

JAN 28 2026

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# A BILL FOR AN ACT

RELATING TO SCHOOL FACILITIES.

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

1       SECTION 1. The legislature finds that the department of  
2 education (department) faces a critical crisis in facility  
3 management characterized by a massive, deferred maintenance  
4 backlog and persistent challenges in executing necessary  
5 repairs. The legislature notes that there are growing concerns  
6 regarding the department's ability to efficiently manage  
7 large-scale construction projects and ensure that appropriated  
8 funds are utilized effectively to maintain safe school  
9 environments.

10       The legislature further finds that the auditor's report  
11 No. 25-09 (heat abatement) evidences these systemic operational  
12 failures. The auditor found that the department prioritized  
13 "speed over planning", ignored professional engineering advice,  
14 and failed to account for long-term maintenance costs. These  
15 failures resulted in "hotbox" classrooms where sealed windows  
16 created dangerous conditions when air conditioning units failed,  
17 further eroding public trust.



1       The legislature also finds that a root cause of these  
2 failures has been the department's inability to recruit and  
3 retain qualified technical professionals, including engineers,  
4 architects, and senior project managers. The current civil  
5 service compensation schedule restricts the department from  
6 offering competitive market-rate salaries, leaving the  
7 department's office of facilities and operations unable to  
8 compete with the private sector for the talent necessary to  
9 oversee complex capital projects.

10       The legislature notes that existing law authorizes the  
11 school facilities authority to hire qualified staff exempt from  
12 civil service requirements at competitive market rates, allowing  
13 for greater agility and technical competence.

14       Accordingly, the purpose of this Act is to authorize the  
15 superintendent of education to appoint and set the salaries of  
16 certain positions within the office of facilities and operations  
17 to provide the department with internal expertise, prevent  
18 future project failures, and effectively manage the backlog of  
19 school repairs.



SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to part VI to be appropriately designated and to read as follows:

**"§302A- Office of facilities and operations; positions; exemptions.** (a) Notwithstanding any other law to the contrary, the superintendent may appoint and set the salaries of certain technical and professional staff within the office of facilities and operations.

(b) The authority granted to the superintendent under subsection (a) shall apply only to the following positions, which shall be exempt from chapter 76, for the planning, design, engineering, and construction of school facilities:

(1) Professional engineers licensed pursuant to chapter 464;

(2) Architects licensed pursuant to chapter 464;

(3) Senior project managers with a minimum of five years of experience managing capital improvement projects exceeding \$5,000,000 in value; and

(4) Construction inspectors.

(c) The superintendent may set the salaries of any position appointed under this section at rates comparable to:



1       (1) The prevailing market rate for similar work in the  
2           private sector; or

3       (2) Existing exempt positions within the school facilities  
4           authority appointed pursuant to section 302A-1704.

5       (d) The superintendent shall not appoint more than twenty  
6       full-time equivalent positions exempt from chapter 76 pursuant  
7       to this section.

8       (e) The department shall submit a report of its findings  
9       and recommendations, including any proposed legislation, to the  
10       legislature no later than twenty days prior to the convening of  
11       each regular session. The report shall include the:

12       (1) Number of positions exempt from chapter 76 filled  
13           pursuant to this section;

14       (2) Job titles and qualifications of the individuals  
15           appointed;

16       (3) Salary of each position; and

17       (4) Impact of these appointments on the efficiency of  
18           facility repair and maintenance projects."

19       SECTION 3. New statutory material is underscored.

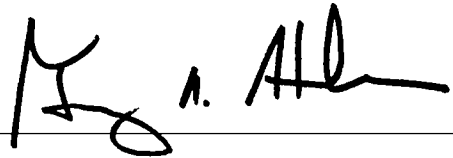


# S.B. NO. 3220

1       SECTION 4. This Act shall take effect upon its approval  
2 and shall be repealed on June 30, 2031.

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INTRODUCED BY:

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# S.B. NO. 3220

**Report Title:**

Department of Education; Office of Facilities and Operations;  
School Facilities; Maintenance; Positions; Civil Service;  
Exemptions

**Description:**

Authorizes the Superintendent of Education to appoint and set the salaries of certain positions within the Office of Facilities and Operations. Sunsets 6/30/2031.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

