



'A'ole pau ka 'ike i ka hualau ko'okahi

Connections Public Charter School

A Community, Business & Education Learning `Ohana

Schoolwide Behavioral Expectations

To Support Student Learning

Student Interventions, Discipline Policy and
Bill of Student Rights and Responsibilities, K-12

STANDARDS OF INTERVENTION AND DISCIPLINE MEASURES

Connections Public Charter School (CPCS) is committed to ensuring that our school is a safe, secure, and orderly environment in which teaching and learning take place each day. A safe and supportive school depends upon the efforts of all members of the school community—teachers, students, administrators, parents, counselors, social workers, safety personnel, related service providers, cafeteria workers, custodians, and bus staff—to treat one another with mutual respect.

Included in this document is the **Student Bill of Rights and Responsibilities**, which promotes responsible behavior and an atmosphere of dignity and respect by establishing guidelines to help students as they strive to become productive citizens in a diverse society.

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STANDARDS OF BEHAVIOR

All members of the school community—students, staff, and parents—must know and understand the standards of behavior that all students are expected to live up to and the consequences if these standards are not met.

The Standards of Intervention and Discipline Measures (the Discipline Policy) provides a description of conduct that does not meet the standards of behavior expected of students attending Connections Public Charter School. It includes a range of guidance interventions and a range of permissible disciplinary and intervention measures that the school may use to address misbehavior. Also included is the Bill of Students Rights and Responsibilities.

The Discipline Policy applies to all students.

PARENTS AS PARTNERS

Students, parents, and school personnel all have a role in making the school safe and must cooperate with one another to achieve this goal. School staff will keep parents informed of their child’s behavior and enlist parents as partners in addressing areas of concern. Outreach to parents will include, but is not limited to, a phone call and/or a written communication. As role models, parents and school staff should exhibit the behaviors that they would like to see students emulate.

To ensure that parents become active and involved partners in promoting a safe and supportive school environment, they must be familiar with the Discipline Policy. School officials are responsible for sharing the information in this document with students, parents and staff. Educators are responsible for informing parents about their child's behavior and for nurturing the skills students need to succeed in school and in society. Parents are encouraged to discuss with their child's teacher and other school staff issues that may affect student behavior and strategies that might be effective in working with the student.

It is important that there is maximum consultation and communication between the school and the home. Guidance conferences attended by the principal or his/her designee, the student's parent(s), and one or more of the student's teachers are an effective means of encouraging parental input and should be held with students when appropriate. Parents who want to discuss guidance interventions in response to student behavior should contact the school.

In the event a student engages in inappropriate behavior, the principal or principal's designee will report the behavior to the student's parent. When a student is believed to have committed a crime, the police must be summoned and the parent must be contacted.

* Whenever used in this document, the term "parent" means the student's parent(s) or guardian(s) or any person(s) in a parental or custodial relationship to the student.

Attendance

Attendance at school is vital to a student's academic progress and success. School personnel must ensure that appropriate outreach, intervention, and support are provided for students who exhibit attendance problems that may manifest themselves as truancy or patterns of unexcused absence or educational neglect.

In cases of truancy, school personnel must meet with the student and parent in order to determine needed support and an appropriate course of action, which may include, but is not limited to: guidance, intervention and/or family court referral.

School personnel review cases of chronic absenteeism and/or truancy and facilitate resolution. Cases of suspected educational neglect must be reported to Child Protective Services.

CREATING SAFE, SUPPORTIVE AND INCLUSIVE SCHOOLS

PROMOTING POSITIVE STUDENT BEHAVIOR

School culture and climate have a profound impact upon students' academic progress and their relationships with peers and adults. The school is expected to promote a positive school culture that provides students with a supportive environment in which to grow both socially and academically. Connecting students to school through opportunities to participate in a wide range of pro-social activities and to bond with caring, supportive adults, coupled with a comprehensive program of prevention and intervention, provides students with the experiences, strategies, life skills, and the support they need to thrive.

Student engagement is integral to creating a positive school culture and climate that fosters students' social-emotional growth and academic achievement. Providing students with multiple opportunities to participate in a wide range of pro-social activities and, at the same time, bond with caring, supportive adults can help prevent negative behaviors.

Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in schoolwide initiatives; student leadership development; periodic recognition of students' achievements in a range of academic and co-curricular areas; using corrective feedback and developing schoolwide positive behavior systems. Such opportunities, coupled with a comprehensive guidance program of prevention and intervention, provide students with the experiences, strategies, skills, and support they need to thrive.

Social-emotional learning is a basic component of CPCS's program of universal prevention for all students. The school takes a proactive role in nurturing students' pro-social behavior. Providing a range of positive behavioral supports as well as meaningful opportunities for social-emotional learning fosters resiliency. Effective social-emotional learning helps students develop fundamental life skills, including: recognizing and managing emotions; developing caring and concern for others; establishing positive relationships; making responsible decisions and handling challenging situations constructively and ethically. When students develop these skills, they experience more positive relationships with peers, engage in more positive social behaviors and are less likely to engage in misconduct.

Establishing a schoolwide tiered framework of behavioral supports and interventions is essential to implementing progressive discipline. The goal of behavioral supports is to foster resiliency, help students understand and follow school rules, and support them in developing the skills they need to meet behavioral expectations.

School staff members are also responsible for addressing inappropriate student behaviors that disrupt learning. Administrators, teachers, and other school staff are expected to engage all students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and his/her parent(s).

Intervention and prevention strategies include but are not limited to guidance support and services to address personal and family circumstances; social-emotional learning; conflict resolution; peer mediation; collaborative negotiation; restorative circles; anger management; stress management; collaborative problem solving; communication skills acquisition; the use of alternate instructional materials and/or methods; enrichment services; alternate class placement and/or development or review of functional behavioral assessments and behavioral intervention plans, which are developed and/or reviewed as an early intervention strategy. If, at any time, school officials suspect that a student's difficulties may be the result of a disability which may require special education services, the student will be referred for evaluation.

