
A BILL FOR AN ACT

RELATING TO EARLY LEARNING OPPORTUNITIES.

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

1 SECTION 1. The legislature finds that high-quality early
2 childhood education programs are critical for young children's
3 development. The legislature further finds that accreditation
4 by a national organization is one marker of quality in early
5 childhood education. The legislature also finds that service
6 providers who wish to participate in the preschool open doors
7 program must achieve accreditation by July 1, 2029.

8 Accordingly, the purpose of this Act is to:

- 9 (1) Establish a program to support accreditation of
10 licensed and registered child care providers;
11 (2) Delay the deadlines for existing preschool open doors
12 service providers to commence the accreditation
13 process and obtain accreditation;
14 (3) Appropriate funds for the child care accreditation
15 program; and



1 (4) Appropriate funds into and out of the child care grant
2 program special fund for the child care accreditation
3 program.

4 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§346- Child care accreditation program; established.

8 (a) The department shall establish and implement a child care
9 accreditation program.

10 (b) The department shall develop standards, policies, and
11 procedures for the administration of the child care
12 accreditation program, which shall, at minimum:

13 (1) Provide upfront grant funding to cover the cost of
14 accreditation by one of the national early learning
15 accrediting organizations, as identified in section
16 346-184(b), or as approved by the director;

17 (2) Provide grant funding for technical assistance to
18 assist an eligible child care provider through the
19 accreditation process; and



1 (3) Be available to licensed child care centers, licensed
2 infant and toddler centers, registered family child
3 care homes, and licensed group child care centers.

4 (c) Requests for grants shall be submitted to the
5 department in accordance with administrative rules adopted by
6 the department to administer the grant program. Each request
7 shall at a minimum state:

8 (1) The name of the child care provider requesting grant
9 funds;

10 (2) The expenses that are necessary for the child care
11 provider to obtain the accreditation; and

12 (3) The age range of the children the child care provider
13 serves.

14 (d) Each applicant for a grant shall provide proof that
15 the applicant:

16 (1) Has United State citizenship or permanent United
17 States resident alien status and is a resident of the
18 State at the time of application;

19 (2) Is currently licensed or registered as a child care
20 provider, or is an exempt provider approved by the
21 department;



- 1 (3) Provides child care at the time of application;
- 2 (4) Complies with all other federal, state, or county
3 statutes, rules, or ordinances necessary to conduct
4 the activities or provide the services for which a
5 grant is awarded;
- 6 (5) Complies with all applicable federal and state laws
7 prohibiting discrimination against a person on the
8 basis of race, color, national origin, religion,
9 creed, sex, age, sexual orientation, or disability;
- 10 (6) Agrees not to use state funds for entertainment or
11 lobbying activities;
- 12 (7) Allows the department, legislative committees and
13 their staff, and the auditor full access to the
14 applicant's records, reports, files, and other related
15 documents and information for the purposes of
16 monitoring, measuring the effectiveness of, and
17 ensuring the proper expenditure of the grant;
- 18 (8) Is not employed by a child care facility that is part
19 of, owned or operated by, or owned or operated as a
20 private educational institution; provided that an
21 organization or individual that owns or operates both



1 a private educational institution and a child care
2 facility may apply only if the organization or
3 individual can provide evidence that the operations
4 and finances of the private educational institution
5 are completely separate from the operations and
6 finances of the child care facility such that it is
7 clear a grant awarded under this section would not
8 support or benefit the private educational institution
9 in violation of article X, section 1 of the Hawaii
10 state constitution;

11 (9) Satisfies any other standards that may be required by
12 the source of funding; and

13 (10) Meets all other standards prescribed in rules adopted
14 by the department to implement the grants awarded
15 under this section.

16 (e) Each child care provider who, after meeting the
17 requirements of subsection (d), receives grant funds from the
18 department shall be required to obtain accreditation and
19 continue to provide child care for _____ years after receiving
20 accreditation.



1 (f) Every request for grant funds shall be submitted to
2 the department on an application form provided by the department
3 and shall at a minimum contain the information required by
4 subsection (d). The department shall review each request to
5 determine whether the applicant is eligible to receive grants
6 funds and shall make a final decision on each request. The
7 department shall inform each grant applicant of the disposition
8 of the applicant's request. The department shall adopt rules to
9 establish an appeals process for any denial of a request.

10 (g) The department shall not release the public funds
11 approved for a grant under this section unless a contract is
12 entered into between the department and the grant recipient.
13 The department shall develop and determine, in consultation with
14 and subject to review and approval of the department of the
15 attorney general, the specific contract form to be used.

16 (h) Appropriations for grants made under this section
17 shall be subject to the allotment system generally applicable to
18 all appropriations made by the legislature.

