
A BILL FOR AN ACT

RELATING TO ACCESS TO LEARNING.

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

- 1 SECTION 1. The purpose of this Act is to:
- 2 (1) Establish the Hawaii early childhood educator stipend
- 3 program; and
- 4 (2) Clarify and make adjustments to Act 46, Session Laws
- 5 of Hawaii 2020, to reflect the current situation
- 6 brought upon by the coronavirus 2019 pandemic.
- 7 SECTION 2. Chapter 302L, Hawaii Revised Statutes, is
- 8 amended by adding a new section to be appropriately designated
- 9 and to read as follows:
- 10 **"§302L- Hawaii early childhood educator stipend**
- 11 **program.** (a) There is established the Hawaii early childhood
- 12 educator stipend program to be administered by the office to
- 13 address the shortage of early childhood educators who have
- 14 coursework in early childhood education.
- 15 (b) An individual shall be eligible for stipend
- 16 consideration if the individual:



1 (1) Is enrolled at a University of Hawaii campus or in a
2 University of Hawaii program and qualifies for Hawaii
3 resident tuition; and

4 (2) Is enrolled in a certificate, degree, or license
5 program in early childhood education, including those
6 in the Hawaiian language medium, which includes
7 courses required for the respective program of study,
8 within the University of Hawaii system.

9 (c) Immediately following completion of a certificate,
10 degree, or license program pursuant to subsection (b), stipend
11 recipients shall provide early care and education services
12 directly to children from birth through five years of age for at
13 least two consecutive years in one of the early learning
14 settings described in section 302L-2, including Hawaiian
15 language medium and Hawaiian immersion settings and early
16 learning settings at charter schools.

17 (d) If the recipient fails to complete a certificate,
18 degree, or license program pursuant to subsection (b), or to
19 satisfy the work requirements of subsection (c), stipend funds
20 shall be repaid as follows:



1 (1) For each year less than the designated number of years
2 that a stipend recipient does not meet the work
3 requirements of subsection (c), the recipient shall
4 repay a proportionate percentage of the total stipend
5 funds received; and

6 (2) The repayment shall be subject to the terms and
7 conditions set by the office for stipend repayment,
8 including circumstances under which recipients may be
9 eligible for deferment or forgiveness due to hardship
10 or inability to secure employment, as well as
11 potential for fees for the collection of delinquent
12 repayment.

13 Stipend funds repaid by a stipend recipient pursuant to this
14 subsection shall be deposited into the early learning special
15 fund established pursuant to section 302L-5.

16 (e) In accordance with chapter 103D, the office may enter
17 into written contracts with collection agencies to collect
18 delinquent repayment of stipends owed to the office pursuant to
19 subsection (d). A collection agency that enters into a written
20 contract with the office to collect delinquent stipend
21 repayments pursuant to this section may collect a fee from the



1 debtor in accordance with the terms of, and up to the amounts
2 authorized in, the written contract.

3 (f) The office may adopt rules pursuant to chapter 91 to
4 implement and administer the stipend program, including the
5 terms of repayment pursuant to subsection (d)."

6 SECTION 3. Section 302D-39, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~§~~302D-39~~]~~ **Public early learning and preschool**
9 **programs; administrative authority.** (a) The commission shall
10 have administrative authority over all state-funded early
11 learning programs and private partnership-funded preschool
12 programs in public charter schools except for special education
13 and Title I-funded prekindergarten programs.

14 (b) The early learning programs in charter schools
15 shall enroll no more than a maximum of twenty children per
16 classroom who are three- or four-years-old on or before
17 July 31 of the school year, as aligned with the department's
18 kindergarten age entry requirements.

19 (c) Subject to the availability of funding, the commission
20 shall implement an application process for schools to establish
21 an early learning program.



