

Honolulu, Hawaii
, 2020

FEB 28

RE: H.B. No. 2543
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Lower & Higher Education and Finance, to which was referred H.B. No. 2543 entitled:

"A BILL FOR AN ACT RELATING TO ACCESS TO LEARNING,"

beg leave to report as follows:

The purpose and intent of this measure is to build the foundation to provide access to learning by the year 2030 to all children three to four years of age and children who will be eligible for kindergarten within two years.

Specifically, this measure:

- (1) Establishes benchmarks for certain percentages of children three to four years of age and children who will be eligible for kindergarten within two years to have access to learning, with an ultimate goal of providing all of the children in that age group with access to learning by the year 2030;
- (2) Establishes the Learning to Grow Agency to coordinate and develop a state-wide early learning system;
- (3) Establishes a grant program for publicly or privately operated center-based programs to increase early learning opportunities;



- (4) Establishes a prekindergarten program to be administered by the Learning to Grow Agency;
- (5) Transfers the functions of the Executive Office on Early Learning to the Learning to Grow Agency;
- (6) Eliminates the Executive Office on Early Learning; and
- (7) Appropriates funds to the Learning to Grow Agency.

For purposes of a public hearing, your Committees circulated a proposed H.D. 1 (proposed H.D. 1) of the measure and notified the public that your Committees would be accepting testimony on the proposed H.D. 1, which amends the measure by:

- (1) Deleting the provisions related to the Learning to Grow Agency;
- (2) Retaining the Executive Office on Early Learning;
- (3) Establishing the position of the Early Learning Coordinator to coordinate and oversee the establishment of preschool programs by the Department of Education and the Department of Human Services;
- (4) Requiring the Early Learning Coordinator to ensure that all children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, are enrolled in a preschool program by December 31, 2030;
- (5) Requiring the Department of Education to assess all students entering kindergarten, gather information about each student's prior early learning program attendance, and share that information with the Department of Human Services and the Early Learning Coordinator to help identify areas with children who are unserved or underserved with regard to early learning;
- (6) Requiring the Department of Human Services to collect and analyze the data gathered regarding prior early learning program attendance and appropriating moneys for that database and related information technology;



- (7) Adding the Early Learning Coordinator to the Early Learning Board as an ex officio, nonvoting member;
- (8) Establishing a Preschool Open Doors Program to award grants to private entities to establish new preschools and expand existing preschools;
- (9) Appropriating funds to assist the Imiloa Astronomy Center to build two or more classrooms for Hawaiian language immersion pre-kindergarten programs for the purpose of establishing a pathway for the development of other Hawaiian language immersion classes; and
- (10) Authorizing the State Librarian to establish early learning classrooms and to contract for early learning services at state libraries and appropriating funds for that purpose.

Your Committees received testimony in support of the proposed H.D. 1 from the Hawaii Teacher Standards Board; University of Hawaii Hilo; Ke Kula O Nawahiokalaniopuu Iki Laboratory Public Charter School; Partners in Development Foundation; HE`E Coalition; Bank of Hawaii; Hawaii Executive Collaborative; Aha Punana Leo, Inc.; Hawaii Community Foundation; Hawaii Pacific Health; Kamehameha Schools; Council for Native Hawaiian Advancement; Native Hawaiian Chamber of Commerce; HawaiiKidsCAN; Papa Ola Lokahi; Bishop Museum; Iolani Palace; Native Hawaiian Education Council; INPEACE; The Queen's Health Systems; Parents and Children Together; Chamber of Commerce Hawaii; Hawaii Children's Action Networks Speaks!; Head Start Association of Hawaii; American Academy of Pediatrics, Hawaii Chapter; Pacific Resource Partnership; Le Jardin Academy; and numerous individuals.

Your Committees received testimony in opposition to the proposed H.D. 1 from Democratic Party of Hawaii, Democratic Party of Hawaii Education Caucus, Aha Kauleo, and two individuals.

Your Committees received comments on the proposed H.D. 1 from the Board of Education, State Public Charter School Commission, Department of Budget and Finance, Department of the Attorney General, Executive Office on Early Learning, Early Learning Board, Department of Education, Hawaii State Public Library System, University of Hawaii System, Department of Human Services, Hawaii



Early Childhood Action Strategy, Hawaii State Teachers Association, Hawaii Association for the Education of Young Children, Hawaii Association of Independent Schools, Family Hui, and ten individuals.

