

SB1278

Date of Hearing: February 6, 2009

Committee: Senate Education/Housing

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: S.B. 1278, Relating to Education

Purpose: Prohibits the movement of junior kindergarten and kindergarten students between tiers, except under certain circumstances. Prohibits a junior kindergarten from directly graduating to the first grade. Establishes a separate curriculum for the junior kindergarten program. Requires the department of education to staff junior kindergartens with qualified preschool teachers and preschool teacher aides. Appropriates funds for the implementation of a junior kindergarten program with a certain student - teacher ratio.

Department's Position: While the Department of Education (Department) supports the Junior Kindergarten/Kindergarten curriculum, the Department **does not support S.B. 1278** as written at this time due to Hawaii's impending fiscal austerity and priority for the current Board of Education's budget priorities. However, the Department is willing to work with the legislators to craft the language of the bill so that the outcomes address the needs of young children and the educational professionals that provide quality instruction.

In the current research literature, it is recognized that the nature of the developmental learning sequence of young children continues to be

very dynamic, such that those students who appear to be behind their peers at the beginning of the year may in fact catch up with their peers and be fully prepared for entrance into the first grade by the end of the school year. Therefore, the Department continues to recommend that student who may be designated as a junior kindergartener at the beginning of the year, be allowed to be promoted to grade one in a year.

The Department continues to work to develop appropriate assessment protocols that may be used to screen a child for areas of readiness, as well as areas of skill/knowledge development. With a combination of formative and summative assessments, teachers will have assembled evidence to help a school team, including parents, decide if a child is ready for grade one or may benefit from a second year in a two-tiered system.

The Department recognizes that developmentally appropriate practices must be balanced with quality learning experiences that prepare all students, junior kindergarten and kindergarten, for the more rigorous learning in a standards-based classroom. The Department supports and appreciates the efforts of the legislature to focus on teacher quality and class size. The collaborative work with the early childhood community has allowed us to understand that there will continue to be shortage of qualified preschool teachers and aides throughout the state.

Additionally, the current requirements for highly qualified teachers

under NCLB, does not allow the department to hire teachers with less than a Bachelor's degree.

Teacher quality is also enhanced when teachers have access to meaningful professional development opportunities. The Department would appreciate a continued focus on providing inservice teachers of young children with access to professional development in all complex areas throughout the state. We are committed to work with our partners in the early childhood community to ensure that collectively, all of our teachers maintain a balance in their professional learning that promotes a positive impact on student learning.

Finally, the fine work of the Early Learning Council has provided the Department with an excellent venue to work closely with the early childhood community to address school readiness for young children from birth to five. The Department thus recognizes that our collective work will help to define and enhance the two-tiered kindergarten program and would appreciate the opportunity to continue to work with the council on the comprehensive plan for early learning.



February 6, 2009
1:45 p.m.
Conference Room 225

TESTIMONY TO
THE SENATE COMMITTEE ON EDUCATION AND HOUSING

RE: SB 1278 – Relating to Education

Dear Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents approximately 97 private and independent schools in Hawaii and educates over 30,000 students across our state.

The Association has always been a strong supporter of early childhood programming and appreciates the intent of Senate Bill 1278; however, we have serious concerns about the expansion of the Hawaii Department of Education's junior kindergarten program proposed by this measure.

While HAIS recognizes the challenges posed by the current two-tiered kindergarten program, we believe that the Early Learning Council – in collaboration with the Department of Education, one of the Council's members – is the group best-suited to contemplate these problems and develop a solution. The Council has a great deal of early learning expertise and has already been tasked with the development of a comprehensive early childhood education system for our state, which includes the education of children from birth to five years of age. For these reasons, we believe that the Council is the appropriate body to address this issue and that it should be given the opportunity to deliberate on this matter in the course of its present work.

Thank you for this opportunity to testify.



