
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1

PART I

2

PURPOSE

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

13 Longitudinal studies have also proven that high-quality
14 early learning programs are especially effective for high-risk
15 children, including low-income and otherwise disadvantaged
16 children, with great potential to alter their lifetime
17 trajectories. Well-executed and well-targeted early learning



1 programs have immediate and long-term benefits not only for the
2 children participating in the programs, but also for the
3 societies in which they live, which boast higher levels of
4 educational attainment; reduced homelessness, crime, and
5 substance abuse; improved health; and better overall social and
6 economic well-being.

7 The legislature further finds that although the department
8 of education administers programs of education and public
9 instruction throughout the State, the executive office on early
10 learning, under policies established by the early learning
11 board, should have administrative authority over all state-
12 funded prekindergarten programs, except for special education
13 and Title I-funded prekindergarten programs that the department
14 currently administers.

15 Since Act 178, Session Laws of Hawaii 2012, the legislature
16 has enacted a series of laws to clarify its intent that the
17 responsibility for preschool and prekindergarten lies with the
18 early learning board and the executive office on early learning,
19 as the bodies charged with formulating statewide policy relating
20 to early learning, and developing a cohesive, comprehensive, and
21 sustainable system of early learning for Hawaii, respectively.



- 1 Therefore, the purpose of parts I to VI is to:
- 2 (1) Define the roles and responsibilities of the executive
- 3 office on early learning and the department of
- 4 education as they relate to the implementation of the
- 5 public prekindergarten program;
- 6 (2) Establish the executive office on early learning as
- 7 the administrative authority for state funded
- 8 prekindergarten programs and a support for and with
- 9 the department of education special education, Title
- 10 I, and private partnership funded prekindergarten
- 11 programs to ensure high quality early education
- 12 programs in department of education school classrooms;
- 13 and
- 14 (3) Ensure that agreements and services are clearly
- 15 articulated in a memorandum of understanding between
- 16 the executive office on early learning and the
- 17 department of education, including a resolution
- 18 protocol to settle disputes should either party not be
- 19 able to come to an agreement.



PART II

ADMINISTRATIVE AUTHORITY FOR PREKINDERGARTEN PROGRAMS

SECTION 2. Section 26-12, Hawaii Revised Statutes, is amended to read as follows:

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

Under policies established by the board, the superintendent shall administer programs of education and public instruction throughout the State, including education at the primary and secondary school levels, adult education, school library services, health education and instruction (not including dental health treatment transferred to the department of health), special education and Title I funded programs at the prekindergarten level, and such other programs as may be established by law~~[-]~~; provided that the department shall not establish general education prekindergarten classrooms; provided that the department may establish special education, Title I funded, and private partnership funded prekindergarten classrooms. Under policies established by the early learning board, the memorandum of understanding between the executive



1 office on early learning and department of education shall
2 include that administrative decisions on the selection of
3 prekindergarten classroom sites, administrator, teacher and
4 staff professional learning, prekindergarten classroom
5 facilities standards, developmentally appropriate furniture and
6 equipment, and monitoring the quality of the instruction and
7 outcomes for students shall be the responsibility of the
8 executive office on early learning. The executive office on
9 early learning may extend the resources and training supports to
10 other state funded prekindergarten classroom teachers and
11 administrators as part of an expansion of early learning in a
12 complex area; provided that this may include complex area
13 resource teachers as part of the joint support efforts with the
14 executive office on early learning. Principals shall be able to
15 include the executive office on early learning prekindergarten
16 classroom teachers in the school-wide professional development
17 to ensure that initiatives, such as social emotional learning,
18 digital reading programs, cultural and place-based instructional
19 strategies, and transition to kindergarten, are implemented in a
20 comprehensive and aligned manner. The state librarian, under
21 policies established by the board of education, shall be



1 responsible for the administration of programs relating to
2 public library services and transcribing services for the blind.

