
A BILL FOR AN ACT

RELATING TO DEPARTMENT OF EDUCATION.

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

1 SECTION 1. As a result of implementing Act 51, Session
2 Laws of Hawaii 2004, as amended by Act 221, Session Laws of
3 Hawaii 2004, as amended by Act 225, Session Laws of Hawaii 2006,
4 section 302A-1115, Hawaii Revised Statutes, is no longer
5 required to decentralize and restructure the department of
6 education. Under Act 51, as amended, the number and kind of
7 positions at the school level is determined by the individual
8 school due to the implementation of the weighted student
9 formula. Act 51 also provides the department of education with
10 the authority to transfer positions within the department, and
11 with the transfer of certain functions from the department of
12 human resources development, the department carries out
13 personnel functions as a separate jurisdiction.

14 Accordingly, the purpose of this Act is to repeal section
15 302A-1115, Hawaii Revised Statutes.

16 SECTION 2. Section 302A-1115, Hawaii Revised Statutes, is
17 repealed.



1 ~~["§302A-1115] Reallocation of vacant positions. (a) To~~
2 ~~promote decentralization and facilitate restructuring of the~~
3 ~~department, the department of education, without regard to the~~
4 ~~position variance requirements of the department of budget and~~
5 ~~finance, may:~~

6 ~~(1) Reallocate existing vacant positions throughout the~~
7 ~~department;~~

8 ~~(2) Directly authorize and implement internal~~
9 ~~reorganization actions;~~

10 ~~(3) Reassign employee duties;~~

11 ~~(4) Authorize position classifications; and~~

12 ~~(5) Conduct recruitment;~~

13 ~~provided that any action taken pursuant to this section shall be~~
14 ~~to redirect resources from the state and district offices to the~~
15 ~~individual schools and learning support centers.~~

16 ~~(b) The governor, the department of human resources~~
17 ~~development, and the department of budget and finance shall~~
18 ~~facilitate, expedite, and assist the department of education in~~
19 ~~the implementation of its decentralization and staffing~~
20 ~~reallocation plan.~~



1 ~~(c) The department of education shall submit an annual~~
2 ~~report of reallocations to the department of budget and finance~~
3 ~~by December 31 of each year."]~~

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken.

6 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

T. Blahnik

Jyla B. Berg
JAN 17 2007



Report Title:

Department of Education; Vacant Positions

Description:

Repeals section 302A-1115 because it is no longer required based on the implementation of the Reinventing Education Act of 2004 (Act 51, Session Laws of Hawaii 2004).

