

____.B. NO. _____

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 provide a much-
2 needed early childhood education program for Hawaii's children
3 prior to the State's constitutional responsibility for education
4 from kindergarten through grade 12, by establishing the
5 executive office on early learning prekindergarten program, to
6 be administered by the executive office on early learning. The
7 program's purpose is to provide high-quality early childhood
8 education through the public schools, including charter schools.
9 Instruction may be in either of Hawaii's two official languages.
10 The program will establish a solid foundation for children to
11 enable them to graduate from high school and be prepared for
12 college and a career.

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

____.B. NO. _____

1 contribute positively to the larger community. They are more
2 likely to reach higher levels of educational attainment, earn
3 higher salaries, and even be healthier.

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

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

____.B. NO. _____

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 is alarming because an
4 impoverished childhood leads to a greater risk of teen
5 pregnancy, failure to graduate from high school, poor health,
6 and lack of secure employment in later years.

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

.B. NO.

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 Hawaii State School Readiness Assessment for the 2012-
12 2013 school year, forty-three per cent of children in public
13 school kindergarten had not attended a prekindergarten program.
14 In addition, not all prekindergarten services are of high
15 quality and close to seventy-five per cent of fourth graders are
16 not reading proficiently, according to data reported by the
17 University of Hawaii center on the family in 2013. The numbers
18 are telling.

19 Early childhood education can help close the achievement
20 gap between children of different socioeconomic backgrounds.
21 The Academic Pediatric Association's Task Force on Childhood

.B. NO.

1 Poverty in 2013 identified providing high-quality early
2 childhood programs and high-quality affordable child care to
3 poor families as one of the key strategies to reducing poverty.
4 Studies have proven that high-quality early childhood education
5 programs are especially effective for children from low-income
6 families as well as otherwise disadvantaged children. These
7 programs are one of the strongest factors in school readiness
8 for children from low-income families because of the potential
9 to alter their lifetime trajectories for success.

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

.B. NO.

1 less than a one-in-three chance of being ready for college or a
2 career at the end of high school.

3 Teachers in Hawaii, including some at the middle-school
4 level, are able to tell which students in their classrooms have
5 gone to preschool. Early childhood education helps teachers
6 because children will enter their classrooms better prepared and
7 teachers will spend less time helping individual students to
8 play catch up, which allows teachers to focus their time and
9 energy on helping all of their students to master the knowledge
10 and content needed to progress on-time.

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

20 The executive office on early learning has been working
21 toward a program that will provide access to high-quality early

_____.B. NO. _____

1 childhood education for all of Hawaii's children. The United
2 States Census Bureau estimates there are more than seventeen
3 thousand four-year-olds in Hawaii each year, who come from
4 families of varying incomes. Although low-income families
5 require the most assistance, many moderate-income families,
6 especially those who are just entering the middle class, also
7 struggle to meet the cost of early learning on their own.
8 Hawaii ranks twenty-seventh among the least affordable states
9 for center-based programs for a four-year-old. In 2012, the
10 average annual cost of a full-time center-based program for a
11 four-year-old in Hawaii was \$8,172, which is more than nine per
12 cent of the state median income for a married couple.

13 Through the executive office on early learning
14 prekindergarten program that this Act establishes, the State
15 will be able to:

- 16 (1) Build capacity to serve children in the year prior to
17 being eligible to attend kindergarten; and
18 (2) Institute a high level of quality that is linked to
19 children's educational outcomes, which research
20 emphasizes is necessary to produce significant

____.B. NO. ____

1 outcomes for children both in the near- and long-
2 terms.

3 Act 122, Session Laws of Hawaii 2014, included \$3,000,000
4 in the state budget for prekindergarten programs in fiscal year
5 2015, marking the first time State funds were invested in
6 prekindergarten in Hawaii. These funds provided for the launch
7 of the executive office on early learning prekindergarten
8 program. The executive office on early learning prekindergarten
9 program launched successfully in 18 public elementary schools
10 statewide in the 2014-2015 school year, benefitting more than
11 400 four-year-old children. The program institutes high-quality
12 early childhood education standards and each classroom is
13 staffed by a department of education teacher and educational
14 assistant who benefit from continual professional development
15 opportunities, including coaching and mentoring support provided
16 by resource teachers with master's degrees as well as extensive
17 knowledge in early childhood education. This Act provides
18 statutory authority for the executive office on early learning
19 prekindergarten program.

