

ACT 170

S.B. NO. 1022

A Bill for an Act Relating to the Early Learning Board.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 302L, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§302L- Early learning board; qualifications; administration priorities. (a) Upon the nomination of any voting member to the board established pursuant to section 302L-1.6, the governor shall provide written documentation articulating the administration’s goals and priorities with respect to the formation of a highly-functioning, well-balanced board and describing the nominee’s qualifications.

- (b) Each nominee shall meet the following minimum qualifications:
 - (1) Demonstrate integrity, civic virtue, and high ethical standards and be willing to hold fellow board members to the same;
 - (2) Commit to being a conscientious and attentive board member;
 - (3) Have an understanding of best practices in early learning governance or be willing to be trained in best practices in early learning governance; and
 - (4) Have a clear understanding of the board’s role in developing and protecting a clear, long-term strategic vision for early learning.
- (c) Each nominee shall ideally meet the following qualifications:
 - (1) Have substantial leadership experience that illustrates the nominee’s ability to function among diverse colleagues as an effective team member, with the ability to articulate, understand, and help shape consensus on board policies; and

- (2) Demonstrate a deep and abiding interest in early learning and a dedication to the social, academic, and character development of children.”

SECTION 2 Section 302L-1.6, Hawaii Revised Statutes, is amended to read as follows:

“§302L-1.6 Early learning board. (a) There is established within the department of education for administrative purposes only an early learning board, whose members shall be appointed by the governor pursuant to section 26-34. The board shall have power, in accordance with law, to formulate state-wide policy relating to early learning. The board shall be responsible for:

- (1) Directing the office on how best to meet the developmental and educational needs of children, from prenatal care to entry into kindergarten;
- (2) Providing recommendations to the office on improving the quality, availability, and coordination of early learning programs;
- (3) Promoting collaboration across agencies and stakeholders serving young children; and
- (4) Appointing the director of the office and evaluating the director on an annual basis.
- (b) The board shall consist of the following voting members:
- ~~(1) A representative of center-based program providers or the representative's designee;~~
- ~~(2) A representative of family child care program providers;~~
- ~~(3) A representative of family child interaction learning program providers;~~
- ~~(4) A representative of philanthropic organizations that support early learning or the representative's designee;~~
- ~~(5) A representative from a head start provider agency;~~
- ~~(6) A representative from the Hawaii Early Intervention Coordinating Council;~~
- ~~(7) A parent representative;~~
- ~~(8) A representative from the Hawaii chapter of the American Academy of Pediatrics;~~
- ~~(9) A representative of home-visiting program providers;~~
- ~~(10) A representative of Hawaiian medium-early learning providers; and~~
- ~~(11) A representative of the Hawaii Council of Mayors, or the representative's designee.]~~
- (1) One voting member from the county of Hawaii;
- (2) One voting member from the county of Maui;
- (3) One voting member from the county of Kauai;
- (4) Three voting members from the city and county of Honolulu; and
- (5) Three at-large voting members.

The superintendent of education, director of human services, director of health, and president of the University of Hawaii shall serve as ex officio, non-voting members of the board.

The board shall invite the chief executive officer of Kamehameha Schools and the executive director of the Hawaii Association of Independent Schools, or their designees, to serve as ~~[voting]~~ ex officio, non-voting members of the board.

~~[(c) Except for the superintendent of education, directors of state departments, president of the University of Hawaii, chief executive officer of Kamehameha Schools, and the executive director of the Hawaii Association of Independent Schools, or their designees, the members of the board shall serve staggered terms as follows:~~

- (1) ~~The representative of center-based program providers shall serve a two-year term;~~
- (2) ~~The representative of family child care program providers shall serve a three-year term;~~
- (3) ~~The representative of family child interaction learning program providers shall serve a three-year term;~~
- (4) ~~The representative of philanthropic organizations that support early learning shall serve a two-year term;~~
- (5) ~~The representative from a head start provider agency shall serve a three-year term;~~
- (6) ~~The representative from the Hawaii Early Intervention Coordinating Council shall serve a three-year term;~~
- (7) ~~The parent representative shall serve a two-year term;~~
- (8) ~~The representative from the Hawaii chapter of the American Academy of Pediatrics shall serve a two-year term;~~
- (9) ~~The representative of home-visiting program providers shall serve a three-year term;~~
- (10) ~~The representative of Hawaiian medium early learning providers shall serve a two-year term; provided that the prohibition against serving more than two consecutive terms not to exceed eight consecutive years pursuant to section 26-34(a) shall not apply to the representative of Hawaiian medium early learning providers' term limit; and~~
- (11) ~~The representative of the Hawaii Council of Mayors shall serve a three-year term.]~~

(c) Notwithstanding any provision to the contrary, the governor shall set the terms of the voting members initially appointed to the board as follows:

- (1) Three voting members shall serve one-year terms;
- (2) Three voting members shall serve two-year terms; and
- (3) Three voting members shall serve three-year terms;

provided that the term of the voting members shall be three years, except as provided for in the initial appointment in this subsection; provided further that voting members shall serve no more than three consecutive three-year terms; provided further that the voting members who are initially appointed to terms of two years or less pursuant to this subsection may be reappointed to three ensuing consecutive three-year terms. If a voting member is nominated to a second or subsequent consecutive term, the senate shall consider the question of whether to reconfirm the voting member at least one hundred twenty days prior to the expiration of the voting member's immediately preceding term; provided that if the senate has not taken final action to reconfirm the voting member by the one hundred twenty-day deadline, the voting member may continue to serve until the senate takes final action on the reconfirmation.

(d) Every voting member may serve beyond the expiration date of the voting member's term of appointment until the voting member's successor has been appointed by the governor or confirmed by the senate.

[(d)] (e) The board shall select a chairperson by a majority vote of its voting members. A majority of the voting members serving on the board shall constitute a quorum to conduct business. The concurrence of the majority of the voting members serving on the board shall be necessary to make any action of the board valid.

[(e)] (f) The board may form workgroups and subcommittees, including with individuals who are not board members, to:

- (1) Obtain resource information from early learning professionals and other individuals as deemed necessary by the board;

- (2) Make recommendations to the board; and
- (3) Perform other functions as deemed necessary by the board to fulfill its duties and responsibilities.

Two or more board members, but less than a quorum, may discuss matters relating to official board business in the course of their participation in a workgroup or subcommittee, and such discussion shall be a permitted interaction as provided for in section 92-2.5.

~~[(f)]~~ (g) The board may testify before the legislature on any matter related to its duties and responsibilities.

~~[(g)]~~ (h) Members of the board shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval; provided that the amendments made to section 302L-1.6, Hawaii Revised Statutes, shall not be repealed when that section is reenacted on June 30, 2025, pursuant to Act 173, Session Laws of Hawaii 2021, section 3, as amended by Act 109, Session Laws of Hawaii 2022, section 14.

(Approved July 3, 2023.)

Note

- 1. Edited pursuant to HRS §23G-16.5.