



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

March 15, 2016

TO: The Honorable Brian De Lima
Chairperson, Human Resources Committee

FROM: 
Kathryn S. Matayoshi
Superintendent

SUBJECT: **Committee Action on Department of Education Investigations (DDL and LPI): Procedures, Deadlines, and Timelines for Investigations**

1. RECOMMENDATION

The Department recommends that the Human Resources Committee take no action at this time.

2. RECOMMENDED EFFECTIVE DATE

N/A

3. DISCUSSION

a. Conditions leading to the recommendation

The Department has drafted proposed Procedures for Department Directed Leave or Leave Pending Investigation (Procedures), a copy of which was presented to the Human Resources Committee on September 15, 2015. The Procedures include, among other information, guidance to the Department's employees regarding the conditions under which employees should be placed on Department Directed Leave (DDL) or Leave Pending Investigation (LPI) and timelines for conducting investigations and any subsequent decision making processes.

The Department initiated consultation with the United Public Workers (UPW), Hawaii State Teachers Association (HSTA) and Hawaii Government Employees Association (HGEA) on October 26, 2015, after receipt and consideration of feedback from internal stakeholders. We have received and responded to comments and questions from all three unions.

- b. Previous actions of the Board on the same or similar matters

N/A

- c. Other policies affected

N/A

- d. Arguments in support of the recommendation

The Department is optimistic that the consultation process is close to completion. Therefore, we are moving toward implementation of the Procedures.

- e. Arguments against the recommendation

N/A

- f. Other agencies or departments of the State of Hawaii involved in the action

N/A

- g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

Reaction is likely to be mixed. Whenever the subject of the Department's investigations and DDL/LPI cases are on the agenda, there may be testimony on a wide range of related subjects.

- h. Educational implications

N/A

- i. Financial implications

N/A

4. OTHER SUPPLEMENTARY RECOMMENDATIONS

N/A

KSM:BAK:je

c: Office of Human Resources