

Kihei Charter School's Policies on:

Procurement policy
Complaints procedures
Personnel Policy
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Conflict of interest policy

Policy 2-3 Procurement (Amended January 14, 2009)

To the extent possible, the School shall participate in open and rational procurement aspiring to the objections of Chapter 103D, Hawai'i Revised Statutes.

Federal Funds. The school understands that the first clause of this policy (cited above) applies to purchases made using non-federal funds. As a condition of the receipt of certain federal funds, federal procurement requirements apply.

Small Purchases. A small purchase is an expenditure of less than \$10,000. Small purchases shall not be parceled by dividing the purchase of same, like or related items of goods, services, or construction, during any 12 consecutive month period, so as to evade the competitive source selection requirements.

Competitive Proposals. Contracts of \$10,000 or more for goods, services, or construction shall be made pursuant to the competitive proposal process. Competitive proposals include the solicitation of proposals containing the scope of work, purchase description, specifications, and the contractual terms and conditions applicable to the procurement. A minimum of three proposals are to be obtained. Award is made by the administration to the lowest responsive and responsible proposal. If less than three proposals are available, the board must vote to choose and accept the most appropriate bid.

Community Input Policy & Procedure complaint procedure

The intent of this document is to describe the process by which the school ensures that community input is meaningfully addressed.

As our community evolves, so too will our processes. It takes faith and trust on the part of every member of our community to participate openly in the process and, where necessary, suggest improvements to enhance either our process or its communication.

Community Input Process

Community input is essential. We can only reach our goal of excellence in all that we do through the community coming together to build and support our school. In order to ensure that community input is meaningfully addressed, the following process will be followed with regard to thoughts, concerns and questions put forth by our community members.

community member:

1. Parent, faculty, staff and community concerns, questions, input, etc. are directed to the school through the following:
 - a. Submitting the input in writing to the school Receptionist or Office Manager.

b. The Receptionist or Office Manager forwards the written input to the appropriate committee or person via email.

2. Input received regarding a faculty or staff member will be processed in a manner consistent with union negotiated contracts and employee confidentiality rights. Documents will be kept in a separate file, and will be added to the official employee file as permitted and provided for in applicable union negotiated contracts.

Chapter 3 – Policies on Personnel

Policy 3-1 New Employee Training

Upon hire, all new employees will be provided with an employee handbook which details work expectations, benefits and other information. In addition, relevant training to assure compliance with federal and state laws and local school board policy will be provided.

Policy 3-2 Policy on Employment Contracts

The Board must review and approve the contracts of every person employed at the school.

Conflict Resolution Policy

Background

The intent of this document is to describe the fundamental agreements we hold as a community about how to resolve differences of opinion and the process we will use to ensure that every member of our community has an appropriate, safe and respectful forum in which to bring concerns for resolution.

As our community evolves, so too will our processes. It is not possible to describe every situation in which differences will arise, nor to prescribe the best way to handle each situation or dispute. It takes faith and trust on the part of every member of our community to participate openly in the process and, where necessary, suggest improvements to enhance either our process or its communication.

Conflict Resolution

The three steps defined below are not the only means of exploring and resolving the healthy variety of viewpoints within our community. In fact, we expect most matters to be raised and resolved through the everyday work of our teachers, staff, parents and the committees that serve them. This process should therefore be placed within the wider context of the overall governance of our school community, and only called upon where the best intentions of people to work collaboratively become stuck.

Fundamental Agreements

If this process is to be successful, there are certain agreements about the way we resolve our differences by which everyone must abide:

- We acknowledge the importance of open, constructive and direct communication for the purpose of strengthening our community;
- We believe in fostering an environment where conflicts are seen as opportunity for growth and are embraced for the creative ideas that come from it;

- We believe that differences of opinion are a fundamental source of the social dynamic within a community and must be expressed in order to be explored;
- We will operate according to the belief that truth will emerge from a process based on caring, creative, critical thinking and a willingness to respect and challenge one's own viewpoints as well as accepting the views of others;
- We seek to find solutions that always keep concern for our children in focus and which balance a willingness to be flexible with staying true to the core values of our school;
- We expect all parties to maintain the utmost discretion and confidentiality when involved in a dispute so that all members of our community trust they can enter the process with respect;
- We respect the importance of time, patience and due process in achieving lasting resolutions; and
- We believe that disputes can only be resolved when there is a genuine desire and effort on the part of everyone involved to understand the various viewpoints and a commitment to work through the differences that underlie our disagreements.