Through the use of intervention and prevention strategies that engage students and give them a clear sense of purpose, school staff members facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

PROGRESSIVE DISCIPLINE

Understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline. Progressive discipline uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior. Progressive discipline does not seek punishment. Instead, progressive discipline seeks concurrent accountability and behavioral change.

The goal of progressive discipline is prevention of a recurrence of negative behavior by helping students learn from their mistakes. Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:

- understand why the behavior is unacceptable and the harm it has caused;
- understand what they could have done differently in the same situation;
- take responsibility for their actions;
- be given the opportunity to learn pro-social strategies and skills to use in the future; and
- understand the progression of more stringent consequences if the behavior recurs.

Determining the Disciplinary Response

School officials must consult this document (the Discipline Policy) when determining which disciplinary measure to impose. In determining how to best address inappropriate conduct, it is necessary to evaluate the totality of the circumstances surrounding the conduct. The following facts *must* be considered prior to determining the appropriate disciplinary measures:

- the student's age and maturity;
- the student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct, and the disciplinary and guidance intervention measures applied for each);
- the nature, severity, and scope of the behavior;
- the circumstances/context in which the conduct occurred;
- the frequency and duration of the behavior;
- the number of persons involved in the behavior; and
- the student's IEP (Individualized Education Plan), BIP (Behavioral Intervention Plan), and/or 504 Accommodation Plan, if applicable.

Guidance interventions are an essential adjunct to disciplinary measures.

Every reasonable effort must be made to correct student behavior through guidance interventions and other school-based strategies such as restorative practices. Guidance interventions are essential because inappropriate behavior or violations of the Discipline Policy may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs.

Appropriate disciplinary responses should emphasize prevention and effective intervention, foster resiliency, prevent disruption to students' education, and promote positive school culture. When a student's misconduct results in a placement out of the classroom, the school may consider using peer mediation or the restorative processes as an effective strategy to support a successful return to the student's regular program.

For students with disabilities whose behavior impedes the student's participation in school, a functional behavioral assessment (FBA) is an essential tool to understand the causes of the student's behavior. A behavioral intervention plan (BIP) after an FBA provides specific approaches to address the student's behavior(s).

Infraction Levels

This Discipline Policy holds students accountable for their behavior. Infractions are grouped into five levels based on the severity of the infraction. Whenever possible and appropriate, the response to misconduct shall begin with the lowest level of disciplinary response and include appropriate guidance intervention(s).

Administrators, teachers, other school staff, students, and parents need to know the disciplinary measures that can be taken when a student misbehaves or substantially disrupts a classroom.

Each level of infractions provides a set of possible guidance interventions as well as a minimum to a maximum range of possible disciplinary responses that may be imposed by an administrator.

The enumerated infractions are not all-inclusive.

Progressive Infraction Levels	
Level 1	Uncooperative/Noncompliant Behavior
Level 2	Disorderly Behavior
Level 3	Disruptive Behavior
Level 4	Aggressive or Injurious/Harmful Behavior
Level 5	Seriously Dangerous or Violent Behavior

Where and When the Discipline Policy Applies

The standards set forth in the Discipline Policy apply to behavior:

- in school during school hours;
- before and after school, while on school property;
- while traveling on vehicles funded by CPCS;
- at all school-sponsored events; and
- on other-than-school property when such behavior can be demonstrated to negatively affect the educational process or to endanger the health, safety, morals, or welfare of the school community.

When misbehavior involves communication, gestures, or expressive behavior, the infraction applies to oral, written, or electronic communications, including but not limited to texting, emailing, and social networking.

Students who engage in misconduct which is not listed are subject to appropriate disciplinary measures by an administrator based on violation of school rules. To ensure that staff, students, and parents are aware of all expected standards of behavior, school rules must be in writing and available to all students.

The Discipline Policy provides graduated accountability measures for students who engage in repeated misbehaviors despite prior interventions and/or prior imposition of appropriate disciplinary measures.

More severe accountability measures will be imposed on those students who engage in a pattern of persistent misconduct. Whenever possible and appropriate, prior to imposing such penalties, school officials shall exhaust less severe disciplinary responses and use guidance interventions.

ADDRESSING THE NEEDS OF STUDENTS WITH DISABILITIES

A functional behavioral assessment (FBA) is the process of determining why a student engages in behaviors that impede learning and how the behavior relates to the environment. An FBA is based on direct observation, information from teachers, providers and parents. It is used to understand the student's behavior, including when and why it occurs, and to develop recommendations to address the behavior.

An FBA must be considered when a student with a disability or a student who is presumed to have a disability (1) exhibits persistent behaviors that impede his or her learning or that of others, despite consistently implemented general schoolwide or classroomwide interventions; (2) engages in behavior that puts the student or others at risk of harm; or (3) is being considered for a more restrictive program because of the student's behavior. A student is presumed to have a disability if the parent has expressed concern in writing that the student needs special education and related services or school staff express concern about a pattern of behavior or the student has been referred

for an initial evaluation. An FBA must be conducted or updated after a finding in a manifestation determination review (MDR) that behavior is a manifestation of a student’s disability.

After completion of an FBA, the IEP team must consider whether a behavioral intervention plan (BIP) is needed or needs to be updated. A BIP is a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, hypotheses as to why the behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.

GUIDANCE INTERVENTIONS

To promote positive behavior, the school provides a range of prevention and intervention support services for students during and/or after school hours throughout the school year. When a student engages in misconduct, the non-exhaustive list of interventions must be considered based on the type of behavior in which a student has engaged. Guidance interventions are an integral part of a comprehensive response to misconduct. The school will provide support services at all stages of the disciplinary process, including during suspension. When used consistently and appropriately, guidance interventions help improve student behavior, lower the incidence of repeated misbehavior, and contribute to a more positive school environment. Support services may include any of the interventions or a combination of services that best meet the needs of the individual student.

