
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 existing
6 service providers unaccredited as of July 1, 2022, who wish to
7 participate in the preschool open doors program must achieve
8 accreditation by July 1, 2029.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Require the department of human services to establish
11 a child care accreditation program to assist licensed
12 and registered child care providers in obtaining
13 accreditation;
- 14 (2) Authorize the use of the child care grant program
15 special fund for child care accreditation program
16 grants;



- 1 (3) Make the accreditation requirement for service
- 2 providers receiving funds from the preschool open
- 3 doors program voluntary;
- 4 (4) Appropriate funds for the child care accreditation
- 5 program, including funding for the establishment of
- 6 one full-time equivalent (1.0 FTE) position; and
- 7 (5) Appropriate funds into and out of the child care grant
- 8 program special fund for the child care accreditation
- 9 program.

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

13 "§346- Child care accreditation program; established.

14 (a) The department shall establish and implement a child care
15 accreditation program.

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

19 (1) Provide upfront grant funding to cover the cost of
20 accreditation by one of the national early learning



1 accrediting organizations, as identified in section
2 346-184(b), or as approved by the director;

3 (2) Provide grant funding for technical assistance to
4 assist an eligible child care provider through the
5 accreditation process; and

6 (3) Be available to licensed group child care centers and
7 homes, licensed infant and toddler child care centers,
8 and registered family child care homes.

9 (c) Requests for grants shall be submitted to the
10 department in accordance with administrative rules adopted by
11 the department to administer the grants. Each request shall at
12 a minimum state:

13 (1) The name of the child care provider requesting grant
14 funds;

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

17 (3) The age range of the children the child care provider
18 serves.

19 (d) Each applicant for a grant shall provide proof that
20 the applicant:



- 1 (1) Has United States citizenship or permanent United
2 States resident alien status and is a resident of the
3 State at the time of application;
- 4 (2) Is currently licensed or registered as a child care
5 provider, or is an exempt provider approved by the
6 department;
- 7 (3) Provides child care at the time of application;
- 8 (4) Complies with all other federal, state, or county
9 statutes, rules, or ordinances necessary to conduct
10 the activities or provide the services for which a
11 grant is awarded;
- 12 (5) Complies with all applicable federal and state laws
13 prohibiting discrimination against a person on the
14 basis of race, color, national origin, religion,
15 creed, sex, age, sexual orientation, or disability;
- 16 (6) Agrees not to use state funds for entertainment or
17 lobbying activities;
- 18 (7) Allows the department, legislative committees and
19 their staff, and the auditor full access to the
20 applicant's records, reports, files, and other related
21 documents and information for the purposes of



1 monitoring, measuring the effectiveness of, and
2 ensuring the proper expenditure of the grant;

3 (8) Is not employed by a child care facility that is part
4 of, owned or operated by, or owned or operated as a
5 private educational institution; provided that an
6 organization or individual that owns or operates both
7 a private educational institution and a child care
8 facility may apply only if the organization or
9 individual can provide evidence that the operations
10 and finances of the private educational institution
11 are completely separate from the operations and
12 finances of the child care facility such that it is
13 clear a grant awarded under this section would not
14 support or benefit the private educational institution
15 in violation of article X, section 1 of the Hawaii
16 State Constitution;

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

19 (10) Meets all other standards prescribed in rules adopted
20 by the department to implement the grants awarded
21 under this section.



1 (e) Each child care provider who, after meeting the
2 requirements of subsection (d), receives grant funds from the
3 department shall obtain accreditation and continue to provide
4 child care for years after receiving accreditation.

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

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



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

4 (i) Each grant contract executed pursuant to this section
5 shall be monitored by the department to ensure compliance with
6 this section and shall be evaluated annually to determine
7 whether the grant attained the intended results in the manner
8 contemplated.

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

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



1 (l) The department may contract with a service provider in
2 accordance with chapters 103D and 103F, as applicable, to
3 operate the child care accreditation program.

4 (m) The department shall adopt rules without regard to
5 chapter 91 to administer the child care accreditation program.

6 (n) The department shall report to the legislature no
7 later than twenty days prior to the convening of each regular
8 session with the number and general location of programs
9 applying for and participating in the child care accreditation
10 program, an aggregated breakdown of the type and amount of costs
11 the program covered for providers, and the percentage of
12 providers receiving preschool open doors program funds that have
13 begun the accreditation process or are currently accredited.

