

Agenda Item VI.B Discussion/Board Action on Finance and Infrastructure Committee recommendations concerning policies in the Board's proposed 300 policy series (support, facilities, technology, transportation, business, financial, and organization, communications and safety)

Board of Education General Business Meeting

February 17, 2015

At the Finance and Infrastructure Committee's ("Committee") January 20, 2015 meeting, the Committee recommended board adoption of the 300 series policies (as shown on the following pages), with the exception of three policies:

- 304.2 Family and Community Engagement (for further discussion and work)
- 301.3 Use of school Buildings, Facilities and Grounds (for alignment with current practices)
- 304.1 E Komo Mai (for refinement)

Policy Audit

Board Of Education > Policy Audit

Hawaii State Board of Education Policies

SP #	Ends Policies	Current Policy #	Proposed Policy #	Means Policies	Recommendations	Monitoring
3	Effective Systems of Support		E-300			
3A	Facilities and Technology		E-301			
		6700	301.1	Facilities Standards	Flag for special attention by FIC	
		6701	301.2	Creating Communities of Learners		
		6500	301.3	Use of School Buildings, Facilities and Grounds	Request the Department propose revisions to align to current practice	
		6401	301.4	School Lavatories	Recommend DELETE	
		1710-7-2	301.5	Use of School Equipment		
		2170		Internet Access	DELETE	
		1110-12	301.6	Internet Use	Combined with 2170	
		1200-1.19	301.7	Employee Electronic Communication and Technology Use and Access		
		6750	301.8	Naming of Schools and School Facilities		
		6710	301.9	Sustainability and Environmental Stewardship		
		6000		School Facilities and Support Services – General	DELETE	
		6400		Custodial Services	DELETE	
	Transportation		E-302			
		6600	302.1	Student Transportation	Revised policy incorporates policies 6600, 6620 and 6630	
		6630		School Owned Buses	DELETE	
		6620		Use of Private Vehicles to Transport Students	DELETE	
3B	Financial Systems, Business Processes and Organizational Resources		E-303			
		1200-1.12	303.1	DOE Budgets	Refer to DOE for review	
		1200-1.16	303.2	DOE's Budget Public Input Required	Refer to Audit; Consolidate 1200-1.16, 1.17, 1.18	
		1200-1.17	303.3	DOE Program Evaluations		
		1200-1.18	303.4	Federal Funds		
		6760	303.5	Capital Improvement Program		
		1200-1.14	303.6	Carryover Funds		
		1200-1.13	303.7	Personal Services Contracts	Refer to Audit	

		<u>6270</u>	<u>303.8</u>	Real Estate Transaction		
		<u>1710-11</u>	<u>303.9</u>	Collecting Third Party Dues and Assessments		
		<u>1200-3</u>	<u>303.10</u>	Fee for service		
		<u>4700</u>	<u>303.11</u>	After School Plus (A+) Fees		
		<u>6340</u>	<u>303.12</u>	Commercialism		
		<u>1710-7</u>	<u>303.13</u>	Sale of Merchandise		
		<u>6330</u>	<u>303.14</u>	Inventory	Refer and revise to reflect current practice	
		<u>6320</u>	<u>303.15</u>	Disposals/Transfers		
		<u>2040</u>		Use of Program or Project Funds	Delete- Refer to DOE for review and comments	
		<u>6100</u>		Fiscal Accountability for All Funds	DELETE	
		<u>6310</u>		Purchasing and Disbursement	DELETE	
3C	Communications (Family and Community Engagement)		<u>E-304</u>			
		<u>1110-8</u>	<u>304.1</u>	E Komo Mai		
		<u>2403</u>	<u>304.2</u>	Family and Community Engagement		
		<u>1110</u>	<u>304.3</u>	Open Communication		
		<u>1200-2</u>	<u>304.4</u>	Department of Education Data information Availability and Access		
		<u>1110-9</u>	<u>304.5</u>	Public Complaints		
		<u>1110-1</u>		News Releases	DELETE	
	Safe Schools, Safe Students		<u>E-305</u>			
		<u>4200</u>	<u>305.1</u>	Student Safety and Welfare		
		<u>1110-7</u>	<u>305.2</u>	Safe workplace		
		(new)	<u>305.3</u>	Safe Schools	New policy incorporating policies 1110-2 and 1710-9.	
		<u>4201</u>	<u>305.4</u>	Use of Force		
		<u>1710-8</u>	<u>305.5</u>	Cooperation with Law Enforcement Agencies	Necessary?	
		<u>1710-13</u>	<u>305.6</u>	Closing Schools in the Event of Disaster and/or other Emergencies		
		<u>1710-9</u>		Bomb Threats	DELETE	
		<u>4220</u>	<u>305.7</u>	Alcohol and Illicit Drug Use		
		<u>4400</u>	<u>305.8</u>	Youth Gangs		
		<u>4210</u>	<u>305.9</u>	Practice of Hazing Students		
		<u>4211</u>	<u>305.10</u>	Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) by Employees		
		<u>2260</u>	<u>305.11</u>	Classroom and Laboratory Safety		

