SCHOOL DISCIPLINE – PHILOSOPHY AND EXPECTATIONS

In order to provide an environment conducive to learning and teaching, the Kalaheo community works together to create a positive and supportive atmosphere with a safe and orderly campus. Kalaheo High School operates under a disciplinary system based on State law, DOE policy and school level rules. This system is encoded in Chapter 19, Title 8, Subtitle 2, Part 1 of Hawaii Administrative Rules. The purpose of school administered discipline is:

1. Promote and maintain a safe and secure educational environment;
2. Teach proper behavior which is beneficial to the educational process and self-development;
3. Deter students from acts which interfere with the purpose of education or which are self-destructive, self-defeating or anti-social; and
4. Maintain proper student conduct to ensure that educational activities and responsibilities remain uninterrupted.

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PART 1: KALAHEO ATTENDANCE POLICY

ATTENDANCE POLICIES/PROCEDURES FOR PARENTS AND STUDENTS

The absence of a student from Kalaheo High School, whether excused or unexcused, has a twofold effect upon the educational process. The absence not only removes the student from the classroom setting, but also impacts KHS's ability to provide quality instruction. It is recognized that most absences are unavoidable and that most students make up the work they missed.

The following procedure is based on the following premise:
- Students need to attend school daily and be in class on time to receive the optimum benefits of school.
- Unexcused and/or excessive absences and tardies are unacceptable and prevent maximum teaching and learning from taking place.
- Attendance is everyone's responsibility.

Definitions
“Absent” means the student is not physically present in school for at least half the school day or absent from each class for at least half the period from the ending of the tardy bell, except if the student is on an authorized school activity. For purposes of school reporting, students are either present or absent. Teachers may maintain records of excused absences for purposes of make up work.
- “Present” means the student is physically present in school for at least half of the school day or class period.
- “Tardy” means the student reports to class after the starting time designated by the school.
- “Truant” means the student is absent from school without authorization from the principal or designee.
- “Cuts” means leaving class without permission or leaving class with permission and not returning in a timely manner. A cut is an unexcused absence and a disciplinary infraction. Appropriate consequences will take place.
- “Excused absence” means student has been allowed to miss school and allowed to make up all work missed due to an absence within the time limit set by the teacher.
- “Unexcused absence” means student hasn’t been allowed to miss school and can’t make up missed work due to an absence.
Guidelines for Determining Absences

- “Excused Absences” include:
  - Illness
    - Parent/guardian can write a note for their child if absent for two days or less due to illness
    - If the student is ill for three or more consecutive days, parents/guardians need to obtain a doctor’s note
  - Funeral services
    - Parent/guardian can write a note for their child if absent
    - A copy of the funeral program or published obituary is required
  - Doctor/Dentist appointment
    - A doctor’s note is required
  - Family court
    - A note from Family Court is required
  - Authorized school activity – School related activities include, but is not limited to activities such as:
    - Counselor or administrator appointment
    - Treatment in the health room
    - Assigned detention or in-school suspension
    - Student government related activities
    - Athletics
    - Field trips
    - Early admission programs
  - Driver’s road test
    - Parent/guardian can write a note for their child if absent

“Unexcused Absences” include, but are not limited to:

- Non-school sponsored activities or trips not approved by school administration
- Voluntary Extended Absences (i.e. family vacations, college visits, etc.) outside of the normally scheduled school break. Make-up work will not be authorized without school administration approval. See Voluntary Extended Absences - Approval Process for Make-up Assignments

Required for All Parent/Guardian for Student Absence Notes
Parents/guardians must send a note with the following required information.

- Student’s legal first and last name
- Date note was written
- Grade level
- Date of absence
- Reason for absence
- Phone number(s) where parent/guardian can be reached
- Parent/guardian signature
- All documentation must be given to the Attendance Office within three days of returning to school. Any letters submitted after the third day will not be considered, but will be kept on file.

Clarification for Parent/Guardian Notes:
The office will record the receipt of the note, verify if necessary, and file the note. The office will give the student readmit slips that must be signed by his/her teachers which notifies the teacher on the status of the absence and allows make-up work to be distributed. Students are required to keep the readmit slips for the quarter to verify excused absences.

Guidelines for Determining Truancy
If the student is a habitual truant (>10 unexcused absences – 95% benchmark for attendance) a written notice of the habitual truancy will be mailed to the student’s parent(s)/guardian(s). Referral to Family Court for an investigation as to whether the student shall be considered to be a neglected child or a child in a family in need of services because of habitual truancy and thus subject to the provisions required by law will occur. See Hawaii Revised Statutes 302A-1132, 302A-1135, and 302A-1136.

