactions that maximize the learning opportunities
- 7        of the environment; and
- 8        (5) Aggregated student outcomes related to all areas of
- 9        child development and learning, including cognitive,
- 10       linguistic, social and emotional approaches to
- 11       learning and health and physical development, as
- 12       assessed using a formative assessment tool selected or
- 13       approved by the state public charter school
- 14       commission.

15 This reported data shall be compiled from the previously state-  
 16 funded school year."

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

19        "§302L-5 Early learning [~~trust fund~~] special fund. (a)  
 20 There is established within the state treasury the early  
 21 learning [~~trust fund~~], special fund, to be administered by the



1 executive office on early learning, into which shall be  
 2 deposited all moneys received by the office in the form of:

- 3 (1) Fees;
- 4 (2) Grants;
- 5 (3) Donations;
- 6 (4) Appropriations made by the legislature to the fund;
- 7 and
- 8 (5) Revenues regardless of their source,

9 and earnings on moneys in the fund. Moneys in the fund shall be  
 10 used for the early learning system. Expenditures from the fund  
 11 may be made by the office without appropriation or allotment.

12 (b) The office shall submit an annual report to the  
 13 legislature, no later than August 31, on the sources of moneys  
 14 deposited into the fund and expenditures of the moneys in the  
 15 fund."

16 SECTION 5. Section 302L-7, Hawaii Revised Statutes, is  
 17 amended as follows:

18 1. By amending subsection (a) to read:

19 "(a) There is established within the early learning system  
 20 an early childhood education program to be known as the  
 21 executive office on early learning public prekindergarten





1 program and to be administered by the office pursuant to rules  
2 adopted by the office. The program shall:

- 3 (1) Be provided through the executive office on early  
4 learning, which shall partner with the department of  
5 education [~~and state public charter school commission~~]  
6 through either a memorandum of agreement or memorandum  
7 of understanding pursuant to the requirements of this  
8 section;
- 9 (2) Prepare children for school and active participation  
10 in society through the use of either of the State's  
11 two official languages; and
- 12 (3) Provide access to high-quality early learning that  
13 addresses children's physical, cognitive, linguistic,  
14 social, and emotional development."

15 2. By amending subsections (o) and (p) to read:

16 "(o) The office shall collect data with assistance from  
17 the department of education [~~and state public charter school~~  
18 ~~commission~~], based on a schedule to be determined by the office,  
19 to:

- 20 (1) Evaluate the services provided;
- 21 (2) Inform policy; and



1 (3) Make any improvements to the program.

2 (p) The department of education [~~and any public charter~~  
3 ~~school existing pursuant to chapter 302D,~~] may use available  
4 classrooms for public preschool programs statewide. [~~The office~~  
5 ~~shall give priority to public charter schools that serve high~~  
6 ~~populations of underserved or at-risk children.~~] Preschool  
7 classrooms established pursuant to this section shall be in  
8 addition to any classrooms used for the pre-plus program  
9 established pursuant to section 302L-1.7."

10 SECTION 6. Section 312-2.1, Hawaii Revised Statutes, is  
11 amended by amending subsection (d) to read as follows:

12 "[+] (d) [+] The state librarian shall collect, purchase,  
13 receive gifts of, and otherwise acquire all books and other  
14 publications proper for libraries, and arrange, classify, and  
15 catalog the same; provide for their safekeeping; expend moneys  
16 appropriated by the legislature and otherwise acquired for the  
17 development, use, support, and maintenance of libraries[+] and  
18 other related purposes; provide ways and means for placing  
19 libraries within reach of all residents throughout the State and  
20 particularly of all public and private school children; provide  
21 and maintain branch libraries, offices, or places for the



1 distribution of books and periodicals throughout the State;  
 2 enter into contracts as may be necessary to carry into effect  
 3 the general duties herein imposed; appoint such officers and  
 4 employees as deemed necessary, all of whom shall be under the  
 5 authority of the governor for purposes of chapters 76, 78, 89,  
 6 and 89C; and adopt rules for the management and use of  
 7 libraries, and for the control of the property under its  
 8 management."

9 PART III. DEPARTMENT OF HUMAN SERVICES

10 SECTION 7. Chapter 346, Hawaii Revised Statutes, is  
 11 amended by adding four new sections to subpart D of part VIII to  
 12 be appropriately designated and to read as follows:

13 "§346- Preschool open doors special fund. (a) There  
 14 is established within the state treasury the preschool open  
 15 doors special fund, to be administered by the department's child  
 16 care assistance program, into which shall be deposited all  
 17 moneys received by the department's child care assistance  
 18 program in the form of:

- 19 (1) Fees;
- 20 (2) Grants;
- 21 (3) Donations;



1       (4) Appropriations made by the legislature to the fund;  
2           and  
3       (5) Revenues regardless of their source,  
4 and earnings on moneys in the fund. Moneys in the fund shall be  
5 used for the procurement of health and human services under the  
6 preschool open doors program. Expenditures from the fund may be  
7 made by the department without appropriation or allotment but  
8 shall not be made for capital improvement projects.