- 1 (d) Each early learning program and preschool program
2 shall meet the following requirements:
- 3 (1) The availability of a classroom and outdoor play area
4 that meet department of human services requirements
5 for the health and safety of three- and four-year-old
6 children and is exempt from section 346-161 as a
7 public preschool provider;
- 8 (2) The commitment of the principal to implementing an
9 early learning program, including through active
10 participation in professional development sessions
11 offered through the commission, and promoting
12 continuity and alignment between and across other
13 early learning programs in the community and other
14 grade levels in the school to ensure the positive
15 outcomes of children are sustained;
- 16 (3) The inclusion of students with disabilities based on
17 individualized education program placement; provided
18 that:
- 19 (A) The in-classroom ratio of students with
20 disabilities shall be based on the inclusion of



1 children with disabilities in proportion to the
2 general population of the school;

3 (B) Subparagraph (A) does not anticipate or permit
4 imposing caps or quotas on the number of children
5 with disabilities in a program or not
6 individualizing services for children with
7 disabilities under the Individuals with
8 Disabilities Education Act of 2004 (20
9 U.S.C. 1400 et seq., as amended);

10 (C) The department shall collaborate with the charter
11 school to coordinate services for students with
12 disabilities who are placed in the classroom
13 offered through the program; and

14 (D) Funding for all costs associated with the
15 implementation of the individualized education
16 program of students shall be provided through the
17 department;

18 (4) Enrollment in the program shall be free and voluntary;

19 (5) The enrollment shall not exceed twenty children per
20 classroom; and



- 1 (6) The incorporation of standards that are research-based
2 and developmentally-appropriate practices associated
3 with improved educational outcomes for children, such
4 as:
- 5 (A) Positive teacher-child interactions that shall be
6 evaluated through observations conducted by the
7 commission using a research-based tool at least
8 twice a year, for the purposes of professional
9 development; provided that the observations shall
10 not be used for the purposes of teacher
11 evaluation;
- 12 (B) The early learning environment shall be assessed
13 using a tool that measures its effectiveness and
14 shall be conducted at least two times per school
15 year by a certified observer who is employed or
16 contracted by the commission; provided that the
17 teaching staff shall use the assessment data and
18 feedback to improve the quality of the learning
19 environment; provided further that observations
20 shall be used for the purposes of professional



- 1 development and shall not be used for the
2 purposes of teacher evaluation;
- 3 (C) Use of individual child formative assessments
4 that are used for ongoing planning relating to
5 all areas of child development and learning
6 including cognitive, linguistic, social emotional
7 approaches to learning, and health and physical
8 development;
- 9 (D) Family engagement in partnership with charter
10 schools, including conducting outreach for
11 enrollment and engagement of families in their
12 children's education in recognition of families'
13 role as their child's first and most important
14 teacher;
- 15 (E) Alignment with the Hawaii early learning and
16 development standards, department standards,
17 state content and performance standards, and
18 general learner outcomes for grades kindergarten
19 to twelve to facilitate a seamless educational
20 experience for children;



1 (F) Requirements that any teacher shall have
2 coursework in early childhood education pursuant
3 to Hawaii teacher standards board licensing
4 requirements for a prekindergarten teacher or be
5 enrolled in a state-approved teacher education
6 program and be working toward satisfying the
7 Hawaii teacher standards board licensing
8 requirements; and

9 (G) Requirements that any educational assistant has a
10 current child development associate credential,
11 coursework for a certificate that meets the
12 requirements for child development associate
13 credential preparation, or be enrolled in and
14 working toward completing a program that prepares
15 the individual to obtain the credential.

16 (e) The commission shall monitor the implementation of the
17 educational experience for children.

18 (f) The commission shall provide support to incorporate
19 the standards developed pursuant to subsection (d), including
20 support related to teacher-child interactions, early childhood



1 learning environment, individual child assessments, and family
2 engagement.

3 (g) Teaching staff participating in a program established
4 pursuant to this section shall participate in coaching and
5 mentoring and professional development opportunities offered
6 through the commission; provided that the commission shall cover
7 the associated travel and substitute teacher costs, contingent
8 upon funding availability. The commission may extend this
9 support, excluding travel and substitute teacher costs, to
10 individuals who are not participating in the program to promote
11 alignment between all grade levels, programs, and settings.

12 (h) School leaders shall attend professional development
13 sessions related to P-3 (preschool to grade three) alignment
14 offered through the commission. The commission shall cover the
15 costs associated with travel and substitute teacher
16 expenditures, contingent upon the availability of funding. The
17 commission may extend this support, excluding travel and
18 substitute teacher costs, to individuals who are not
19 participating in the program to promote alignment between all
20 grade levels, programs, and settings.



1 (i) The commission shall work with each charter school to
2 develop and annually update a written three-year plan that
3 promotes, within the school and community, alignment of and
4 transitions between learning experiences, and report on the
5 progress made toward the plan by the end of the school year.

6 (j) The commission shall coordinate with other agencies
7 and programs to facilitate comprehensive services for early
8 learning.