Types of Guidance Interventions	
Parent Outreach: School staff will keep parents informed of their child’s behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or written communication.	Short-Term Behavioral Progress Reports: Teachers and/or administrators may send behavioral progress reports to parents on a regular basis until they feel that the student is in control of his/her behavior and working in the classroom successfully.
Guidance Conference: Administrators and teachers may request a guidance conference with the student and, where appropriate, with the parent. The purpose of the conference is to review the behavior, find solutions to the problem and address academic, personal, and social issues that might have caused or contributed to the behavior.	Development of Individual Behavior Contract: The student meets with teachers to create a written contract that includes objectives and the specific performance tasks that the student will accomplish to meet those objectives. The contract is signed by the student and teacher and, where appropriate, by the parent.
Intervention by Counseling: Where available, counseling personnel and/or mental health programs offer a wide range of comprehensive and confidential mental health services and interventions including, but not limited to: assessments, individual, group and family therapy, teacher consultations, and educational strategies for parents and staff.	Referral to PPT (Pupil Personnel Team): Pupil Personnel Teams are school-based teams that use a multidisciplinary approach to encourage student success through prevention and intervention strategies and supports. A case manager is identified for each student referral and an individualized plan is created to help the student overcome his/her academic and/or other challenges.
Referral to a Community-Based Organization (CBO): Students may be referred to a community-based organization for a wide range of services including after-school programs, individual or group counseling, leadership development, conflict resolution, and tutoring.	Referral to Appropriate Substance Abuse Counseling Services: In the case where a student is presenting problems with substance abuse, including the use, possession, or distribution of drugs, drug paraphernalia, and/or alcohol, referrals may be made to counseling services that are either inside the school or through an outside community-based organization(s).

<p>Individual/Group Counseling: Counseling provides students with an outlet to share issues in privacy that may be negatively impacting their attendance, behavior, and/or academic success. Small-group counseling can address needs such as stress management, anger management, developing effective conflict resolution and/or communication skills, etc. Students discuss and formulate goals and learn problem-solving strategies that will enable them to overcome a variety of personal challenges. Staff will conference with parents, as needed, to discuss the student’s academic and personal progress.</p>	<p>Mentor/Coach: Assignment of a trained school staff member to provide transition support for a student returning from a suspension or from a prolonged absence.</p>
<p>Mentoring Program: A mentoring program matches a mentor who may be a teacher, student, community member and/or administrator with a student in need of additional support. The object of this relationship is to help the student in his/her personal, academic, and social development.</p>	<p>Referral to Counseling Services for Youth Relationship Abuse or Sexual Violence: When a person uses a pattern of threatened or actual physical, sexual, and/or emotional abuse to control a dating partner, the school should refer both the victim and the student who engages in this behavior to separate appropriate school or community-based agencies for counseling, support, and education. Neither mediation nor conflict resolution are, under any circumstances, appropriate interventions for suspected relationship abuse.</p>
<p>Referral to Counseling Services for Bias-Based Bullying, Intimidation, or Harassment: When a student or group of students engages in bias-based bullying, intimidation, or harassment of another student or group of students, both the victim and the student who engages in this behavior should be referred to separate appropriate counseling, support, and education services provided by school staff or a community-based agency. Neither mediation nor conflict resolution are, under any circumstances, appropriate interventions for bias-based bullying, intimidation, or harassment.</p>	<p>Collaborative Problem Solving: When a student engages in challenging behavior, a trained school staff member can use the collaborative problem-solving process to identify the specific issues that are precipitating the behavior, articulate their concerns about the behavior and engage the student in a collaborative process to address the underlying reasons for the behavior and decide upon a plan of action that is both realistic and mutually acceptable to both.</p>

RESTORATIVE APPROACHES

All members of a school community bring with them diverse abilities, interests, viewpoints, and family and cultural backgrounds. These differences can be a source of great energy and strength when members of the community value and respect one another. Using restorative practices to foster positive interpersonal and intergroup relations and to address inappropriate behavior when it occurs is a cornerstone of a progressive approach to discipline.

A restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

- What happened?
- Who was harmed or affected by the behavior?
- What needs to be done to make things right and will student(s) participate willingly?
- How can people behave differently in the future?

TYPES OF RESTORATIVE APPROACHES

Circle Process: Regular use of restorative circles within the instructional program of a school is a significant prevention and intervention strategy. The circle process enables a group to build relationships and establish

understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good, resolve difficult issues, etc.

Students are the largest group of stakeholders in a school community and its greatest natural resource in creating and sustaining a safe and supportive school environment. Building community among students and between students and staff members is integral to creating a supportive and inclusive school culture. When students feel accepted, valued, respected, and included, they build a positive connection to school and foster resiliency. Community building circles focus on:

- **Safety and Trust.** Community members need a sense of safety and trust to connect with one another.
- **Honor.** Members interact with fairness and integrity and acknowledge their personal responsibility for their actions.
- **Openness.** Community members feel free to share their thoughts and feelings.
- **Respect.** To bond as a community, members must feel they are valued and respected as individuals, and they must respond respectfully to one another
- **Empowerment.** A sense of empowerment is a crucial element and a desired outcome of being a member of a community. Community support enables members to gain a new view of themselves and a new sense of confidence in their abilities. When used as an intervention measure to address inappropriate student behavior, restorative circles empower community members to take responsibility for the well-being of others; prevent or deal with conflict before it escalates; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; increase the pro-social skills of participants, particularly those who have harmed others; and provide wrongdoers with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the extent possible. A circle can also be used in response to a particular issue that affects the school community.