9       (b) The department shall submit an annual report to the  
10 legislature, no later than August 31, on the sources of moneys  
11 deposited into the fund and expenditures of moneys in the fund.

12       §346- Preschool grant program special fund;  
13 established. (a) There is established within the state  
14 treasury the preschool grant program special fund, to be  
15 administered by the department, into which shall be deposited:

16       (1) Donations to the fund;  
17       (2) Appropriations made by the legislature to the fund;  
18       (3) Revenues regardless of their source; and  
19       (4) Earnings on moneys in the fund.

20       (b) The department shall expend moneys in the special fund  
21 to award funds to private entities for the operating costs of



1 new preschools or expansion of existing preschools at the  
2 private entity's place of business.

3 (c) Expenditures from the fund may be made by the  
4 department without appropriation or allotment.

5 (d) Any grant awarded pursuant to this section or  
6 expenditure of funds for the administration of the preschool  
7 open doors program shall be exempt from chapters 103D and 103F.  
8 The department shall adopt rules pursuant to chapter 91 to  
9 effectuate the grant program.

10 (e) The department shall submit an annual report to the  
11 legislature, no later than August 31, on the sources of moneys  
12 deposited into the fund and expenditures of moneys in the fund.

13 §346- Preschool open doors program; provider  
14 accreditation. (a) Each service provider of the preschool open  
15 doors program shall be accredited or shall obtain accreditation  
16 within seven calendar years of first receiving any funds from  
17 the preschool open doors program; provided that any existing  
18 service provider unaccredited on July 1, 2020, shall commence  
19 the accreditation process no later than July 1, 2022, and obtain  
20 accreditation by July 1, 2027; provided further that the



1 director may grant to any service provider one or more  
2 extensions to obtain accreditation on a case by case basis.

3 (b) Accreditation under this section shall be obtained  
4 from one or more of the following national early learning  
5 accrediting organizations:

6 (1) National Association for the Education of Young  
7 Children;

8 (2) National Early Childhood Program Accreditation;

9 (3) National Association of Family Child Care; or

10 (4) An accrediting organization approved by the director;  
11 provided that the accrediting organization is  
12 comparable to the organizations specified in  
13 paragraphs (1) through (3).

14 (c) Notwithstanding subsections (a) and (b), a service  
15 provider may receive or continue to receive funding through the  
16 preschool open doors program if the service provider maintains a  
17 satisfactory performance rating under the Classroom Assessment  
18 Scoring System developed by the University of Virginia and  
19 performed in conformance with United States Department of Health  
20 and Human Services guidelines.



1        (d) The department shall provide operational and financial  
2 support to service providers to assist the service providers in  
3 obtaining accreditation. The department may contract with a  
4 private entity to assist service providers in obtaining  
5 accreditation.

6        §346-        Preschool open doors; procurement exemption.  
7 Effective July 1, 2020, any expenditure of funds by the  
8 department to implement, operate, or expand the preschool open  
9 doors program may be made without regard to chapters 103D and  
10 103F."

11        SECTION 8. Chapter 346, Hawaii Revised Statutes, is  
12 amended by adding a new section to part VIII to be appropriately  
13 designated and to read as follows:

14        "§346-        Prior early learning program information. (a)  
15 The department shall establish or augment an existing database  
16 to collect and analyze information it receives from the  
17 department of education pursuant to sections 302A-A, and 302A-B  
18 and the state public charter school commission pursuant to  
19 sections 302D-A and 302D-B and any other information the  
20 department may collect on all children in the State who are  
21 three to four years old and children who will not be at least



1 five years of age on or before July 31 of the current school  
2 year.

3 (b) To the extent not prohibited by administrative rule or  
4 law, the department, department of education, public charter  
5 school commission, and executive office on early learning shall  
6 share any information gathered pursuant to 302A-A, 302A-B,  
7 302D-A, 302D-B, with each other along with any other information  
8 the department, department of education, or public charter  
9 school commission may collect on all children in the State who  
10 are three to four years old and children who will not be at  
11 least five years of age on or before July 31 of the current  
12 school year.

13 (c) Any procurement executed pursuant to this section  
14 shall be exempt from chapters 103D and 103F."