9 (k) The commission shall promote the development of a
10 cohesive, comprehensive, and sustainable early learning system.
11 The commission shall coordinate with other early learning
12 providers, including those providing the programs and services,
13 to promote alignment between prekindergarten and elementary
14 school programs and to support children and their families in
15 making successful transitions from prekindergarten into
16 kindergarten.

17 (l) Each early learning program and preschool program may
18 use available classrooms for public preschool programs
19 statewide.

20 [~~l~~] (m) The commission shall adopt rules pursuant to
21 chapter 91 for the purpose of this section.



1 ~~(m)~~ (n) The commission shall submit a report to the
2 legislature no later than twenty days prior to the convening of
3 each regular session regarding state-funded early learning
4 programs in charter schools. The report shall include, as
5 related to each type of program:

- 6 (1) The number and location of classrooms;
- 7 (2) Sources of funding for each classroom;
- 8 (3) Aggregated data reflecting the quality of teacher-
9 child interactions relating to emotional support,
10 classroom organization, and instructional support;
- 11 (4) Aggregated data reflecting the quality of the early
12 learning environment and the teacher-child
13 interactions that maximize the learning opportunities
14 of the environment; and
- 15 (5) Aggregated student outcomes related to all areas of
16 child development and learning, including cognitive,
17 linguistic, social and emotional approaches to
18 learning and health and physical development, as
19 assessed using a formative assessment tool selected or
20 approved by the commission.



1 This reported data shall be compiled from the previously
2 state-funded school year."

3 SECTION 4. Section 302L-5, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established within the state treasury the
6 early learning special fund, to be administered by the executive
7 office on early learning, into which shall be deposited all
8 moneys received by the office in the form of:

9 (1) Repayments made from the Hawaii early childhood
10 educator stipend program pursuant to
11 section 302L- (d);

12 [~~(1)~~] (2) Fees;

13 [~~(2)~~] (3) Grants;

14 [~~(3)~~] (4) Donations;

15 [~~(4)~~] (5) Appropriations made by the legislature to the
16 fund; and

17 [~~(5)~~] (6) Revenues regardless of their source,

18 and earnings on moneys in the fund. Moneys in the fund shall be
19 used for the early learning system. Expenditures from the fund
20 may be made by the office without appropriation or allotment."



1 SECTION 5. Section 302L-7, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) There is established within the early learning system
5 an early childhood education program to be known as the
6 executive office on early learning public prekindergarten
7 program and to be administered by the office pursuant to rules
8 adopted by the office. The program shall:

9 (1) Be provided through the executive office on early
10 learning, which shall partner with the department of
11 education through either a memorandum of agreement or
12 memorandum of understanding pursuant to the
13 requirements of this section;

14 (2) Prepare children for school and active participation
15 in society through the use of either of the State's
16 two official languages; and

17 (3) Provide access to high-quality early learning that
18 addresses children's physical, cognitive, linguistic,
19 social, and emotional development."

20 2. By amending subsections (o) and (p) to read:



1 "(o) The office shall collect data with assistance from
2 the department of [~~education,~~] education and state public
3 charter school commission, based on a schedule to be determined
4 by the office, to:

- 5 (1) Evaluate the services provided;
6 (2) Inform policy; and
7 (3) Make any improvements to the program.

8 (p) The department of education and any state public
9 charter school commission that exists pursuant to chapter 302D
10 may use available classrooms for public preschool programs
11 statewide. The office shall give priority to public charter
12 schools that serve high populations of underserved or at-risk
13 children. Preschool classrooms established pursuant to this
14 section shall be in addition to any classrooms used for the
15 pre-plus program established pursuant to section 302L-1.7."

16 SECTION 6. Section 346-181, Hawaii Revised Statutes, is
17 amended by amending subsections (b) and (c) to read as follows:

18 "(b) Subject to the availability of funds, the program
19 shall serve [~~three--and~~] four-year-old children [~~who are in the~~
20 ~~two years prior to kindergarten entry pursuant to section~~



1 ~~302A-411~~], with priority extended [~~in the following order to~~
2 any:] to:

3 (1) Children who are not eligible to attend public school
4 kindergarten in the calendar year in which they turn
5 five years of age because their birth date occurs
6 after the kindergarten eligibility date pursuant to
7 section 302A-411; and