Your Committees find that the cost of childcare is a significant contributor to the high cost of living in Hawaii. Many families with young children or those considering having children cannot afford, or must save significantly to afford, a typical monthly childcare expense. Your Committees further find that providing each child with access to early learning in the years before kindergarten is critical because most brain development occurs before a child reaches five years of age. Studies have also shown that investments in early childhood learning help to more fully prepare children for kindergarten, which then dramatically improves the child's academic success and ultimate career opportunities.

Your Committees have amended this measure by adopting the proposed H.D. 1 with the following further amendments:

- (1) Providing that the Department of Education shall assess each kindergarten student within thirty days of the start of a school year;
- (2) Requiring that the kindergarten student assessments be conducted in English or Hawaiian;
- (3) Requiring that the kindergarten assessment data be shared with the Executive Office on Early Learning;
- (4) Making the provisions relating to kindergarten assessments and the reporting of prior early learning program attendance applicable to charter school students;
- (5) Making the Early Learning Coordinator responsible for determining the early learning needs for each geographic region, and that the Department of Education and the Executive Office on Early Learning provide assistance;
- (6) Redesignating all trust funds throughout the measure as special funds;



- (7) Requiring that all Preschool Open Door Program service providers be accredited by certain nationally accredited early learning organizations or obtain accreditation within three years;
- (8) Exempting from Chapters 103D and 103F, Hawaii Revised Statutes, the expenditure of funds by the Department of Human Services for the Preschool Open Doors Program;
- (9) Exempting from Chapters 103D and 103F, Hawaii Revised Statutes, the expenditure of funds by the Department of Human Services to establish or upgrade a database to capture prior early learning program information;
- (10) Clarifying that the sharing of data among applicable agencies and departments shall be as allowed by law and within the constructs of existing administrative rules;
- (11) Providing the Early Learning Coordinator with access to data collected pursuant to the various requirements of the measure and with the responsibility to facilitate the sharing of that data as allowed by law and administrative rule;
- (12) Removing the term limits of the Early Learning Coordinator, providing that the appointment of that position shall not be subject to the advice and consent of the Senate, and providing that only the Governor shall have the authority to remove a person from that position;
- (13) Clarifying the relationship between Imiloa Astronomy Center, Ka Haka Ula O Keelikolani College of Hawaiian Language, and Aha Punana Leo;
- (14) Clarifying that the Hawaii State Public Library System may establish early learning classrooms on library grounds in consultation with the Department of Human Services or the Executive Office on Early Learning, and that the expending agency for the appropriation of funds to build those classrooms shall be the Department of Accounting and General Services;



- (15) Removing the public charter school prekindergarten program from the administrative authority of the Executive Office on Early Learning;
- (16) Changing the effective date to July 1, 2021, for the provisions that require the departments or agencies to implement programs or requirements; and
- (17) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

It is the intent of your Committees that this measure shall not be construed to transfer the responsibility of capital improvement projects for early learning centers and preschools to the Department of Human Services.

It is the further intent of your Committees to provide the Department of Human Services with flexibility regarding administration of the Preschool Open Doors program, including the authority to adopt rules as authorized by section 346-155, Hawaii Revised Statutes, to ensure, through appropriate penalties, that recipients of moneys from the preschool open doors special fund maintain a child care program for a specified amount of time.

It is also the intent of your Committees to provide the various departments and agencies with flexibility to determine the children who may be considered underserved. It is the understanding of your Committees that qualifications for programs and benefits require different levels of income in relation to federal poverty levels. Your Committees request that the various departments and agencies do not change their income requirements in response to this measure due to the potential that doing so may create coverage gaps that may impact the overall goal of providing all children with access to learning.

Finally, your Committees note that this measure establishes some overlapping duties of the Executive Office on Early Learning and the Early Learning Coordinator. Your Committees acknowledge the likelihood that the two entities may implement different strategies and take different approaches to their duties. Your Committees believe that this diversity in approaches will ultimately be beneficial to achieving the overall goal of this measure.



As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Finance that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2543, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2543, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Lower & Higher
Education and Finance,



SYLVIA LUKE, Chair



JUSTIN H. WOODSON, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 961-20

Record of Votes of the Committee on Lower & Higher Education

Bill/Resolution No.: HB 2543	Committee Referral: LHE/ FIN	Date: 2/25/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LHE Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. HASHEM, Mark J. (VC)	✓			
3. QUINLAN, Sean (VC)	✓			
4. DeCOITE, Lynn	✓			
5. JOHANSON, Aaron Ling	✓			
6. KOBAYASHI, Dale T.	✓			
7. MORIKAWA, Dee	✓			
8. OHNO, Takashi				✓
9. TARNAS, David A.				✓
10. TOKIOKA, James Kunane	✓			
11. OKIMOTO, Val		✓		
TOTAL (11)	8	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: Mark J. Hashem				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