14 (o) For the purposes of this section:

15 "Grant" means an award of state funds to a specified
16 recipient to support the activities of the recipient and permit
17 the community to benefit from those activities.

18 "Private educational institution" means a nonpublic entity
19 that provides:

20 (1) Educational services for any grades from kindergarten
21 through grade twelve;



- 1 (2) Post-secondary education; or
- 2 (3) Pre-kindergarten level services that are provided by
- 3 an entity that holds itself out to the public as a
- 4 school or educational institution, or that are
- 5 identified by the entity as educational services
- 6 rather than solely as child care services.

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

8 SECTION 3. Section 346-183, Hawaii Revised Statutes, is

9 amended by amending subsections (b) and (c) to read as follows:

10 "(b) The department shall expend moneys in the special

11 fund to award grants to private entities for ~~the~~ :

12 (1) The operating costs of new or existing child care

13 facilities [~~to establish~~];

14 (2) The establishment of new child care facilities [~~or~~

15 for];

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

17 (4) Child care accreditation program grants awarded

18 pursuant to section 346- .

19 (c) ~~[Expenditures]~~ Except for child care accreditation

20 program grants made pursuant to section 346- , expenditures

21 from the fund may be made by the department without allotment."



1 SECTION 4. Section 346-184, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§346-184 Preschool open doors program; provider
4 accreditation. (a) ~~[Each]~~ Any service provider ~~[of the]~~
5 receiving funds from the preschool open doors program ~~[shall be~~
6 ~~accredited or shall]~~ may obtain accreditation ~~[within seven~~
7 ~~calendar years of first receiving any funds from the preschool~~
8 ~~open doors program; provided that any existing service provider~~
9 ~~unaccredited on July 1, 2022, shall commence the accreditation~~
10 ~~process no later than July 1, 2024, and obtain accreditation by~~
11 ~~July 1, 2029; provided further that the director may grant to~~
12 ~~any service provider one or more extensions to obtain~~
13 ~~accreditation on a case by case basis.]~~ pursuant to this
14 section.

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

- 18 (1) National Association for the Education of Young
19 Children;
20 (2) National Early Childhood Program Accreditation;
21 (3) National Association for Family Child Care; or



1 (4) An accrediting organization approved by the director;
2 provided that the accrediting organization is
3 comparable to the organizations specified in
4 paragraphs (1) through (3).

5 ~~[(c) Notwithstanding subsections (a) and (b), a service~~
6 ~~provider may receive or continue to receive funding through the~~
7 ~~preschool open doors program if the service provider maintains a~~
8 ~~satisfactory performance rating under the Classroom Assessment~~
9 ~~Scoring System developed by the University of Virginia and~~
10 ~~performed in conformance with United States Department of Health~~
11 ~~and Human Services guidelines.~~

12 ~~(d)]~~ (c) The department shall provide operational and
13 financial support to service providers to assist the service
14 providers in obtaining accreditation. The department may
15 contract with a private entity to assist service providers in
16 obtaining accreditation."

17 SECTION 5. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2023-2024 and
20 the same sum or so much thereof as may be necessary for fiscal
21 year 2024-2025 for the child care accreditation program



1 established by section 2 of this Act, including funding for the
2 establishment of one full-time equivalent (1.0 FTE) permanent
3 position.

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

6 SECTION 6. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2023-2024 and
9 the same sum or so much thereof as may be necessary for fiscal
10 year 2024-2025 to be deposited into the child care grant program
11 special fund established pursuant to section 346-183, Hawaii
12 Revised Statutes.

13 SECTION 7. There is appropriated out of the child care
14 grant program special fund the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2023-2024 and the
16 same sum or so much thereof as may be necessary for fiscal year
17 2024-2025 for child care accreditation program grants.

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

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



1 SECTION 9. This Act shall take effect on June 30, 2050.



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 in obtaining accreditation. Authorizes the use of the Child Care Grant Program Special Fund for Child Care Accreditation Program grants. Makes the accreditation requirement for service providers receiving funds from the Preschool Open Doors Program voluntary. Appropriates funds for the Child Care Accreditation Program, including funding for the establishment of one full-time equivalent (1.0 FTE) position. Appropriates funds into and out of the Child Care Grant Program Special Fund for the Child Care Accreditation Program. Effective 6/30/2050. (SD1)

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