8 (2) Underserved or at-risk [~~four-year-old child who was~~
9 ~~previously served as a three-year-old child,~~]
10 children, as defined by rules adopted by the
11 department[~~;~~

12 ~~(2) Four-year-old child who was previously served as a~~
13 ~~three-year-old child;~~

14 ~~(3) Four-year-old child;~~

15 ~~(4) Underserved or at-risk three-year-old child, as~~
16 ~~defined by rules adopted by the department; and~~

17 ~~(5) Three-year-old child].~~

18 (c) Enrollment in the program shall be voluntary. A
19 parent or guardian of a child enrolled in the program [~~may~~]
20 shall share in the costs of the program through a copayment



1 according to a sliding fee scale that is based on need pursuant
2 to rules adopted by the department."

3 SECTION 7. Section 346-184, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Each service provider of the preschool open doors
6 program shall be accredited or shall obtain accreditation within
7 seven calendar years of first receiving any funds from the
8 preschool open doors program; provided that any existing service
9 provider unaccredited on July 1, [~~2020~~] 2022, shall commence
10 the accreditation process no later than July 1, [~~2022~~] 2024,
11 and obtain accreditation by July 1, [~~2027~~] 2029; provided
12 further that the director may grant to any service provider one
13 or more extensions to obtain accreditation on a case-by-case
14 basis."

15 SECTION 8. Act 46, Session Laws of Hawaii 2020, is amended
16 as follows:

17 1. By amending sections 2 and 3 to read:

18 "SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
19 amended by adding two new sections to subpart C of part IV to be
20 appropriately designated and to read as follows:



- 1 "**§302A-A Standardized assessment for students entering**
2 **kindergarten.** (a) The board of education shall adopt a
3 ~~[student assessment model pursuant to section 302A-1101(a) to~~
4 ~~assess all students entering kindergarten.~~
- 5 ~~(b) Within the first thirty days of each school year, the~~
6 ~~department shall assess all kindergarten students with the~~
7 ~~student assessment model; provided that any assessment~~
8 ~~administered pursuant to this subsection shall be conducted in~~
9 ~~either English or Hawaiian.] kindergarten entry assessment, and~~
10 the department of education shall administer the kindergarten
11 entry assessment.
- 12 (b) The kindergarten entry assessment shall:
- 13 (1) Be administered within the first thirty days of each
14 child's admission into kindergarten;
- 15 (2) Be a uniform, statewide assessment; provided that the
16 assessment shall be conducted in English or Hawaiian;
- 17 (3) Cover all essential domains of school readiness,
18 including:
- 19 (A) Language and literacy development;
20 (B) Cognition and general knowledge;
21 (C) Approaches to learning;



- 1 (D) Physical well-being and motor development; and
2 (E) Social and emotional development;
3 (4) Be used in conformance with the recommendations of the
4 National Research Council reports on early childhood;
5 and
6 (5) Be valid and reliable for its intended purpose.
7 (c) Information obtained from the kindergarten entry
8 assessments shall be used to:
9 (1) Close the school readiness gap at kindergarten entry;
10 (2) Inform instruction in the early elementary school
11 grades; and
12 (3) Inform parents of their children's status and to
13 involve parents in decisions regarding their
14 children's education.

15 ~~(e)~~ (d) The department shall share the information
16 gathered pursuant to this section with the department of human
17 services, executive office on early learning, and public charter
18 school commission to the extent not otherwise prohibited by
19 administrative rule or law.

20 **§302A-B Prior early learning programs attendance**

21 **disclosure.** (a) At least one parent or guardian of each child



1 entering kindergarten shall disclose to the department the name
2 of, address of, and duration of attendance at the early learning
3 program that the child attended during the previous academic
4 year. The department may also require the disclosure of any
5 other information not otherwise prohibited by law that would
6 assist the department, the department of human services, and the
7 executive office on early learning in developing, assessing, and
8 implementing strategies to meet the early learning needs of
9 children in the State. The department and the executive office
10 on early learning shall use the information to assist the
11 executive office on early learning and department of human
12 services in determining the levels of prekindergarten attendance
13 and need for child care in geographic regions of the State and
14 identify the highest priority regions requiring prekindergarten
15 programs and child care to meet the needs of unserved or
16 underserved eligible children.

17 (b) The department may include a request for the
18 information required by subsection (a) on a kindergarten
19 enrollment form or any other appropriate form.

