

## ACT 171

H.B. NO. 961

A Bill for an Act Relating to Early Learning.

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

## PART I

SECTION 1. Section 346-184, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

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

- (1) National Association for the Education of Young Children;
- (2) National Early Childhood Program Accreditation;
- (3) National Association for Family Child Care; or
- (4) An accrediting organization approved by the director[; provided that the accrediting organization is comparable to the organizations specified in paragraphs (1) through (3)].”

## PART II

SECTION 2. Section 302L-7, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) The office shall implement an application process for schools that are interested in participating in the program. The criteria to prioritize applications shall include:

- (1) Community need, including:
  - (A) The percentage of the population in the school or community that meets the definitions of at-risk and underserved children pursuant to section 302L-1; and
  - (B) The availability and capacity of existing early learning programs or services for three- and four-year-old children on the school campus and in the surrounding area;
- (2) The availability of a classroom and outdoor play area that meet department of human services requirements for health and safety for three- and four-year-old children; and
- (3) The commitment of the principal to implementing a high-quality prekindergarten program including through active participation in professional development sessions offered through the office, and to promoting continuity and alignment between and across other early learning programs in the community and other grade levels in the school to ensure the positive outcomes of children are sustained.
- (c) The program shall serve ~~children in the year prior to the year of kindergarten eligibility,~~ three- and four-year-old children who are in the two years prior to kindergarten entry pursuant to section 302A-411, with priority extended to underserved or at-risk children, as defined in section 302L-1, and follow the academic year schedule of the department of education and be aligned with the full-day kindergarten classroom schedule of each school. Enrollment priority shall be given but is not limited to children who attend prekindergarten at schools to which the children will be assigned upon entering kindergarten under section 302A-1143.”

SECTION 3. Section 346-181, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

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

- (1) Children who are not eligible to attend public school kindergarten in the calendar year in which they turn five years of age because their birth date occurs after the kindergarten eligibility date pursuant to section 302A-411; ~~and~~
- (2) Underserved or at-risk [children,] four-year-old children who were previously served as a three-year-old child, as defined by rules adopted by the department[-];
- (3) Four-year-old children who were previously served as a three-year-old child;
- (4) Four-year-old children;
- (5) Underserved or at-risk three-year-old children, as defined by rules adopted by the department; and
- (6) Three-year-old children.”

SECTION 4. Act 210, Session Laws of Hawaii 2021, is amended by amending section 14 to read as follows:

“SECTION 14. This Act shall take effect upon its approval; provided that:

- (1) Section 5 shall be repealed on July 1, 2022, and section ~~[302L-7,]~~ 302L-7(o) and (p), Hawaii Revised Statutes, shall be reenacted in

the form in which it read on the day prior to the effective date of this Act;

- [(2) ~~Section 6 shall be repealed on July 1, 2024, and section 346-181, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day prior to the effective date of this Act;~~] and
- [(3)] (2) Section 11 shall take effect on July 1, 2021.”

### PART III

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval; provided that section 3 of this Act shall take effect on January 1, 2024.

(Approved July 3, 2023.)