



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/26/2019  
**Time:** 12:30 PM  
**Location:** 308  
**Committee:** House Finance

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** HB 1346, HD2 RELATING TO EARLY CHILDHOOD EDUCATION.

**Purpose of Bill:** Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances. (HB1346 HD1)

**Department's Position:**

The Department of Education supports the HB 1346, HD2 as it aligns to its vision that ensures all of Hawai'i's children are provided with opportunities that foster health, safety, education, school readiness and success.

The Department believes that young children thrive in an environment with stable, supportive and caring adults who understand how preschoolers learn. Expulsions and suspensions in early childhood settings threaten the development of these positive relationships, disrupt the learning process, and deny children access to critical supports that a high-quality early childhood education can provide. Further, expulsion and suspension is not an effective nor developmentally appropriate intervention for young children.

The U.S. Department of Health and Human Services and U.S. Department of Education released a joint policy statement (source: <https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>) that supports fostering the social-emotional and behavioral development of all children and eliminating expulsion and suspension practices in early childhood settings.

The Department remains fully committed to working with other agencies and organizations to ensure that Hawai'i's preschoolers are provided with opportunities that foster health, safety, early childhood education, school readiness, and success.

Thank you for this opportunity to provide testimony on HB 1346, HD2.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan

which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).



**STATE OF HAWAII**  
**Executive Office on Early Learning**  
2759 South King Street  
HONOLULU, HAWAII 96826

February 23, 2019

**TO:** Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
House Committee on Finance

**FROM:** Lauren Moriguchi, Director  
Executive Office on Early Learning

**SUBJECT: Measure:** H.B. No. 1346, H.D. 2 – RELATING TO EARLY CHILDHOOD  
EDUCATION  
**Hearing Date:** February 26, 2019  
**Time:** 12:30 p.m.  
**Location:** Room 308

**Bill Description:** Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances.

**EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION: Support**

Good afternoon. I am Lauren Moriguchi, Director of the Executive Office on Early Learning (EOEL). EOEL is in strong support of H.B. 1346, H.D. 2.

We appreciate the Legislature's support of EOEL's work to increase access to high-quality early learning. EOEL is statutorily responsible for the development of the State's early childhood system that shall ensure a spectrum of high-quality development and learning opportunities for children throughout the state, from prenatal care until the time they enter kindergarten, with priority given to underserved or at-risk children.

Included in EOEL's responsibilities is administration of the EOEL Public Prekindergarten Program. We are wholeheartedly requesting that this prohibition on suspension and expulsion be imposed on ourselves.

The rate at which children are expelled from state-funded preschool or prekindergarten across the nation is alarming – a rate more than three times that of their peers in kindergarten through grade 12. Many more children are suspended, with the data demonstrating severe racial disparities. It is important to note that "(g)irls who are Black, Native Hawaiian, or Pacific Islander represent 30 percent or more of all out-of-school suspensions even though they have a much smaller total population in preschool than girls in other racial or ethnic groups" (U.S. Department of Education Office for Civil Rights, 2014).

A study published in 2005 by Walter S. Gilliam at Yale University Child Study Center ranked Hawaii 17th in terms of states with high numbers of preschool expulsions. For every 1,000

children in Hawaii, 7.56 children were expelled from pre-k settings (6.67 = national average) and 14.86% of pre-k teachers reported expelling a student (10.39% = national average).

The EOEL Public Pre-K Program specifically prioritizes our underserved and at-risk populations – those children who can benefit the most from early learning – and suspending or expelling them would not only leave them with no early learning opportunities but send them a completely wrong message that may affect them for a lifetime.

We note that other states have also introduced and enacted legislation to prohibit suspension/expulsion in the early years, and that the National Conference of State Legislatures supports states in the crafting of policies that prohibit suspension and expulsion. The federal Departments of Health and Human Services, and Education also issued a joint policy statement in 2014 to support states and localities in prohibiting suspension and expulsion, "with state and local recommendations to address expulsion and suspension in early learning settings ... affirm(ing) the Departments' efforts to prevent and eventually eliminate expulsion and suspension in all early childhood settings and support young children's social, emotional, and behavioral development."

It recognized that suspensions and expulsions "may be products of misguided or absent policies and/or insufficient training and support services for staff, especially in managing challenging behavior, recognizing trauma, and promoting social and emotional development." Research has shown an association between program and teacher quality, and suspensions/expulsions.

EOEL has already made it a priority to provide professional learning support to the educators in the EOEL Public Pre-K Program, as well as work with school leadership on staffing, and has been partnering with the University of Hawaii system to strengthen the pipeline of early childhood educators, to prevent suspensions and expulsions by arming educators with the appropriate competencies.

