



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

Date: 02/20/2019
Time: 02:45 PM
Location: 016
Committee: Senate Education
Senate Human Services

Department: Education

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

Title of Bill: SB 1220 RELATING TO EARLY CHILDHOOD EDUCATION.

Purpose of Bill: Prohibits the suspension and expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program, except in limited circumstances.

Department's Position:

The Department of Education (Department) supports SB 1220 as it aligns to its vision that ensures all of Hawaii'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 Hawaii'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 SB 1220.

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.



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

February 15, 2019

TO: Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair
Senate Committee on Education

Senator Russell E. Ruderman, Chair
Senator Karl Rhoads, Vice Chair
Senate Committee on Human Services

FROM: Lauren Moriguchi, Director
Executive Office on Early Learning

SUBJECT: Measure: S.B. No. 1220 – RELATING TO EARLY CHILDHOOD EDUCATION
Hearing Date: February 20, 2019
Time: 2:45 p.m.
Location: Room 016

Bill Description: Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program, except in 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 S.B. 1220, with proposed amendments.

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 also cause them to be rejected at an even earlier age, sending 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.

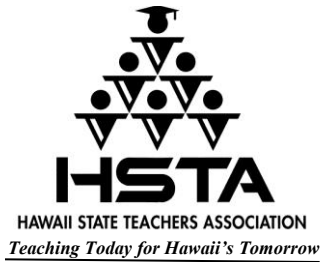
A long-standing and continuing practice in Head Start is not to suspend or expel any child.

(continued on next page)

We respectfully request that the committee consider moving this bill forward with the following amendments, as discussed with the Department of the Attorney General:

- **Delete all amendments to section 302L-7, HRS, in Section 3 of the HB1346 HD1, but add a new subsection to section 302L-7:**
“() The office shall prohibit the use of suspension in the program due to a child’s behavior; provided that a temporary suspension may be used when there is a serious safety threat as determined by the administrator of the school.
The office shall prohibit the permanent removal of a student from the program due to a child’s behavior; provided that when a child exhibits persistent and serious challenging behaviors, the administrator of the school shall consult with the office on how to address the behaviors.
The office shall implement chapter 8-19, Hawaii Administrative Rules, until such a time that the office develops rules to carry out the purposes of this subsection.”
- **Keep Section 1 (purpose language) and Section 2 (amending section 302A-1134, HRS).**

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



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Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

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

TESTIMONY BEFORE THE SENATE COMMITTEES ON
EDUCATION & HUMAN SERVICES

RE: SB 1220 - RELATING TO EDUCATION

WEDNESDAY, FEBRUARY 20, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani, Chair Ruderman, and Members of the Committee:

The Hawaii State Teachers Association supports SB 1220, relating to education.

SB 1220 would prohibit the suspension and expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program, except in limited circumstances.

The Hawaii State Teachers Association has noticed that students are being expelled from the Early Learning Public Prekindergarten Program at three times the rate of their peers in kindergarten through twelfth-grade. They also have higher suspensions rates than their peers in kindergarten through twelfth-grade. These expulsions and suspensions have disproportionately impacted minority students.

As the Hawaii State Teachers Association understand 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. With these extremely high expulsion and suspension rates it appears to be running counter intuitive as well as counterproductive to the purpose of the Early Learning Public Prekindergarten Program. Our public PreKindergarten programs need more support for our keiki and their teachers, not more suspensions and expulsions. This is unacceptable.

The Hawaii State Teachers Association asks that your committee to **supports** SB 1220 to rectify this problem.

To: Senator Michelle N. Kidani, Chair
Senator Donna Morcado Kim, Vice Chair
Senate Committee on Education

Senator Russell E. Ruderman, Chair
Senator Karl Rhoads, Vice Chair
Senate Committee on Human Services

From: Robert G. Peters, Chair
Early Learning Board

Subject: **Measure:** S.B. No. 1220 – Relating to Early Childhood Education
Hearing Date: February 20, 2019
Time: 2:45 pm
Location: Room 016

Description: Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning’s Public Prekindergarten Program except in 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 S.B. 1220.

