

JOSH GREEN, M.D.  
GOVERNOR



KEITH T. HAYASHI  
SUPERINTENDENT

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 0280 RELATING TO DIRECT INSTRUCTIONAL SERVICES TO STUDENTS.

**Purpose of Bill:** 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 Senate Bill (SB) 280.

SB280 revises §302A-1116, Hawaii Revised Statutes (HRS), which allows the Department to create temporary positions for up to one year and requires the Department to report the temporary positions to the Department of Budget and Finance. SB280 would limit the Department's authority to create temporary positions 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 its authority to create temporary positions as currently written in §302A-1116, HRS, and reporting such use as required.

Thank you for the opportunity to provide testimony on SB 280.