Truancy Abatement Process for Unexcused Absences to Class(es)

<table>
<thead>
<tr>
<th>Tier</th>
<th>Absences</th>
<th>Actions</th>
<th>Supports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier 1</td>
<td>1-3 periods per class</td>
<td>• Automated Caller</td>
<td>• Teacher will touch-base with student</td>
</tr>
<tr>
<td>Universally Lead by Teachers</td>
<td>4 periods per class</td>
<td>• Teacher notifies parent/guardian and fills out online Attendance. (Contact #1) ○ Teacher will fill out Behavior Referral Form</td>
<td>• Admin Assistant sends student to attend 1 mandatory morning detention (Admin directed) ○ Or may attend a morning SA (Student Assistance) or after school study hall (teacher or staff must email Yvonne Miltake and VPs to confirm attendance)</td>
</tr>
<tr>
<td>Tier 2</td>
<td>Letter 1: 15 total period absences</td>
<td>• Admin Assistant will send out letter 1 home • Admin Assistant puts the list on the MTSS referral spreadsheet</td>
<td>• Admin Assistant sends student to attend 2 mandatory morning detentions (Admin directed) ○ Or may attend a morning SA (Student Assistance) or after school study hall (teacher or staff must email Yvonne Miltake and VPs to confirm attendance) ○ Counselors will make contact with student; parent contact as needed (Contact #2)</td>
</tr>
<tr>
<td>Moderate Risk</td>
<td>Lead by SEC Members</td>
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| Letter 2: 25 total period absences | • Admin Assistant will send out letter 2 home  
• Admin Assistant puts the list on the MTSS referral spreadsheet |
|              | • Admin Assistant sends student to attend 3 mandatory morning detentions (Admin directed)  
• Or may attend a morning SA (Student Assistance) or after school study hall (teacher or staff must email Yvonne Mitake and VPs to confirm attendance)  
• SSC will host a Student Support Meeting with student, teacher, parent/guardian, admin: Develop and Implement A&C Plan (i.e. TAG, parent drop off, etc.) (Contact #3) |

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<tr>
<th>Tien 3 Absenteeism</th>
<th>Chronic Absenteeism</th>
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</table>
| Letter 3: 35 total period absences | • Admin Assistant will send out letter 3 home  
• Admin Assistant puts the list on the MTSS referral spreadsheet |
|                      | • Admin Assistant sends student to attend 4 mandatory morning detentions (Admin directed)  
• Or may attend a morning SA (Student Assistance) or after school study hall (teacher or staff must email Yvonne Mitake and VPs to confirm attendance)  
• Family meeting with Principal (Contact #4)  
• Home visit by Social Worker (Contact #5)  
Options:  
• Potential referral for Truancy Petition to the Courts  
• Alternative Education  
• 4140 Exclusion from School |

Possible Consequences for Failure to Attend School
- Students who accumulate 5 or more unexcused absences per course per quarter will be ineligible to participate in any co-curricular activities for the rest of the current quarter.
  - The procedure to withhold privileges from students stresses to parents and students the importance of attending school.
- Daily calls are generated to parents when a student misses one or more classes. A phone call will be made to parents/guardians when their child has received four unexcused absences with the attendance procedure to alert them.
- A letter is sent home when the student reaches the 5 unexcused absences informing them that co-curricular privileges have been suspended for the current quarter. An appeal notice is also attached. School procedure states clearly what constitutes an excused or unexcused absence and parents and students are informed whether the note is accepted as excused.
- Attendance Detention during morning Student Assistance will be assigned to students who accumulate 4 or more unexcused absences.

Guidelines for Determining Tardies
“Excused Tardies” include:
- Funeral services of family member
  - Parent/guardian can write a note for their child if absent
  - A copy of the funeral program or published obituary is required
- Doctor/Dentist appointment
  - A doctor’s note is required
- Family court
  - A note from Family Court is required
- Student detained by an administrator or counselor
  - A note from person who detained the student
- Delayed school bus
  - An announcement will be made over the school public address system and/or school email
- Unusual weather circumstances
  - An announcement will be made over the school public address system and/or school email
  - All other reasons must be reviewed by an administrator before a tardy is excused

“Unexcused Tardies” include, but are not limited to:
- Oversleeping
- Having car trouble
- Missing the bus
- Babysitting
- Dealing with “personal business”

Consequences for Unexcused Tardies
- Students who are tardy for school and for classes during the school day, receive lunch detention for that day
- Students who are tardy after lunch will serve lunch detention the following day.