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 with the recommended amendments offered by the Executive Office of Early Learning (see below):

We respectfully request that the committee consider moving this bill forward with the following amendments, as discussed with the Department of the Attorney General:

- **Delete all amendments to section 302L-7, HRS, in Section 3 of the HB1346 HD1, but add a new subsection to section 302L-7:**
“() The office shall prohibit the use of suspension in the program due to a child’s behavior; provided that a temporary suspension may be used when there is a serious safety threat as determined by the administrator of the school.
The office shall prohibit the permanent removal of a student from the program due to a child’s behavior; provided that when a child exhibits persistent and serious challenging behaviors, the administrator of the school shall consult with the office on how to address the behaviors.
The office shall implement chapter 8-19, Hawaii Administrative Rules, until such a time that the office develops rules to carry out the purposes of this subsection.”
- **Keep Section 1 (purpose language) and Section 2 (amending section 302A-1134, HRS).**

Thank you again for this opportunity to offer testimony on S.B. No. 1220.



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

LATE

February 20, 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
Ms. Tina King
Ms. Bernadette Lane
Ms. Kaili Murbach
Ms. Stacey Oshio
Ms. Carrie Pisciotto
Ms. Kau'i Rezentos
Ms. Rosie Rowe
Mr. James Street
Mr. Francis Tael
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

Senator Michelle N. Kidani, Chair
Committee on Education
Senator Russell E. Ruderman, Chair
Committee on Human Services
Hawaii State Capitol
Honolulu, HI 96813

RE: S.B. 1220 - RELATING TO EARLY CHILDHOOD EDUCATION

Dear Chairs Kidani and Ruderman and Members of the Committees,

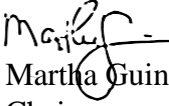
The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), strongly supports S.B. 1220 which prohibits student suspensions and expulsions within the Executive Office on Early Learning Public Prekindergarten Program.

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

January 30, 2019

To: Senator Michelle Kidani, Chair
Senator Russell Ruderman, Chair
Senate Committees on Education/Human Services

From: Laura Nevitt, Policy Director
Hawaii Children's Action Network

Re: **S.B. 1220– Relating to Early Childhood Education**
Capitol, Room 309, January 31, 2:15 PM

HCAN is committed to improving lives and being a strong voice advocating for Hawai'i's children. We strongly SUPPORT S.B. 1220, which would prohibit the suspension or expulsion of children participating in the Executive of Early Learning's Public Public Prekindergarten Program, except under limited circumstances.

This bill is following national guidelines and best practices on suspension and expulsion in early years.

Suspension and expulsion in these early years has long-term negative educational and life outcomes.

Hawaii ranks 17th in the nation

Girls who are Black, Native Hawaiian, Pacific Islander experience expulsion at a higher rate

At HCAN, as an organization that advocates for all of Hawaii's children to be healthy, safe and ready to learn, we strongly believe that no child should be expelled or suspended at this early age.

For these reasons, HCAN asks that you pass S.B 1220.

HCAN is committed to building a unified voice advocating for Hawai'i's children by improving their safety, health, and education.



TO: Chair Kidani, Vice Chair Mercado Kim, and Members of the Senate Committee on Education

Chair Ruderman, Vice Chair Rhoads, and Members of the Senate Committee on Human Services

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

DATE/LOCATION: Wednesday, February 20, 2019; 2:45 p.m., Conference Room 016

RE: TESTIMONY IN SUPPORT OF SB 1220– RELATING TO EARLY CHILDHOOD EDUCATION

We ask you to support SB 1220 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 SB 1220**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

LATE

Representative Michelle N. Kidani, Chair
Representative Donna Mercado Kim, Vice Chair
Committee on Education

Representative Russell E. Ruderman, Chair
Representative Karl Rhoads, Vice Chair
Committee on Human Services

Michelle Okamoto

Wednesday February 20, 2019

Support for S.B. 1220, Relating to Education

My name is Michelle Okamoto and a resident of Hawaii. I support S.B. 1220, Relating to Education that prohibits the suspension and expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program except in certain circumstances. I believe early childhood education is important and helps young children in their life where their brain is developing rapidly. There are other ways to deal with a child's behavior rather than using expulsion and suspension. If a child is expelled or suspended from prekindergarten the child would lose opportunities to learn in an enriching environment that helps develop social-emotional aspects of a child.

