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# A BILL FOR AN ACT

RELATING TO EARLY LEARNING.

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

1	SECTION 1. The purpose of this Act is to improve early		
2	learning by	/:	
3	(1) H	Requiring the department of education, beginning with	
4	t	the 2010-2011 school year, to use successful	
5	ć	assessment tools and protocols for determining a	
6	S	student's initial placement and for decision making	
7	ć	about a student's movement between junior	
8	}	kindergarten, kindergarten, and into grade one; and	
9	(2)	Clarifying provisions of the early learning system,	
10	e	established by Act 14, Special Session Laws of Hawaii	
11	2	2008, including authorizing designees for all members	
12	C	of the early learning council, changing the name of	
13	t	the keiki first steps trust fund to the early learning	
14	t	trust fund.	
15	SECTIO	ON 2. Section 302A-411, Hawaii Revised Statutes, is	
16	amended by	amending subsection (b) to read as follows:	
17	"(b)	The department shall establish a two-tier junior	
18	kindergarten and kindergarten program to support the range of HB395 SD2.DOC *HB395 SD2.DOC* *HB395 SD2.DOC*		

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1	developmental abilities of children in junior kindergarten and			
2	kindergarten. [ <del>Any school may</del> ] <u>Schools shall not</u> move students			
3	between junior kindergarten and kindergarten [ <del>as the school</del>			
4	deems appropriate. Junior kindergarten students may graduate			
5	directly to grade one.], except in cases where the movement is			
6	warranted and based on appropriate assessments determined by:			
7	(1) A qualified teacher with early childhood education			
8	background and experience; and			
9	(2) The formative and summative assessment of a student's			
10	academic, physical, social, and emotional abilities,			
11	provided that, beginning with the 2010-2011 school year, the			
12	department shall use successful assessment tools and protocols			
13	for determining a student's initial placement and for decision			
14	making about a student's movement between tiers and into grade			
15	one. Junior kindergarten students may graduate directly to			
16	grade one when promotion is based on appropriate assessments and			
17	other progress data collected over time."			
18	SECTION 3. Section 302L-3, Hawaii Revised Statutes, is			
19	amended by amending subsection (b) to read as follows:			
20	"(b) The council shall consist of the following voting			
21	members:			

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1	(1)	The superintendent of education or the
2		superintendent's designee;
3	(2)	The director of human services or the director's
4		designee;
5	(3)	The director of health or the director's designee;
6	(4)	The president of the University of Hawaii or the
7		president's designee;
8	(5)	A representative of center-based program providers[ $ au$ ]
9		or the representative's designee;
10	(6)	A representative of family child care program
11		providers[+] or the representative's designee;
12	(7)	A representative of family-child interaction learning
13		program providers $[+]$ or the representative's designee;
14	(8)	A representative of philanthropic organizations that
15		support early learning[+] or the representative's
16		designee; and
17	(9)	Two representatives of the Hawaii Council of Mayors[ $\cdot$ ]
18		or the Hawaii Council of Mayors' designees.
19	The	council shall invite the director of the Hawaii head
20	start sta	te collaboration office, the chief executive officer of
21	the Kameha	ameha Schools, and the executive director of the Hawaii

HB395 SD2.DOC \*HB395 SD2.DOC\* \*HB395 SD2.DOC\*

Association of Independent Schools, or their designees, to serve
as voting members of the council.

3 Except for the superintendent of education, directors of 4 state departments, president of the University of Hawaii, 5 director of the Hawaii head start state collaboration office, 6 chief executive officer of the Kamehameha Schools, and executive 7 director of the Hawaii Association of Independent Schools, or 8 their designees, and the two representatives of the Hawaii 9 Council of Mayors, the members shall be nominated and, by and 10 with the advice and consent of the senate, appointed by the 11 governor."

12 SECTION 4. Section 302L-5, Hawaii Revised Statutes, is 13 amended to read as follows:

14 "[[]§302L-5[]] [Keiki first steps] Early learning trust 15 fund. There is established within the state treasury the [keiki 16 first steps] early learning trust fund, to be administered by 17 the early learning council, into which shall be deposited all 18 moneys received by the council in the form of:

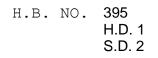
**19** (1) Fees;

- **20** (2) Grants;
- 21 (3) Donations;

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1	(4) Appropriations made by the legislature to the fund;
2	and
3	(5) Revenues regardless of their source,
4	and earnings on moneys in the fund. Moneys in the fund shall be
5	used for the early learning system. Expenditures from the fund
6	may be made by the council without appropriation or allotment."
7	SECTION 5. Statutory material to be repealed is bracketed
8	and stricken. New statutory material is underscored.
9	SECTION 6. This Act shall take effect on June 29, 2077.



Report Title:

Early Learning

#### Description:

Requires the department of education, beginning with the 2010-2011 school year, to use successful assessment tools and protocols for determining a student's initial placement and for decision making about a student's movement between junior kindergarten, kindergarten, and into grade one; clarifies provisions of the early learning system, including authorizing designees for all members of the early learning council, and changing the name of the keiki first steps trust fund to the early learning trust fund. (SD2)