3 The functions and authority exercised by the department of
4 education relating to state-funded prekindergarten programs,
5 except for special education, Title I, and private partnership
6 funded prekindergarten programs, shall be delineated in a
7 memorandum of understanding between the executive office on
8 early learning and department of education. The administrative
9 authority for the executive office on early learning shall be
10 related to services for curriculum, instruction, assessment, and
11 professional learning support. The department of education
12 shall have oversight for the general services of the facilities,
13 daily operations of the prekindergarten classroom, and support
14 for the inclusion of the teacher and educational assistant in
15 the school-wide initiatives, participation in the school
16 programs, and parent participation and engagement.

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



1 with the blind, as heretofore constituted are transferred to the
2 public library system established by this chapter.

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

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

20 Upon the termination of the contracts, the State or the
21 counties shall not enter into any library management contracts



1 with any private association; provided that in providing library
2 services, the board of education may enter into contracts
3 approved by the governor for the use of lands, buildings,
4 equipment, and facilities owned by any private association.

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

12 SECTION 3. Section 302A-101, Hawaii Revised Statutes, is
13 amended by deleting the definition of "early childhood
14 education".

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

19 SECTION 4. Section 302A-1111, Hawaii Revised Statutes, is
20 amended to read as follows:



1 **"§302A-1111 Duties of superintendent.** (a) Under policies
2 established by the board, the superintendent shall be designated
3 as the chief executive officer of the public school system
4 having jurisdiction over the internal organization, operation,
5 and management of the public school system, as provided by law;
6 and shall administer programs of education and public
7 instruction throughout the State, including education at the
8 primary and secondary school levels, and such other programs as
9 may be established by law[+]; provided that all state-funded
10 prekindergarten programs, except for special education, Title I,
11 and private partnership funded prekindergarten program
12 responsibilities and authority, shall be delineated in the
13 memorandum of understanding between the executive office on
14 early learning and department. The administrative authority for
15 the executive office on early learning shall be related to
16 services for curriculum, instruction, assessment, and
17 professional learning support. The department shall have
18 oversight for the general services of the facilities, daily
19 operations of the prekindergarten classroom, and support for the
20 inclusion of the teacher and educational assistant in the



1 school-wide initiatives, participation in the school programs,
2 and parent participation and engagement.

3 (b) Except as otherwise provided, the superintendent shall
4 sign all drafts for the payment of moneys, all commissions and
5 appointments, all deeds, official acts, or other documents of
6 the department[-]; provided that the director of the executive
7 office on early learning shall be the signatory for all budget
8 documents, appointments of staffing, and official acts related
9 to the executive office on early learning. The executive office
10 on early learning shall be solely responsible for the decisions
11 and outcomes for any fiscal decisions, personnel issues, audits,
12 and legal consequences for decisions made without the approval
13 of the superintendent. The superintendent and director of the
14 executive office on early learning may use a printed facsimile
15 signature in approving appointments, contracts, and other
16 documents."

17 SECTION 5. Section 302A-1128, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§302A-1128 Department powers and duties.** The department
20 shall have entire charge and control and be responsible for the
21 conduct of all affairs pertaining to public instruction in the



1 public schools the department establishes and operates,
2 including operating and maintaining the capital improvement and
3 repair and maintenance programs for department and school
4 facilities[-]; provided that all state-funded prekindergarten
5 programs, except for special education, Title I, and private
6 partnership funded prekindergarten program responsibilities and
7 authority, shall be delineated in the memorandum of
8 understanding between the executive office on early learning and
9 department. The administrative authority for the executive
10 office on early learning shall be related to services for
11 curriculum, instruction, assessment, and professional learning
12 support. The department shall have oversight for the general
13 services of the facilities, daily operations of the
14 prekindergarten classroom, and support for the inclusion of the
15 teacher and educational assistant in the school-wide
16 initiatives, participation in the school programs, and parent
17 participation and engagement. The department may establish and
18 maintain schools for secular instruction at such places and for
19 such terms as in its discretion it may deem advisable and the
20 funds at its disposal may permit. The schools may include high
21 schools, kindergarten schools, schools or classes for early



1 childhood education, special education, Title I, and private
2 partnership funded prekindergarten, boarding schools, Hawaiian
3 language medium education schools, and evening and day schools.
4 The department may also maintain classes for technical and other
5 instruction in any school where there may not be pupils
6 sufficient in number to justify the establishment of separate
7 schools for these purposes."