20 There have also been several experimental public
21 prekindergarten programs funded through the Race to the Top

____.B. NO. _____

1 grant. Other existing school-based programs consist of special
2 education programs staffed by department of education special
3 education teachers and those participating in the pre-plus
4 program, a public-private partnership through which seventeen
5 preschool facilities have been developed and built on public
6 elementary school campuses and private, department of human
7 services-licensed preschool providers contracted to operate
8 them.

9 The executive office on early learning prekindergarten
10 program requires the use of high-quality standards that are
11 linked to children's educational outcomes. Research has shown
12 that there are certain components that are associated with an
13 early childhood education program's ability to produce positive
14 child outcomes. Although the early childhood field lacks
15 consensus on a single approach for categorizing factors that
16 define program quality, there are two broad dimensions commonly
17 associated with promoting higher rates of learning and
18 development in children: structural aspects, such as physical
19 environment, child-caregiver ratios, group size, caregiver
20 qualifications, and caregiver compensation, and the quality of
21 curriculum and intentional teaching. Recent research has shown

____.B. NO. _____

1 that the latter category has a more significant impact on
2 children's outcomes, and is the basis for the high-quality
3 standards that are required by this program, which is positive
4 teacher-child interactions, individual child formative
5 assessments, and family engagement.

6 There is substantial evidence that children who attend
7 early childhood education programs are significantly affected by
8 their interactions with teachers. Recent studies, such as
9 "Features of Pre-Kindergarten Programs, Classrooms, and
10 Teachers: Do They Predict Observed Classroom Quality and Child-
11 Teacher Interactions?," authored by Robert Pianta, Carollee
12 Howes, Margaret Burchinal, Donna Bryant, Richard Clifford, Diane
13 Early, and Oscar Barbarin, have found that of the five quality
14 indicators most often used in program evaluation systems,
15 teacher-child interactions were the strongest predictor of
16 children's learning.

17 Another key indicator linked to children's outcomes is the
18 use of a curriculum that is based on child development. The
19 degree to which it is implemented fully is dependent on the use
20 of an ongoing, authentic child assessment that is used to
21 individualize and is both intellectually rich and broad enough

.B. NO.

1 to meet children's social and emotional development needs.

2 These are known as formative assessments.

3 Research has also demonstrated that high-quality programs
4 involve families who communicate on an ongoing basis. Through
5 various family engagement strategies, high-quality programs can
6 better engage families in their children's learning, especially
7 in acquiring the skills associated with kindergarten readiness.

8 Furthermore, a State-funded early childhood education
9 program continues decades of work by the legislature to advance
10 early learning.

11 In 1989, state funding was approved for the preschool open
12 doors program to help families pay for child care at
13 participating preschools using a sliding fee scale based on
14 ability to pay. Components included child development workshops
15 and staff development for the preschools.

16 In 1991, the board of regents of the University of Hawaii
17 created the University of Hawaii center on the family in
18 response to Senate Concurrent Resolution No. 82, Regular Session
19 of 1989, to enhance the well-being of Hawaii's families through
20 interdisciplinary research, education, and community outreach.
21 Early childhood was one of the focal areas.

_____.B. NO. _____

1 In 1997, the legislature passed Act 77, Session Laws of
2 Hawaii 1997, which:

3 (1) Recognized a public-private partnership between the
4 State and the Good Beginnings Alliance, a private
5 nonprofit corporation created as a focal point for
6 policy development and dedicated to enhancing,
7 developing, and coordinating quality early childhood
8 education and care services;

9 (2) Tasked the Good Beginnings Alliance with overseeing at
10 least four community councils in each county to
11 develop plans to provide services to children and
12 families and possible local funding sources; and

13 (3) Established an interdepartmental council to assist
14 with the work.