Collaborative Negotiation: Using the collaborative negotiation process enables an individual to talk through an issue or conflict directly with the person with whom he/she disagrees to arrive at a mutually satisfactory resolution. Training in collaborative negotiation includes learning active listening and other conflict resolution communication skills.

Peer Mediation: An impartial, third party mediator (in a school, a student who has been trained to serve as a peer mediator) facilitates the negotiation process between conflicting parties so they can come to a mutually satisfactory resolution. Mediation recognizes that there is validity to conflicting points of view that disputants bring to the table and helps disputants work out a solution that meets both sets of needs. Disputants must choose to use mediation and must come to the process willingly. Mediation is not used where one individual has been victimized (for example, in cases of harassment or bullying) by another.

Formal Restorative Conference: A conference is facilitated by an individual who has received specific training in bringing together individuals who have acknowledged causing harm with those who have been harmed. Regardless of the circumstances, the mental and physical health, safety, and welfare of the individual who was harmed are of paramount importance when considering this option in a school setting. Both sides may bring supporters to the circle who have also been affected by the incident. The purpose of the conference is for the harm-doer and the harmed to understand each other's perspective and come to a mutual agreement that will repair the harm as much as it is able to be repaired.

ADDRESSING BULLYING AND BIAS-BASED BEHAVIOR

The school is expected to promote a nurturing school culture that promotes positive interpersonal and intergroup relations and respect for diversity among students and between students and staff, providing all students with a supportive and safe environment in which to grow and thrive academically and socially. The ability of students to learn and meet high academic standards and a school's ability to educate its students are compromised when students engage in discrimination or harassment, bullying, or intimidating behavior toward other students.

Bullying and harassment can take many forms and includes behavior that targets students because of their actual or perceived race, color, national origin, ethnicity, citizenship/immigration status, religion, creed, disability, sexual orientation, gender, gender identity, gender expression, or weight. These behaviors pose a serious threat to all students, and it is a school's responsibility is to eliminate the hostile environment created by such harassment, address its effects, and take steps to ensure that harassment does not recur.

Everyone in the school community—teachers, support staff, security, cafeteria, custodial staff, bus drivers, students, and parents—needs to understand what bullying is and the rules that prohibit such behavior. Clarifying school-wide rules that prohibit bullying and discrimination and discouraging bystander behavior (on-lookers) are vitally important to helping students play a pivotal role in bullying prevention.

Integral to preventing student-to-student bullying and/or bias-based behavior is effective social-emotional learning that helps students develop social-emotional core competencies. These fundamental life skills are: recognizing and managing their own emotions, developing caring and concern for others, establishing positive relationships, making responsible decisions, and handling challenging situations constructively and ethically.

Students who are able to recognize and manage their own emotions are better able to be assertive rather than aggressive or passive when they interact with their peers. Students who develop caring and concern for others and establish positive relationships are less likely to engage in bullying or discriminatory behavior. Additionally, students who have learned how to make responsible decisions and handle challenging situations ethically and constructively are less likely to be bystanders and more likely to act as allies if a peer is the target of harassment of any kind. Schools are encouraged to use resources to infuse bullying prevention, including cyberbullying, and respect for diversity lessons and other activities into their instructional program.

What is Bullying?

Bullying is behavior that is intended to cause some kind of harm. The person doing the bullying purposely says or does something to hurt the target of his/her behavior.

Bullying behavior always involves an imbalance of power (physical or social) or strength between the person doing the bullying and the target of the behavior. The person doing the bullying may be physically bigger or stronger or may be older or have greater social status or social power than the person being targeted. It is a pattern of behavior usually repeated over time and can take many forms.

Bullying is aggressive behavior by one individual (or group) that is directed at a particular person (or group). The aggressive behavior is unwanted and negative. It is deliberate and unprovoked. The targeted person is harmed by what is purposely being said or done.

Bullying is NOT Conflict

Conflict is a struggle between two or more people who perceive they have incompatible goals or desires. Conflict occurs naturally as we interact with one another. It is a normal part of life that we will not always agree with other people about the things we want, what we think, or what we want to do.

Most conflicts between students arise when students see the same situation from two different points of view. Think of some of the ways we describe people in conflict: “They were butting heads”; “They were going back and forth at each other”; “It was ‘he said/ she said.’” In these cases, both people are equally “telling their side of the story.”

In a conflict people may get frustrated and angry. Chances are the amount of emotion each person feels will be relatively equal because both are vying for what they want. In the heat of the moment, one or both people’s emotions can escalate a conflict. All of us have known of conflicts in which people have said things to hurt one another which they later regret.

People engaged in a conflict want the issue to be resolved. The “back and forth” that occurs is each person trying to make the case for what she/he wants. When one or both people have the skills to resolve the dispute so that both sets of needs are met, the same conflict between the same two people most likely will not be repeated.

If as a parent you have concerns that your child is the target of bullying behavior, please report your concerns to the school. Any student who believes that he/she has been the victim of discrimination, harassment, intimidation, and/or bullying by another student should report the incident to any other school employee. All reports of harassment, discrimination, and/or bullying behavior will be investigated.

DISCIPLINE PROCEDURES In-School Disciplinary Actions

The school has a range of disciplinary responses that can be used to hold students accountable for inappropriate behavior and that do not involve removal from the classroom or assignment to an alternate instructional site. The school’s decision to use a disciplinary response must take into consideration a number of

factors, including the nature and severity of the misconduct. The school will use primary disciplinary responses when they are the most appropriate response to the misbehavior.

Suspensions and Teacher Removals

All suspensions and removals from the classroom must be done substantively and procedurally in accordance with relevant regulations, State education law, and federal laws.

Suspensions of up to nine days may be imposed for students by the principal or other school administrators.

DISCIPLINARY RESPONSES

The following discipline responses must be imposed in accordance with State law. In addition, students with disabilities, 504 plans, or who are “presumed to have a disability” are entitled to specific procedural safeguards under IDEA, including a Manifestation Determination Review if they are subject to a disciplinary change in placement.