8 SECTION 6. Section 302A-1303.6, Hawaii Revised Statutes,
9 is amended to read as follows:

10 "**§302A-1303.6 Weighted student formula.** Based upon
11 recommendations from the committee on weights, the board of
12 education may adopt a weighted student formula for the
13 allocation of moneys to public schools that takes into account
14 the educational needs of each student[-]; provided that any
15 prekindergarten classroom funded by the weighted student formula
16 shall be included in the executive office on early learning
17 prekindergarten program; provided further that a process for
18 approval by the director of the executive office on early
19 learning shall be followed by the school principal with approval
20 from the complex area superintendent in the year prior to the
21 establishment of the prekindergarten classroom; provided further



1 that this process shall be included in the memorandum of
 2 understanding between the executive office on early learning and
 3 the department. The department, upon the receipt of
 4 appropriated moneys, shall use the weighted student formula to
 5 allocate funds to public schools. Principals shall expend
 6 moneys provided to the principals' schools. This section shall
 7 only apply to charter schools for fiscal years in which the
 8 charter schools elect pursuant to section 302D-29 to receive
 9 allocations according to the procedures and methodology used to
 10 calculate the weighted student formula allocation."

11 SECTION 7. Section 302L-1.5, Hawaii Revised Statutes, is
 12 amended by amending subsection (c) to read as follows:

- 13 "(c) The director shall be responsible for:
- 14 (1) Serving as the principal officer in state government
 15 responsible for the performance, development, and
 16 control of programs, policies, and activities under
 17 the jurisdiction of the office from prenatal care to
 18 entrance into [~~kindergarten;~~] all state-funded
 19 prekindergarten programs, except for special
 20 education, Title I, and private partnership funded
 21 prekindergarten classrooms;



- 1 (2) [~~Overseeing, supervising,~~] Supervising and directing
2 the performance of the director's subordinates in
3 various activities, including planning, evaluation,
4 and coordination of early learning programs;
- 5 (3) Administering funds allocated for the office and
6 applying for, receiving, and disbursing grants and
7 donations from all sources for early learning programs
8 and services;
- 9 (4) Assessing the policies and practices of other agencies
10 impacting early learning and conducting advocacy
11 efforts for early learning;
- 12 (5) Advising agencies on new legislation, programs, and
13 policy initiatives relating to early learning;
- 14 (6) Employing and retaining staff as may be necessary for
15 the purposes of this section; and
- 16 (7) Contracting for services that may be necessary for the
17 purposes of this section, including through master
18 contracts, memoranda of understanding, and memoranda
19 of agreement with other state agencies receiving
20 federal and state funds for programs and services for



1 early learning, and purchase of service agreements
2 with appropriate agencies."

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

9 The sums appropriated shall be expended by the executive
10 office on early learning for the purposes of this part.

11 **PART III**

12 **TITLE I-FUNDED PREKINDERGARTEN**

13 SECTION 9. Chapter 302A, Hawaii Revised Statutes, is
14 amended by adding a new section to part II to be appropriately
15 designated and to read as follows:

16 "§302A- Title I-funded prekindergarten. (a) The
17 department in its implementation of Title I-funded
18 prekindergarten classrooms shall adhere to the quality standards
19 incorporated by the executive office on early learning in the
20 executive office on early learning public prekindergarten
21 program pursuant to section 302L-7.



1 (b) The department shall work with the executive office on
2 early learning to develop a structure to provide support for
3 Title I-funded prekindergarten classrooms on curriculum,
4 instruction, assessment, family engagement, and transition of
5 children in and out of the prekindergarten classroom.

6 (c) This structure of support shall be included in the
7 memorandum of understanding between the executive office on
8 early learning and department of education to provide support
9 for teachers and principals of Title I-funded prekindergarten
10 classrooms.

11 (d) The executive office on early learning shall include
12 the Title I-funded prekindergarten classroom data collected as
13 part of its early learning monitoring report; provided that this
14 data shall be collected for state-funded and Title I-funded
15 classrooms as part of the assessment support provided the by
16 executive office on early learning."