Three-Step Process for Resolving Differences:

Step 1: Direct Resolution:

All members of our community are expected to strive to resolve differences through respectful dialogue and an honest exchange of the relevant facts and viewpoints between the people directly involved in the matter and within the framework of the normal day-to-day operation of the school.

Further steps in the process are built upon the foundation of this initial conversation or series of conversations.

Step 2: Administrative Resolution:

If the matter is not resolved through Direct Resolution, an Administrative Resolution may be requested. All requests for Step 2 meetings must be in writing, and will describe as clearly and simply as possible relevant background to the dispute, including efforts already taken to resolve the matter.

The matter will be referred to the school administration who will facilitate a meeting, which will involve the person(s) requesting the meeting, the individual(s) with whom the person has concerns, and depending on the nature of the concern and based on the judgment of the administration, any other necessary parties.

If the alleged conduct at issue involves the health or safety of students or employees, then the employee against whom the complaint is made may be put on administrative leave pending the investigation.

Step 3: Grievance Committee Resolution

This consists of the submission of a written complaint or grievance to the School Director, a temporary Grievance Committee may be formed to assist in investigation and resolution of the conflict or grievance. When the School Director forms the Grievance Committee, consideration will be given for the best composition to provide impartial resolution.

Members of the Committee may include staff members, teachers, administrators, parents, and/or outside mediators, depending on who is involved in the conflict or grievance. If the grievance involves the School

Director, the Governing Board President will be responsible for arranging an appropriate Grievance Committee, or has the option of handling the resolution directly.

Where a matter is referred to Step 3, the request for the Step 3 meeting must outline the reasons why the previous steps were not considered successful and the additional input required to achieve resolution.

Step 4: Formal Resolution:

If the matter is not resolved through steps 1-3, a Formal Resolution may be requested. All requests for Formal Resolution meetings must be in writing, and will describe as clearly and simply as possible relevant background to the dispute, including efforts already taken to resolve the matter, why previous steps were not considered successful and the additional input required to achieve resolution. Prior documentation will be forwarded to the Governing Board.

The Governing Board addresses all requests for Formal Resolutions. The GB will receive the written request and may request supplemental information if necessary. The resolution reached by the GB will be final.

It is our strong hope that we will be able to resolve all issues within these steps.

Our process is aimed at reaching a respectful conclusion that allows all parties to support the final decision, even where it may not be possible to reach complete agreement on all matters.

Communication & Documentation:

In the case Steps 2-4:

- A written acknowledgement will be sent to the person requesting the meeting. Every effort will be made to bring people together for the meeting within two weeks of receiving the request.
- Minutes will be taken at all Steps 2-3 meetings and copies of the minutes will be provided to all people present at the meetings. The parties will be asked to sign a copy of the minutes to indicate that they are a true reflection of the conversation.
- Approved Board Minutes regarding Step 4 resolutions will be provided to the parties.
- Copies of the minutes from all meetings will be filed with the school administration.

Action Plan:

We believe that improvements in the way we do things at Kihei Charter School can only come about if we follow through on the commitments we make during the meetings to resolve differences.

The meeting facilitator is responsible for documenting an action plan from the meeting (this may be part of the minutes) and noting the names of responsible parties for following through on issues, plans & strategies that arise from the meetings, as well as deadlines and a date for a closure meeting. These action plans (if different from the minutes) will be supplied to all parties. Any participant may raise a concern about follow through with the school administration if they believe these agreements are not being put into action.

1-16 Conflict of Interests

1-16.1 Conflict Defined.

A conflict of interest exists when the interest or activities of any director may be seen as competing with the interests or activities of Kihei Charter School, or if a Director derives a financial or other material gain as a result of a direct or indirect relationship.

1-16.2 Disclosure Required.

Any possible conflict of interest shall be disclosed to the Board of Directors by the Director concerned in an open, public session of the Board.

1-16.3 Abstinance from Vote.

When any conflict of interest relates to a matter requiring action by the Board of Directors, the interested person shall call it to the attention of the Board and such person shall not vote on the matter, provided however, that any director disclosing a conflict of interest may be counted in determining the presence of a quorum at a meeting of the Board of Directors or a committee thereof.

1-16.4 Absence from Discussion.

Unless requested to remain present during the meeting, the person having the conflict shall retire from the room in which the Board or its committee is meeting and shall not participate in the final deliberation or decision regarding the matter under consideration. However, that person shall provide the Board or Committee with any and all relevant information as in the Board's or Committee's discretion is necessary for full deliberation and decision.

1-16.5 Minutes.