15 In 1998, the legislature adopted H.C.R. No. 38, Regular
16 Session of 1998, which established in state policy the goal that
17 "all of Hawaii's children will be safe, healthy and ready to
18 succeed."

19 In 2002, the legislature passed Act 177, Session Laws of
20 Hawaii 2002, which appropriated capital improvement funds to
21 build preschools on elementary school campuses throughout the

____.B. NO. _____

1 State. The lieutenant governor's office assumed planning
2 oversight for the pre-plus program until oversight was
3 transferred to the department of human services and subsequently
4 to the executive office on early learning.

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

9 In 2004, the legislature passed Act 219, Session Laws of
10 Hawaii 2004, which established an unfunded, two-tiered junior
11 kindergarten and kindergarten program in the department of
12 education beginning with the 2006-2007 school year.

13 In 2005, the legislature passed Act 151, Session Laws of
14 Hawaii 2005, which created the early childhood education task
15 force with the focus that "young children are ready to have
16 successful learning experiences when there is a positive
17 interaction among the child's developmental characteristics,
18 school practices, and family and community support."

19 In 2006, the legislature passed Act 259, Session Laws of
20 Hawaii 2006, which established the early learning educational
21 task force to develop a five-year plan for a comprehensive and

.B. NO.

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

13 In 2008, the legislature passed Act 14, Special Session
14 Laws of Hawaii 2008, which established the State's early
15 learning system, known as keiki first steps. The legislature
16 recognized that a preschool setting might be a more appropriate
17 placement than junior kindergarten. This Act:

- 18 (1) Established the early learning council, which was
19 attached to the department of education for
20 administrative purposes only, to develop and
21 administer the early learning system to benefit all

____.B. NO. ____

1 children throughout the State, from birth until the
2 time they enter kindergarten;

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

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

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

12 In 2009, the legislature passed Act 194, Session Laws of
13 Hawaii 2009, which:

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

____.B. NO. _____

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

4 In 2010, the legislature passed Act 183, Session Laws of
5 Hawaii 2010, which:

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

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

16 In 2012, the legislature passed Act 178, Session Laws of
17 Hawaii 2012, which:

18 (1) Established the executive office on early learning;

19 (2) Charged the office with creating a comprehensive early
20 childhood development and learning system for Hawaii's
21 keiki, prenatal to age five;

____.B. NO. ____

- 1 (3) Established the early learning advisory board to
2 replace the early learning council, as an advisory
3 body to the office;
- 4 (4) Repealed the existing junior kindergarten program for
5 four- and early five-year-olds at the end of the 2013-
6 2014 school year;
- 7 (5) Required that beginning with the 2014-2015 school
8 year, students must be at least five years old on July
9 31 of that school year to attend kindergarten; and
- 10 (6) Tasked the office with developing a plan to implement
11 an early learning program in the 2014-2015 school
12 year.

13 In 2013, the legislature passed S.B. No. 1084, S.D. 1, H.D.
14 1, C.D. 1, which proposed an amendment to the Hawaii State
15 Constitution to permit the appropriation of public funds for
16 private early childhood education programs and which passed with
17 more than a two-thirds majority in each house. The purpose of
18 the constitutional amendment was to include private early
19 childhood education providers in a mixed-delivery system of
20 public and private providers to provide access to early
21 childhood education opportunities for more four-year-old

_____.B. NO. _____

1 children. Ratification of the amendment failed on November 4,
2 2014.

3 In 2014, the legislature passed Act 122, Session Laws of
4 Hawaii 2014, which included \$3,000,000 in the state budget for
5 prekindergarten programs in fiscal year 2015. These funds
6 provided for public preschools on department of education
7 elementary school campuses in the 2014-2015 school year through
8 the executive office on early learning prekindergarten program.