Disciplinary Suspensions
Out of school suspension for disciplinary infractions will be considered Administrative Leave. The student will be allowed to make up missed assignments. Teachers are notified of all student suspensions.

Leaving School Early and Off Campus Passes
Students who must miss classes for medical, court, or other appointments must check out through the administrative office. Students who become ill during the school day must check out through the health room.
A temporary Off Campus Pass is issued to a student who brings a note (see “Off Campus Pass” note). An Off Campus Pass is obtained before school or during morning recess at the attendance window at office courtyard. The office will not accept phone calls to request an “Off Campus Pass.” If the parent has not provided a note for his/her child, parent may report to the Administrative Office to sign the student out in person and present a government issued ID. Students are released only to a parent/guardian, or an emergency contact listed on the Emergency Screen on Infinite Campus.

A parent/guardian may come to the administrative office to check their child out of school. Please note that calling the student out of class and releasing them may take approximately 20 minutes. Students will NOT be released the last 30 minutes of the school day.

The “Off Campus Pass” note must have the following information:
(1) Student’s legal name
(2) Name and relationship of person requesting “Off Campus Pass”
(3) Date and time student needs to leave school
(4) The reason the student needs to leave school early
(5) Signature of parent/guardian
(6) Phone contact number for questions and/or verification

Homework Procedure for Excused Absences
If a student is absent for three or more consecutive days, the parent/guardian may request for homework by calling the student's counselor. A 24-hour notice is needed for teachers when a homework request is made. Parents may pick up the homework at the front office after 3:00 PM of the second day following the request. Parents/guardians may call the office to confirm that there are assignments for the student before coming to the school.

Voluntary Extended Absences - Approval Process for Make-up Assignments
Parents must submit a request in writing and meet with school administration as soon as plans for any extended absences due to family vacations, youth camps, and/or sports competition events have been made. The school administration has the discretion to determine if the student is allowed to make up assignment.
PART 2: STATE OF HAWAII POLICY

ACT 205 – Student Substance Abuse: Act 205 (July, 2006) specifies:
1. A student who possesses, sells, consumes or uses intoxicating liquor
   or illegal drugs while attending school or while attending department
   supervised activities held on or off school property shall be subject to
   the department’s disciplinary rules.
2. A student who reasonably appears to have consumed or used
   intoxicating liquor or illegal drugs prior to attending school or attending
   department supervised activities held on or off school property shall be
   subject to the department’s disciplinary rules.
3. Any student found to be in violation of either of the above provisions
   shall be allowed to return to school earlier than the department’s
   original disciplinary determination provided that the parent and student
   gives the school evidence of the following:
   a. A substance abuse assessment was completed and the student is
      progressing toward clinical discharge from any substance abuse
      treatment or substance abuse counseling recommended by the
      substance abuse assessment.
   b. If the substance abuse assessment finds the student does not need
      substance abuse treatment or substance abuse counseling, the
      school may allow the student to return to school earlier than
      originally indicated when the student provides a certified copy of the
      assessment and the student’s parent/legal guardian consents to the
      student receiving follow-up counseling or other student support
      services to be provided by the department.

Act 162 – Dismissal from School: A student may be released from school if:
1. The student has attained the age of sixteen years.
2. The Principal has determined that the student has engaged in behavior
   which is disruptive to other students, teachers, or staff, or the student’s
   non-attendance is chronic and has become a significant factor that
   hinders his/her learning.
   The Principal, counselor, and teachers, in consultation with the student and
   parent/guardian, may release the child from school and develop an alternative
   education plan. The alternative educational plan shall include a process that
   permits the student to resume regular school instruction. The Principal shall file
   the plan with the student’s school record. If the parent/guardian disagrees with
   the alternative educational plan, he/she shall be responsible for obtaining
   appropriate educational services for the student.

Policy 4540 – Senior Participation in Commencement: If it is determined that
during the fourth quarter of the school year, a Senior has committed one Class A
or B offense or two or more Class C or D offenses, the Principal may revoke the
student’s privilege of participating in the commencement exercises. This policy is
based on Department of Education Policy 4540 and Regulation 4540.1 approved March 6, 1997 and enforced by the Superintendent of Education.

PART 3: KALAHEO STUDENT CONDUCT POLICY

Closed Campus: To promote safety and security, Kalaheo has a closed campus. No student visitors are permitted. Exceptions must be approved by the Principal. Students may not leave campus for recess and lunch. Any student leaving campus without permission or an authorized off-campus pass will face disciplinary consequences.

