
A BILL FOR AN ACT

RELATING TO EARLY LEARNING.

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

1 PART I

2 SECTION 1. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$ or so
4 much thereof as may be necessary for fiscal year 2023-2024 and
5 the same sum or so much thereof as may be necessary for fiscal
6 year 2024-2025 to be deposited into the preschool open doors
7 special fund.

8 SECTION 2. There is appropriated out of the preschool open
9 doors special fund the sum of \$ or so much thereof as
10 may be necessary for fiscal year 2023-2024 and the same sum or
11 so much thereof as may be necessary for fiscal year 2024-2025
12 for the:

- 13 (1) Preschool grant program;
- 14 (2) Hiring of three temporary information technology
15 positions without regard to chapter 89, Hawaii Revised
16 Statutes, to support modifications to the preschool
17 open doors program; and



1 (3) Data governance issues necessitated by Act 46, Session
 2 Laws of Hawaii 2020, and Act 210, Session Laws of
 3 Hawaii 2021;
 4 provided that funds appropriated pursuant to this section may
 5 also be expended on additional permanent staff, benefit expenses
 6 related to the new staff, and costs associated with necessary
 7 modifications to the preschool open doors program; provided
 8 further that funds appropriated pursuant to this section may be
 9 expended without regard to chapters 103D and 103F, Hawaii
 10 Revised Statutes, as the case may be.

11 The sums appropriated shall be expended by the department
 12 of human services for the purposes of this Act.

PART II

14 SECTION 3. Section 346-184, Hawaii Revised Statutes, is
 15 amended by amending subsection (b) to read as follows:

16 "(b) Accreditation under this section shall be obtained
 17 from one or more of the following national early learning
 18 accrediting organizations:

- 19 (1) National Association for the Education of Young
 20 Children;
- 21 (2) National Early Childhood Program Accreditation;



- 1 (3) National Association for Family Child Care; or
- 2 (4) An accrediting organization approved by the director[~~+~~
- 3 ~~provided that the accrediting organization is~~
- 4 ~~comparable to the organizations specified in~~
- 5 ~~paragraphs (1) through (3)]."~~

PART III

7 SECTION 4. Section 302L-7, Hawaii Revised Statutes, is
8 amended by amending subsections (b) and (c) to read as follows:

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

11 The criteria to prioritize applications shall include:

12 (1) Community need, including:

13 (A) The percentage of the population in the school or
14 community that meets the definitions of at-risk
15 and underserved children pursuant to section
16 302L-1; and

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



1 (2) The availability of a classroom and outdoor play area
2 that meet department of human services requirements
3 for health and safety for three- and four-year-old
4 children; and

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

13 (c) The program shall serve [~~children in the year prior to~~
14 ~~the year of kindergarten eligibility,~~] three- and four-year-old
15 children who are in the two years prior to kindergarten entry
16 pursuant to section 302A-411, with priority extended to
17 underserved or at-risk children, as defined in section 302L-1,
18 and follow the academic year schedule of the department of
19 education and be aligned with the full-day kindergarten
20 classroom schedule of each school. Enrollment priority shall be
21 given but is not limited to children who attend prekindergarten



1 at schools to which the children will be assigned upon entering
2 kindergarten under section 302A-1143."

3 SECTION 5. Section 346-181, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§346-181 Preschool open doors program.** (a) There is
6 established within the department a school readiness program to
7 be known as the preschool open doors program within the
8 department's child care assistance program. The program shall:

9 (1) Provide access to school readiness services that
10 address children's physical, cognitive, linguistic,
11 social, and emotional development;

12 (2) Require each provider to conduct school readiness
13 assessments;

14 (3) Give priority to children from low- and moderate-
15 income families; and

16 (4) Prepare children for school through either of the
17 State's two official languages.