The minutes of the meeting of the Board or committee shall reflect that the conflict of interest was disclosed and that the interested person was not present during the final discussion or vote and did not vote. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Board of Directors or its committee, excluding the interested person.

1-16.6 Annual Review.

A copy of this conflict of interest Policy shall be furnished to each Director who is presently serving the Kihei Charter School, or who may hereafter become associated with the Kihei Charter School. This policy shall be reviewed annually for the information and guidance of Directors. This annual review will also include a signature of acknowledgement of this review. Any new Director shall be advised of this Policy upon undertaking the duties of such office and be required to acknowledge this policy in writing.

1-16.7 Monetary Loans to Directors

Kihei Charter School shall not make any loan of money or in any way guarantee the obligation of any Director; provided, however, that Kihei Charter School may advance money to a director for expenses reasonably anticipated to be incurred in the performance of the duties of such director. Provided such individual would be entitled to be reimbursed for such expenses upon completion of the activity based on actual receipts of accrued expenses. All such monetary advances must be reconciled based on actual costs at the completion of the activity.

1-16.8 Self-Dealing Transactions

Except as provided in subsection 1-16.9 below, the Board shall not approve a self-dealing transaction. A self-dealing transaction is a transaction to which the Kihei Charter School is party and in which one or more of the directors has a material financial interest.

1-16.9 Approval of Self-Dealing Transactions

The Board of Directors may approve a self-dealing transaction if the Board determines that the transaction is in the best interest of the Kihei Charter School and is fair and reasonable. Such determinations must be made by the Board when, with knowledge of all material facts concerning the transaction and the director's interest in the transaction, the Board concludes in good faith that this Kihei Charter School could not have obtained a more advantageous arrangement with reasonable effort. The transaction may be approved by a super-majority vote of the Directors.

Student Conduct and Dismissal Policy Kihei Charter School – Student Handbook 2013-14, page 16

Overview

The Kihei Charter School Board of Education is committed to encouraging and enforcing the highest standard of behavior among its student body. The Board believes schools reinforce the important community values of respect, responsibility, self-reliance, trust and tolerance. To that end, all students have a right to:

- To be treated with respect and courtesy
- Learn without disruption
- Attend each class every day
- Feel safe in their school
- Be taught without disruptions

It is the expectation of the school that all students will:

- Demonstrate behavior that is appropriate to their learning environment
- Demonstrate respect for others
- Consistently adhere to school and teacher expectations
- Maintain an appropriate learning environment for all

The school utilizes Hawaii's State Board of Education Administrative Rules Chapter 19: Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism and Negligence as a guide for student conduct.

Families who wish to appeal a decision made by the administration may appeal to the Local School Board by submitting a request in writing to the LSB Chair and attending the next meeting of the LSB, which usually takes place the first Wednesday of every month at 4:00 in the 6th grade Lipoa facility. Please check the school's website for the LSB meeting calendar.

The following are categories of the types of behaviors that students are to avoid:

Inappropriate Conduct

Inappropriate school conduct refers to behaviors that are determined by school staff and faculty to cause minor class and school disruptions.

Unacceptable Conduct

Unacceptable conduct includes, but is not limited to: bullying, cutting class, harassment, insubordination, leaving campus without permission, possession of certain contraband, smoking/using tobacco, theft, trespassing, truancy, vandalism, inappropriate or questionable use of the internet or other technology tools, and habitual inappropriate behaviors (see description of inappropriate behaviors above).

Unacceptable contraband includes items that can disrupt school operations. Contraband will be confiscated. The following items are examples of unacceptable contraband:

- a. All articles that resemble weapons (including toys).
- b. Tobacco Products
- c. Cigarette Lighters and Matches.
- d. Gang related Items.

- e. Pornographic Items.
- f. Clothing such as tee shirts that promote drugs, alcohol, tobacco or that have derogatory words or pictures regarding sexual or racial themes.
- g. Other items designated by the administration.

Unlawful Conduct

These include assault, burglary, possession or use of dangerous weapons, substances or instruments, extortion, possession or use of firearms, possession or use or sale of illicit or intoxicating substances, murder, property damage, robbery, sexual offenses, terroristic threatening, disorderly conduct, rendering of a false alarm, gambling, harassment, bullying, theft, trespassing, property damage or vandalism, forgery, hazing, and possession of certain contraband.