The school may provide support services to students returning from suspension to maximize their ability to meet the school community’s social and academic standards.

<p>In-School Disciplinary Actions: The school uses a range of disciplinary options including the use of a formal restorative conference. In addition, in-school disciplinary actions may include detention, exclusion from extracurricular activities or communal breaks and/or lunchtime. If these consequences are used, they must not take place during class time, cannot result in student missing instruction, and are in accordance with the Wellness Policy.</p>	
<p>Removal from a Classroom: A student who engages in behavior which is substantially disruptive of the education process or substantially interferes with a teacher’s authority over the classroom may be removed from the classroom.</p>	<p>Removed students will be sent to a location within the school where they will be provided with continued educational services including classwork and homework. When a student is removed from a classroom, a suspension may be imposed if the student engages in subsequent misbehavior that would otherwise result in a removal from the class.</p>
<p>Out of School Suspension: A principal, or other administrator, has the authority to suspend a student for 1-9 days when a student’s behavior presents a clear and present danger of physical injury to the student, other students or school personnel, or prevents the orderly operation of classes or other school activities.</p>	<p>Suspended students may be provided with instruction including homework and classwork at an alternative instructional site within the school.</p>

MANIFESTATION DETERMINATION REVIEW

A student with a disability who is subject to a disciplinary change in placement must receive a manifestation determination review to determine if the behavior is due to the student’s disability and/or a failure to implement the IEP. A disciplinary change of placement occurs if the student will be removed from his/her regular program for more than 10 consecutive school days as a result of a suspension

APPEALS

Parents may appeal suspensions. Suspensions may be appealed to the principal or the school’s Governing Board.

BILL OF STUDENT RIGHTS AND RESPONSIBILITIES, K-12

PREAMBLE

Connections Public Charter School seeks to cultivate a sense of mutual respect among students, parents and staff. The school also aims to involve students in activities and programs, within and outside the school community, that stress a commitment to civic responsibility and community service. With the cooperation of all members of our school community, students can reach educational excellence while enjoying a rich learning experience. This Bill of Student Rights and Responsibilities serves as a guide for students as they strive to become productive citizens in a diverse society.

THE RIGHT TO A FREE PUBLIC SCHOOL EDUCATION

The right to a free public school education is a basic “student right” guaranteed to all children. **Students have a right to:**

1. attend school and receive a free public school education from kindergarten to 12th grade or receipt of a high school diploma, whichever comes first, as provided by law; students with disabilities who have been determined to be in need of special education are entitled to a free appropriate public education from age 3 until age 23, as provided by law;
2. be in a safe and supportive learning environment, free from discrimination, harassment, bullying, and bigotry, and to file a complaint if they feel that they are subject to this behavior;
3. receive courtesy and respect from others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status and/or political beliefs;
4. receive a written copy of the school’s policies and procedures, including the Discipline Policy and the Student Rights and Responsibilities, early in the school year or upon admission to the school during the school year;
5. be informed about diploma requirements, including courses and examinations and information on assistance to meet those requirements;
6. be informed about required health, cognitive and language screening examinations;
7. be informed about courses and programs that are available in the school and the opportunity to have input in the selection of elective courses;
8. receive professional instruction;
9. know the grading criteria for each subject area and/or course offered by the school and to receive grades for school work completed based on established criteria;
10. be informed of educational progress and receive periodic evaluations both informally and through formal progress reports;
11. be notified in a timely manner of the possibility of being held back in the grade or of failing a course;
12. be notified of the right of appeal regarding holdover or failing grades;
13. confidentiality in the handling of student records maintained by the school system;
14. request or by parental request to have their contact information withheld from institutions of higher learning and/or military recruiters; and
15. receive guidance and advice for personal, social, educational, career and vocational development.

THE RIGHT TO FREEDOM OF EXPRESSION AND PERSON

All students are guaranteed the right to express opinions, support causes, organize and assemble to discuss issues and demonstrate peacefully and responsibly in support of them, in accordance with policies and procedures established by the State of Hawaii. **Students have the right to:**

1. organize, promote and participate in a representative form of student government;
2. organize, promote and participate in student organizations, social and educational clubs or teams and political, religious, and philosophical groups consistent with the requirements of the Equal Access Act;
3. representation on appropriate schoolwide committees that influence the educational process, with voting rights where applicable;
4. publish school newspapers and school newsletters reflecting the life of the school and expressing student concerns and points of view consistent with responsible journalistic methods and subject to reasonable regulations based on legitimate pedagogical concerns;
5. circulate, including through electronic circulation, newspapers, literature or political leaflets on school property, subject to reasonable guidelines established by the school regarding time, place and manner of distribution, except where such material is libelous, obscene, commercial or materially disrupts the school, causes substantial disorder or invades the rights of others;
6. wear political or other types of buttons, badges or armbands, except where such material is libelous, obscene or materially disrupts the school, causes substantial disorder or invades the rights of others;
7. post bulletin board notices within the school or on the school website subject to reasonable guidelines established by the school, except where such notices are libelous, obscene, commercial or materially disrupt the school, cause substantial disorder or invade the rights of others;
8. determine their own dress within the parameters of the school's Governing Board policy or grade level guidelines and consistent with religious expression, except where such dress is dangerous or interferes with the learning and teaching process;
9. be secure in their persons and belongings and to carry in the school building personal possessions which are appropriate for use on the premises;
10. be free from unreasonable or indiscriminate searches, including body searches;
11. be free from corporal punishment and verbal abuse; and
12. decline to participate in the Pledge of Allegiance or stand for the pledge.