No Smoking, Littering or Loitering within Campus Perimeter: To ensure the health, safety and welfare of students and school neighbors, the immediate areas of the perimeter of the campus are off-limits for smoking, littering loitering and trespassing before, during and after school. The areas include:

1. Iliaina Street to Ilikupono Street.
2. Two hundred yards from campus on both sides of Mokapu Blvd.
3. Ilipilo Street.
4. The immediate wilderness area bordering Kalaheo High School.

Dress Code: Student will come to school clean and well-groomed in appropriate clothing to promote a positive learning environment. If in doubt about whether the item of clothing is appropriate, choose on the side of common sense and do not wear that item to school. Administrators, faculty and staff will refer any dress that is deemed inappropriate to the Health Room to change into DCV (Dress Code Violation) t-shirt or call home to obtain acceptable clothing based on the following guidelines:

1. All tops must have attached shoulder straps. Tube tops and bustier tops are prohibited.
2. Cleavage, chest, back and midriff must be completely covered with clothing. Excessive exposure of these areas of the body is prohibited. Males must wear their shirts at all times. Low-cut, transparent or cutout clothing are prohibited.
3. Shorts, skirts and dresses must be at mid-thigh finger-tip length. Exposure of the buttock regions and underwear is prohibited.
4. Hoodies and sunglasses are prohibited in the classroom.
5. All clothing must have neutral or positive message. Articles of clothing, jewelry and accessories that contain any reference to negative social issue: drugs, sex, profanity, pornography, weapons and gangs are prohibited.
6. Underwear is not permitted as outerwear. Tank-top undershirts or boxer shorts are prohibited as outerwear.
Footwear must be worn at all times. Students must adhere to classroom lab policy and P.E. policy for safe footwear.

**Student ID Cards:** All returning students will be issued Kalaheo High School Picture ID cards at registration pick up or with yearbook picture taking within the first month of every school year. The cost of the first ID card of the school year is included in the required student fees. All new students will be issued a temporary picture ID from the school registration office. The student must then obtain a permanent student ID from Student Services ASK located in C-102. Students must display or have in their possession their school ID cards for it must be shown to office personnel to obtain excused absence admit slips and off campus passes. Student IDs are required for all dances and proms, use of computer lab, use of library facilities, entrance to health room and for school lunch service. Replacement ID cards will be available in C-102 for a fee of $5.00.

**Use of School Media Equipment:** The usage of school media equipment is strictly prohibited for any private events or inappropriate and unlawful activities. Equipment should only be used for curriculum related activities. Students may not borrow the school equipment for their personal use and teachers will be expected to monitor this policy.

**Student Messages:** No student messages will be taken or delivered by Administrative Office personnel. Parents should call their children on their cell phones during recess and lunch and speak with them as needed. That is the primary reason cell phone use is permitted on campus during non-instructional time. Parents should refer to the school bell schedule for appropriate times to contact their children.

**Student Obligations:** All students are issued obligations for lost textbooks, unreturned library books, missing athletic uniforms and equipment, student fees and miscellaneous student incurred expenses. Students are expected to clear their obligations in a timely manner. Participation in athletic activities, banquets, proms and commencement exercise is prohibited until all obligations have been cleared with the Account Clerk.

**Contraband:** The following items interfere with the educational process and usage is not allowed in the classrooms, library or computer lab:

1. Cellular Phones, Walkie Talkies
2. CD Players, MP3 Players, IPODS
3. Electronic Entertainment Devices and Personal Laptops

No skateboard riding on campus for safety and security. Students who use skateboards for legitimate transportation to and from school must store the board during the school day.
Roller blades, boom boxes, spike jewelry, laser pointers, gang-related paraphernalia, lighters, aerosol cans, graffiti markers, dice and other items that are determined to distract from the learning environment are not allowed on campus. All items classified as contraband will be confiscated by teachers, security or administration and stored in the School Security Manager’s office.

Any contraband brought to school by the student is at his/her own risk. Neither the administration nor security is responsible for the recovery of stolen property. Investigations for stolen personal property are not the school responsibility. Parents should contact HPD.