17 SECTION 10. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2019-2020 and
20 the same sum or so much thereof as may be necessary for fiscal
21 year 2020-2021 for the executive office on early learning to



1 provide professional learning support for teachers and
2 principals of Title I-funded prekindergarten classrooms in the
3 department of education.

4 The sums appropriated shall be expended by the executive
5 office on early learning for the purposes of this part.

6 PART IV

7 EXECUTIVE OFFICE ON EARLY LEARNING PUBLIC PREKINDERGARTEN

8 PROGRAM

9 SECTION 11. Section 302L-1, Hawaii Revised Statutes, is
10 amended by amending the definition of "at-risk children" to read
11 as follows:

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

16 (1) Who are [~~eligible for special education services;~~]
17 placed through their individualized education plan in
18 a general education setting;

19 (2) Who are English as a second language learners;

20 [~~3) Who reside within a public school district,~~
21 ~~established under chapter 302A, that is in need of~~



1 ~~improvement based on the criteria of the federal No~~
2 ~~Child Left Behind Act of 2001 (Public Law 107-110), as~~
3 ~~amended; or]~~

4 (3) Who are in foster care;

5 (4) Who are homeless; or

6 ~~[-(4)]~~ (5) Whose family income is no more than three hundred
7 per cent of the federal poverty level."

8 SECTION 12. Section 302L-7, Hawaii Revised Statutes, is
9 amended to read as follows:

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

17 (1) Be provided through the executive office on early
18 learning, which ~~may~~ shall partner with the
19 department of education~~[-]~~ through either a memorandum
20 of agreement or memorandum of understanding pursuant
21 to the requirements of this section;



1 (2) Prepare children for school and active participation
2 in society through the use of either of the State's
3 two official languages; and

4 (3) Provide access to high-quality early learning that
5 addresses children's physical, cognitive, linguistic,
6 social, and emotional development.

7 (b) The office shall implement an application process for
8 schools that are interested in participating in the program.

9 The criteria to prioritize applications shall include:

10 (1) Community need, including:

11 (A) The percentage of the population in the school or
12 community that meets the definitions of at-risk
13 and underserved children pursuant to section
14 302L-1; and

15 (B) The availability and capacity of existing early
16 learning programs or services for four-year-old
17 children on the school campus and in the
18 surrounding area;

19 (2) The availability of a classroom and outdoor play area
20 that meet department of human services requirements
21 for health and safety for four-year-old children; and



1 (3) The commitment of the principal to implementing a
2 high-quality prekindergarten program, including
3 through active participation in professional learning
4 sessions offered through the office, and to promoting
5 continuity and alignment between and across other
6 early learning programs in the community and other
7 grade levels in the school to ensure the positive
8 outcomes of children are sustained.

9 ~~[(b)]~~ (c) The program shall serve children in the year
10 prior to the year of kindergarten eligibility, with priority
11 extended to underserved or at-risk children, as defined in
12 section 302L-1~~[-]~~, and follow the academic year schedule of the
13 department of education and be aligned with the full-day
14 kindergarten classroom schedule of each school. Enrollment
15 priority shall be given but is not limited to children who
16 attend prekindergarten at schools to which the children will be
17 assigned upon entering kindergarten under section 302A-1143.

18 ~~[(e)]~~ (d) Enrollment in the program shall be voluntary. A
19 child who is ~~[enrolled in, or is eligible to attend, a public~~
20 ~~elementary school, or who is]~~ required to attend school pursuant



1 to section 302A-1132, shall not be eligible for enrollment in
2 the program.

3 (e) The program shall enroll a maximum of twenty children
4 per classroom.

5 [~~d~~] (f) The program shall incorporate high-quality
6 standards pursuant to rules adopted by the office. High-quality
7 standards shall be research-based, developmentally-appropriate
8 practices associated with better educational outcomes for
9 children, such as:

- 10 (1) Positive teacher-child interactions;
- 11 (2) Use of individual child assessments that are used for
12 ongoing instructional planning, based upon all areas
13 of childhood development and learning, including
14 cognitive, linguistic, social, and emotional
15 approaches to learning and health and physical
16 development;
- 17 (3) Family engagement [~~;~~ and] in partnership with the
18 school to do outreach for enrollment and engagement in
19 their children's education;
- 20 (4) Alignment with the Hawaii early learning and
21 development standards, which align with department of



1 education standards, state content and performance
2 standards, and general learner outcomes for grades
3 kindergarten to twelve, to facilitate a seamless and
4 high-quality educational experience for children[-];
5 (5) Highly qualified teachers who have met or are working
6 toward the requirements for coursework and licensure
7 in early education; and
8 (6) Educational assistants who have met or are working
9 toward the requirements for coursework, credentials,
10 or certification in early education.