THE RIGHT TO DUE PROCESS

Every student has the right to be treated fairly in accordance with the rights set forth in this document. **Students have the right to:**

1. be provided with the Discipline Policy and rules and regulations of the school;
2. know what is appropriate behavior and what behaviors may result in disciplinary actions;
3. be counseled by members of the professional staff in matters related to their behavior as it affects their education and welfare in the school;
4. know possible dispositions and outcomes for specific offenses;
5. due process with respect to disciplinary action for alleged violations of school regulations for which they may be suspended or removed from class; students with disabilities, 504 plans, or who are "presumed to have a disability" have the right to certain protections under IDEA;
6. know the procedures for appealing the actions and decisions of school officials with respect to their rights and responsibilities as set forth in this document;
7. be accompanied by a parent and/or representative at conferences and hearings; and
8. the presence of school staff in situations where there may be police involvement.

ADDITIONAL RIGHTS OF STUDENTS AGE 18 AND OVER:

The federal Family Educational Rights and Privacy Act (FERPA) gives students who have reached 18 years of age certain rights with respect to the student's education records.

Students age 18 and over have the right to request, inspect and review their own education records within 45 days of the day the school receives the student's request.

Students age 18 and over have the right to request that their own education records be changed when they believe they are inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA.

Students age 18 and over have the right to provide written consent before personally identifiable information in their own education records is disclosed, except in certain cases when FERPA allows disclosure without consent, including the following:

- Disclosure to a school official who needs to review an education record in order to fulfill his or her professional responsibility. Examples of school officials include people employed by school (such as administrators, supervisors, teachers, other instructors, or support staff members), as well as people whom the State of Hawaii has engaged to perform services or functions it would otherwise use its own employees to perform (such as agents, contractors and consultants), and who are under the direct control of the State of Hawaii with respect to the use and maintenance of personally identifiable information from education records.
- Disclosure, upon request, to officials of another school in which a student is trying to enroll or plans to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
- Other exceptions that permit disclosure of personally identifiable information without consent include certain types of disclosures (1) to authorized representatives of government entities and officials in connection with audits, evaluations or certain other activities, (2) in connection with financial aid for which the student has applied or which the student has received, (3) to organizations conducting studies for, or on behalf of, the school or the State of Hawaii, (4) to accrediting organizations to carry out their accrediting functions, (5) to parents of students age 18 and over if the student is a dependent for IRS tax purposes, (6) to comply with a judicial order or lawfully issued subpoena, (7) to appropriate officials in connection with a health or safety emergency and (8) of information that the State of Hawaii has designated as "directory information." Most of these types of disclosures are subject to certain additional requirements and limitations

Students age 18 and over have the right to inspect and review the record of disclosures that FERPA requires schools to keep when making disclosures of personally identifiable information without consent. However, schools are not required to record disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to parents or to students age 18 and over.

Students age 18 and over have the right to file a complaint with the U.S. Department of Education if they feel that the school has not complied with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

STUDENT RESPONSIBILITIES

Responsible behavior by each student is the only way in which the rights set forth in this document can be preserved. Violation of some of these responsibilities may lead, in accordance with the Discipline Policy, to disciplinary measures. Full acceptance of responsibility with the exercise of rights will provide students with greater opportunity to serve themselves and society. **Students have a responsibility to:**

1. attend school regularly and punctually and make every effort to achieve in all areas of their education;
2. be prepared for class with appropriate materials and properly maintain textbooks and other school equipment;
3. follow school regulations regarding entering and leaving the classroom and school building;
4. behave in a manner that contributes to a safe learning environment;
5. respect the dignity and equality of others and refrain from conduct which denies or impinges on the rights of others;
6. show respect for school property and respect the property of others;
7. be polite, courteous and respectful toward others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status and political beliefs, and refrain from making slurs based on these criteria;
8. provide leadership to encourage fellow students to follow established school policies and practices;
9. behave in a polite, truthful and cooperative manner toward students and school staff;
10. promote good human relations and build bridges of understanding among the members of the school community;
11. use non-confrontational methods to resolve conflicts;
12. refrain from obscene and malicious communication in speech, writing and other modes of expression, including electronic expression, in their interactions with the school community;
13. express themselves in all modes of communication that promote cooperation and does not interfere with the educational process;
14. be familiar with the school Discipline Policy and abide by school rules and regulations;

SAFETY

15. maintain a school environment free of weapons, illegal drugs, controlled substances and alcohol;
16. share information with school officials regarding any matter that may endanger the health and welfare of members of the school community; and
17. bring to school only those possessions that are safe and do not interfere with the learning environment.

<u>CLASS D OFFENSES</u>	<u>FIRST OFFENSE</u>	<u>SECOND OFFENSE</u>	<u>THIRD OFFENSE</u>
Tardy to Class	Conference w/student	Refer to administrator. Parent notified	Refer to administrator. Conference w/parent scheduled. Warning that future incidents may be considered insubordination
Class or Campus Disruption	Conference w/student	Refer to administrator. Parent notified. administrator conference w/student	Refer to administrator. Conference w/parent scheduled. Warning that future incidents may be considered insubordination
Disrespectful behavior (minor insubordination, cheating, off-limits, vulgar language, taunting, etc.)	Conference w/student	Refer to administrator. Parent notified. administrator conference w/student	Refer to administrator. Conference w/parent scheduled. Warning that future incidents may be considered insubordination
Contraband (All electronic devices not related to school activities, slam books, skateboards, pornographic materials, dice, items to sell, gum, etc.)	Items confiscated and given to office for pick up at end of day	Items confiscated, returned to parents	Items banned from school for the remainder of the school year. Warning that future incidents may be considered insubordination
Minor Vandalism (defacing and/or littering)	Clean up. Restitution	Refer to administrator. Clean up. Restitution	Refer to administrator. Parent notified. Clean up. Restitution. Warning that future incidents may be considered insubordination
Public Intimacy	Counseling. Conference w/student	Refer to administrator. Parent conference scheduled w/student present	Refer to administrator. Parent conference scheduled. Warning that future incidents may be considered insubordination
Eating or drinking beverages (except water) during instructional time	Teacher confiscation	Refer to administrator	Refer to administrator. Parent notified. Warning that future incidents may be considered insubordination
Other Minor Violations resulting in minor class disruptions	Counseling. Conference w/student	Refer to administrator. Conference w/student	Refer to administrator. Parent notified. Warning that future incidents may be considered insubordination.