February 6, 2009
1:45 pm
Conference Room 225

TESTIMONY TO
THE SENATE EDUCATION AND HOUSING COMMITTEE

Re: SB 1278 – Relating to Education

Dear Chair Sakamoto, Vice Chair Kidani and Members of the Committee:

My name is Robert G. Peters and I am the Head of Hanahau`oli School and the HAIS designee to the Early Learning Council. Thank you for the opportunity to give testimony on SB 1278. While I think the bill has a worthy intent, I cannot support it as it stands.

The bill appears to formally establish a junior kindergarten program as part of the responsibility of the DOE. Given the challenges the Department currently faces, both fiscal and related to NCLB, the establishment of an additional program at this time seems overly burdensome and one for which it is not ready. While a problem clearly exists with the two-tiered program result, it would be better left as part of the work of the Early Learning Council which has a wealth of early childhood expertise and on which the Department of Education participates as a voting member.

I applaud the bill for its concern about teacher qualifications and the student-teacher ratio as well as class size. These are all critical elements of good learning environments for young children. Yet, the qualifications are truly minimal in light of the recommendations of the Act 259 Task Force last year and may not be sufficient to achieve the intended results. Hawaii, like many states, is experiencing a severe shortage of qualified early learning teachers and their availability is questionable. Effort and funding need to be put into providing opportunities for increasing the numbers of early learning instructors who are qualified to deliver quality service.

The bill recognizes a serious concern that I share about the education of children in this two-tier system and its appropriateness. I worry that the answer suggested would not truly address the developmental needs of preschoolers as it will be derived from a standards-based K-12 program. What tends to drive curriculum, instruction and assessment in such circumstances is strictly a preparation outcome rather than a developmental one. The child gets lost seeking to make her “ready” rather than operating from a position of what is she “ready for.”

The Early Learning Council has been charged with designing a comprehensive program for children birth to age 5 and I would urge the legislature to encourage the Department of Education to seek a solution within the work of the Council.

Hearing date:
Friday,
February 6,
1:45 a.m.
Senate Committee
on Education and
Housing
Room 225

To: Senator Norman Sakamoto, Chair
Senator Michelle Kidani, Vice Chair
SENATE COMMITTEE ON EDUCATION AND HOUSING

From: Elisabeth Chun,
Executive Director

Date: Friday, February 6, 2009
1:45 pm
Conference Room 225

Subject: SB1278: Relating to Junior Kindergarten

The Good Beginnings Alliance is a statewide public policy and advocacy organization focusing on Hawaii's youngest children and their families. We strive to ensure nurturing, safe and healthy development for all children from pre-birth to age eight.

We support this bill's intent to provide greater support for our junior kindergarten students. However, we do not support Section 2 which states that "no school shall move students between junior kindergarten and kindergarten except in cases..."

Specific items we wish to address:

- The decision to move a junior kindergarten student to the first grade should be based on the developmental readiness of the child and the collective triumvirate judgment of the teacher, administrator, and family, and not based on the child's chronological age only.
- This bill singles out all students whose fifth birthday falls between August 2 and December 31 and provides them the opportunity to attend school for 14 years versus the 13 years of schooling available for those born January 1 through August 1. This is not offering equal opportunity to all children.
- As to a separate curriculum, while we strongly agree that junior kindergarten students need instruction through developmentally appropriate curricula that are distinct from kindergarten and specifically developed for a junior kindergarten program, we defer to the Department of Education to determine the specifics of such. The Hawaii Preschool Content Standards are designed for programs serving four year old children. Clearly the curriculum chosen will need to bridge and align both the Hawaii Preschool Content Standards and the Department of Education's General Learner Outcomes for kindergarten children. An extremely important contributor to student success in junior kindergarten and kindergarten is developmentally-appropriate instruction.
- All teachers, preschool to third grade, will ideally possess a Bachelor's Degree with a specialty in Early Childhood Education. A departure from The Department of Education's requirement that all teaching staff hold a Bachelor's degree is not a concept we endorse.

