

Kapolei Charter School by Goodwill Hawaii  
**Student Conduct and Discipline Policy**

**Policy No. 301**  
(AG Approved 6/13/17)

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**PURPOSE:**

Kapolei Charter School (KCS) and its staff will take every reasonable precaution in order to maintain a safe and orderly environment and to protect the health and safety of its students and faculty. In order to maintain a safe and secure environment, all faculty will be made aware of the school's policies, procedures and discipline policies during staff orientation, and all students will be made aware of the same policies and procedures during student orientation. Staff will also participate in Mandt Training to learn strategies for dealing with and de-escalating a crisis so it does not lead to violence.

The philosophy of KCS regarding student behavior and discipline is that all students – regardless of race, gender, age, background, ability, or any other factor – have the basic right to an education and the opportunity to earn a high school diploma as well as maintaining their basic health, safety and security. KCS expects all members of the school community to conduct themselves in a manner to uphold and maintain these rights. Students or faculty who engage in behaviors that negatively impact students or any individual's health or safety will be dismissed from KCS immediately. This philosophy is consistent with the school's model, mission and educational philosophy because it places an emphasis on students and enabling them to overcome any and all barriers in order to achieve a high school diploma.

KCS takes discipline very seriously and views suspensions as a "last resort" option to ensure a safe and secure school environment. These steps are taken to help ensure students are well prepared for the workforce after graduation and to ensure students are provided ample opportunities to adjust their behavior prior to leading to a suspension. The school's discipline plan is outlined below.

When applicable, Kapolei Charter School will also utilize Chapter 19 as a reference when reviewing and deciding on disciplinary response.

**POLICY:**

1.0 Restorative Justice and Positive Behavioral and Interventions Support

1.1 KCS employs Restorative Justice to build community and respond to student misconduct, with the goals of repairing harm and restoring relationships between those impacted. The Restorative Justice program utilizes a three-tiered model of prevention/intervention/supported re-entry in response to conflict/harm. KCS' practice of restorative justice emphasizes the importance of:

- Identifying the harm,
- Involving all stakeholders to their desired comfort level, and

- True accountability – taking steps to repair the harm and address its causes to the degree possible.

1.2 KCS is committed to creating and maintaining a safe, positive, learning community that nurtures and inspires every student to thrive academically, socially, and emotionally. Restorative practices are used to build a sense of school community and resolve conflict by repairing harm and restoring positive relationships through problem-solving sessions where students and educators work together to set academic goals, develop core values for the classroom community, and resolve conflicts. Goals of the School Discipline Policy include<sup>1</sup>:

- Set high expectations for behavior and adopt an instructional approach to discipline.
- Involve families, students, and school personnel, and communicate regularly and clearly.
- Ensure clear, developmentally appropriate, and proportional consequences apply for misbehavior.
- Create policies that include appropriate procedures for students with disabilities and due process for all students.
- Remove students from the classroom only as a last resort, ensure alternative settings provide academic instruction, and return students to the classroom as soon as possible.

## 2.0 Grounds for Disciplinary Action

2.1 All students are subject to disciplinary action when involved in any of the acts listed in 2.3, while on school grounds or at a school activity, during breaks (on or off campus), or while going to or coming from school or any activity. Severe behavioral infractions may lead to immediate suspension.

2.2 In determining disciplinary actions, the School Director or designee shall consider the intention of the offender, the nature and severity of the offense, the impact of the offense on others including whether the action was committed by an individual or a group of individuals such as a gang, the age of the offender, and if the offender was a repeat offender.

2.3 Grounds for disciplinary action include: violence/threat of physical aggression; possession of a weapon on school property; being under the influence and/or being in possession of illegal substances (alcohol, drugs, drug paraphernalia, tobacco, lighter); bullying; cheating/plagiarism; theft or vandalism; chronic misbehavior, including disrespect and classroom disruption; chronic insubordination; and chronic tardiness and/or absences.

## 3.0 Suspension Procedure

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<sup>1</sup> U.S. Department of Education. (2014). "Guiding Principles: A Resources Guide for Improving School Discipline and Climate."

3.1 When the School Director determines a student should be suspended out of school, the following process is initiated:

- Incident Review: A discussion between the staff member requesting a student suspension and the School Director will be held prior to the suspension of any student and parent/guardian notification, unless circumstances dictate a more immediate removal of the student from school premises. Follow-up discussion regarding the situation and consequences will take place as soon as possible after the incident.
- Parent Notification: The parent/guardian of the suspended student will be notified of the misconduct, length of suspension, and any other corrective actions taken.
- The suspended student shall be provided alternate educational activities or other appropriate assistance.
- Intake Meeting: Upon return from suspension the student will participate in an intake meeting with the School Director; if determined as necessary, the student's parent/guardian may participate. At this time, a behavior contract may be introduced.

3.2 KCS will follow the Hawaii Department of Education policy, within Chapter 19, that requires a one- year suspension if a student possesses a firearm on campus, on transportation, or during a school-sponsored activity or event on or off school property. A firearm is defined as any instrument that can project an object that can cause harm upon impact. This includes BB, water, air, or paintball guns.

#### 4.0 Discipline for Students with Disabilities

4.1 KCS will use the following discipline procedures for students with an IEP<sup>2</sup>:

- "School personnel may remove the student with a disability who violates the code of conduct from his or her current placement to an appropriate interim alternative educational setting (IAES), another setting, or suspension, for not more than 10 consecutive school days to the extent those alternatives are applied to students without disabilities.
- School personnel may remove the student with a disability who violates the code of conduct from his or her current placement for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement.

4.2 School personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures that would be applied to students without disabilities, if:

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<sup>2</sup> "The Legal Framework for the Child-Centered Special Education Process," retrieved from <http://framework.esc18.net/display/Webforms/ESC18-FW-Summary.aspx?FID=154&DT=T&LID=en>

- In the MANIFESTATION DETERMINATION review, the behavior that gave rise to the violation of the code of conduct is determined not to be a manifestation of the student's disability;
- SERVICES DURING PERIODS OF REMOVAL are provided to the student; and
- Notification of a CHANGE OF PLACEMENT is given to the student.

4.3 School personnel must provide the students removed to a disciplinary alternative education program with written notice of the school's obligation to provide the student with an opportunity to complete coursework required for graduation that: Includes information regarding all methods available for completing the coursework; and states that the methods available for completing the coursework are available at no cost to the student. School personnel may remove the student to an IAES without regard to whether the behavior is determined to be a manifestation of the student's disability, if: There are SPECIAL CIRCUMSTANCES; and The removal is for not more than 45 school days. Students will be removed from the school immediately for the same length of time as a student without an IEP.

## 5.0 Disclosure

5.1 The school's Governing Board reserves the right to amend the school discipline policy at any time during the school year as the result of an independent review, occurrence of a situation not covered under this policy, or a recommendation by a school representative, parent or other stakeholder. The school discipline policy may only be amended with a majority vote of the Governing Board during a time at which the Board is conducting regular school business. In the event the school discipline policy is amended during the school year, parents/guardians and students will be promptly notified.