11 [~~e~~] (g) Prior to opening a public prekindergarten class
12 in a school, the principal, and other school personnel as
13 required by the office, shall participate in an early learning
14 induction program.

15 [~~f~~] (h) The office shall provide support to incorporate
16 the high-quality standards developed pursuant to subsection
17 [~~d~~] (f), including support related to teacher-child
18 interactions, individual child assessments, and family
19 engagement.



1 ~~(g)~~ (i) The office shall coordinate with other agencies
2 and programs to facilitate comprehensive services for early
3 learning.

4 (j) To promote the development of a cohesive,
5 comprehensive, and sustainable early learning system, the office
6 shall partner with the schools participating in the program to
7 collaborate with:

8 (1) Other early learning providers, including those
9 providing the programs and services specified in
10 section 302L-2(2)(A), to promote alignment between
11 prekindergarten and elementary school programs and to
12 support children and their families in making
13 successful transitions from prekindergarten into
14 kindergarten; and

15 (2) Early intervention programs.

16 ~~(h)~~ (k) The office shall collect data with the
17 assistance of the department of education to:

- 18 (1) Evaluate the services provided;
19 (2) Inform policy; and
20 (3) Make any improvements to the program.



1 prekindergarten program it administers. In order for the office
2 to report to the legislature, the department of education and
3 every authorizer under its chartering authority shall provide
4 the office the number and location of public kindergarten
5 classes that it operates, numbers of students served aggregated
6 by birth month as of the date on which the official enrollment
7 count is taken, and the sources of funding for each class."

8 **PART VI**

9 **DISPUTE RESOLUTION**

10 SECTION 14. In the event there is a dispute between the
11 executive office on early learning and department of education,
12 the superintendent of education, or the superintendent's
13 designee, and the director of the executive office on early
14 learning shall work to resolve the dispute within sixty business
15 days. If the superintendent of education, or superintendent's
16 designee, and the director of the executive office on early
17 learning cannot resolve the dispute, a working group with one
18 board of education member, one early learning board member, the
19 superintendent, and the director of the executive office on
20 early learning shall work together to reach resolution. If no
21 resolution is reached, the chairperson of the board of education



1 and chairperson of the early learning board shall reach
2 agreement.

3 **PART VII**

4 SECTION 15. Section 302D-3, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§302D-3 State public charter school commission;**
7 **establishment; appointment.** (a) There is established the state
8 public charter school commission with statewide chartering
9 jurisdiction and authority. The commission shall be placed
10 within the department for administrative purposes only.
11 Notwithstanding section 302D-25 and any law to the contrary, the
12 commission shall be subject to chapter 92.

13 (b) The mission of the commission shall be to authorize
14 high-quality public charter schools throughout the State.

15 (c) The commission shall consist of nine members to be
16 appointed by the board. The board shall appoint members who
17 will be tasked with authorizing public charter schools that
18 serve the unique and diverse needs of public school students.
19 The chair of the commission shall be designated by the members
20 of the commission for each school year beginning July 1, and
21 whenever there is a vacancy. The board shall consider the



1 combination of abilities, breadth of experiences, and
2 characteristics of the commission, including but not limited to
3 reflecting the diversity of the student population, geographical
4 representation, and a broad representation of education-related
5 stakeholders. The commission shall be exempt from sections
6 26-34 and 26-36.