The development of a comprehensive early learning system has been designated to the Early Learning Council. It is now the task of the Early Learning Council to determine the parameters and policies concerning a three and four year old program for Hawaii and how this dovetails with the existing DOE junior kindergarten program. We suggest the work of the Early Learning Council in this area be supported.

Mahalo for your support and the opportunity to testify.



HAWAI‘I EDUCATIONAL POLICY CENTER

Informing the Education Community

February 6, 2009, 1:45 pm, Room 225

By

Valere McFarland, Associate Director
Hawai‘i Educational Policy Center
University of Hawai‘i at Mānoa

SB 1278: Relating to Education

Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

The Hawaii Educational Policy Center opposes this measure, which prohibits the movement of junior kindergarten and kindergarten students between tiers. We find this bill problematic, especially for the tracking of students and the apparent lowering of requirements and credentials for teachers.

The bill does not account for what is known about the development of young children across the early years (ages 5-8 years) and focuses instead on age-grade level limited philosophy of institutional organization based only on chronological age. Not all children develop at the same rate. Unfortunately, many of those children who are retained are from lower socio-economic strata and of minority ethnicities (in Hawaii these ethnicities are Native Hawaiian, Filipino, Samoan and other Pacific Islanders) without the support systems of typical middle-class children. Children develop at differing rates so preventing movement across programs (pre-kindergarten to kindergarten to even primary grades) is counter-productive to growth and development. Developmental changes can come quickly; i.e., sometimes within months and is uneven across domains (social, emotional, intellectual, physical). ‘Readiness’ should not be constrained by time, limiting opportunities to move forward from where every child is at a given time. ‘Readiness’ is a social construction (see scholarship of Beth Graue) rather than a specific demarcation of required achievement.

The bill allows the lowest level of teacher and teacher aide preparation and disregards the current national literature that requires a bachelor’s degree for lead teachers in ‘quality’ early childhood education programs, and an associate’s degree in early childhood education for assistant teachers.

SB 1278 seems to indicate support for a universal public preschool, which would compete with Head Start and private preschools. This would seem to be a positive for families who do not

qualify for Head Start and cannot afford private preschool, but it does not increase the resources and expectations for a high quality system from age 5 to 8 years.

Establishing a position of an early childhood education specialist is desirable if that person is actually knowledgeable in the field of early childhood education and child development and is willing to institute policies that address holistic education rather than focus narrowly on readiness and academic achievement.

Thank you for the opportunity to testify.



HAWAI‘I EDUCATIONAL POLICY CENTER

Informing the Education Community

February 6, 2009, 1:45 pm, Room 225

By

Valere McFarland, Associate Director
Hawai‘i Educational Policy Center
University of Hawai‘i at Mānoa

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Establishing a position of an early childhood education specialist is desirable if that person is actually knowledgeable in the field of early childhood education and child development and is willing to institute policies that address holistic education rather than focus narrowly on readiness and academic achievement.

Thank you for the opportunity to testify.

DEAN R. LISKUM, Ph.D.
MARRIAGE, FAMILY & CHILD THERAPIST
2682 Kiu Anu Place
Kalaheo, Hawaii 96741

February 4, 2009

Senator Norman Sakamoto
Chair, Senate Education Committee
Hawaii State Legislature
Honolulu, Hawaii 96813

Hearing on February 6, 2009
1:45 P.M.
Conference room 225

In support of SB1278

Dear Senator Sakamoto,

SB1278 will allow the State will reap the benefits of getting on the same page as the rest of the country as we teach 5 year olds 5 year old skills in kindergarten. In the ensuing years we will have fewer SLD students, fewer law violators and many more students who complete high school and go on to college. And of course, we will avoid the awful waste of money and resources from NCLB as our students begin to generate better results on nationally normed tests as we avoid a Federal takeover of our public education system.

The DOE has directed its people to disregard the hard work the legislature did 3 ½ years ago when you passed the kindergarten date cutoff bill. They have proven they cannot be trusted and because of that I strongly believe the language in SB1278 should assure their compliance by being specific in its directives.