Since the start of the EOEL Public Pre-K Program in fall 2014, we have had some cases in which a school wanted to consider exiting a child participating in the Program. EOEL provided support and guidance to help the teacher more appropriately address challenging behaviors and better support the children, which, as mentioned, is instrumental to avoiding suspension/expulsion ... and the children ended up staying at the school in the Program.

A long-standing and continuing practice in Head Start is not to suspend or expel any child.

Thank you for your consideration, and for the opportunity to testify on this bill. I am happy to answer any questions you may have.

**To:** Representative Sylvia Luke, Chair  
Representative Ty J. K. Cullen, Vice Chair  
House Committee on Finance

**From:** Robert G. Peters, Chair  
Early Learning Board

**Subject:** **Measure:** HB No. 1346 H.D. 2 – Relating to Early Childhood Education  
**Hearing Date:** February 26, 2019  
**Time:** 12:30 pm  
**Location:** Room 308

**Description:** Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning’s Public Prekindergarten Program except under limited circumstances.

**Early Learning Board Position:** Support

I am Robert G. Peters, Chair of the Early Learning Board (ELB). Thank you for this opportunity to offer testimony on behalf of the ELB in support of HB No. 1346 H.D. 2

This bill reflects national guidelines and best practices as well as regulations in other states which have enacted legislation to prohibit suspension/expulsion in the early years such as Illinois and Ohio. It is modeled after federal law governing the Head Start Program and aligns the Executive Office on Early Learning’s Public Education Prekindergarten program with the Department of Health and Human Services and Education Departments’ joint policy statement in 2014 “affirm(ing) the Departments efforts to prevent and eventually eliminate expulsion and suspension in all early childhood settings and support young children’s social, emotional and behavioral development.”

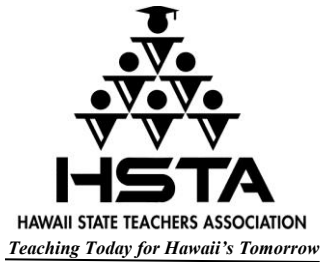
Educators are becoming more informed about, and attuned to the social emotional needs of children, recognizing their impact on learning. Children dealing with trauma or toxic home conditions are not ready to learn and often preoccupied, not able to focus on learning. It is not unusual for children who bring these problems to school to “act out.” In young children, especially, it is often difficult to determine if such behaviors are developmental in nature or issues of genuine concern. Expulsion and suspension are often responses to challenging behaviors of this type.

Research indicates that prekindergarten expulsion and suspension of children at this critical juncture in their growth and development are often repeated throughout a student’s school history and associated with negative educational and life outcomes. It also demonstrates that there are racial and gender disparities, with boys receiving a majority of out-of-school suspensions. Data from the Office for Civil Rights, U.S. Department of Education, in 2014 revealed that Black, Native Hawaiian, or Pacific Islander girls represented a higher percentage

rate of out-of-school suspensions despite their smaller representation in the total girl population in preschool.

This bill's provisions for EOEL public Pre-Kindergarten programs seek to provide guidelines for school administrators to "short-circuit" expulsion/suspension practices with alternative processes to keep children in school and to support families searching to help children with challenging behaviors. The EOEL has made it a priority to prevent expulsion by providing professional learning support to educators in their Pre-K program, as well as work with school leadership, to recognize when challenging behaviors are truly serious and needing additional attention versus when they are within the natural developmental trajectory of all children. Suggested steps to keep children with challenging behaviors in school and resources to address individual needs has complemented the EOEL's efforts to work with UH in developing the competencies of future teachers needed to meet individual needs.

The ELB asks the Committee to move this bill forward.



Corey Rosenlee  
President  
Osa Tui Jr.  
Vice President  
Logan Okita  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

## TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE

RE: HB 1346, HD1 - RELATING TO EDUCATION

TUESDAY, FEBRUARY 26, 2019

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Luke, and Members of the Committee:

The Hawaii State Teachers Association supports HB 1346, HD1, relating to education.

HB 1346, HD1 would prohibit the suspension and expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program, except in limited circumstances.

According to the National Association for the Education of Young Children, every year, as many as 8,710 three- and four year-old children nationwide may be expelled from their state funded preschool or prekindergarten classroom. These suspensions and expulsions are occurring at a rate more than three times that of their peers in kindergarten through grade twelve, according to a joint statement drafted by the National Association for the Education of Young Children, with support from a host of other national organizations regarded as leaders in the field of early childhood education. They also have higher suspensions rates than their peers in kindergarten through twelfth-grade. These expulsions and suspensions have disproportionately impacted minority students nationwide<sup>i</sup>.

The Hawaii State Teachers Association understands that the Early Learning Public Prekindergarten Program was implemented to help ensure that students, especially those at-risk, have the building blocks to thrive during their entire education career. We want to ensure these nationwide trends do not happen here in Hawaii, thus we support the Executive Office of Early Learning ensuring these practices are prohibited in our state. Our public PreKindergarten programs need more support for our keiki and their teachers, not more suspensions and expulsions.