20 (c) The department shall share the information gathered
21 pursuant to this section with the department of human services,



1 executive office on early learning, and public charter school
2 commission to the extent not otherwise prohibited by
3 administrative rule or law."

4 SECTION 3. Chapter 302D, Hawaii Revised Statutes, is
5 amended by adding three new sections to be appropriately
6 designated and to read as follows:

7 "**§302D-A Standardized assessment for students entering**
8 **kindergarten.** (a) The commission shall adopt the [~~student~~
9 ~~assessment model~~] kindergarten entry assessment adopted by the
10 board pursuant to section 302A-A(a) to assess all charter school
11 students entering kindergarten[~~]~~ within the first thirty days
12 of admission into kindergarten.

13 (b) [~~Within the first thirty days of each school year, the~~
14 ~~commission shall ensure that all charter school kindergarten~~
15 ~~students are assessed by public charter schools with the student~~
16 ~~assessment model; provided that any assessment administered~~
17 ~~pursuant to this subsection shall be conducted in either English~~
18 ~~or Hawaiian.] The commission may waive the requirements of the
19 uniform kindergarten entry assessment on a case-by-case basis.~~

20 (c) The commission shall share the information gathered
21 from public charter schools pursuant to this section with the



1 department, department of human services, and executive office
2 on early learning to the extent not otherwise prohibited by
3 administrative rule or law.

4 **§302D-B Prior early learning programs attendance**
5 **disclosure.** (a) At least one parent or guardian of each child
6 entering kindergarten shall disclose to the public charter
7 school at which the child is enrolled the name and address of
8 the early learning program that the child attended during the
9 previous academic year. Each public charter school shall
10 provide to the commission the information disclosed pursuant to
11 this section. The commission may also require the disclosure of
12 any other information not otherwise prohibited by law that would
13 assist the department, the department of human services, and the
14 executive office on early learning in developing, assessing, and
15 implementing strategies to meet the early learning needs of
16 children in the State. The commission and the executive office
17 on early learning shall use the information to assist the
18 department of human services and executive office on early
19 learning in determining the levels of prekindergarten attendance
20 and need for child care in geographic regions of the State and
21 identify the highest priority regions requiring prekindergarten



1 programs and child care to meet the needs of unserved or
2 underserved eligible children and shall provide the information
3 to the department of human services.

4 (b) The commission may include a request for the
5 information required by subsection (a) on a kindergarten
6 enrollment form or any other appropriate form used at all public
7 charter schools.

8 (c) The commission shall share the information gathered
9 pursuant to this section with the department, department of
10 human services, and executive office on early learning to the
11 extent not otherwise prohibited by administrative rule or law.

12 **§302D-C Public early learning and preschool programs;**
13 **administrative authority.** (a) The commission shall have
14 administrative authority over all state-funded early learning
15 programs and private partnership-funded preschool programs in
16 public charter schools except for special education and
17 Title I-funded prekindergarten programs.

18 (b) The early learning programs in charter schools
19 shall enroll no more than a maximum of twenty children per
20 classroom who are three- or four-years-old on or before



1 July 31 of the school year, as aligned with the department's
2 kindergarten age entry requirements.

3 (c) Subject to the availability of funding, the commission
4 shall implement an application process for schools to establish
5 an early learning program.

6 (d) Each early learning program and preschool program
7 shall meet the following requirements:

8 (1) The availability of a classroom and outdoor play area
9 that meet department of human services requirements
10 for the health and safety of three- and four-year-old
11 children and is exempt from section 346-161 as a
12 public preschool provider;

13 (2) The commitment of the principal to implementing an
14 early learning program, including through active
15 participation in professional development sessions
16 offered through the commission, and promoting
17 continuity and alignment between and across other
18 early learning programs in the community and other
19 grade levels in the school to ensure the positive
20 outcomes of children are sustained;



1 (3) The inclusion of students with disabilities based on
2 individualized education program placement; provided
3 that:

4 (A) The in-classroom ratio of students with
5 disabilities shall be based on the inclusion of
6 children with disabilities in proportion to the
7 general population of the school;

8 (B) Subparagraph (A) does not anticipate or permit
9 imposing caps or quotas on the number of children
10 with disabilities in a program or not
11 individualizing services for children with
12 disabilities under the Individuals with
13 Disabilities Education Act of 2004 (20
14 U.S.C. 1400 et seq., as amended);