Contraband that is unlawful for school includes items that can cause bodily injury and/or are illegal to possess, such as:

- a. Fireworks
- b. Illegal substances
- c. Alcohol
- d. Weapons
- e. Instruments that are used or are threatened to be used as weapons
- f. Articles that resemble weapons (including toys) that are being used in a threatening manner

In compliance with the laws of the state of Hawaii, possession, use, sale, intent to sell, or distribution of drugs and/or alcohol is prohibited in school buildings, on school grounds, in school busses, and during school sponsored activities. Not only does the above constitute a major infraction of school rules, such offenses are unlawful and will be referred to the proper law enforcing authorities. These rules apply not only to all routine field trips, but also to school events held off school grounds and to all overnight trips as well.

It is the policy of the Kihei Charter School Board of Education to maintain learning and working environment that is free from sexual harassment. The legal definition of sexual harassment is broad. Any sexually-oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a learning environment that is hostile, offensive, intimidating, or humiliating to male or female students or staff may constitute sexual harassment. Sexual harassment by students or staff is strictly prohibited by law and is grounds for severe disciplinary action.

Consequences for Behavior Infractions

The school believes in progressive discipline. The possible consequences for inappropriate school behaviors may include, but are not limited to, the following:

- Student-teacher conference
- Phone call home
- Reflective writing
- Detention
- Student-parent-teacher conference
- Loss of privileges
- Short-term restrictions from activities with alternative assignments
- Behavior contract
- Crisis removal
- Suspension
- Student-parent-teacher-administration conference
- Long term alternate placement within a virtual learning environment
- Referral to the local school board

Disciplinary actions, such as behavior contracts for example, may be carried over to the following school year.

“Insubordination” means disregard or refusal to obey a directive which a school employee is authorized to give, and/or refusal to follow reasonable requests given by school employees.

In addition:

Swearing, verbally confronting, or displaying aggression at/towards a staff member will result in a minimum two day suspension.

DUE TO KIHEI CHARTER SCHOOL’S ZERO TOLERANCE POLICY, ALL UNLAWFUL OFFENSES WILL RESULT IN A MINIMUM TWO WEEK SUSPENSION AND A MAXIMUM ONE YEAR SUSPENSION. IN ADDITION, STUDENTS WILL BE PUT ON DISCIPLINARY PROBATION WHICH STATES THAT ANY SUBSEQUENT UNLAWFUL OFFENSES WILL RESULT IN REFERRAL TO THE LOCAL SCHOOL BOARD FOR FURTHER ACTION.

DRUG, ALCOHOL, AND WEAPON INFRACTIONS WILL RESULT IN THE MAXIMUM SUSPENSION PERIOD OUTLINED IN CHAPTER 19 (92 SCHOOL DAYS AS OF 7/6/11).

STUDENT FOUND TO BE IN POSSESSION OF A FIREARM SHALL BE DISMISSED FROM SCHOOL FOR NOT LESS THAN A ONE YEAR PERIOD.

Field Trip Behavior

A unique and integral part of the KCS curriculum is field-based work around Maui. Students are transported in the school’s fifteen passenger vans to sites around the island, where they engage in authentic, hands-on work facilitated by our teachers and our community partners. **Safety is our school’s number one concern when students are in the field. As such, KCS has strict safety guidelines that students must adhere to at all times.**

In addition to following all school rules and expectations, students are also expected to abide by the following rules and expectations at all times when in the field:

Follow van protocol, including:

- Sit in their assigned van seat
- Wear a safety belt
- Remain seated at all times
- Keep all hands, arms, heads, possessions, in the van at all times
- Maintain low noise level
- No eating in the van
- No vandalism – students are expected to take care of vans and use equipment appropriately
- Stay seated in the van once it has been parked until the teacher directs the students to exit the vehicle

Follow all directions given by the teachers and/or community partners

Stay in the designated work area

Do not leave the group or wander off

Represent the school with positive behaviors (use positive verbal and non-verbal communication)

Be respectful of the safety of self and others

Be respectful of all property and objects (no throwing objects, no climbing on items, etc.)

All school-based consequences listed previously will be applied aggressively to field-based behavior infractions so as to maintain a safe environment for all students when in the field. Students who consistently demonstrate unsafe behaviors in

the field and/or consistently do not adhere to minimum field behavior expectations will not be able to participate in the field-based learning activities. Field-based learning represents a substantial part of the KCS curriculum, and as such, current KCS placement may not be the appropriate educational placement for students who cannot participate safely in field work. In order to determine the most effective placement for the student, there will be a meeting with parents, the student, and administrators to determine alternative educational choices for the student within or beyond Kihei Charter School and/or referral to the Local School Board to determine further action.