The Hawaii State Teachers Association asks that your committee to **supports** HB 1346, HD1.

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**S E A C**  
**Special Education Advisory Council**  
**1010 Richards Street, Room 118**  
**Honolulu, HI 96813**  
**Phone: 586-8126 Fax: 586-8129**  
**email: spin@doh.hawaii.gov**

February 26, 2019

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*  
Ms. Dale Matsuura, *Vice Chair*  
Dr. Patricia Sheehey, *Vice  
Chair*  
Ms. Ivalee Sinclair, *Vice Chair*

Ms. Brendelyn Ancheta  
Ms. Virginia Beringer  
Ms. Deborah Cheeseman  
Ms. Annette Cooper  
Mr. Motu Finau  
Mr. Sage Goto  
Ms. Lindsay Heller  
Dr. Kurt Humphrey  
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Ms. Bernadette Lane  
Ms. Kaili Murbach  
Ms. Stacey Oshio  
Ms. Carrie Pisciotto  
Ms. Kau'i Rezentos  
Ms. Rosie Rowe  
Mr. James Street  
Mr. Francis Taele  
Mr. Steven Vannatta  
Dr. Amy Wiech  
Ms. Jasmine Williams  
Ms. Susan Wood

Ms. Cara Tanimura, *liaison  
to the Superintendent*  
Dr. Bob Campbell, *liaison to  
the military community*

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Representative Sylvia Luke, Chair  
Committee on Finance  
Hawaii State Capitol  
Honolulu, HI 96813

RE: HB 1346, HD 2 - RELATING TO EARLY CHILDHOOD  
EDUCATION

Dear Chair Luke and Members of the Committee,


The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), strongly supports HB 1346, HD 2 which prohibits student suspensions and expulsions within the Executive Office on Early Learning Public Prekindergarten Program.

SEAC has long advocated for prevention and early intervention of student misconduct through the use of positive behavior supports and tiered interventions. Suspensions take away academic and social supports from children who are often the most vulnerable to academic failure and anti-social behaviors, and should therefore be utilized in only the most extraordinary situations where there is a credible and serious threat to the safety of the student or others.

Furthermore, providing developmentally appropriate learning, social-emotional and behavioral supports to young children lessens the likelihood that they may need more intensive supports in elementary and secondary settings.

Thank you for the opportunity to provide testimony on this important legislation. If you have questions or concerns, please contact us.

Sincerely,

  
Martha Guinan  
Chair

  
Ivalee Sinclair  
Legislative Committee Chair



**HB-1346-HD-2**

Submitted on: 2/25/2019 10:29:12 AM

Testimony for FIN on 2/26/2019 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



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~~(date)February 26, 2019~~

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~~TO: Senator Karl Rhoads Representative Sylvia Luke, Chair  
Committee on Judiciary Finance~~

~~FROM: Michael Fahey, Co-Chair  
HCCD~~

~~RE: (bill no.)SB 331—Relating to Movie Theaters HB 1346, HD 2 – Relating to Early Childhood Education~~

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~~**On behalf of the Hawaii's Coalition for Children with Disabilities, I am writing in SUPPORT of HB 1346, HD 2 which prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances.**~~

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~~**which makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning at least twice a week, with at least one showing on a Saturday or Sunday**~~

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~~The Hawaii Coalition for Children with Disabilities is an independent body comprised of representatives of family-centered public and private organizations and individuals who are dedicated to advocate for legislative and administrative policy change and financial commitments that will benefit children and youth with disabilities and their families.~~

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~~Many preschool children who have disabilities or who are at risk of being identified with a disability in the elementary grades have inappropriate behavior due to inattention, hyperactivity, childhood trauma and cognitive and emotional challenges. T~~

~~he delivery of high quality, developmentally appropriate early childhood instruction includes the use of prevention and early intervention strategies to address these student misbehaviors that interfere with the student's learning or that of his or her peers. Short term- suspension should only be considered in extreme situations where student safety is in jeopardy and other interventions have been unsuccessful. Expulsion of preschool children should never be tolerated.~~

~~Open movie captioning provides significant benefits to many children with disabilities:~~

- ~~— It provides missing information for individuals who have difficulty processing speech and visual media (whether this is due to a hearing loss or a cognitive delay);~~
- ~~— It allows viewers who are deaf or hard of hearing to follow the dialogue and the action of a program simultaneously; and~~
- ~~— It is equally beneficial to those children with disabilities who are also learning English as a second language.~~

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~~**The Coalition urges you to pass this essential legislation. HB 1346, HD 2,**~~

~~Updated January 2017 September 2018~~



### **Purpose**

The Hawaii Coalition for Children with Special Needs Disabilities, (hereinafter, "The Coalition") exists to share information on disability issues and to advocate for legislative and administrative policy change and financial commitments that will benefit children and youth with special needs and their families.

