

ACT 108

H.B. NO. 821

A Bill for an Act Relating to Early Childhood Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to:

- (1) Amend or repeal various early childhood education provisions of chapter 302A, Hawaii Revised Statutes, that fall under the purview of the executive office on early learning, and not the department of education, or are covered by another section of the Hawaii Revised Statutes; and
- (2) Amend various provisions of chapter 302L, Hawaii Revised Statutes, relating to the executive office on early learning, for housekeeping purposes.

SECTION 2. Chapter 302L, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§302L- Federal funds. The office may use and expend federal funds for the purpose of early childhood education.”

SECTION 3. Section 302L-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

“Early childhood education” means a developmentally appropriate early childhood development and education program for children from birth until the time they enter kindergarten.”

SECTION 4. Section 302A-101, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read: “Early childhood education” means a developmentally appropriate early childhood development and education program for children from birth until the time they enter kindergarten.”

2. By repealing the definition of “early education”:
[~~“Early education” means a developmentally appropriate early childhood development and education program for children from birth to eight years of age.”~~]

SECTION 5. Section 302A-1128, Hawaii Revised Statutes, is amended to read as follows:

“§302A-1128 Department powers and duties. The department shall have entire charge and control and be responsible for the conduct of all affairs pertaining to public instruction in the public schools the department establishes and operates, including operating and maintaining the capital improvement and repair and maintenance programs for department and school facilities. The department may establish and maintain schools for secular instruction at such places and for such terms as in its discretion it may deem advisable and the funds at its disposal may permit. The schools may include high schools, kindergarten schools, schools or classes for early childhood education, boarding schools, Hawaiian language medium education schools, and evening and day schools. The department may also maintain classes for technical and other instruction in any school where there may not be pupils sufficient in number to justify the establishment of separate schools for these purposes.”

SECTION 6. Section 302A-1401, Hawaii Revised Statutes, is amended to read as follows:

“§302A-1401 Administration and use of federal funds~~], including early education]. [(a)]~~ The board, designated as the administrators of such funds as may be allotted to the State under federal legislation for public educational purposes, subject to such limitations as may be imposed by congressional action, shall use and expend the funds:

- (1) To improve the program of the public schools of the State, including any grades up to the fourteenth grade or such lower grade as shall be prescribed as a maximum for such purposes by the Act of Congress concerned, by expanding the educational offerings, particularly in the rural districts;
- (2) For the payment of salaries to teachers;
- (3) To employ additional teachers to relieve overcrowded classes;
- (4) To adjust the salaries of teachers to meet the increased cost of living, within such limits as may be fixed by, and pursuant to, state law;
- (5) To provide for the purchase of supplies, apparatus, and materials for the public schools; and
- (6) For any of such purposes and to such extent as shall be permitted by the Acts of Congress concerned.

~~[(b) The board shall organize and conduct a program of public early education to the extent that funds provided therefor by the United States government are, or from time to time may become, available. In establishing and carrying on the early education, any such federal funds shall be expended during any school year as nearly as practicable in each of the school supervisory districts of the State in the proportion that the number of inhabitants of each district of less than six years of age bears to the total number of the inhabitants of the entire State within the age limits, as shown by the latest report of the department of health preceding the opening of the school year.]”~~

SECTION 7. Section 302L-1.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The head of the executive office on early learning shall be known as the director of the executive office on early learning, hereinafter referred to as director. The director shall:

- (1) Be appointed by the governor;
- (2) Have professional training in the field of social work, education, or other related fields;

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- (3) Have direct experience in programs or services related to early childhood education;
- (4) Have recent experience in a supervisory, consultative, or administrative position;
- (5) Be paid a salary set by the governor that shall not exceed ninety per cent of the salary of the director of human resources development; and
- (6) Be included in any benefit program generally applicable to the officers and employees of the State.”

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 9. This Act shall take effect on July 1, 2015.

(Approved June 12, 2015.)

Note

1. Edited pursuant to HRS §23G-16.5.