15 (C) The department shall collaborate with the charter
16 school to coordinate services for students with
17 disabilities who are placed in the classroom
18 offered through the program; and

19 (D) Funding for all costs associated with the
20 implementation of the individualized education



- 1 program of students shall be provided through the
2 department;
- 3 (4) Enrollment in the program shall be free and voluntary;
- 4 (5) The enrollment shall not exceed twenty children per
5 classroom; and
- 6 (6) The incorporation of standards that are research-based
7 and developmentally-appropriate practices associated
8 with improved educational outcomes for children, such
9 as:
- 10 (A) Positive teacher-child interactions that shall be
11 evaluated through observations conducted by the
12 commission using a research-based tool at least
13 twice a year, for the purposes of professional
14 development; provided that the observations shall
15 not be used for the purposes of teacher
16 evaluation;
- 17 (B) The early learning environment shall be assessed
18 using a tool that measures its effectiveness and
19 shall be conducted at least two times per school
20 year by a certified observer who is employed or
21 contracted by the commission; provided that the



1 teaching staff shall use the assessment data and
2 feedback to improve the quality of the learning
3 environment; provided further that observations
4 shall be used for the purposes of professional
5 development and shall not be used for the
6 purposes of teacher evaluation;

7 (C) Use of individual child formative assessments
8 that are used for ongoing planning relating to
9 all areas of child development and learning
10 including cognitive, linguistic, social emotional
11 approaches to learning, and health and physical
12 development;

13 (D) Family engagement in partnership with charter
14 schools, including conducting outreach for
15 enrollment and engagement of families in their
16 children's education in recognition of families'
17 role as their child's first and most important
18 teacher;

19 (E) Alignment with the Hawaii early learning and
20 development standards, department standards,
21 state content and performance standards, and



1 general learner outcomes for grades kindergarten
2 to twelve to facilitate a seamless educational
3 experience for children;

4 (F) Requirements that any teacher shall have
5 coursework in early childhood education pursuant
6 to Hawaii teacher standards board licensing
7 requirements for a prekindergarten teacher or be
8 enrolled in a state-approved teacher education
9 program and be working toward satisfying the
10 Hawaii teacher standards board licensing
11 requirements; and

12 (G) Requirements that any educational assistant has a
13 current child development associate credential,
14 coursework for a certificate that meets the
15 requirements for child development associate
16 credential preparation, or be enrolled in and
17 working toward completing a program that prepares
18 the individual to obtain the credential.

19 (e) The commission shall monitor the implementation of the
20 educational experience for children.



1 (f) The commission shall provide support to incorporate
2 the standards developed pursuant to subsection (d), including
3 support related to teacher-child interactions, early childhood
4 learning environment, individual child assessments, and family
5 engagement.

6 (g) Teaching staff participating in a program established
7 pursuant to this section shall participate in coaching and
8 mentoring and professional development opportunities offered
9 through the commission; provided that the commission shall cover
10 the associated travel and substitute teacher costs, contingent
11 upon funding availability. The commission may extend this
12 support, excluding travel and substitute teacher costs, to
13 individuals who are not participating in the program to promote
14 alignment between all grade levels, programs, and settings.

15 (h) School leaders shall attend professional development
16 sessions related to P-3 (preschool to grade three) alignment
17 offered through the commission. The commission shall cover the
18 costs associated with travel and substitute teacher
19 expenditures, contingent upon the availability of funding. The
20 commission may extend this support, excluding travel and
21 substitute teacher costs, to individuals who are not



1 participating in the program to promote alignment between all
2 grade levels, programs, and settings.

3 (i) The commission shall work with each charter school to
4 develop and annually update a written three-year plan that
5 promotes, within the school and community, alignment of and
6 transitions between learning experiences, and report on the
7 progress made toward the plan by the end of the school year.

8 (j) The commission shall coordinate with other agencies
9 and programs to facilitate comprehensive services for early
10 learning.

11 (k) The commission shall promote the development of a
12 cohesive, comprehensive, and sustainable early learning system.
13 The commission shall coordinate with other early learning
14 providers, including those providing the programs and services,
15 to promote alignment between prekindergarten and elementary
16 school programs and to support children and their families in
17 making successful transitions from prekindergarten into
18 kindergarten.

19 (l) The commission shall adopt rules pursuant to
20 chapter 91 for the purpose of this section.