18 (b) Subject to the availability of funds, the program
19 shall serve three- and four-year-old children[7] who are in the
20 two years prior to kindergarten entry pursuant to section
21 302A-411, with priority extended in the following order to:



- 1 (1) Children who are not eligible to attend public school
2 kindergarten in the calendar year in which they turn
3 five years of age because their birth date occurs
4 after the kindergarten eligibility date pursuant to
5 section 302A-411; [~~and~~]
- 6 (2) Underserved or at-risk [~~children,~~] four-year-old
7 children who were previously served as a
8 three-year-old child, as defined by rules adopted by
9 the department[~~;~~];
- 10 (3) Four-year-old children who were previously served as a
11 three-year-old child;
- 12 (4) Four-year-old children;
- 13 (5) Underserved or at-risk three-year-old children, as
14 defined by rules adopted by the department; and
- 15 (6) Three-year-old children.
- 16 (c) Enrollment in the program shall be voluntary. A
17 parent or guardian of a child enrolled in the program shall
18 share in the costs of the program through a copayment according
19 to a sliding fee scale that is based on need pursuant to rules
20 adopted by the department.



1 (d) The department shall provide reimbursements
2 irrespective of a provider's tuition rate for a child. The
3 department shall adjust reimbursement rates for providers at a
4 minimum of once every two years based on either a true cost of
5 care or cost estimation model.

6 ~~[(d)]~~ (e) The department may adopt interim rules to carry
7 out the purposes of this section without regard to chapter 91 or
8 201M; provided that:

9 (1) The department shall hold at least one public hearing
10 prior to the adoption of interim rules;

11 (2) The interim rules shall comply with all applicable
12 state and federal laws; and

13 (3) The interim rules shall be effective for no more than
14 one year after their adoption."

15 SECTION 6. Section 346-182, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) There is established within the state treasury the
18 preschool open doors special fund, to be administered by the
19 department's child care assistance program, into which shall be
20 deposited all moneys received by the department's child care
21 assistance program in the form of:



- 1 (1) Fees;
- 2 (2) Grants;
- 3 (3) Donations;
- 4 (4) Appropriations made by the legislature to the fund;
- 5 (5) Federal funds;
- 6 [~~5~~] (6) Revenues regardless of their source; and
- 7 [~~6~~] (7) Earnings on moneys in the fund.

8 Moneys in the fund shall be used for the procurement of health
 9 and human services under the preschool open doors program.
 10 Expenditures from the fund may be made by the department without
 11 allotment but shall not be made for capital improvement
 12 projects."

13 SECTION 7. Act 210, Session Laws of Hawaii 2021, is
 14 amended by amending section 14 to read as follows:

15 "SECTION 14. This Act shall take effect upon its approval;
 16 provided that:

- 17 (1) Section 5 shall be repealed on July 1, 2022, and
- 18 section 302L-7, Hawaii Revised Statutes, shall be
- 19 reenacted in the form in which it read on the day
- 20 prior to the effective date of this Act;



1 ~~[(2) Section 6 shall be repealed on July 1, 2024, and~~
2 ~~section 346-181, Hawaii Revised Statutes, shall be~~
3 ~~reenacted in the form in which it read on the day~~
4 ~~prior to the effective date of this Act;]~~ and
5 ~~[(3)]~~ (2) Section 11 shall take effect on July 1, 2021."
6 SECTION 8. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.
8 SECTION 9. This Act shall take effect on June 30, 3000.



Report Title:

Preschool Open Doors; Accreditation; Executive Office on Early Learning; Appropriation

Description:

Appropriates funds for the preschool open doors program and executive office on early learning to expand access to preschool and to implement program changes required by previous acts. Requires DHS to provide reimbursements to providers participating in the preschool open doors program and adjust the reimbursement rates at least once every two years. Expands the types of entities from which a preschool open doors service provider may obtain accreditation. Expands the preschool open doors program and public prekindergarten program application process to eligible three-year-old children. Authorizes the preschool open doors special fund to accept federal funds. Effective 6/30/3000. (HD2)

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