15 SECTION 9. Section 346-181, Hawaii Revised Statutes, is  
16 amended by amending subsections (b) and (c) to read as follows:

17 "(b) Subject to the availability of funds, the program  
18 shall serve three- and four-year-old children[-] who are in the  
19 two years prior to kindergarten entry pursuant to section  
20 302A-411, with priority extended [~~to~~] in the following order to  
21 any:





1       ~~[(1) Children who are not eligible to attend public school~~  
2       ~~kindergarten in the calendar year in which they turn~~  
3       ~~five years of age because their birth date occurs~~  
4       ~~after the kindergarten eligibility date pursuant to~~  
5       ~~section 302A 411; and~~

6       ~~(2)]~~ (1) Underserved or at-risk [children,] four-year-old  
7       child who was previously served as a three-year old  
8       child, as defined by rules adopted by the  
9       department [;];

10       (2) Four-year-old child who was previously served as a  
11       three-year-old child;

12       (3) Four-year-old child;

13       (4) Underserved or at-risk three-year-old child, as  
14       defined by rules adopted by the department; and

15       (5) Three-year-old child.

16       (c) Enrollment in the program shall be voluntary. A  
17       parent or guardian of a child enrolled in the program ~~[shall]~~  
18       may share in the costs of the program through a copayment  
19       according to a sliding fee scale that is based on need pursuant  
20       to rules adopted by the department."



1 SECTION 10. There is appropriated out of the  
2 special fund the sum of \$ or so much thereof as may be  
3 necessary for fiscal year 2020-2021 for twelve permanent full-  
4 time (12.0 FTE) positions for the preschool open doors program.

5 The sum appropriated shall be expended by the department of  
6 human services for the purposes of this Act.

7 PART IV. OFFICE OF THE GOVERNOR

8 SECTION 11. Chapter 26, Hawaii Revised Statutes, is  
9 amended by adding a new part to be appropriately designated and  
10 to read as follows:

11 "PART . EARLY LEARNING

12 §26- Benchmarks; Duties. (a) The department of human  
13 services and the executive office on early learning shall ensure  
14 access to learning through preschool programs that meet or  
15 exceed the following benchmarks:

- 16 (1) Fifty per cent of all otherwise unserved children who  
17 are three to four years of age, or will not be at  
18 least five years of age on or before July 31 of the  
19 current school year, shall have access to enrollment  
20 in a preschool program by December 31, 2027; and



1           (2) One hundred per cent of all children who are three to  
2           four years of age, or will not be at least five years  
3           of age on or before July 31 of the current school  
4           year, shall have access to enrollment in a preschool  
5           program by December 31, 2032.

6 The department of human services and the executive office on  
7 early learning shall submit an annual report to the legislature,  
8 no later than August 31 of each year, on the progress toward  
9 achieving the benchmarks until all children who are three to  
10 four years of age, or will not be at least five years of age on  
11 or before July 31 of the current school year, are enrolled in a  
12 preschool program.

13           (b) The department of human services and the executive  
14 office on early learning shall collaborate to identify the need  
15 for child care and early learning in geographic regions of the  
16 State and consider using public facilities including schools,  
17 libraries, and the university of Hawaii system as locations for  
18 child care and early learning programs.

19           (c) The department of human services may create programs  
20 and private sector delivery systems that can pose the essential  
21 information and policy questions, monitor the progress of the



1 implementation of this part, and generate timely detailed  
2 reports to the extent allowable by law.

3 (d) The department of human services shall facilitate and  
4 support data sharing among public and private entities to the  
5 extent not otherwise prohibited by law or rule."

6 SECTION 12. Section 27-7, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 " ~~{}~~§27-7~~{}~~ **Departmental data sharing.** (a) The  
9 department of education, the University of Hawaii, the  
10 department of labor and industrial relations, and other state  
11 agencies, as appropriate, shall share data to support research  
12 that will improve educational and workforce outcomes and meet  
13 the longitudinal data requirements of the federal American  
14 Recovery and Reinvestment Act of 2009, as amended. The data to  
15 be shared shall be determined jointly by the department of  
16 education, the University of Hawaii, the department of labor and  
17 industrial relations, and other state agencies, as appropriate,  
18 and shall be shared no less than annually.

19 (b) The department of education, the University of Hawaii,  
20 the department of labor and industrial relations, and other  
21 state agencies, as appropriate, shall share data in a manner



1 that safeguards the confidentiality of student education  
2 records, as defined by the federal Family Educational Rights and  
3 Privacy Act, and workforce data, as provided by applicable  
4 federal and state laws, rules, and regulations.

5 (c) All data shared by or with the department of human  
6 services, department of education, public charter school  
7 authorizers, public charter schools, executive office on early  
8 learning, and other entities as required by statute shall be  
9 subject to any administrative rule regarding privacy adopted by  
10 the department or agency that collected the data.