- All police actions are separate from any school discipline actions. Notification of police is at the discretion of Administration.
- All disciplinary actions are confidential and are determined by Administration on a case by case basis. Administration cannot discuss any student's discipline actions with anyone except the student and their parent/guardian.
- A student receiving 10 or more days suspension in a school year may be expelled.
- Parents/Guardians have five (5) school days from the date of disciplinary action to appeal action to the Principal and/or Connections Governing Board.
- Dress Code Violation: Refer to Dress Code Guidelines.
- Any Class D, 4th offense, may result in being charged with insubordination which is a Class C offense.
- This Discipline Policy applies whenever a student is in school or at a school function.

Definitions

“Abusive language” means verbal messages that use words in an inappropriate way and may include but is not limited to swearing, name-calling, or profanity.

“Assault” means intentionally, knowingly, recklessly, or negligently causing serious bodily injury or bodily injury to another person with or without a dangerous instrument.

“Bullying” means 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).

“Burglary” means entering or remaining without school authorization in a building that is either owned or operated by Connections Public Charter School (CPCS) with intent to commit an offense against a person, or against school property or other property located at the school.

“Class cutting” means an unauthorized absence of a student from class.

“Contraband” means a property, other than which is unlawful to produce or possess, which, as defined by local school rules, is prohibited on school premises has in the past lead to bodily injury or disruption of school operations.

“Controlled substance” means a drug or substance as defined in I through V in chapter 329, Hawaii Revised Statutes.

“Correction and conference with student” means a student meets with an administrator, their teacher(s), and/or parent and receives instruction on demonstrating appropriate behavior.

“Crisis removal” means the immediate exclusion of a student from school in an emergency, because the conduct of the student presents a clear, immediate threat to the physical safety of self or others, or the student is so 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.

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

- (1) On campus, or other school-related premises, on school transportation, or during a school-sponsored activity or event on or off school property;
- (2) Through a CPCS data system without school 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 is 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 e-mail, text messaging, blogs, photos, drawings, video clips, on-line community websites, or faxes, or a combination of the foregoing.

“Dangerous instrument, or ‘substance’” means 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 sticks and throwing stars; and inanimate objects such as pipes, sticks, or baseball bats swung at a person in a menacing manner so as to cause or threaten bodily injury.

“Dangerous weapon” means 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.

“Detention” means detaining a student on school campus during non-instructional hours to require the student to carry out in-school educational or other activities as may be prescribed by school officials as a form of disciplinary action for student misconduct.

“Dismissal” means the removal of a student from Hawaii public schools for the remainder of the school year or for a period of not less than one calendar year for firearm violations.

“Disorderly conduct” means the following actions or activities on campus, on school transportation, or during a CPCS 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 is 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) Inappropriate physical contact including but is not limited to consensual sex or consensual touching of body parts, or both.

“Drug paraphernalia” means any equipment, products, or materials of any kind, or combination thereof which is used, intended for use, or designed for use, in planting, harvesting, producing, storing,

containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this chapter. It includes, but is not limited to:

- (1) Kits, devices, equipment, separation gins, balance scales, blenders, bowls, containers, spoons, capsules, balloons, envelopes, other objects used, intended for use, or designed for use in preparing, processing, mixing, storing, or concealing controlled substances;
- (2) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use by injecting the controlled substances into the human body;
- (3) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil, or forms of methamphetamine, or anabolic steroids into the human body, such as:
 - (A) Metal, wooden, glass, acrylic, stone, plastic, or ceramic pipes, water pipes, smoking and carburetion masks, roach clips; meaning objects used to hold burning materials such as marijuana cigarettes, that have become too small or too short to be held in the hand;
 - (B) Miniature cocaine spoons, and cocaine vials, bongs, ice pipes, or chillers; and
 - (C) Any and all other drug paraphernalia as described and defined pursuant to section 329-1, Hawaii Revised Statutes.

“Educational worker” means any administrator, specialist, counselor, teacher, or employee of CPCS, or a person who is a volunteer in a school program, activity, or function that is sponsored or approved by the school, or a person hired by CPCS on a contractual basis and engaged in carrying out an educational function.

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

- (1) Obtains, 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 some 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 extortionate means.

"Fighting" means 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.

"Firearm" means:

(1) Any weapon including but is not limited to a starter gun, shotgun, air guns which includes BB guns, pellet guns, paintball guns, or cross bow 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 expels a projectile by action of an 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.

“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 is not limited to contracts 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 is not limited to contracts of indemnity or guaranty and life, health, or accident insurance.

“Harassment” means a student who is harassing, bullying, including cyberbullying, 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 educational environment, or interferes with the education of 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 embarrassed;

(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, on school transportation, or during a school 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” means any conduct or method of initiation into any student organization or activity, whether on campus, on school transportation, or during a school 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, or which subjects any student to extreme mental stress, including deprivation of sleep or rest, extended isolation, or personal humiliation.

“Hijacking” means to extort from another by a threat or a perceived threat.

“Homicide” means causing the death of another person.

“Inappropriate or questionable uses, or both, of internet materials and equipment” means when a student is in violation of the CPCS Computer Usage Policy. Examples of inappropriate or questionable uses of the school’s computer and network resources include but are not limited to disabling or bypassing the filters, gambling software, music sharing software, or sexually explicit photographs and pictures that do not support the school’s mission and purpose. Copies of these policies are available via the school’s websites or may be obtained from school office.