I believe SB1278 is revenue neutral at worst. Although it is not the intention of SB1278 it will save the State money. If the bill were implemented there would be significant savings from using preschool teachers and aides instead of regular education teachers to teach junior kindergarten children starting the very first year. That savings would continue to be realized year after year. Within two years of implementation other savings would be realized due to the reduced number of specific learning disability (SLD) students. The proof of these claims can be verified by checking with Vern Dahl, counselor at Kamalii Elementary School. His program, which is similar to what is outlined in SB1278, has saved that school hundreds of thousands of dollars over the last 6 years.

Sincerely Yours,

Dean R. Liskum, Ph.D.

Attn.: Senator Norman Sakamoto, Chair, and Members of Committee on Education and Housing

Testimony of Linda Elento, Kaneohe resident and parent, (808) 235-7610

Hearing: Friday, February 6, 2009, 1:45 pm

SB1278

Education: Junior Kindergarten and Kindergarten

My research and personal experience show that the statute below must be clarified to prevent a special-education student's Individual Educational Program ("IEP") team from mistakenly placing a special education student in a grade level based only on chronological age. In the same manner a five-year-old child should not be banned from an appropriate placement in pre-Kindergarten, or preschool. An education system must support a student's academic development, as well as behavior and social-emotional development. For these reasons, I ask the Committee on Education and Housing to **consider the following addition to make clear the statute related to Kindergarten:**

§302A-411 Junior kindergarten and kindergarten program; establishment; attendance.

(d) Nothing in this section shall preclude a child five years of age or older from an appropriate placement in a Junior Kindergarten, Kindergarten, or pre-Kindergarten.

The administrative decision to place students in grades by their chronological age has been identified as a standard practice in the Department of Education. The DOE's Student Support Services branch has stated the statute's "provisions apply to students who are qualified to be enrolled in a kindergarten program during the year that they turn five years of age."

This practice of grade-level placement based on chronological age is inconsistent with federal special education laws by restricting placement and program decisions by a special-education student's IEP Team. The Hawaii statute must clarify the authority of an IEP Team to make grade-level placements as according to Federal regulations, which are clear that each child's educational placement must be determined on an individual case-by-case basis depending on each child's unique educational needs and circumstances (not a "one-size-fits-all" approach). [34 C.F.R. Sec. 300.116, idea.ed.gov (Part B, Regulations)].

The Office of the Ombudsman, State of Hawaii, wrote to me that the Federal regulations and the State administrative rules do not preclude the placement of a student with a disability in a classroom that is not age-appropriate. Such placement, however, must be made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. This group of persons is the student's IEP team.

Thank you for the opportunity to share my written testimony. *[See Attachment: Hawaii's Special Needs Children Should Be Promoted in Public School Based on Readiness Over Age]*



PUBLISHING
SINCE 2002

INDEPENDENT • NEWS • OPINION

Hawaii's Special Needs Children Should Be Promoted in Public School Based on Readiness Over Age

By Linda Elento, 8/4/2008 1:03:54 PM

Hawaii lawmakers spend a fair amount of time writing our laws, but how do state agencies fare in interpreting and implementing such laws?

When our son (who has Down syndrome) was five years old and ready for preschool, he was turned away because he was "too old." Now that he is seven years old and ready for kindergarten, he is being turned away from kindergarten because he is "too old."

Yet our son has met the age requirement and criteria for kindergarten per Hawaii Revised Statutes 302A-411 and 302A-1132 and for the purpose I believe is set out in Act 13 (2002) which defines school readiness as "young children are ready to have successful learning experiences in school when there is a positive interaction among the child's developmental characteristics, school practices, and family and community support."

Our son has never been to kindergarten. He is ready to learn what other children learn in kindergarten.

Given the school's practice to promote a child with special education needs based on chronological age rather than school readiness, I believe the denial for our son to attend kindergarten is not a true reflection of our state laws.