Cell Phones: The usage of cell phones is not permitted on campus during instructional time. School personnel are authorized to confiscate immediately any cell phones being used by students and transfer property to security or administration as soon as possible. All confiscated cell phones must be picked up by parents or legal guardian. No phone will be returned to the student. If a student refuses to surrender the cell phone when requested to do so by school personnel, then a referral for insubordination will be generated.

eTrition System: Each student must present his/her ID card to purchase or receive a school meal or any a la carte items. The purchase price of the meal or a la carte item is automatically deducted from the student’s account when the ID card is scanned. A student may purchase only one meal at a time. Borrowing another student’s ID card is not permitted. Money must be deposited into the student’s account to activate the eTrition system. Cash/Check deposits may be made before school and at first recess at the front office and can be accessed immediately. Envelopes and deposit slips will be provided. All cash deposits made by the end of morning recess will be active in the account on that day. Students may request a print out of their balances or deposits. No deposits are accepted in the lunch line.

Cafeteria Behavior and Food Consumption: All standard conduct rules are enforced while in the cafeteria. Students who eat at first recess and lunch must dispose of all litter in the rubbish cans provided. Students who leave the cafeteria to eat on campus are expected to dispose of all litter in the rubbish cans strategically placed on campus. Because of federal regulations and the monitored school lunch program, outside fast food is not permitted on campus. Delivery of fast food and delivery people are not permitted on campus during school hours.

Public Displays of Affection: Inappropriate displays of affection (prolonged kissing, necking, excessive body contact) are not permitted on campus. Habitual offenders will be warned by teachers, counselors or administrators. Continued practice will result in parental notification and mandatory counseling.
Student Transportation: Students are eligible to ride the school bus if: they ride the bus on a daily basis, attend their home school as determined by their legal residence, and reside 1.5 miles or more via the shortest walking distance from school where a route is available. Please inquire with the school office for confirmation of availability. The student must submit an application with appropriate payment to the office transportation clerk to obtain a bus pass. The student must carry and display the bus pass to the driver on a daily basis. All standard conduct rules are enforced while riding the school bus. If a student commits a bus rule infraction, the bus driver submits an incident report to the alpha Vice Principal who determines the disciplinary consequences based on the severity of the infraction.

Student Parking: All student drivers are required to purchase and display a student parking permit obtained from the Account Clerk in order to park their cars in the upper student parking. No student parking is allowed on campus. Unsafe or reckless driving may result in the confiscation of the student parking permit and suspension of parking privileges in the student parking lot.

Administrative Detention: Administrative detention is scheduled for after school and will be held at a designated site on campus. Administrative detention will be mandatory for students who are habitual offenders of insubordination, disruptive of class, class cutting, truancy, leaving campus without permission, or other infractions determined by the school administration. (Parents and students will be notified if any changes will be made to the administrative detention policy.)

School Community Service: Community service is scheduled for after school hours and is supervised by Administration and/or the Head Custodian. Parents will be notified of reason, hours and term of Community Service. Mandatory community service may be a consequence for serious or habitual offenders of school robbery, property damage and vandalism.

Crisis Removal: A student may be immediately excluded from school in an emergency, because the conduct of the student presents a clear threat to the physical safety of self or others, or the student is extremely disruptive as to make the immediate removal of the student necessary to preserve the right of other students to pursue their education free from undue disruption.

PART 4: CONSEQUENCES FOR INFRACTIONS – CLASS A OFFENSES

Class A offenses are very serious and are statutory law violations. Class A offenses may result in HPD notification, a police report and possible arrest.
**Assault** - Intentionally, knowingly, recklessly, or negligently causing serious bodily injury or bodily injury to another person with or without a dangerous instrument.

**Burglary** - Entering or remaining without school authorization in a building that is either owned or operated by the department of education with intent to commit an offense against a person, or against school property or other property located at the school.

**Dangerous Instrument or Substance** - Possession or use of any explosive device, instrument, material, or chemical, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or bodily injury. Examples of such items include but are not limited to: knives, pipe bomb devices, fireworks, pepper spray, mace, martial arts devices such as nunchucks sticks and stars and inanimate objects such as pipes sticks or baseball bats swing at a person in a menacing manner so as to cause or threaten bodily injury.

**Dangerous Weapons** - Possession or use of an instrument whose sole design and purpose is to inflict bodily injury or death. Examples of such instruments include but are not limited to a dirk, dagger, butterfly knife, switchblade knife, blackjack, slug shot, billy, metal knuckles or other weapons that inflict bodily injury or death.

