
HOUSE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT AN AUDIT OF THE
CIVIL RIGHTS COMPLIANCE OFFICE OF THE DEPARTMENT OF
EDUCATION.

1 WHEREAS, in recent months, the Civil Rights Compliance
2 Office of the Department of Education has had to decline
3 requests by schools to investigate complaints, because it lacks
4 adequate staffing; and

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6 WHEREAS, in 2014, 63 Department of Education employees were
7 placed on paid leave because they were being investigated; and

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9 WHEREAS, as of February 2016, the number of Department of
10 Education employees placed on paid leave because of ongoing
11 investigations had decreased to 43, with 12 of these employees
12 having been placed on paid leave for at least a year; and

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14 WHEREAS, employees who are being investigated take the
15 first month of leave without pay; however, due to collective
16 bargaining agreements, employees receive pay for all subsequent
17 months of department-directed leave; and

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19 WHEREAS, of the 43 Department of Education employees
20 currently on paid leave, 28 are teachers, and at least one
21 investigation has been open for a year; and

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23 WHEREAS, such delays place an onerous burden on the
24 taxpaying public, needlessly bloat government bureaucracy, and
25 deprive good employees of their ability to be productive and
26 perform their jobs; and

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28 WHEREAS, the vice chairman of the Board of Education has
29 expressed his desire that such investigations be concluded
30 within six months of the initial filing of the complaint; and



1 WHEREAS, both the students who have been victimized by
2 teacher misconduct as well as teachers who have been falsely
3 accused of misconduct deserve a speedy resolution of their
4 cases; now, therefore,
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6 BE IT RESOLVED by the House of Representatives of the
7 Twenty-eighth Legislature of the State of Hawaii, Regular
8 Session of 2016, the Senate concurring, that the Office of the
9 Auditor is requested to conduct an audit of the Civil Rights
10 Compliance Office of the Department of Education to ascertain
11 the level of staffing necessary to clear the existing backlog of
12 ongoing investigations and avoid the need to pay for costly
13 private investigations; and
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15 BE IT FURTHER RESOLVED that the Office of the Auditor is
16 requested to examine current investigation procedures and
17 propose methods by which the amount of time required for
18 investigations can be shortened to a maximum of three months;
19 and
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21 BE IT FURTHER RESOLVED that the Office of the Auditor is
22 requested to submit a report of its findings and
23 recommendations, including any proposed legislation, to the
24 Legislature, Governor, Board of Education, and Department of
25 Education no later than 20 days prior to the convening of the
26 Regular Session of 2017; and
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28 BE IT FURTHER RESOLVED that certified copies of this
29 Concurrent Resolution be transmitted to the Governor,
30 Chairperson of the Board of Education, Superintendent of
31 Education, and Acting Auditor.

