
A BILL FOR AN ACT

RELATING TO EARLY CHILDHOOD EDUCATION.

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

1 SECTION 1. The purpose of this Act is to establish a
2 statewide early childhood education program to be administered
3 by the executive office on early learning and implemented upon
4 the ratification of the amendment to article X, section 1, of
5 the Hawaii State Constitution, as proposed in S.B. No. 1084,
6 S.D. 1, H.D. 1, C.D. 1, which was passed by the legislature
7 during the regular session of 2013. The program would provide
8 high-quality early childhood education taught in either of
9 Hawaii's two official languages to help establish a solid
10 foundation for children to enable them to graduate from high
11 school and be prepared for college and a career.

12 It is not the intent of this Act to establish a voucher
13 system.

14 Significant research affirms that the experiences and the
15 environments in which children develop in their earliest years
16 can have a lasting impact on their later success in school and
17 life. When provided with the opportunity for high-quality early
18 childhood education, children are more likely to succeed in



1 kindergarten and beyond and grow into capable adults who
2 contribute positively to the larger community. They are more
3 likely to reach higher levels of educational attainment, earn
4 higher salaries, and even be healthier.

5 High-quality early childhood education programs also
6 generate significant returns on investment for society as a
7 whole, so much so, that some of the country's most respected
8 economists are now touting early childhood education as an
9 economic development strategy. The investments yield a return
10 far exceeding the return on most public projects considered to
11 spur economic development. Several of the most rigorous long-
12 term studies done in this area determined returns between \$4 to
13 \$9 for every dollar invested. The public sees returns in the
14 form of reduced welfare, crime, and special education costs;
15 reduced homelessness and substance abuse; and increased tax
16 revenues from program participants later in life. This was
17 validated for Hawaii in a 2008 study commissioned by the Good
18 Beginnings Alliance, which found more than \$4 in return for
19 every dollar invested in high-quality early childhood education
20 for our State.

21 Of particular concern are the low-income children of
22 Hawaii. Currently, one in six children lives in poverty in



1 Hawaii, making children the poorest members of our society,
2 according to data reported by the University of Hawaii center on
3 the family in 2013. This number, which continues an increasing
4 trend, is alarming because an impoverished childhood leads to a
5 greater risk of teen pregnancy, failure to graduate from high
6 school, poor health, and lack of secure employment in later
7 years.

8 The future is likely to be grim for this population of
9 children, especially if left without the opportunity for early
10 childhood education. Reading proficiency is the leading
11 indicator of long-term academic and life success. High school
12 dropout rates are heavily associated with the inability to read
13 proficiently by the end of grade three, and the shortfall in
14 reading proficiency is especially pronounced among low-income
15 children. As stated by the 2010 national report "Learning to
16 Read" from the Annie E. Casey Foundation, "[If] we don't get
17 dramatically more children on track as proficient readers, the
18 United States will lose a growing and essential proportion of
19 its human capital to poverty, and the price will be paid not
20 only by individual children and families, but by the entire
21 country."



1 Lack of readiness for school directly undermines reading
2 proficiency. If a child does not arrive at kindergarten ready
3 to learn, the child will most likely struggle to keep up and
4 then eventually lose the interest and motivation needed to
5 learn. This achievement gap only widens with each subsequent
6 year of schooling.

7 All children need high-quality, developmentally appropriate
8 early childhood education programs to enable them to arrive at
9 school ready to learn. Sadly, however, too many of our children
10 are starting without being prepared for kindergarten. According
11 to The Finance Project, 2012, only about forty per cent of
12 Hawaii's four-year-olds receive services to prepare them for
13 kindergarten. In addition, not all pre-kindergarten services
14 are of high quality and close to seventy-five per cent of fourth
15 graders are not reading proficiently, according to data reported
16 by the University of Hawaii center on the family in 2013. The
17 numbers are telling.

18 Early childhood education can help close the achievement
19 gap between children of different socioeconomic backgrounds.
20 The Academic Pediatric Association's Task Force on Childhood
21 Poverty in 2013 identified providing high-quality early
22 childhood programs and high-quality affordable child care to



1 poor families as one of the key strategies to reducing poverty.
2 Studies have proven that high-quality early childhood education
3 programs are especially effective for children from low-income
4 families, as it is one of the strongest factors in school
5 readiness for that population, as well as otherwise
6 disadvantaged children because of the potential to alter their
7 lifetime trajectories for success.