**Extortion** - “Extortion” means an act committed by a person who:

1. Obtain, or exerts control over, the property or services of another with intent to deprive that person of the property or services by threatening by word or conduct to:
   
   (A) Cause bodily injury in the future to the person threatened or to any other person;

   (B) Cause damage to property;

   (C) Subject the person threatened or any other person to physical confinement or restraint;

   (D) Expose a secret or publicize an asserted fact, whether true or false, tending to subject person to hatred, contempt, or ridicule, or to impair the person’s credit or business repute;

   (E) Reveal any information sought to be concealed by the person threatened or any other person;

   (F) Testify, provide information, or withhold testimony or information with respect to another’s legal claim or defense;

   (G) Take or withhold action as a public servant, or cause a public servant to take or withhold such action;

   (H) Bring about or continue a strike, boycott, or other similar collective action, to obtain property which is not demanded or
received for the benefit of the group which the student purports to represent; or
(I) Do any other act which would not in itself substantially benefit the person committing the act but which is calculated to substantially harm some person with respect to that person’s health, safety, education, business, calling, career, financial condition, reputation, or personal relationship;
2. Compels or induces another person to engage in conduct from which that person has a legal right to abstain or to abstain from conduct in which that person has a legal right to engage by threatening by word or conduct to do any of the actions set forth in paragraph (A) through (I) of this definition; or
3. Makes or finances any extension of credit, or collects any extension of credit by extortiate means.

Fighting - Instigating or provoking physical contact involving anger or hostility. Fighting includes but is not limited to:
1. Engaging in mutual physical contact involving anger or hostility;
2. Teasing, harassing, threatening, or intimidating others resulting in physical contact involving anger or hostility;
3. Retaliating physically for teasing, harassing, threatening, or intimidating behavior; verbally inciting; or
4. Physically supporting a fight by one’s presence and encouragement.

Firearms - Possession or use of:
1. Any weapon including but is not limited to a starter gun, shotgun, air guns which includes BB guns, pellet guns, paintball guns, or crossbow or any other instrument which will or is designed to or may readily be converted to expel a projectile;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer; or
4. Any destructive device. The term “destructive device” means:
   (A) Any explosive, incendiary, or poison gas:
      (i) Bomb;
      (ii) Grenade;
      (iii) Rocket having a propellant charge;
      (iv) Missile having an explosive or incendiary charge;
      (v) Mine; or
      (vi) Device similar to any of the devices described in the preceding clause;
   (B) Any type of weapon which will, or which may be readily converted to expel a projectile, including but is not limited to a weapon that expel a projectile by actions of any explosive or other propellant; or
   (C) Any combination or parts either designed or intended for use in converting any device described above, and from which a
destructive device may be readily assembled.

**Homicide** - Causing the death of another person.

**Illicit drugs** - Substances the possession, distribution ingestion, manufacture, Use, sale, or delivery, of which are prohibited under chapter 329, Hawaii Revised Statutes and chapter 712, part IV, Hawaii Revised Statutes.

**Intoxicating Substances** - The use or possession of any substance, which causes disturbance of the normal physical or mental functioning including but is not limited to Alcohol.

**Property Damage or Vandalism** - Damaging the property of the school or another person; destroying or defacing school property or facility; or destroying or defacing school materials, such as but is not limited to planners, identification name tags or meal cards, *(MINOR: Under $50.00)*

**Robbery** – In the course of committing a theft or hijacking, a person, attempts to kill another, or intentionally inflicts or attempts to inflict serious bodily injury upon another; with or without a dangerous instrument:
1. Uses force against the person with the intent to overcome the owner’s physical resistance or physical power of resistance;
2. Threatens the imminent use of force against the person of anyone is present with intent to compel acquiescence to the taking of or escaping with the property; or
3. Recklessly inflict serious bodily injury upon another.

**Sexual Offenses** - Unwanted touching or grabbing of sexual parts, indecent exposure, using force to engage in intercourse, oral sex, or other sexual contact, engaging in intercourse, oral sex, or other sexual contact despite the other person’s clearly expressed refusal or mental or physical inability to consent.

**Terroristic Threatening** - A threat, by word or conduct, to cause bodily injury to another person or serious damage to property of person.
1. With the intent to cause, or in reckless disregard of the risk of causing evacuation of a building, place of assembly, or
2. Displaying a “look-alike” gun or weapon.