### **Composition**

- The Coalition is an independent body comprised of representatives of family-centered public and private organizations and individuals who are dedicated to the purpose of The Coalition.
- The Coalition will accept new members; membership decisions are made by consensus of sitting members.

### **General Guidelines**

- The Coalition supports inclusive initiatives that benefit children and youth with special needs disabilities and their families.
- Coalition decisions to support initiatives will be made by a majority vote of members present. As appropriate or warranted, Coalition support of an initiative will be provided in writing on Coalition Letterhead and shall include the signatures of members then in support of the initiative.
- The Coalition may support initiatives with a more specific focus, provided such support can be reasonably expected not to create conflict between, or remove resources from, any other special needs provider or advocacy groups.
- The Coalition supports "People First Language" and communications that reflect knowledge and respect for children and adults with disabilities.
- Regular attendance is expected of Coalition members, though members may send a representative if they are unable to attend.
- Coalition members and guests participate in a positive manner at all times with strict focus on achieving the purpose of The Coalition.
- Coalition members operate under the premise that content discussed within meetings will not be shared publicly until majority decisions to do so have been reached.
- The Coalition will allow attendance by guests to provide education on matters related to its purpose, as approved by the Co-Chairpersons.
- The Coalition may invite welcomes guests to present a cause or initiative for consideration, with prior approval of the Co-Chairpersons. Guest requests to attend a meeting and present an issue will be made to the Co-Chairpersons.

Updated January 2017 September 2018

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**General Guidelines (cont.)**

- The Coalition agenda is set by the Co-Chairpersons with input from the members.
- Items for discussion may be added to the agenda at the meeting and may be discussed after the completion of all regular agenda items, as time permits.

**20178 Membership List**

<u>Ivalee Sinclair</u> , Co-Chairperson	Special Education Advisory Council (SEAC)
<u>Mike Fahey</u> , Co-Chairperson	Hawaii Children's Action Network (HCAN)
<u>Susan Rocco</u> , Secretary	Special Parent Information Network (SPIN)
<u>Daintry Bartoldus</u>	State Council on Developmental Disabilities
<u>Waynette Cabral</u>	State Council on Developmental Disabilities
<u>Martha Guinan</u>	Special Education Advisory Council (SEAC)
<u>Keiko Nitta</u>	Family Health Services Division, DOH
<u>Leolinda Parlin</u>	Hilopa'a Family-to-Family Information Center
<u>Rosie Rowe</u>	Learning Disability Association Leadership in Disabilities and Achievement of Hawaii
<u>Jennifer Schember-Lang</u>	Community member
<u>Steven Vannatta</u>	Community Children's Council Office
<u>Jessica Wong-Sumida</u>	Autism Society, Community Children's Council, PTA

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**Parents And  
Children Together**  
BUILDING THE RELATIONSHIPS THAT MATTER MOST

**LATE**

**TO: Chair Luke, Vice Chair Cullen, and Members of the House Committee on Finance**

**FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)**

**DATE/LOCATION: Tuesday, February 26, 2019; 12:30 p.m., Conference Room 308**

**RE: TESTIMONY IN SUPPORT OF HB 1346– RELATING TO EARLY CHILDHOOD EDUCATION**

**We ask you to support HB 1346 which seeks to prohibit the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances.** We strongly support this bill which aligns with national best practice and allows for each young child to be supported through his/her earliest learning experiences and be given the opportunity to fulfill his/her highest potential.

As a provider of Head Start and Early Head Start services, we believe in high-quality early childhood education opportunities for every child. We believe in each child's innate abilities and the critical importance of caring for all children and families, especially those who need the most support. Data shows that high-quality care and education during the earliest stages of a child's development provides a critical foundation for later educational and life success. Early learning programs play a key role in early detection and early intervention for students who display extreme and challenging behaviors and it is important that we work with families to address the underlying root causes of these behaviors and work with both students and families to explore and implement every reasonable modification to support the child.

Schools are places of learning where our youngest children along with their families should have every chance to succeed. High quality early learning programs, like Head Start and EOEL's public pre-K program, with strong training and professional development, have the capacity to train and support staff in dealing with challenging behaviors. They also provide the support for staff to proactively work with children and families to identify a child's needs, connect them with resources and employ effective strategies in the classroom that can best support each child. This bill is consistent with national best practice and the current Head Start mandates that our PACT programs currently adhere to and we believe that these practices are best for all high-quality early learning programs, including EOEL's public Pre-K program. We commend EOEL for recognizing the importance of this measure and for committing to continued best practice.

This bill provides an added measure to ensure that each child and their family has a chance to address issues early on with the help of highly-qualified education professionals and sets the foundation for future success, especially for those children who would not otherwise have access to early childhood.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 15,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, and poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 1346**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.