1 (m) The commission shall submit a report to the
2 legislature no later than twenty days prior to the convening of
3 each regular session regarding state-funded early learning
4 programs in charter schools. The report shall include, as
5 related to each type of program:

- 6 (1) The number and location of classrooms;
- 7 (2) Sources of funding for each classroom;
- 8 (3) Aggregated data reflecting the quality of
9 teacher-child interactions relating to emotional
10 support, classroom organization, and instructional
11 support;
- 12 (4) Aggregated data reflecting the quality of the early
13 learning environment and the teacher-child
14 interactions that maximize the learning opportunities
15 of the environment; and
- 16 (5) Aggregated student outcomes related to all areas of
17 child development and learning, including cognitive,
18 linguistic, social and emotional approaches to
19 learning and health and physical development, as
20 assessed using a formative assessment tool selected or
21 approved by the commission.



1 This reported data shall be compiled from the previously
2 state-funded school year.""

3 2. By amending section 8 to read:

4 "SECTION 8. Chapter 346, Hawaii Revised Statutes, is
5 amended by adding a new section to part VIII to be appropriately
6 designated and to read as follows:

7 "**§346- Prior early learning program information.** (a)

8 The department shall establish or augment an existing database
9 to collect and analyze information it receives from the
10 department of education pursuant to sections 302A-A and 302A-B
11 and the state public charter school commission pursuant to
12 sections 302D-A and 302D-B and any other information the
13 department may collect on all children in the State who are
14 three to four years old and children who will not be at least
15 five years of age on or before July 31 of the current school
16 year.

17 (b) To the extent not prohibited by administrative rule or
18 law, the department, department of education, public charter
19 school commission, and executive office on early learning shall
20 share any information gathered pursuant to sections 302A-A,
21 302A-B, 302D-A, and 302D-B with each other, along with any other



1 information the department, department of education, or public
2 charter school commission may collect on all children in the
3 State who are three to four years old and children who will not
4 be at least five years of age on or before July 31 of the
5 current school year.

6 (c) The Hawaii p-20 partnerships for education may
7 include, in the state longitudinal system, prior early learning
8 program information from the executive office on early learning,
9 department of education, Hawaii state public charter school
10 commission, executive office on early learning, department of
11 human services, and department of health.

12 [~~e~~] (d) Any procurement executed pursuant to this
13 section shall be exempt from chapters 103D and 103F."

14 3. By amending sections 11 and 12 to read:

15 "SECTION 11. There is appropriated out of federal funds
16 deposited in the state treasury the sum of \$5,000,000 or so much
17 thereof as may be necessary for fiscal year 2020-2021 for the
18 department of human services to expand its information
19 technology system for the purpose of managing the information
20 collected pursuant to this Act~~-~~; provided that the funds
21 appropriated by this section shall not lapse at end of the



1 fiscal year for which they are appropriated; provided further
2 that all moneys from the appropriation that are unencumbered as
3 of June 30, 2023, shall lapse as of that date.

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

6 SECTION 12. Chapter 26, Hawaii Revised Statutes, is
7 amended by adding a new part to be appropriately designated and
8 to read as follows:

9 **"PART . EARLY LEARNING**

10 **§26- Benchmarks; duties.** (a) The department of human
11 services and the executive office on early learning shall ensure
12 access to learning through preschool programs that meet or
13 exceed the following benchmarks:

14 (1) Fifty per cent of all otherwise unserved children who
15 are three to four years of age, or will not be at
16 least five years of age on or before July 31 of the
17 current school year, shall have access to enrollment
18 in a preschool program by December 31, 2027; and

19 (2) One hundred per cent of all children who are three to
20 four years of age, or will not be at least five years
21 of age on or before July 31 of the current school



1 year, shall have access to enrollment in a preschool
2 program by December 31, 2032.

3 The department of human services and the executive office on
4 early learning shall submit an annual report to the legislature,
5 no later than August 31 of each year, on the progress toward
6 achieving the benchmarks until all children who are three to
7 four years of age, or will not be at least five years of age on
8 or before July 31 of the current school year, are enrolled in a
9 preschool program.

10 (b) The department of human services and the executive
11 office on early learning shall [~~collaborate to identify the need~~
12 ~~for child care and early learning in geographic regions of the~~
13 ~~State and consider using public facilities including schools,~~
14 ~~libraries, and the university of Hawaii system as locations for~~
15 ~~child care and early learning programs.] collect annual data,
16 including but not limited to:~~

17 (1) The total number of available seats by age, program
18 type, and zip code;

19 (2) The total number of vacancies by age, program type,
20 and zip code; and



1 (3) The available waitlist information by age, program
2 type, and zip code;
3 provided that the department of human services and executive
4 office on early learning may work with outside providers and
5 entities to aggregate the collected data.