8 It is important to note, however, that every child,
9 regardless of the child's family income can benefit from early
10 childhood education. According to the 2010 national report
11 entitled "Learning to Read," three-quarters of children from
12 families with moderate or high incomes are not ready for school
13 at kindergarten entry. More than ninety per cent of
14 kindergarten classrooms in the department of education reported
15 that students did not meet benchmarks in all dimensions of
16 school readiness, which include literacy, math, and school
17 behaviors. Unfortunately, studies show that students who
18 struggle early in school rarely catch up, and consequently have
19 less than a one in three chance of being ready for college or a
20 career at the end of high school.

21 Teachers in Hawaii, including some at the middle-school
22 level, are able to tell which students in their classrooms have



1 gone to preschool. Early childhood education helps teachers
2 because children will enter their classrooms better prepared and
3 teachers will spend less time helping individual students to
4 play catch up, which allows teachers to focus their time and
5 energy on helping all of their students to master the knowledge
6 and content needed to progress on time.

7 Although it has been argued that the benefits of early
8 learning disappear by the third grade, as reported by some
9 studies of the federal Head Start program, reliable studies have
10 found that gains made in life skills do not diminish over time.
11 Graduates of Head Start, a federal program promoting school
12 readiness for children from low-income families, were less
13 likely to repeat grades or be diagnosed with a learning
14 disability, and more likely to graduate from high school and
15 attend college.

16 The executive office on early learning has been planning
17 for a program that will provide access to high-quality early
18 childhood education for all of Hawaii's children. The United
19 States Census Bureau estimates there are seventeen thousand
20 four-year-olds in Hawaii, who come from families of varying
21 incomes. Although low-income families require the most
22 assistance, many moderate-income families, especially those who



1 are just entering the middle class, also struggle to meet the
2 cost of early learning on their own. Hawaii ranks twenty-
3 seventh among the least affordable states for center-based care
4 for a four-year-old. In 2012, the average annual cost of full-
5 time center-based care for a four-year-old in Hawaii was \$8,172,
6 which is more than nine per cent of the state median income for
7 a married couple.

8 Once the constitutional amendment is ratified, the State
9 will establish a program through which:

- 10 (1) Capacity can be built to serve four-year-old children;
- 11 (2) The infrastructure made available by the private
12 sector would reduce the amount of public dollars that
13 will be spent on facilities to accommodate four-year-
14 old children; and
- 15 (3) Higher quality standards can be instituted across all
16 providers participating in the program through the
17 required use of quality standards that are linked to
18 children's educational outcomes, which research
19 emphasizes is necessary to produce significant
20 outcomes for children both in the near- and long-term.

21 To help more of Hawaii's four-year-old children have a
22 quality early childhood education experience, various program



1 options must be available to them based on community resources.
2 Families face unique circumstances, and every community has
3 limitations to access, such as proximity and transportation to a
4 program, which factor into a family's ability to send their
5 children to a program.

6 Therefore, this program will be delivered through several
7 vehicles: center-based programs, group child care homes, and
8 family child care homes, including those run by faith-based
9 providers as far as state and federal laws allow; programs on
10 department of education school campuses; and family-child
11 interaction learning programs.

12 Private programs have been the backbone of the State's
13 early childhood services for decades. The State has invested
14 very little of its own general funds in early childhood care and
15 education. Center-based programs are those found in preschools,
16 nursery schools, and child care centers that are operated by
17 private organizations and that are licensed by the department of
18 human services. Group child care homes provide care by two
19 adults for seven to twelve children and must be licensed.
20 Family child care homes provide care for three to six children
21 in the provider's own home and must be licensed if more than two
22 unrelated children are enrolled.



1 Programs on department of education campuses will be
2 staffed by department of education teachers. Currently, there
3 are several experimental programs of this type, funded through
4 the American Recovery and Reinvestment Act of 2009 and Race to
5 the Top. Other existing school-based programs consist of
6 special education programs staffed by department of education
7 special education teachers and those participating in the Pre-
8 Plus Program, a public-private partnership through which
9 seventeen preschool facilities have been developed and built on
10 public elementary school campuses and private, department of
11 human services-licensed preschool providers contracted to
12 operate them.

13 Family-child interaction programs are provided in a variety
14 of public and private facilities, including public schools and
15 parks, operating, on average, several hours a day and a few days
16 each week. They require the child's caregiver to participate
17 with the child and educate the caregiver about how to encourage
18 the child's learning at home. These programs provide an
19 important option for our native Hawaiian community.

20 The program involves public-private partnerships to enable
21 the State to make the best use of available resources, of
22 capacity and expertise, in the public and private sectors.



1 The portion of the program that will be delivered through
2 private providers will be done through contracts with the
3 providers; this program does not institute a voucher system.

4 The program requires participating providers to use quality
5 standards that are linked to children's educational outcomes.
6 Research has shown that there are certain components that are
7 associated with an early childhood education program's ability
8 to produce positive child outcomes. Although the early
9 childhood field lacks consensus on a single approach for
10 categorizing factors that define program quality, there are two
11 broad dimensions commonly associated with promoting higher rates
12 of learning and development in children: structural aspects,
13 such as physical environment, child-caregiver ratios, group
14 size, caregiver qualifications, and caregiver compensation, and
15 the quality of curriculum and intentional teaching. Recent
16 research has shown that the latter category has a more
17 significant impact on children's outcomes, and is the basis for
18 the quality standards that will be required by this program,
19 which is positive teacher-child interactions, individual child
20 formative assessments, and family engagement.

21 There is substantial evidence that children who attend
22 early childhood education programs are significantly affected by



1 their interactions with teachers or caregivers. A recent study
2 found that of the five quality indicators most often used in
3 program evaluation systems, teacher-child interactions were the
4 strongest predictor of children's learning.

5 Another key indicator linked to children's outcomes is the
6 use of a curriculum that is based on child development. The
7 degree to which it is implemented fully is dependent on the use
8 of an ongoing, authentic child assessment that is used to
9 individualize and is both intellectually rich and broad enough
10 to meet children's social and emotional development needs.
11 These are known as formative assessments.

12 Research has also demonstrated that quality programs
13 involve families who communicate on an ongoing basis. One of
14 the evidence-based methods for engaging families is home-based
15 instruction programs through a home visiting approach, which
16 help families prepare their child for success in school and
17 beyond.

18 The legislature has been interested in early learning for
19 decades.

20 In 1989, state funding was approved for the preschool open
21 doors program to help families pay for early education and care
22 using a sliding fee scale based on ability to pay. Components



1 included child development workshops and staff development in
2 participating preschools.

3 In 1991, the board of regents of the University of Hawaii
4 created the University of Hawaii center on the family in
5 response to Senate Concurrent Resolution No. 82, Regular Session
6 of 1989, to enhance the well-being of Hawaii's families through
7 interdisciplinary research, education, and community outreach.
8 Early childhood was one of the focal areas.

9 Act 77, Session Laws of Hawaii 1997:

- 10 (1) Recognized a public-private partnership between the
11 State and the Good Beginnings Alliance, a private
12 nonprofit corporation created as a focal point for
13 policy development and dedicated to enhancing,
14 developing, and coordinating quality early childhood
15 education and care services;
- 16 (2) Tasked the Good Beginnings Alliance with overseeing at
17 least four community councils in each county to
18 develop plans to provide services to children and
19 families and possible local funding sources; and
- 20 (3) Established an interdepartmental council to assist
21 with the work.



1 H.C.R. No. 38, Regular Session of 1998, established in
2 state policy the goal that "all of Hawaii's children will be
3 safe, healthy and ready to succeed."

4 Act 177, Session Laws of Hawaii 2002, appropriated funds
5 for the pre-plus program, including capital improvement project
6 moneys, to build preschools on elementary school campuses
7 throughout the State. The lieutenant governor's office assumed
8 planning oversight until oversight was transferred to the
9 department of human services.

10 In Act 13, Session Laws of Hawaii 2002, the legislature led
11 the nation by statutorily defining "school readiness," which
12 acknowledged the joint responsibility of families, schools, and
13 communities in preparing children for lifelong learning.

14 Act 219, Session Laws of Hawaii 2004, established an
15 unfunded, two-tiered junior kindergarten and kindergarten
16 program in the department of education beginning with the 2006-
17 2007 school year.

18 Act 151, Session Laws of Hawaii 2005, created the early
19 childhood education task force with the focus that "young
20 children are ready to have successful learning experiences when
21 there is a positive interaction among the child's developmental



1 characteristics, school practices, and family and community
2 support."

3 Act 259, Session Laws of Hawaii 2006, established the early
4 learning educational task force to develop a five-year plan for
5 a comprehensive and sustainable early learning system. The
6 plan, completed prior to the regular session of 2008, included
7 detailed costs for the establishment and operation of an early
8 learning system in Hawaii that would include children from birth
9 to age five. It also included, as requested by the legislature,
10 an implementation and financing schedule that begins with
11 services to four-year-old children and proceeds to younger age
12 groups; mechanisms to ensure cross-sector and interdepartmental
13 collaboration; measures to ensure the continuing professional
14 development of teachers and administrators; and provisions for
15 the promotion of the importance of early learning to families,
16 policymakers, and the general public.

17 Act 14, Special Session Laws of Hawaii 2008, established
18 the State's early learning system, known as keiki first steps.
19 Research has indicated that a preschool setting might be a more
20 appropriate placement than junior kindergarten.

21 In addition, Act 14, Special Session Laws of Hawaii 2008:



1 (1) Established the early learning council, which was
2 attached to the department of education for
3 administrative purposes only, to develop and
4 administer the early learning system to benefit all
5 children throughout the State, from birth until the
6 time they enter kindergarten;

7 (2) Established the keiki first steps grant program;

8 (3) Established the pre-plus program within the department
9 of human services and designated the department of
10 human services and department of education to work
11 collaboratively to develop suitable pre-plus
12 classrooms on department of education campuses
13 statewide, including conversion charter school
14 campuses; and

15 (4) Promoted the development of early learning facilities.

16 Act 194, Session Laws of Hawaii 2009:

17 (1) Required the department of education, beginning with
18 the 2010-2011 school year, to use successful assessment
19 tools and protocols for determining a student's
20 initial placement and for decision-making about a
21 student's movement between junior kindergarten,
22 kindergarten, and into grade one; and



1 (2) Required the early learning council to develop a plan
2 to ensure the needs of junior kindergarteners are
3 addressed.

4 Act 183, Session Laws of Hawaii 2010:

5 (1) Amended the public school kindergarten entry age
6 beginning with the 2013-2014 school year, so that
7 children must be at least five years old on the first
8 day of instruction; and

9 (2) Required the department of education and early
10 learning council to develop a plan to assess the
11 success of junior kindergarten programs at individual
12 schools that would also address providing educational
13 opportunities for those who would have been eligible
14 to attend kindergarten prior to the age change.

15 Act 178, Session Laws of Hawaii 2012:

16 (1) Established the executive office on early learning;
17 (2) Charged the office with creating a comprehensive early
18 childhood development and learning system for Hawaii's
19 keiki, prenatal to age five;
20 (3) Established the early learning advisory board to
21 replace the early learning council, as an advisory
22 body to the office;



1 (4) Repealed the existing junior kindergarten program for
2 four- and early five-year-olds at the end of the 2013-
3 2014 school year;

4 (5) Required that beginning with the 2014-2015 school
5 year, students must be at least five years old on July
6 31 of that school year to attend kindergarten; and

7 (6) Tasked the office with developing a plan to implement
8 an early learning program in the 2014-2015 school
9 year.

10 S.B. No. 1084, S.D. 1, H.D. 1, C.D. 1 (2013), proposes an
11 amendment to the Hawaii State Constitution to permit the
12 appropriation of public funds for private early childhood
13 education programs and passed with more than a two-thirds
14 majority in each house.

15 Therefore, the purpose of this Act is to fulfill the
16 State's intent to provide a much-needed early childhood
17 education program for Hawaii's children prior to the State's
18 obligation for education from kindergarten to grade 12. This
19 addresses the unique needs of families and communities and
20 implements the use of quality standards that are strongly linked
21 to children's educational outcomes.



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

4 "§302L- Early childhood education program. (a) There
5 is established within the early learning system an early
6 childhood education program to be administered by the office.
7 The early childhood education program shall:

8 (1) Prepare children for school and active participation
9 in society through either of the State's two official
10 languages; and

11 (2) Provide equitable access to high-quality early
12 childhood education that addresses children's
13 physical, cognitive, linguistic, social, and emotional
14 development.

15 (b) The early childhood education program shall serve
16 three- and four-year-old children, with priority extended to:

17 (1) Children in the year prior to being eligible to attend
18 kindergarten; and

19 (2) Underserved or at-risk children.

20 (c) Enrollment in the early childhood education program
21 shall be voluntary. A child who is enrolled in or eligible to
22 attend a public elementary school, or who is required to attend



1 school pursuant to section 302A-1132, shall not be eligible for
2 enrollment in the early childhood education program.

3 (d) The office may contract with eligible providers, which
4 may include private providers, of early childhood education to
5 increase the capacity of the early childhood education program
6 to provide high-quality early childhood education to children
7 across the State. The office may provide support to eligible
8 providers to incorporate these quality standards, including
9 support related to teacher-child interactions, individual child
10 assessments, and family engagement. Eligible providers shall
11 comply with all applicable state and federal laws.

12 (e) Eligible providers shall incorporate quality standards
13 in their programs as required by the early childhood education
14 program pursuant to rules adopted by the office. Quality
15 standards shall be research-based, developmentally appropriate
16 practices associated with better educational outcomes for
17 children, such as:

- 18 (1) Positive teacher-child interactions;
19 (2) Use of individual child assessments that are used for
20 ongoing instructional planning, based upon all areas
21 of childhood development and learning, including
22 cognitive, linguistic, social, and emotional



1 approaches to learning and health and physical
2 development;
3 (3) Family engagement; and
4 (4) Alignment with the Hawaii early learning and
5 development standards, which align with department of
6 education standards, including common core state
7 standards, state content and performance standards,
8 and general learner outcomes for grades kindergarten
9 to twelve, to facilitate a seamless and high-quality
10 educational experience for children.
11 The office shall monitor implementation of the quality standards
12 pursuant to rules adopted by the office.
13 (f) The office shall coordinate with other agencies and
14 programs to facilitate comprehensive services for early
15 childhood education.
16 (g) The office shall collect data to:
17 (1) Evaluate the services provided;
18 (2) Inform policy; and
19 (3) Make any improvements to the early childhood education
20 program.



1 (h) The office shall adopt rules pursuant to chapter 91
2 necessary to carry out the purposes of this section, including
3 compliance with all applicable state and federal laws.

4 (i) Nothing in this section shall be construed to enable
5 the establishment of a voucher program for educational
6 purposes."

7 SECTION 3. Section 302L-1, Hawaii Revised Statutes, is
8 amended by adding three new definitions to be appropriately
9 inserted and to read as follows:

10 "Early childhood education program" means an education
11 program for children provided for in section 302L- .

12 "Family engagement" means practices that engage families in
13 meaningful ways and recognize the need for families to actively
14 support their child's learning and development, including
15 classrooms that make families feel welcome, communication with
16 families, the promotion of responsible parenting, and
17 involvement in decisions that affect the families and their
18 children.

19 "Underserved children" means children who, because of
20 circumstances such as their place of residence, limited
21 transportation, or family's financial standing, have little or
22 no access to early learning services."



1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect on July 1, 2050, and
3 upon the ratification of a constitutional amendment permitting
4 the appropriation of public funds for private early childhood
5 education.



Report Title:

Early Childhood Education Program

Description:

Establishes the Early Childhood Education Program within the Early Learning System established by section 302L-2, Hawaii Revised Statutes. Effective upon the ratification of a constitutional amendment permitting the appropriation of public funds for private early childhood education. Effective 7/1/2050. (SD2)

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