**CONSEQUENCES FOR INFRACTIONS – CLASS B OFFENSES**

Class B offenses are serious and are misdemeanor law violations. Class B offenses may result in HPD notification, a police report and possible arrest.
Bullying - Any written, verbal, graphic, or physical act that a student or group of students exhibits toward other particular student(s) and the behavior causes mental or physical harm to the other student(s); and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

Cyberbullying - Electronically transmitted acts, i.e., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device that a student has exhibited toward another student or employee of the department which causes mental or physical harm to the other student(s) or school personnel is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment:

1. On campus, or other Department of Education premises, on department education transportation, or during a department of education sponsored activity or event on or off school property.
2. Through a department of education data system without Department of Education authorized communication; or
3. Through an off campus computer network that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student or school personnel, or both.

In evaluating whether conduct constitutes harassment, intimidation or bullying special attention should be paid to the words chosen or the actions taken, whether the conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred. Electronic transmissions include but are not limited to the use of data, computer software that is accessed through a computer, a computer network system, other computerized systems, cellular phones or other similar electronic devices that display email, text messaging, blogs, photo drawings, video clips, on-line community websites, or faxes, or a combination of the foregoing.

Disorderly Conduct - The following actions or activities on campus or other Department of Education premises, on Department of Education transportation, or during a Department of Education sponsored activity or event on or off school property:

1. Engaging in fighting or threatening, or in violent or tumultuous behavior such as yelling or screaming, or both;
2. Making unreasonable noise as to cause disruption of normal school operations;
3. Making any offensively coarse utterance, gesture, or display, or addressing abusive language to any person present, which is likely to provoke a violent response;
4. Creating a hazardous or physically offensive condition by any act which not performed under any authorized license or permit;
5. Impeding or obstructing any person in a public school for the purpose of begging or soliciting alms or other forms of aid; or
6. In appropriate physical contact including but is not limited to consensual sex or consensual touching of body parts, or both.

**False Alarm** - Knowingly causing a false alarm of fire or other emergency to be transmitted to or within an official or volunteer fire department, any governmental agency, or public utility that deals with emergencies involving danger to life or property.

**Forgery** - “Forgery” means:
1. A student signing a name other than the student’s own name on a document or;
2. The illegal production or reproduction of materials such as fundraising or sports event tickets.

**Gambling** - Means staking or risking something of value upon the outcome of a contest of chance or a future contingent event not under the person’s control or influence, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. Gambling does not include bona fide business transactions valid under the law of contracts, including but not limited to contract for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including but not limited to contracts of indemnity or guaranty and life, health, or accident insurance.

**Harassment** - A student who is harassing, bullying, including cyber bullying, annoying, or alarming another person by engaging in the following conduct that includes but is not limited to:
1. Striking, shoving, kicking, or otherwise touching a person in an offensive manner or subjecting such person to offensive physical contact.
2. Insulting, taunting, or challenging another person in a manner likely to provoke a violent response;
3. Making verbal or non-verbal expressions that causes others to feel uncomfortable, pressured, threatened, or in danger because of reasons that include but are not limited to the person’s race, color, national origin, ancestry, sex, including gender identity and expression, religion, disability, or sexual orientation that creates an intimidating, hostile, or offensive a student, or otherwise adversely affects the educational opportunity of a student or students;
4. Name calling, making rude gestures, insulting, or teasing another person who feels humiliated intimidated, threatened, or embarrasses;
5. Making a telephone call without purpose of legitimate communication;
6. Making repeated communications anonymously, or at extremely inconvenient hours, or in offensively coarse language on campus or other Department of Education premises, on Department of Education transportation, or during a Department of Education sponsored activity or event on or off school property;
7. Causing fear as to prevent others from gaining legitimate access to or use of school buildings, facilities, services, or grounds such as, but is not limited to, restroom facilities; or
8. Physically harming, physically restraining, threatening, or stalking, or a combination of the foregoing.

**Hazing** - Any conduct or method of initiation into any student organization or activity, whether on campus or other Department of Education premises, on Department of Education transportation, or during a Department of Education sponsored activity or event on or off school property, which willfully or recklessly endangers the physical or mental health of any student. Such conduct shall include, but is not limited to whipping, beating, branding, forced calisthenics, exposure to weather, forced consumption of any food, liquor, beverage, drug or other substance, indecent exposure, or any other treatment or forced physical activity which is likely to adversely affect the physical or mental health, or both, or safety of any student of which subjects any student to extreme mental stress, including deprivation of sleep or rest, extended isolation, or personal humiliation.