9 Therefore, the purpose of this Act is to fulfill the
10 State's intent to provide a much-needed early childhood
11 education program for Hawaii's children prior to the State's
12 constitutional responsibility for education from kindergarten
13 through grade 12, by establishing the executive office on early
14 learning prekindergarten program, which shall be provided
15 through public schools, including charter schools, and shall
16 implement the use of high-quality standards that are strongly
17 linked to children's educational outcomes.

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

.B. NO.

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

7 (1) Be provided through public schools, including charter
8 schools;

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

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

16 (b) The program shall serve children in the year prior to
17 being eligible to attend kindergarten, with priority extended to
18 underserved or at-risk children.

19 (c) Enrollment in the program shall be voluntary. A child
20 who is enrolled in or eligible to attend a public elementary

____.B. NO. ____

1 school, or who is required to attend school pursuant to section
2 302A-1132, shall not be eligible for enrollment in the program.

3 (d) The program shall incorporate high-quality standards
4 pursuant to rules adopted by the office. High-quality standards
5 shall be research-based, developmentally appropriate practices
6 associated with better educational outcomes for children, such
7 as:

8 (1) Positive teacher-child interactions;

9 (2) Use of individual child assessments that are used for
10 ongoing instructional planning, based upon all areas
11 of childhood development and learning, including
12 cognitive, linguistic, social, and emotional
13 approaches to learning and health and physical
14 development;

15 (3) Family engagement; and

16 (4) Alignment with the Hawaii early learning and
17 development standards, which align with department of
18 education standards, including common core state
19 standards, state content and performance standards,
20 and general learner outcomes for grades kindergarten

.B. NO.

1 to twelve, to facilitate a seamless and high-quality
2 educational experience for children.

3 The office shall monitor implementation of the high-quality
4 standards pursuant to rules adopted by the office.

5 (e) The office shall provide support to incorporate these
6 high-quality standards, including support related to teacher-
7 child interactions, individual child assessments, and family
8 engagement.

9 (f) The office shall coordinate with other agencies and
10 programs to facilitate comprehensive services for early
11 childhood education.

12 (g) The office shall collect data to:

13 (1) Evaluate the services provided;

14 (2) Inform policy; and

15 (3) Make any improvements to the program.

16 (h) The department of education and any charter school
17 existing pursuant to chapter 302D, may use available classrooms
18 for public preschool classrooms statewide. The department of
19 education and charter schools shall give priority to schools
20 that serve high populations of underserved or at-risk children.
21 Preschool classrooms established pursuant to this section shall

.B. NO.

1 be in addition to any pre-plus program established pursuant to
2 section 302L-1.7.

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

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

9 "Early childhood education" means a developmentally
10 appropriate early childhood development and education program
11 for children from birth until the time they enter kindergarten.

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

18 "Underserved children" means children who, because of
19 circumstances such as their place of residence, limited
20 transportation, or family's financial resources, have little or
21 no access to early childhood education programs."

____.B. NO. _____

SECTION 4. The executive office on early learning shall report to the legislature no later than twenty days prior to the convening of the regular sessions of 2016, 2017, and 2018 on the executive office on early learning prekindergarten program, including the following:

- (1) The number of classrooms established and their locations;
- (2) The number of children enrolled at each school and aggregate data explaining how the program is addressing the priority to serve underserved or at-risk children;
- (3) The number of applicants who were placed on a waitlist for the program and for which schools;
- (4) A description of the basic elements of each classroom;
- (5) A description of the high-quality standards incorporated in each classroom;
- (6) The degree to which the program's standards as incorporated in each classroom are meeting the research-based National Institute for Early Education Research Quality Standards Benchmarks;
- (7) The cost of each classroom; and

____.B. NO. ____

1 (8) Plans and costs for program expansion in fiscal years
2 2016, 2017, and 2018.

3 SECTION 5. New statutory material is underscored.

4 SECTION 6. This Act shall take effect on July 1, 2015.

____.B. NO. _____

Report Title:

Executive Office on Early Learning Prekindergarten Program

Description:

Establishes the executive office on early learning prekindergarten program, to be administered by the executive office on early learning and provided through public schools, including charter schools.

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