“Illicit drugs” means 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.

“Individualized instruction related to student’s problem behaviors” means as a result of a disciplinary action the student receives individualized instruction specifically related to the student’s problem behaviors. Examples of individualized instruction include but are not limited to the development and implementation of behavior support plans, developing behavioral contracts or social skills training, or a combination of the foregoing.

“Insubordination” means disregard or refusal to obey an order which a teacher, officer, or other employee of the school is entitled to give.

“In-school suspension” means a student is temporarily removed from his/her school program for disciplinary purposes but remains under the direct supervision of school personnel to complete instruction work.

“Interim alternative educational setting” or **“IAES”** means a temporary placement for a student who has been suspended or otherwise removed from his current educational placement for disciplinary

reasons in which the student continues to receive educational services to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP.

"Intoxicating substance use" means the use of any substance, which causes disturbance of the normal physical or mental functioning including but is not limited to alcohol.

"Laser pen/pointer" means 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 school-related purpose and use. Unless authorized, the possession or use is prohibited on campus, on school transportation, or during a school sponsored activity or event on or off school property.

"Leaving campus without consent" means leaving the premises of the school without first obtaining permission from school officials.

"Low intensity problem behaviors" means those behaviors that are demonstrated with low frequency, brief engagement, and do not lead to serious harm.

"Mail" or **"mailed"** means documents sent via:

- (1) Regular mail;
- (2) Certified mail; or
- (3) Return receipt requested.

"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) "Dress code violation" means student wears clothing that is not within the dress code guidelines defined by the school or grade level;
- (4) "Inappropriate language" means student engages in low-intensity instance of inappropriate language;
- (5) "Physical contact" means student engages in non-serious, inappropriate physical contact;
- (6) "Property misuse" means student engages in low-intensity misuse of property;
- (7) "Tardy" means a student arrives to school after school has started, or a student arrives at class after class has started, or both.

"Negligence" means the failure to use the care that a prudent and careful person would use under similar circumstances which results in harm to a person or loss, destruction, breakage, or damage of school books, equipment, or of supplies.

“Parent” means the natural or legal parent, legal guardian or other legal custodian of the student. For students eighteen years of age or older, all parental rights herein transfer to the student.

“Property damage” or **“vandalism”** means:

- (1) Damaging the property of the school or another person;
- (2) Destroying or defacing school property or facility; or
- (3) Destroying or defacing school materials, such as but is not limited to planners, identification nametags, or meal cards.

“Rendering a false alarm” means a student causes 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.

“Restitution” means monetary or non-monetary repayment to the school or the State of Hawaii for the reasonable value of public school property lost, damaged, broken or destroyed as the result of student negligence or vandalism.

“Robbery” means, in the course of committing a theft, or hijacking, a student:

- (1) Attempts to kill another person, or inflicts or attempts to inflict serious bodily injury upon another person; or
- (2) With or without a dangerous instrument:
 - (A) Uses force against the person with the intent to overcome the owner’s physical resistance or physical power of resistance;
 - (B) Threatens the imminent use of force against the person of anyone who is present with intent to compel acquiescence to the taking of or escaping with the property; or
 - (C) Inflicts serious bodily injury upon another person.

“School” or **“public school”** means all academic and non-college type schools established and maintained in accordance with state law.

“School books” means library and textbooks.

“School official” means any administrator, specialist, counselor, teacher, school security attendant, or other school employee, responsible for the supervision of students. It does not include individuals whose services are procured.

“School related offenses” means offenses involving school property, or offenses committed on campus, on school transportation, or during a school sponsored activity or event on or off school property.

“School rules” means schoolwide conduct rules that have been established by the school.

“School staff” means any teacher, officer, or other employee of the school.

“Search” means if after requesting the student to voluntarily relinquish the contraband item(s) and the student refuses and there are reasonable grounds to believe that the student has violated the law or

provisions prohibited under this chapter, or if there is a health or safety issue with illicit drugs, dangerous weapons, dangerous instruments or firearms, or a combination of the foregoing, the school official may examine the contents and belongings which may include but are not limited to purses, fanny packs, backpacks, jackets, shoes, socks, or any other outer clothing.

“Seizure” means to take possession of the contraband item(s) that is or are uncovered during a search.

“Serious discipline” means disciplinary actions including dismissals, crisis removals, and suspensions which either exceed ten school days or will result in the student affected being crisis removed or suspended more than a total of ten school days in any single semester.

“Sexual offense” or **“sexual assault”** means 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.

“Smoking” or **“use of tobacco”** means possession, use, sale or distribution of tobacco products on campus, on school transportation, or during a school sponsored activity or event on or off school property.

“Strip search” means searches, which require the removal of clothing that results in the exposure of the genitals, the female breasts, or underwear or combination thereof.

“Suspension” means exclusion from school for a specific period during a school year.

“Switchblade knife” means any knife having a blade which opens automatically:

- (1) By hand pressure applied to a button or other device in the handle of the knife, or
- (2) By operation of inertia, gravity, or both.

“Terroristic threatening” means:

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

“Theft” means:

- (1) Obtaining, or exerting control over, the property of another and depriving that person of the property;
- (2) Obtaining, or exerting control over, the property of another by deceiving and depriving 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) 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 and 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) 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 or 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) 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

(8) Shoplifting:

(A) Concealing or taking possession of the goods or merchandise of any school store or school-related retail establishment, with intent to defraud;

(B) Altering the price tag or other price marking on goods or merchandise of any school store or school-related retail establishment, with intent to defraud; or

(C) Transferring the goods or merchandise of a school store or school-related retail establishment from one container to another, with intent to defraud.

"Trespass" means entering or remaining in or upon the premises of the school after reasonable warning or request to leave by school authorities or police officer.

"Truancy" means a student is absent from class(es) or the school campus without authorization from the principal or designee.