As a teacher, I can see the how important early education can be to children. Children who participate in prekindergarten could help them excel in school so they have a head start in school and don't fall behind academically. I think there are other ways to deal with children's behavior such as collaborating with teachers and mental health professionals to evaluate on how best to address children's behavior.

By seeking alternatives to handle children's behavior other than suspension and expulsion for example collaboration between teachers and mental health professionals could help

children stay in school so they have enriching learning experiences. I urge the committee to support S.B. 1220. I thank you for this opportunity to testify.

SB-1220

Submitted on: 2/15/2019 3:03:59 PM

Testimony for EDU on 2/20/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments:

It has become the "easy" route for many schools to expel children. As a retired educator of 40 years in early childhood and elementary education, I can name the three children who were expelled or suspended in my career from my classroom. All three of them had numerous challenges and were expelled because of the extent of their violent actions towards others in the class. Using my data, 40 years x 25 children in a classroom = 1000 children 3 out of 1000 expelled. I can tell you though that this is not the case right now. The data on students who are expelled, I would think shows that there are higher rates among certain demographics and locations. The point of my testimony is that expelling a student is not good for them and generally makes no change in behavior. There are many other ways to help children with challenges especially in preschool.



From: [Karen Worthington](mailto:karen@karenworthington.com)
To: [EDU Testimony](#)
Subject: Support SB1220!
Date: Tuesday, February 19, 2019 9:21:20 PM

From: karen@karenworthington.com <Karen Worthington>

Message:

Chairwoman Kidani, Chairman Ruderman, and the Committees on Education and Human Services,

I strongly SUPPORT S.B. 1220, which would prohibit the suspension or expulsion of children participating in the Executive of Early Learning's Public Prekindergarten Program, except under limited circumstances.

This bill is following national guidelines and best practices on suspension and expulsion in early years.

Suspension and expulsion in these early years has long-term negative educational and life outcomes.

Hawaii ranks 17th in the nation

Girls who are Black, Native Hawaiian, Pacific Islander experience expulsion at a higher rate

As an advocate for all of Hawaii's children to be healthy, safe and ready to learn, I strongly believe that no child should be expelled or suspended at this early age.

For these reasons, I ask that you pass S.B 1220.

Karen Worthington

Kula

Hawaii

From: [Cheri Richards](mailto:Cheri.Richards@pidfoundation.org)
To: [EDU Testimony](#)
Subject: Support SB1220!
Date: Wednesday, February 20, 2019 11:11:40 AM



From: crichards@pidfoundation.org <Cheri Richards>

Message:

I strongly support S.B. 1220 which would prohibit the suspension or expulsion of any child participating in the EOEL prekindergarten program. This program has allowed our at risk keiki to thrive and be prepared for Kindergarten. We should support this family in resources such as a home visiting program and ESL program for the caregivers.

Chairwoman Kidani, Chairman Ruderman, and the Committees on Education and Human Services,

I strongly SUPPORT S.B. 1220, which would prohibit the suspension or expulsion of children participating in the Executive of Early Learning's Public Prekindergarten Program, except under limited circumstances.

This bill is following national guidelines and best practices on suspension and expulsion in early years. Suspension and expulsion in these early years has long-term negative educational and life outcomes. Hawaii ranks 17th in the nation. Girls who are Black, Native Hawaiian, Pacific Islander experience expulsion at a higher rate.

As an advocate for all of Hawaii's children to be healthy, safe and ready to learn, I strongly believe that no child should be expelled or suspended at this early age.

For these reasons, I ask that you pass S.B 1220.

Cheri Richards

Honolulu

Hawaii

From: Amber Leon Guerrero
To: [EDU Testimony](#)
Subject: Support SB1220!
Date: Tuesday, February 19, 2019 5:18:08 PM



From: amberlg@ihshawaii.org <Amber Leon Guerrero>

Message:

Chairwoman Kidani, Chairman Ruderman, and the Committees on Education and Human Services,

I strongly SUPPORT S.B. 1220, which would prohibit the suspension or expulsion of children participating in the Executive of Early Learning's Public Public Prekindergarten Program, except under limited circumstances.

This bill is following national guidelines and best practices on suspension and expulsion in early years.

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Amber Leon Guerrero

Honolulu

Hawaii