



## Private Providers in the State's Early Learning System

### ***How EOEL Will Partner with Private Providers***

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For both the School Readiness and Early Childhood Education programs, EOEL will contract with private providers to deliver services to the target populations. The public-private model is one the Governor and EOEL are committed to, recognizing that the private sector makes up the backbone of the state's preschool services.

EOEL will form agreements with private providers if they can meet qualifying criteria\*\* such as:

- Qualifications for staff who work with children.
- Curriculum aligned with the Hawaii Early Learning and Development Standards (HELDS). The idea is that curriculum should come from research and evidence-based practices that lead to developmentally appropriate learning and growth for children.
- Data collection regarding participating children.
- Establishment of a quality improvement plan.

*Note: Contract terms are in development and must undergo a process of legal review and public comment before program implementation.*

### ***How Faith-based Programs Can Participate***

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Faith-based programs are a critical part of Hawaii's preschool landscape. EOEL would like to work with faith-based providers to bring them into the State's early learning system as much as possible. At the same time, EOEL must work within legal parameters to do this. The proposed ConAm does not change issues surrounding the separation of church and State.

We know that contract terms will include guidelines that participating faith-based providers must adhere to. And there are existing practices in place that include faith-based organizations in government programs such as DHS' Preschool Open Doors and other social service programs.

There are also mechanisms that other states have employed to make it feasible for public funds to go to faith-based providers (ensuring that faith-based providers use state funds for "secular services for secular purposes on a religion-neutral basis"<sup>1</sup>).

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<sup>1</sup> *Rosenberger v. Rectors and Visitors of the University of Virginia*, 515 U.S. 819, 843-844 (1995).

- Some states offer a half-day alternative: religious content/materials cannot be used during the hours of the program that are paid for by State funding, but can be used in the remaining part of the day that would be paid for by the parents.
- Following are examples of guidelines from Connecticut’s School Readiness Program<sup>2</sup> that could be incorporated into Hawaii’s early learning system:
  1. The program must be open to all children, and cannot exclude a child based on the family’s religious creed or lack thereof;
  2. The program cannot be used to proselytize or attempt to persuade or convert children or their families to religion or a particular religious persuasion;
  3. The program may not contain religious observances, such as prayer, grace, confession, church attendance, religious instruction, etc.;
  4. The program must accommodate the practice of a child or staff member’s personal religious beliefs where the practice is required during program hours; e.g. Islamic designated time for prayers;
  5. The program may not require children or their families to participate in faith-based or church sponsored activities or services which are not part of the school readiness program;
  6. Programs may not discriminate in hiring based on religious affiliation or lack of religious affiliation; and
  7. Unless it is not practicable, classes should be conducted in rooms that are free of religious symbols and other religious items.
- Other states with state-funded programs that have tackled this issue. Examples of guidelines can be found via the Education Law Center – Integrating Faith-Based Organizations into State-Funded Pre-K Programs: Resolving Constitutional Conflict.  
<http://www.edlawcenter.org/assets/files/pdfs/publications/IntegratingFaithBasedOrganizations.pdf>

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<sup>2</sup> Connecticut School Readiness Program, School Readiness Alert SR-02-02.