19 (i) Every grant contract executed pursuant to this section
20 shall be monitored by the department to ensure compliance with
21 this section, and shall be evaluated annually to determine



1 whether the grant attained the intended results in the manner
2 contemplated.

3 (j) Any grant recipient who withholds or omits any
4 material fact or deliberately misrepresents facts to the
5 department shall be in violation of this section and, in
6 addition to other penalties provided by law, any recipient found
7 to have violated this section or the terms of any contract
8 executed pursuant to this section shall be prohibited from
9 applying for any department grants for a period of five years
10 from the date of termination.

11 (k) The child care accreditation program may provide grant
12 funding to cover incidental expenses to allow a child care
13 provider to receive accreditation, including but not limited to
14 expenses for furniture, equipment, or minor renovations.

15 (l) The department may contract with a service provider in
16 accordance with chapter 103D and 103F, as applicable, to operate
17 the child care accreditation program.

18 (m) The department shall adopt rules without regard to
19 chapter 91 to administer the child care accreditation program

20 (n) The department shall report to the legislature no
21 later than twenty days prior to the convening of each regular



1 session with the number and general location of programs
 2 applying for and participating in the child care accreditation
 3 program, an aggregated breakdown of the type and amount of costs
 4 the program covered for providers, and the percentage of
 5 preschool open doors providers that have begun or are currently
 6 accredited.

7 (o) For the purposes of this section:

8 "Grant" means an award of state funds to a specified
 9 recipient to support the activities of the recipient and permit
 10 the community to benefit from those activities.

11 "Private educational institution" means a non-public entity
 12 that provides:

13 (1) Educational services for any grades from kindergarten
 14 through grade twelve;

15 (2) Post-secondary education; or

16 (3) Pre-kindergarten level services;

17 that are provided by an entity that holds itself out to the
 18 public as a school or educational institution, or that are
 19 identified by the entity as educational services rather than
 20 solely as child care services.

21 "Recipient" means a child care provider receiving a grant."



1 SECTION 3. Section 346-183, Hawaii Revised Statutes, is
2 amended by amending subsections (b) and (c) to read as follows:

3 "(b) The department shall expend moneys in the special
4 fund to award grants to private entities for ~~[the]~~:

5 (1) The operating costs of new or existing child care
6 facilities~~[, to]~~;

7 (2) To establish new child care facilities~~[, or for]~~;

8 (3) The expansion of existing child care facilities~~[,]~~; or

9 (4) Child care accreditation program grants awarded
10 pursuant to section 346- .

11 (c) ~~[Expenditures]~~ Except for child care accreditation
12 program grants made pursuant to section 346- , expenditures
13 from the fund may be made by the department without allotment."

14 SECTION 4. Section 346-184, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Each service provider of the preschool open doors
17 program shall be accredited or shall obtain accreditation within
18 seven calendar years of first receiving any funds from the
19 preschool open doors program; provided that any existing service
20 provider unaccredited on July 1, 2022, shall commence the
21 accreditation process no later than July 1, ~~[2024]~~ _____, and



1 obtain accreditation by July 1, [~~2029~~] ____; provided further
2 that the director may grant to any service provider one or more
3 extensions to obtain accreditation on a case-by-case basis."

4 SECTION 5. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ _____ or so
6 much thereof as may be necessary for fiscal year 2023-2024 and
7 the same sum or so much thereof as may be necessary for fiscal
8 year 2024-2025 for the child care accreditation program
9 established by section 2 of this Act, including for the
10 establishment of one full-time equivalent (1.0 FTE) permanent
11 position for the child care accreditation program.

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

14 SECTION 6. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ _____ or so
16 much thereof as may be necessary for fiscal year 2023-2024 and
17 the same sum or so much thereof as may be necessary for fiscal
18 year 2024-2025 to be deposited into the child care grant program
19 special fund established pursuant to section 346-183, Hawaii
20 Revised Statutes.



1 SECTION 7. There is appropriated out of the child care
2 grant program special fund the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2023-2024 and the
4 same sum or so much thereof as may be necessary for fiscal year
5 2024-2025 for child care accreditation program grants.

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

8 SECTION 8. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 9. This Act shall take effect on June 30, 3000.



Report Title:

Early Learning; Preschool Open Doors; Child Care Accreditation Program; Child Care Grant Program Special Fund; Appropriation

Description:

Requires the department of human services to establish a child care accreditation program to assist licensed and registered child care providers obtain accreditation. Authorizes the use of the child care grant program special fund for child care accreditation program grants. Amends the time period for when existing preschool open doors service providers are required to obtain accreditation. Appropriates funds for the child care accreditation program, including for the establishment of one full-time position for the program. Appropriates funds into and out of the child care grant special fund. Effective 6/30/3000. (HD1)

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