Dress Code

Kihei Charter School has set basic standards to foster a concept of appropriate dress for the school as well as a business setting. There will be times when students are expected to be attired in a manner which exhibits a more professional demeanor, such as presentations, interviews, visitations or field trips. While we respect students' right to freedom of expression, we must also respect the right of others, and we must strive to represent ourselves and KCS in the most appropriate manner possible.

Apparel considered indecent and inappropriate for the educational atmosphere of the school and school related activities is strongly discouraged. When it has been determined that a student's dress is inappropriate, the student may be asked to change their attire or they may be issued a school shirt to wear for the remainder of the day. Continued violation of the dress code will result in a conference with the parent/guardian, student and an administrator.

Inappropriate dress will be determined by the administration or facilitator. Administration reserves the right to make additions or deletions to the student dress code as conditions or fads change. Disruption and health and/or safety concerns would be the cause of additions or deletions to the dress code.

Inappropriate accessories may be confiscated and will then be returned to the student at the end of the day or the parents may be asked to pick up the item after school.

As a guide for students, the following is an incomplete, yet helpful, list of unacceptable clothing for school as determined by the Kihei Charter School Board of Governance (If there is uncertainty regarding appropriateness of clothing, KCS director/staff will make a determination):

Unacceptable:

- Items that display/contain profanity or exhibit and/or promote drugs, alcohol, or sexual themes
- Items that display/contain statements or symbols that are derogatory to one's race, gender, national origin, religion, or sexual orientation
- Items that may be interpreted as promoting gang activity or an affiliation with gang activity
- Items that cause underwear to be exposed, including boys wearing undershirt tank tops (and including transparent clothing)
- Spaghetti straps tank tops and tube tops
- Short/skirts that do not reach finger length (arms straight down from shoulders)
- Items that expose a student's hip bones or pelvic region
- Items that can be considered "midriff" or "crop tops"
- Bathing suits, pajamas, lingerie, beach cover-ups, hats, and sun glasses inside of school.
- Items that do not sufficiently cover the body
- Bare feet (i.e. not wearing shoes)
- Items that damage the floor, furniture, school or other property
- Hats, bandanas, and hoods (Appropriate hats may be worn in the field)
- Sunglasses (may be approved by staff when working in the field)

Students who do not meet dress code expectations may result in one and/or a combination of the following:

- Wearing of appropriate clothing as provided by school
- Wearing of inappropriate apparel turned inside out
- Calling a parent to bring appropriate clothing to school
- Reflective writing, if the behavior is persistent
- Behavior contract, if the behavior is persistent
- Suspension, as a result of persistent, insubordinate behavior

School Events

All school rules and expectations (including the dress code) are enforced during school events. Parents/Guardians will be called to pick up students who are not meeting expectations and the appropriate consequences will follow.

- Age limitations on guests for events are enforced.
- For middle school events, no guests are allowed.
- For high school student events, guests must be in grades 9-12 and not older than 20. Valid picture IDs are required for guests. No picture ID = No entry.
- The school reserves the right to refuse entry to anyone who is dressed inappropriately, is suspected of being intoxicated/under the influence of an illicit substance, or does not have a valid picture ID.

Personal Handheld Technologies

Kihei Charter School understands that our students live in a rapidly changing society. However, technologies such as cell phones, iPods, iPads, handheld game systems, etc can at times become major distractions for our students and disruptive to the learning environment. Due to our unique schedules, time in class is highly valued – our students need to be present, focused, and ready to work on the task at hand. The handheld technologies are very exciting to children and can take away from the learning experience that teachers are creating for their students. These type of leisure activities are to be restricted to time away from the classroom.

KCS highly discourages students from bringing valuable electronic devices to school. In the past, students have had disagreements and issues about theft, ownership, borrowing items, lost items, broken items, etc. If students choose to bring valuables to school, they are assuming full responsibility for these items – the school is not responsible for items that go missing or get broken during the school day.

Handheld communication devices, iPods, cell phones, handheld games, etc., are not permitted for use during class time unless it is part of the learning activity as designed by the facilitator.

Cell Phones

KCS understands that parents provide students with cell phones for safety reasons during before- and-after school hours; however students are not to use their cell phones during class unless directed to do so by the classroom teacher. We understand that at unique times it becomes necessary for a parent/guardian to communicate with their child during the course of the school day. We expect high school parents to please contact the HS front desk at 875-0700 and that middle school parents please contact the MS front desk at 270-4912 in order to deliver urgent messages to their child during the regular school day.

If students are demonstrating inappropriate use of these technologies, they will be confiscated and returned only to the parent/guardian.