

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 921
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 921, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Executive Office on Early Learning as the administrative authority for State-funded prekindergarten programs, except for special education and Title I-funded prekindergarten programs;
- (2) Require the Department of Education in its implementation of Title I-funded prekindergarten classrooms to adhere to certain quality standards and work with the Executive Office on Early Learning;
- (3) Define the roles and responsibilities of the Executive Office on Early Learning and Department of Education as they relate to the Executive Office on Early Learning Public Prekindergarten Program; and
- (4) Establish reporting requirements for the Department of Education, authorizers of public charter schools, and the Executive Office on Early Learning.



Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Early Learning, Institute for Native Pacific Education and Culture, Hawaii Chapter of the American Academy of Pediatrics, Parents and Children Together, Early Childhood Action Strategy, and fifty-one individuals. Your Committee received testimony in opposition to this measure from the Department of Education, Kamehameha Schools, and four individuals. Your Committee received comments on this measure from the Office of the Governor, Department of the Attorney General, Board of Education, and one individual.

Your Committee finds that there is a public benefit from substantial investment in high-quality, developmentally appropriate early learning programs. These investments have been driven by significant and continuing research affirming the positive effects of high-quality early learning programs on the physical, cognitive, linguistic, social, emotional, and economic outcomes of young children. Provided with such opportunities, children are more likely to succeed in kindergarten and beyond as well as grow into healthy, capable, and contributing adults. Well-executed and well-targeted early learning programs have immediate and long-term benefits not only for the children participating in the programs but also for the societies in which they live.

Your Committee further finds that although the Department of Education administers programs of education and public instruction throughout the State, the Executive Office on Early Learning should have administrative authority over all state-funded prekindergarten programs and be a resource of support for and with the Department's special education, Title I, and private partnership funded prekindergarten programs to ensure high quality early education programs throughout the State. This measure further defines the roles and responsibilities of the Executive Office on Early Learning and Department of Education as they relate to the implementation of the public prekindergarten program.

Your Committee has amended this measure by:

- (1) Clarifying the purpose section to better align with its contents;



- (2) Specifying that the Department of Education has the authority over and may establish special education, Title I funded, and private partnership funded prekindergarten classrooms;
- (3) Specifying that the memorandum of understanding between the Executive Office on Early Learning and Department of Education shall establish the Executive Office on Early Learning as the entity responsible for certain administrative decisions related to prekindergarten classrooms;
- (4) Specifying that the Executive Office on Early Learning may extend resources and support to other state funded prekindergarten classroom teachers and administrators;
- (5) Specifying that school principals shall be able to include prekindergarten classroom teachers in school-wide professional development;
- (6) Specifying that the Executive Office on Early Learning shall have the administrative authority for services related to curriculum, instruction, assessment, and professional learning support, while the Department of Education shall have oversight for the general services of the facilities, daily operations of the classrooms, and support for the inclusion of teachers and educational assistants in school-wide initiatives and other opportunities as it relates to the prekindergarten program;
- (7) Specifying that the Director of the Executive Office on Early Learning shall be the signatory for all budget documents, appointments of staffing, and official acts of the Executive Office on Early Learning;
- (8) Specifying that the Executive Office on Early Learning shall be solely responsible for decisions and outcomes for any fiscal decisions, personnel issues, audits, and legal consequences for decisions made without the approval of the Superintendent of Education;



- (9) Specifying that any prekindergarten classroom funded by the weighted student formula shall be included in the Executive Office on Early Learning prekindergarten program;
- (10) Specifying that procedures for approval for the establishment of a prekindergarten classroom shall be in the memorandum of understanding between the Executive Office on Early Learning and Department of Education;
- (11) Specifying that the Department of Education shall work with the Executive Office on Early Learning to develop a structure to provide supports for Title I-funded prekindergarten classrooms on various issues;
- (12) Specifying that the Executive Office on Early Learning shall include the Title I-funded prekindergarten classroom data as part of its early learning monitoring report;
- (13) Deleting language that would have required the Executive Office on Early Learning public prekindergarten program to include students with disabilities based on individualized education plan placement and collaborate with the Department of Education to coordinate services for students with disabilities who are in the program;
- (14) Clarifying provisions relating to the high-quality standards of the Executive Office on Early Learning public prekindergarten program;
- (15) Deleting language that would have required teaching staff and principals participating in the Executive Office on Early Learning public prekindergarten program to participate in all relevant professional learning opportunities offered by the Executive Office on Early Learning;
- (16) Deleting provisions relating to the requirements and responsibilities of the teacher and educational assistant teaching in the classroom through the Executive Office on Early Learning public prekindergarten program;



- (17) Deleting language that would have required each school participating in the Executive Office on Early Learning public prekindergarten program to develop and update a two- to three-year plan to promote alignment of and transitions between high-quality learning experiences;
- (18) Specifying that the Executive Office on Early Learning shall collect data with the assistance of the Department of Education for various purposes;
- (19) Deleting language that would have required the Department of Education and every authorizer of a public charter school to submit an annual report to the Legislature regarding public prekindergarten classrooms;
- (20) Clarifying the reporting requirements, with assistance from the Department of Education and every authorizer of a public charter school, of the Executive Office on Early Learning regarding the performance and progress of the public prekindergarten program;
- (21) Specifying procedures for dispute resolution in the event of a dispute between the Department of Education and Executive Office on Early Learning; and
- (22) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 921, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 921, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Education,

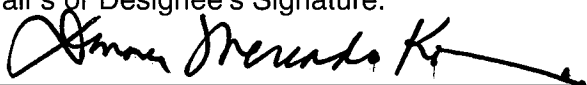


MICHELLE N. KIDANI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 921, HD 2	EDU, WAM	3/20/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	/			
KIM, Donna Mercado (VC)	/			
DELA CRUZ, Donovan M.				/
KANUHA, Dru Mamo	/			
FEVELLA, Kurt				/
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes