
A BILL FOR AN ACT

RELATING TO EARLY CHILDHOOD EDUCATION.

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

1 SECTION 1. Section 302A-1134, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) If for any reason a child becomes a detriment to the
4 morals or discipline of any school, the child may be precluded
5 from attending school by the principal, with the approval of the
6 complex area superintendent [-]; provided that this section shall
7 not apply to children participating in the executive office on
8 early learning public prekindergarten program pursuant to
9 section 302L-7. The department shall seek the active
10 participation of other public and private agencies in providing
11 help to these children before and after they have left school.
12 An appeal may be taken on behalf of the child to the
13 superintendent of education within ten days from the date of
14 such action."

15 SECTION 2. Section 302L-7, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "§302L-7 Executive office on early learning public
2 prekindergarten program; public preschools. (a) There is
3 established within the early learning system an early childhood
4 education program to be known as the executive office on early
5 learning public prekindergarten program and to be administered
6 by the office pursuant to rules adopted by the office. The
7 program shall:

- 8 (1) Be provided through the executive office on early
9 learning, which shall partner with the department of
10 education and state public charter school commission
11 through either a memorandum of agreement or memorandum
12 of understanding pursuant to the requirements of this
13 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.



1 (b) The office shall implement an application process for
2 schools that are interested in participating in the program.

3 The criteria to prioritize applications shall include:

4 (1) Community need, including:

5 (A) The percentage of the population in the school or
6 community that meets the definitions of at-risk
7 and underserved children pursuant to section
8 302L-1; and

9 (B) The availability and capacity of existing early
10 learning programs or services for four-year-old
11 children on the school campus and in the
12 surrounding area;

13 (2) The availability of a classroom and outdoor play area
14 that meet department of human services requirements
15 for health and safety for four-year-old children; and

16 (3) The commitment of the principal to implementing a
17 high-quality prekindergarten program including through
18 active participation in professional development
19 sessions offered through the office, and to promoting
20 continuity and alignment between and across other
21 early learning programs in the community and other



1 grade levels in the school to ensure the positive
2 outcomes of children are sustained.

3 (c) The program shall serve children in the year prior to
4 the year of kindergarten eligibility, with priority extended to
5 underserved or at-risk children, as defined in section 302L-1,
6 and follow the academic year schedule of the department of
7 education and be aligned with the full-day kindergarten
8 classroom schedule of each school. Enrollment priority shall be
9 given but is not limited to children who attend prekindergarten
10 at schools to which the children will be assigned upon entering
11 kindergarten under section 302A-1143.

12 (d) The program shall include students with disabilities
13 based on individualized education program placement, recognizing
14 that the in-classroom ratio of students with disabilities to the
15 general population shall be based on the inclusion of children
16 with disabilities in proportion to their presence in the general
17 population; provided that application of this principle does not
18 anticipate or permit imposing caps or quotas on the number of
19 children with disabilities in a program or not individualizing
20 services for children with disabilities under the Individuals
21 with Disabilities Education Act of 2004 (20 U.S.C. 1400-1409,



1 1411-1419, 1431-1444, 1450-1482). The department of education
2 shall collaborate with the office to coordinate services for
3 students with disabilities who are placed in the classroom
4 offered through the program. Funding for all costs associated
5 with implementation of the individualized education programs of
6 students shall be provided through the department of education.

7 (e) Enrollment in the program shall be voluntary. A child
8 who is required to attend school pursuant to section 302A-1132,
9 shall not be eligible for enrollment in the program.

10 (f) The program shall enroll a maximum of twenty children
11 per classroom.

12 (g) The program shall incorporate high-quality standards
13 pursuant to rules adopted by the office. High-quality standards
14 shall be research-based, developmentally-appropriate practices
15 associated with better educational outcomes for children, such
16 as:

17 (1) Positive teacher-child interactions that shall be
18 evaluated through observations conducted by the office
19 using a tool several times a year; provided that the
20 observations shall not be used for the purposes of
21 teacher evaluation;



