



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/06/2023
Time: 03:00 PM
Location: CR 229 & Videoconference
Committee: Senate Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB 0290 RELATING TO DIRECT INSTRUCTIONAL SERVICES TO STUDENTS.

Purpose of Bill: Requires that appropriations allocated to Department of Education programs that provide instructional services directly to students shall remain within the budget of the program to which they were originally allocated and that the retention of an appropriation shall not be used by the department as a basis for reducing a program's future budget requirements. Allows the Department of Education to create temporary positions under certain conditions. Amends the requirement that the Department of Education report the creation of temporary positions to the Department of Budget and Finance by requiring that the report also be sent to the Legislature.

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides comments regarding SB 290, specifically the provision which proposes revisions to §302A-1116, Hawaii Revised Statutes (HRS).

SB290 proposes to revise §302A-1116, HRS which allows the Department to create temporary positions for up to one year and to report the temporary positions to the Department of Budget and Finance. SB290 would limit the Department's authority to create temporary positions only to those that provide instructional services directly to students. This addition would severely impact

the Department's ability to provide appropriate support to schools, to accomplish the goals and objectives within the Hawaii State Board of Education's (Board) Strategic Plan, and to leverage non-state funded resources.

The Department establishes temporary positions for a variety of reasons to advance its mission. In addition to instructional services provided directly to students, temporary positions also provide critical supports for students and teachers. For example, through schools' budgeting processes, non-instructional temporary positions are established to ensure that basic school operations are provided and that health and safety are adequately addressed; examples of non-instructional temporary positions within schools are school security attendants, cafeteria helpers, custodians, and vice principals. In addition to school-level positions, complex areas and state offices use temporary positions to provide flexible and adaptive support to schools; examples of these positions are district resource teachers, complex academic officers, behavioral health specialists, and cohort intern positions for school administrators in training (e.g., vice principals). At the state office level, two new Deputy Superintendent positions were created to lead strategic and operational alignment of the Department to advance the goals which are outlined in the Board's newly approved Strategic Plan.

Also temporary positions may be funded by non general-funded resources (e.g., federal, private philanthropy, contracts). These positions support important services as well as innovation at the school, complex area and state levels. These non-general funds vary over time and are often awarded outside of the Department's and legislature's planning cycles. The existing statute provides flexibility necessary to leverage non-state funded resources for our schools and students.

The Department is committed to responsibly utilizing it's authority to create temporary positions as currently written in §302A-1116, Hawaii Revised Statutes, and reporting such use as required.

Thank you for the opportunity to provide testimony on SB 290.