6 (c) The department of human services [~~may create programs~~
7 ~~and private sector delivery systems that can pose the essential~~
8 ~~information and policy questions, monitor the progress of the~~
9 ~~implementation of this part, and generate timely detailed~~
10 ~~reports to the extent allowable by law.] shall work jointly with
11 the executive office on early learning to monitor the progress
12 of implementing the early care and education sector programs.
13 No later than twenty days prior to the convening of the regular
14 sessions of 2023, 2024, 2025, 2026, and 2027, the department of
15 human services and the executive office on early learning shall
16 submit to the legislature a joint report on the progress of
17 implementing the early care and education sector programs.~~

18 (d) The department of human services shall facilitate and
19 support data sharing among public and private entities to the
20 extent not otherwise prohibited by law or rule.""

21 4. By amending sections 15 and 16 to read:



1 "SECTION 15. There is appropriated out of the Hawaiian
2 early learning trust fund the sum of \$5,000,000 or so much
3 thereof as may be necessary for fiscal year 2020-2021 for the
4 purpose of assisting Ka Haka Ula O Keelikolani, in partnership
5 with the Imiloa astronomy center and other public or private
6 partners as appropriate or required by law, to build two or more
7 classrooms for Hawaiian language medium pre-kindergarten
8 programs that shall be used to establish a pathway for the
9 development of other Hawaiian language medium pre-kindergarten
10 and Hawaiian language immersion classes[-]; provided that all
11 programs funded by this section shall be licensed by the
12 department of human services.

13 The sum appropriated shall be expended by the [~~university~~]
14 University of Hawaii at Hilo for the purposes of this Act.

15 SECTION 16. The standards, assessments, performance
16 ratings, staff qualifications, and staff training requirements
17 established by this Act shall not apply to any laboratory school
18 program of the Hawaiian language college at the [~~university~~]
19 University of Hawaii at Hilo until July 1, 2026[-]; provided
20 that all child care centers shall be licensed by the department
21 of human services."



1 5. By amending section 21 to read:
2 "SECTION 21. This Act shall take effect upon approval;
3 provided that:
4 (1) Sections 10, 11, 15, and 18 shall take effect on
5 July 1, 2020;
6 (2) Section 2~~[+]~~ and sections 302D-A and 302D-B, Hawaii
7 Revised Statutes, as set forth in section 3~~[+~~
8 ~~section 8; and section 13]~~ shall take effect on
9 July 1, 2022; ~~[and]~~ provided further that
10 sections 302A-A(d) and 302A-B(c), Hawaii Revised
11 Statutes, as set forth in section 2; and 302D-A(c)
12 and 302D-B(c), Hawaii Revised Statutes, as set forth
13 in section 3 shall take effect on July 1, 2023;
14 (3) Sections 8 and 13 shall take effect on July 1, 2023;
15 and
16 ~~[-3-]~~ (4) Section 12 shall take effect on July 1, 2024."
17 SECTION 9. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.
19 SECTION 10. This Act shall take effect on July 1, 2050;
20 provided that:



- 1 (1) Section 5 shall be repealed on July 1, 2022, and
2 section 302L-7, Hawaii Revised Statutes, shall be
3 reenacted in the form in which it read on the day
4 prior to the effective date of this Act;
- 5 (2) Section 6 shall be repealed on July 1, 2024, and
6 section 346-181, Hawaii Revised Statutes, shall be
7 reenacted in the form in which it read on the day
8 prior to the effective date of this Act; and
- 9 (3) Section 9 shall take effect on July 1, 2021.



H.B. NO. 1362 H.D. 1

Report Title:

Department of Human Services; Department of Education; Preschool Open Doors Program; Executive Office on Early Learning; Appropriation

Description:

Establishes the Hawaii early childhood educator stipend program to address shortage of early childhood education educators. Extends certain effective dates for implementation of Act 46, SLH 2020. Requires the application of a uniform assessment for public and charter school kindergarten students. Allows educational data to be shared using an existing system. Appropriates funds. Effective 7/1/2050. (HD1)

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

