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# HOUSE CONCURRENT RESOLUTION

AFFIRMING THAT THE LEGISLATIVE INTENT OF SECTION 302A-1116,  
HAWAII REVISED STATUTES, IS TO AUTHORIZE THE DEPARTMENT OF  
EDUCATION TO CREATE SUBSTANTIVELY TEMPORARY POSITIONS ONLY.

1 WHEREAS, to ensure oversight, fiscal accountability, and  
2 transparency in the establishment and continuation of government  
3 employment, the Legislature has established robust processes  
4 requiring the review and approval of state positions; and  
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6 WHEREAS, recognizing, however, that unforeseen  
7 circumstances, such as natural disasters or global pandemics,  
8 may necessitate the expedient establishment of short-term  
9 positions to address critical issues, the Legislature also  
10 established simplified pathways for certain state departments to  
11 create temporary positions; and  
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13 WHEREAS, these pathways afford state departments the  
14 flexibility to act in the public interest and achieve their  
15 mandates while maintaining legislative oversight of permanent  
16 employment; and  
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18 WHEREAS, this was the legislative intent for enacting  
19 section 302A-1116, Hawaii Revised Statutes, which provides that  
20 the Department of Education may only establish necessary  
21 temporary positions if its expenditures do not exceed its  
22 allocated budget, the term of each position does not exceed one  
23 year, and the Department reports the positions to the Department  
24 of Budget and Finance; and  
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26 WHEREAS, despite the legislative intent and embedded  
27 stipulations, the Department of Education in 2026 renewed  
28 multiple Superintendent-level positions established pursuant to  
29 section 302A-1116, Hawaii Revised Statutes, for a second  
30 consecutive one-year term, due to the lack of an explicit  
31 statutory prohibition against renewal; and



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2 WHEREAS, this interpretation of the statute is harmful, as  
3 the Department of Education could perpetually renew positions in  
4 one-year increments, effectively nullifying existing statutory  
5 safeguards for legislative scrutiny, and is inconsistent with  
6 the purpose of the statute and the overall statutory scheme of  
7 laws pertaining to the Department of Education that ensure  
8 legislative oversight, fiscal accountability, and transparency;  
9 now, therefore,

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11 BE IT RESOLVED by the House of Representatives of the  
12 Thirty-third Legislature of the State of Hawaii, Regular Session  
13 of 2026, the Senate concurring, that this body affirms that the  
14 legislative intent of section 302A-1116, Hawaii Revised  
15 Statutes, is to authorize the Department of Education to create  
16 substantively temporary positions only; and

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18 BE IT FURTHER RESOLVED that the Department of Education is  
19 urged to act in accordance with the law and legislative intent  
20 by not renewing one-year appointments authorized pursuant to  
21 section 302A-1116, Hawaii Revised Statutes, for additional  
22 terms; and

23  
24 BE IT FURTHER RESOLVED that certified copies of this  
25 Concurrent Resolution be transmitted to the Chairperson of the  
26 Board of Education, Superintendent of Education, and Attorney  
27 General.