7 (d) Understanding that the role of the commission is to
8 ensure a long-term strategic vision for Hawaii's public charter
9 schools, each nominee to the commission shall meet the following
10 minimum qualifications:

11 (1) Commitment to education. Each nominee's record should
12 demonstrate a deep and abiding interest in education,
13 and a dedication to the social, academic, and
14 character development of young people through the
15 administration of a high performing charter school
16 system;

17 (2) Record of integrity, civic virtue, and high ethical
18 standards. Each nominee shall demonstrate integrity,
19 civic virtue, and high ethical standards and be
20 willing to hold fellow commission members to the same;



1 (3) Availability for constructive engagement. Each
2 nominee shall commit to being a conscientious and
3 attentive commission member; and

4 (4) Knowledge of best practices. Each nominee shall have
5 an understanding of best practices in charter school
6 educational governance or shall be willing to be
7 trained in such.

8 (e) Each nominee to the commission shall ideally meet the
9 following recommended qualifications:

10 (1) Experience governing complex organizations. Each
11 nominee should possess experience with complex
12 organizations, including but not limited to
13 performance contract management, and a proven ability
14 to function productively within them; and

15 (2) Collaborative leadership ability. Each nominee should
16 have substantial leadership experience that ideally
17 illustrates the nominee's ability to function among
18 diverse colleagues as an effective team member, with
19 the ability to articulate, understand, and help shape
20 consensus surrounding commission policies.



1 (f) Five members of the commission shall constitute a
2 quorum to conduct business. Any action taken by the commission
3 shall be by a simple majority of the members of the commission
4 who are present; provided that any action of the commission that
5 may be appealed pursuant to section 302D-15 shall require a
6 concurrence of at least five members to be valid.

7 (g) Commission members shall serve not more than three
8 consecutive three-year terms, with each term beginning on
9 July 1; provided that the initial terms that commence after
10 June 30, 2012, shall be staggered as follows:

11 (1) Three members, including the chairperson, to serve
12 three-year terms;

13 (2) Three members to serve two-year terms; and

14 (3) Three members to serve one-year terms.

15 (h) Notwithstanding the terms of the members, the board
16 may fill vacancies in the commission at any time when a vacancy
17 occurs due to resignation, non-participation, the request of a
18 majority of the commission members, or termination by the board
19 for cause.

20 (i) Commission members shall receive no compensation.

21 When commission duties require that a commission member take



1 leave of the member's duties as a state employee, the
2 appropriate state department shall allow the commission member
3 to be placed on administrative leave with pay and shall provide
4 substitutes, when necessary, to fulfill that member's
5 departmental duties. Members shall be reimbursed for necessary
6 travel expenses incurred in the conduct of official commission
7 business.

8 (j) The commission shall operate with dedicated resources
9 and staff qualified to execute the day-to-day responsibilities
10 of the commission pursuant to this chapter. Beginning with the
11 2015-2016 fiscal year, the legislature shall make an
12 appropriation to the commission separate from, and in addition
13 to, any appropriation made to charter schools pursuant to
14 sections 302D-28 and 302D-29.5.

15 (k) The commission shall have the power to hire staff
16 without regard to chapters 76 and 89. The commission shall
17 determine staff wages, hours, benefits, and other terms and
18 conditions for employment in accordance with chapter 89C.

19 (l) The commission shall have the power to establish and
20 fund charter school prekindergarten classrooms."



1 SECTION 16. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2019-2020 for
4 the state public charter school commission to establish and fund
5 charter school prekindergarten classrooms.

6 The sum appropriated shall be expended by the state public
7 charter school commission for the purposes of this part.

8 PART VIII

9 MISCELLANEOUS

10 SECTION 17. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 18. This Act shall take effect on July 1, 2050.



Report Title:

DOE; Executive Office on Early Learning; State Public Charter School Commission; Appropriation

Description:

Defines the roles and responsibilities of the executive office on early learning and the department of education as they relate to the implementation of the public prekindergarten program. Establishes the executive office on early learning as the administrative authority for state funded prekindergarten programs and a support for and with the department of education special education, Title I, and private partnership funded prekindergarten programs to ensure high quality early education programs in department of education school classrooms. Ensures that agreements and services are clearly articulated in a memorandum of understanding between the executive office on early learning and the department of education, including a resolution protocol to settle disputes should either party not be able to come to an agreement. Establishes reporting requirements. Authorizes the state public charter school commission to establish and fund charter school prekindergarten classrooms. Appropriates funds. Effective 7/1/2050. (SD2)

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