**Theft** -

1. Obtaining, or exerting control over, the property of another with intent to deprive that person of the property;
2. Obtaining, or exerting, control over, the property of another by deception with intent to deprive the person of the property;
3. Obtaining or exerting control over, the property of another which the person knows to have been lost or mislaid, or to have been delivered under a mistake as to the nature or amount of the property, the identity of the recipient, or other facts, and with the intent to deprive the owner of the property, the person fails to take reasonable measures to discover and notify the owner;
4. Intentionally obtaining services, known by the person to be available only for compensation, by deception, false token, or other means to avoid payment for the services;
5. Having control over the disposition of services of another to which the person is not entitled, intentionally diverts those services to the person's own benefit or to the benefit of a person not entitled thereto;
6. Failing to make required disposition of funds by:
   A. Intentionally obtaining property from anyone upon an agreement, or subject to a known legal obligation to make specified payment or other disposition, whether from the property or its proceeds or from
the person’s own property reserved in equivalent amount, and
dealing with the property as the person’s own and failing to make
the required payment or disposition; or
B. Obtaining personal services from an employee upon agreement or
subject to a known legal obligation to make a payment other
disposition of funds to a third person on account of the
employment, and intentionally failing to make the payment or
disposition at the proper time;
7. Intentionally receiving, retaining, or disposing of the property of
another, knowing that it has been stolen, with intent to deprive the
owner of the property, or...

Shoplifting:
A. Concealing or taking possession of the goods or merchandise of any
store or retail establishment, with the intent to defraud;
B. Altering the price tag or other price marking on goods or merchandise
of any store or retail establishment, with intent to defraud; or
C. Transferring the goods or merchandise of any store or retail
establishment from one container to another, with intent to defraud.

Trespassing - Entering or remaining unlawfully in or upon the premises of any
school, as defined pursuant to 302A-501, Hawaii Revised Statutes, after
reasonable warning or request to leave by school authorities or police officer. NO
students are allowed on campus for non-school activities after school
hours.

CONSEQUENCES FOR INFRACTIONS – CLASS C OFFENSES

Abusive Language - Verbal messages that use words in an inappropriate and
may include but is not limited to swearing, name calling, or profanity.

Class Cut - An unauthorized absence of a student from class.

Insubordination - Willful or intentional disregard or refusal to obey an order of
which a teacher, officer or other employee of the department is entitled to give
and have obeyed.

Category 1 – General Insubordination
Category 2 – Use of Profanity/Swearing
Category 3 – Use of Profanity or Vulgar Gesture at Faculty/Staff Member
Category 4 – Failure to Serve Administrative Assigned Detention
Category 5 – Failure to Serve Administrative Assigned Detention
Laser Pen/Pointer - Possession or use of a device that emits a bright laser light that appears as a dot on any surface at which it is aimed and is without authorized Department of Education purpose use.

Leaving Campus Without Consent - Leaving the premises of a school without first obtaining permission from school officials.

Smoking - Possession, use and/or distribution of tobacco products, including e-cig/vape. On campus, or other DOE premises during school hours, on DOE transportation, or during DOE sponsored activity or event on or off school property.

Truancy - The student is absent from the school campus without authorization from the principal or designee. Refer to Kalaheo Attendance Policy for full description of expectations and consequences.

CONSEQUENCES FOR INFRACTIONS – CLASS D OFFENSES

Contraband - Possession or use of a property, other than which is unlawful to produce or possess, which as defined by local school rules, is prohibited on school premises because the possession or use of property on school premises has in the past led to bodily injury or disruption of school operations.

Minor Problem Behaviors - Means demonstration of low-intensity problem behaviors that may include, but are not limited to the following:

1. “Defiance/disrespect/non-compliance” means student engages in brief or low-intensity failure to respond to adult requests;
2. “Disruption” means student engages in low-intensity, inappropriate disruption;
3. “Inappropriate language” means student engages in low-intensity instance of inappropriate language;
4. “Physical contact” means student engages in non-serious, inappropriate physical contact;
5. “Property misuse” means student engages in low-intensity misuse of property;
6. “Tardy” means a student arrives to school after school has started, or a student arrives at class after class has started or both.

Failure To Surrender Contraband

Dress Code Violation – Student wears clothing that is not within the dress code guidelines defined by the school.

Failure to Cooperate With Dress Code
Student ID Violation

School Bus Violation

Cafeteria Recess and Lunch Violation - Inappropriate behavior, cutting in line, or creating an unnecessary disturbance.

Inappropriate Public Displays of Affection

Littering Violation

NOTE: Although consequences are defined, the Administration reserves the right to final decision for consequences within the Chapter 19 Code. Each student is an individual and each case has individual circumstances. The majority of students behave appropriately. However, when offenses occur, the gravity of the deed and the student's situation must be taken into consideration to determine the final consequences.