Linda Elento of Kaneohe, Hawaii, can be reached at <mailto:threestars@hawaii.rr.com>

[Hawaii Education Beat...](#)

From: mailinglist@capitol.hawaii.gov
To: [EDH Testimony](#)
Cc: wne@hawaii.rr.com
Subject: Testimony for SB1278 on 2/6/2009 1:45:00 PM
Date: Thursday, February 05, 2009 12:05:48 PM

Testimony for EDH 2/6/2009 1:45:00 PM SB1278

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: wendy erickson
Organization: Individual
Address:
Phone:
E-mail: wne@hawaii.rr.com
Submitted on: 2/5/2009

Comments:

I have been a Hawaii public school kindergarten teacher for 20 years. I **strongly agree with and support** Bill SB1278 that prohibits moving JK students to 1st grade except under certain circumstances. I also strongly agree that JK students should have classrooms with smaller numbers, a teacher with an aide, and a separate curriculum from the K classrooms that they will be entering the following year. If our state is ever going to see success in the elementary years they need to give our children the chance to develop appropriately during this early stage of their life.

From: mailinglist@capitol.hawaii.gov
To: [EDH Testimony](#)
Cc: sikehara@aol.com
Subject: Testimony for SB1278 on 2/6/2009 1:45:00 PM
Date: Thursday, February 05, 2009 2:35:52 PM

Testimony for EDH 2/6/2009 1:45:00 PM SB1278

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Sandra Ikehara
Organization: Individual
Address: [REDACTED]
Phone: [REDACTED]
E-mail: sikehara@aol.com
Submitted on: 2/5/2009

Comments:

I have been a kindergarten teacher for 22 years. Although the state established the junior kindergarten program a few years ago, there was no specifics (class size, curriculum etc) as to how this was to be implemented. We tried to implement a junior kindergarten at our school a couple of years ago, but found it difficult to have 23 four-year olds with only one teacher. Also, because it was not spelled out that their child would be entering kindergarten the following year, the parents expected that their child would enter 1st grade at the end of junior kindergarten.

We have now mainstreamed both junior kindergarten and kindergarten in one class. However, many of the students that are still four years old when they enter kindergarten continue to have difficulty with the rigorous and pushed down curriculum that we have today. Junior kindergarten students need the gift of time to have developmentally appropriate curriculum for their age. They also need more than one teacher with 22-23 students. Please help by passing Senate Bill 1278.

From: mailinglist@capitol.hawaii.gov
To: [EDH Testimony](#)
Cc: giaster77@yahoo.com
Subject: Testimony for SB1278 on 2/6/2009 1:45:00 PM
Date: Thursday, February 05, 2009 12:38:02 PM

Testimony for EDH 2/6/2009 1:45:00 PM SB1278

Conference room: 225
Testifier position: support
Testifier will be present: Yes
Submitted by: gia Long
Organization: Individual
Address: [REDACTED]
Phone: [REDACTED]
E-mail: giaster77@yahoo.com
Submitted on: 2/5/2009

Comments:

I am a special education teacher and **fully support** having different curriculums for junior kinder vs. kindergarten. The younger students need their own developmental benchmarks so that teachers can teach them at their level--combinning 4 and 5 year olds is taking one step fwd and 3 steps back.

From: mailinglist@capitol.hawaii.gov
To: [EDH Testimony](#)
Cc: steina003@hotmail.com
Subject: Testimony for SB1278 on 2/6/2009 1:45:00 PM
Date: Thursday, February 05, 2009 3:46:22 PM

Testimony for EDH 2/6/2009 1:45:00 PM SB1278

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Amy Stein
Organization: Individual
Address: 1020 Aoloa Pl. 109B Kailua Hi
Phone: 382-5209
E-mail: steina003@hotmail.com
Submitted on: 2/5/2009

Comments:

I am a JK teacher in Hawaii public schools. I **strongly agree with this bill**. The JK program needs standards and a curriculum so that all schools can impliment this program in the same way.