11 ~~(e)~~ (d) The department of education, the University of  
12 Hawaii, the department of labor and industrial relations, and  
13 other state agencies, as appropriate, shall establish a data  
14 governance and access committee that meets on a quarterly basis  
15 to determine protocols to:

- 16 (1) Prioritize analyses and research questions that will  
17 provide information to improve educational and  
18 workforce outcomes and policies; and
- 19 (2) Approve requests for access to data provided by the  
20 department of education, the University of Hawaii, the



1 department of labor and industrial [+]relations[+],  
2 and other state agencies, as appropriate.

3 [~~(d)~~] (e) All state agency directors shall consider  
4 sharing data for the statewide longitudinal data system."

5 PART V. HAWAIIAN LANGUAGE IMMERSION

6 SECTION 13. There is appropriated out of the early  
7 learning special fund the sum of \$ or so much thereof  
8 as may be necessary for fiscal year 2020-2021 for deposit into a  
9 special fund for the purpose of assisting Ka Haka Ula O  
10 Keelikolani, in partnership with the Imiloa astronomy center and  
11 other public or private partners as appropriate or required by  
12 law, to build two or more classrooms for Hawaiian language  
13 medium pre-kindergarten programs that shall be used to establish  
14 a pathway for the development of other Hawaiian language medium  
15 pre-kindergarten and Hawaiian language immersion classes.

16 The sum appropriated shall be expended by the university of  
17 Hawaii at Hilo for the purposes of this Act.

18 PART VI. LIBRARIES

19 SECTION 14. Chapter 312, Hawaii Revised Statutes, is  
20 amended by adding a new section to be appropriately designated  
21 and to read as follows:



1           "§312-       Early learning classrooms and services on public  
2 library property; authorized. (a) The Hawaii state public  
3 library system, in consultation and partnership with the  
4 department of human services or the executive office on early  
5 learning, may establish new early learning classrooms and  
6 contract for early learning services licensed by the department  
7 of human services or authorized by the executive office on early  
8 learning at any library under the jurisdiction of the Hawaii  
9 state public library system; provided that:

- 10           (1) The entity with which the Hawaii state public library  
11           system partners to establish a new early learning  
12           classroom shall be the same entity responsible for the  
13           oversight of that early learning classroom; and  
14           (2) The oversight of that early learning classroom shall  
15           be conducted pursuant to administrative rules adopted  
16           by that entity.

17           (b) The planning, constructing, equipping, and operating  
18 of new early learning classrooms and the contracting of early  
19 learning services shall not be subject to chapters 103D or  
20 103F."

21                                   PART VII. MISCELLANEOUS PROVISIONS



1 SECTION 15. In codifying the new sections added by  
2 sections 2 and 3 of this Act, the revisor of statutes shall  
3 substitute appropriate section numbers for the letters used in  
4 designating the new sections in this Act.

5 SECTION 16. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 17. This Act shall take effect on July 1, 2024;  
8 provided that:

9 (1) Sections 5, 10, 11, 13, and 14 shall take effect upon  
10 approval of this Act; and

11 (2) Sections 2 and 3 shall take effect on July 1, 2022;  
12 except that new Hawaii Revised Statutes, section  
13 302D-C as set forth in Section 3 of this Act shall  
14 take effect upon its approval.





**Report Title:**

DHS; DOE; Preschool Open Doors Program; Executive Office on Early Learning; Appropriation

**Description:**

Requires parents or guardians of public school and charter school kindergarten students to disclose information on the student's prior child care program or prekindergarten attendance, if any, for the purpose of determining areas having the highest need for prekindergarten and child care programs. Requires assessment of public school and charter school kindergarten students. Removes public charter school prekindergarten programs from the administrative authority of the Executive Office on Early Learning. Establishes that the state public charter school commission has administrative authority over all state-funded early learning programs in public charter schools. Establishes the preschool open doors special fund. Expands Preschool Open Doors Program eligibility from 4-year-old children to all children who are 3 to 4 years old who are in the 2 years prior to kindergarten entry. Requires annual reporting regarding the revenues and expenditures of the early learning special fund. Establishes a program for DHS to award grants for preschools. Appropriates funds and authorizes positions for the Preschool Open Doors Program. Appropriates funds for DHS to expand its information technology system for the purpose of managing information on prekindergarten attendance and child care need and to contract for and operate preschool and child care programs. Establishes the goal of providing all children who are 3 to 4 years old who are in the 2 years prior to kindergarten entry with enrollment in a preschool program by the year 2030. Appropriates funds to the University of Hawaii for building classrooms for Hawaiian language immersion pre-kindergarten programs. Establishes an early education scholarship program. Appropriates funds for building early learning services classrooms on public library property. (SD1)

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



H.B. NO. 2543  
H.D. 1  
S.D. 1

