THE SENATE TWENTY-FOURTH LEGISLATURE, 2008 STATE OF HAWAII

S.B. NO. 2466

JAN 1 8 2008

### A BILL FOR AN ACT

RELATING TO EARLY CHILDHOOD EDUCATION.

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

1 SECTION 1. The legislature finds that the federal 2 Individuals with Disabilities Education Act (Public Law 108-446, 3 reauthorized 2004) governs how states and public agencies 4 provide early intervention, special education, and related services to infants, toddlers, children, and youth with 5 6 disabilities. The Individuals with Disabilities Education Act 7 requires that, to the maximum extent appropriate, children with 8 disabilities be educated in the least restrictive environment 9 with children who are non-disabled.

10 The legislature also finds that including children with 11 disabilities in natural settings within their communities helps 12 them to develop a higher level of socialization; gain language, 13 motor, and cognitive skills; and improve play skills. The 14 legislature further finds that the department of education has 15 extremely limited opportunities for preschool age children with 16 developmental delay to interact with their typically developing 17 peers. The philosophy of including special needs preschoolers 18 in learning environments with non-disabled children is supported SB LRB 08-0405.doc

## S.B. NO. 2466

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1	by the Council for Exceptional Children and the National			
2	Association for the Education of Young Children.			
3	The legislature further finds that the concept of universal			
4	design, which is an approach that maximizes usability of			
5	products, services, and environments for as many people as			
6	possible regardless of age, ability, or situation, is an			
7	approach that would benefit Hawaii's preschools. With universal			
8	design, a minority of students will need "special"			
9	accommodations.			
10	The department of education currently has no regular			
11	education preschool programs that can adequately provide			
12	opportunities for inclusion. However, the department of			
13	education has limited partnerships with Head Start and private			
14	preschools to provide opportunities for special needs			
15	preschoolers to interact with their non-disabled peers. These			
16	extremely limited opportunities are not sufficient to meet the			
17	needs of all of Hawaii's preschoolers who could benefit from			
18	inclusive settings.			

19 The purpose of this Act is to increase opportunities for 20 special needs preschoolers to interact with their non-disabled 21 peers.



## S.B. NO. 2466

3

1	SECTION 2. Chapter 302A, Hawaii Revised Statutes, is			
2	amended by adding a new section to be appropriately designated			
3	and to read as follows:			
4	"§302A- Inclusion opportunities for special needs			
5	<b>preschoolers.</b> (a) The department of education quality early			
6	education plan, pursuant to section 302A-410, shall include			
7	opportunities for special needs preschoolers who are between			
8	three to five years old to interact with their non-disabled			
9	peers. The department shall collaborate with parents and			
10	private providers to increase opportunities and implement			
11	classes that include both special education eligible students			
12	and general education students, subject to available resources			
13	and individualized education plans.			
14	(b) A special education eligible student may receive			
15	services in a private preschool program that is located on a			
16	public school site or in the community, if the services are			
17	required by the student's individualized education program.			
18	(c) Special education personnel may provide services at			
19	any preschool site, as provided in a student's individualized			
20	education plan. Special education personnel may also provide			
21	services to general education students in a special education			
22	<u>classroom.</u> "			



# S.B. NO. 2466

4

1	SECTION 3. The department of education and the department		
2	of human	services shall consider the following options in their	
3	efforts to include special needs preschoolers in general		
4	education preschool programs:		
5	(1)	Increases in preschool program tuition subsidies to	
6		enable all parents, including those of children with	
7		disabilities, to access preschool programs offered by	
8		the department of human services;	
9	(2)	Additional contracts to purchase services for five to	
10		six slots per preschool for special needs children to	
11		receive special education and related services under	
12		part B of the Individuals with Disabilities Act;	
13	(3)	Intervention specialist services for students who are	
14		unilaterally placed in preschools in the community by	
15		their parents;	
16	(4)	Partnerships among private and public preschool	
17		programs to meet personnel needs, including but not	
18		limited to, the hiring of teachers who are dually	
19		certified in early childhood education and special	
20		education, educational assistants, or other necessary	
21		staff; and	



Page 5

## S.B. NO. 2466

(5) Pre-service and in-service training opportunities for
early childhood professionals to incorporate the
concept of universal design in education to prepare
them to teach all children utilizing an approach that
provides learners with a variety of ways to access and
process information.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2008-2009 to
10 increase opportunities for special needs preschoolers to
11 interact with their non-disabled peers.

12 The sum appropriated shall be expended by the department of 13 education and the department of human services, as appropriate, 14 for the purposes of this Act.

15 SECTION 5. New statutory material is underscored.

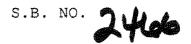
16 SECTION 6. This Act shall take effect on July 1, 2008.

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INTRODUCED BY: Church Chicki

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### Report Title:

Early Childhood Education; Preschool; Special Needs

#### Description:

Requires the department of education to increase opportunities for special needs preschoolers to interact with their nondisabled peers. Appropriates funds.