- 1 (2) Use of individual child assessments that are used for
2 ongoing instructional planning, relating to all areas
3 of childhood development and learning, including
4 cognitive, linguistic, social, and emotional
5 approaches to learning and health and physical
6 development;
- 7 (3) Family engagement in partnership with the schools,
8 including conducting outreach for enrollment and
9 engagement of families in their children's education;
- 10 (4) Alignment with the Hawaii early learning and
11 development standards, which align with department of
12 education standards, state content and performance
13 standards, and general learner outcomes for grades
14 kindergarten to twelve, to facilitate a seamless and
15 high-quality educational experience for children;
- 16 (5) A teacher who has coursework in early childhood
17 education pursuant to Hawaii teacher standards board
18 licensing requirements for a prekindergarten teacher.
19 For program purposes, a teacher shall satisfy the
20 Hawaii teacher standards board licensing requirements
21 for a prekindergarten teacher or be enrolled in a



1 State-approved teacher education program and working
2 toward satisfying the Hawaii teacher standards board
3 licensing requirements; and

4 (6) An educational assistant who has a child development
5 associate credential or the associated coursework.

6 For program purposes, an educational assistant shall
7 have a current child development associate credential,
8 coursework for a certificate that meets the
9 requirements for child development associate
10 credential preparation, or is enrolled in and working
11 toward completing a program that prepares the
12 individual to obtain the credential.

13 The office shall monitor implementation of the high-quality
14 educational experience for children.

15 (h) Prior to opening a public prekindergarten class in a
16 school, the principal, and other school personnel as required by
17 the office, shall participate in an early learning induction
18 program.

19 (i) The office shall provide support to incorporate the
20 high-quality standards developed pursuant to subsection (g),
21 including support related to teacher-child interactions,



1 individual child assessments, and family engagement. Teaching
2 staff participating in the program shall participate in coaching
3 and mentoring offered through the office; provided that the
4 office shall cover the associated travel and substitute teacher
5 costs. The office may extend this support, excluding travel and
6 substitute teacher costs, to individuals who are not
7 participating in the program to promote alignment between all
8 grade levels, programs, and settings.

9 (j) The teacher and educational assistant teaching in the
10 classroom through the program shall provide direct services
11 solely to students enrolled in the program and shall be provided
12 time for meetings regarding program implementation in the
13 program.

14 (k) The expulsion or unenrollment of a child from the
15 program shall be prohibited.

16 (l) The use of suspension on a child in the program shall
17 be prohibited; provided that the temporary suspension may be
18 used when there is a serious safety threat, as determined by the
19 principal of the school.

20 [~~k~~] (m) The teacher and educational assistant teaching
21 in the classroom through the program shall be included in school



1 meetings and activities to promote alignment between all grade
2 levels and settings, including school-wide professional
3 development relating to social emotional learning, cultural and
4 place-based instructional strategies, and transition to
5 kindergarten.

6 ~~[(1)]~~ (n) Each school participating in the program shall
7 work with the office to develop and annually update a written
8 two- to three-year plan to promote, within the school and
9 community, alignment of and transitions between high-quality
10 learning experiences, and submit to the office and the
11 appropriate complex area superintendent a report on progress
12 made toward the plan by the end of each school year.

13 ~~[(m)]~~ (o) The office shall coordinate with other agencies
14 and programs to facilitate comprehensive services for early
15 learning.

16 ~~[(n)]~~ (p) To promote the development of a cohesive,
17 comprehensive, and sustainable early learning system, the office
18 shall partner with the schools participating in the program to
19 collaborate with:

20 (1) Other early learning providers, including those
21 providing the programs and services specified in



1 section [~~302L-2(2)(A)~~], to promote alignment between
2 prekindergarten and elementary school programs and to
3 support children and their families in making
4 successful transitions from prekindergarten into
5 kindergarten; and

6 (2) Early intervention programs.

7 [~~(p)~~] (q) The office shall collect data with assistance
8 from the department of education and state public charter school
9 commission, based on a schedule to be determined by the office,
10 to:

- 11 (1) Evaluate the services provided;
- 12 (2) Inform policy; and
- 13 (3) Make any improvements to the program.

14 [~~(p)~~] (r) The department of education and any public
15 charter school existing pursuant to chapter 302D, may use
16 available classrooms for public preschool programs statewide.
17 The office shall give priority to public charter schools that
18 serve high populations of underserved or at-risk children.
19 Preschool classrooms established pursuant to this section shall
20 be in addition to any classrooms used for the pre-plus program
21 established pursuant to section 302L-1.7.



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

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Jarvis
Dale

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H.B. NO. 2258

Report Title:

Executive Office on Early Learning Public Prekindergarten Program; Expulsion; Suspension

Description:

Prohibits the expulsion and establishes limitations for suspension of children participating in the Executive Office on Early Learning Public Prekindergarten Program.

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