Policy E-300

The Department shall establish and maintain a system and culture that works to effectively organize financial, human and community resources in support of student success.

Policy E-301
Facilities and Technology

Policy: The Department shall provide safe and secure educational facilities. All school facilities will conform to the latest safety and building codes. All students and staff will have access to school facilities of similar standard, and school will be handicapped accessible. All school facilities will contain sufficient classroom space to accommodate class size guidelines and curriculum, as well as the programmatic needs and policies approved by the Board of Education.

The Department is committed to leveraging existing and emerging media and technology as a means to enhance learning, increase student achievement, prepare students for success in a global society and facilitate employee performance and the administration and operation of its schools. Technology should support innovative teaching and the sharing of best practices to meet the dynamic educational needs of all students. Toward that end the Department supports students and staff in creating and maintaining a 21st century digital learning environment in which technology enables staff and students to communicate, learn, collaborate, create, solve problems, manage their work and become self-directed learners.

To accomplish this the Department is committed to providing equitable access to technology, in-service training for staff and the necessary personnel and equipment within available resources and to promoting responsible, ethical, and appropriate use of information technology and network resources.

The Department will maintain an educational environment that integrates technology in a safe and secure manner for all students and staff

Rationale: Productivity in an educational setting means educating all students to their highest academic potential at a reasonable cost to the taxpayer. A critical dimension of a quality educational program is the extent to which it provides the necessary safe digital learning environment to enhance student learning for the purpose of preparing students to be college, career and community ready.

POLICY 301.2

CREATING COMMUNITIES OF LEARNERS

The Department of Education shall design school facilities that create smaller communities of learners. For existing schools with high enrollments, the department and school staff shall analyze their school performance indicators to determine if the school size is negatively impacting student achievement. If student achievement is found to be negatively impacted, school staff and community members shall identify and implement educational programs that create smaller communities of learners.

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POLICY

To foster greater personalization established through programmatic and/or smaller communities of learners, while still providing needed flexibility when planning schools for new communities, the following design enrollment guidelines for new schools are:

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- Elementary (K-5) 400-750 students 8 to 15 usable acres
- Middle (6-8) 500-1,000 students 15 to 20 usable acres
- High (9-12) 800-1,600 students 45 to 55 usable acres

(Usable is generally defined as land free of encumbrances determined to be unnecessary by the department of education, slope of five percent or less, with no ravines or stream beds. The Department of Education will make the final determination as to whether land is usable based on an evaluation of the specific property taken in the context of the development as a whole.)

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Rationale: Research studies show that a larger student enrollment may cause depersonalization of a school's environment, thereby deterring the development of positive student attitude, behavior and academic achievement.

Approved: 3/20/97; Revised: 4/18/02, 12/07, 6/08

POLICY 301.3

USE OF SCHOOL BUILDINGS, FACILITIES AND GROUNDS,

All public school buildings, facilities and grounds shall be made available for general recreational purposes and for public and community group meetings whenever these activities do not interfere with the normal and usual activities of the school and its pupils as provided by law.

To avoid the necessity of renting office space, the Department shall use school buildings and facilities for state and complex area offices where such use does not interfere with school-level uses. To minimize relocation expense, state and complex area offices should be moved out of a school only if the growth in the school's enrollment of students or new programs needs requires the school's use of the state/complex area's office space on the campus.

This program shall be governed by the guidelines set forth in Standards of Practice of the Office of School Facilities and Support Services.

[Also see: Rule 6, Relating to the Use of the School Buildings, Facilities and Grounds]

Approved: 1/71; Revised: 12/07, 10/08

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POLICY 301.4

SCHOOL LAVATORIES

Schools, in collaboration with their students, teachers, administrators, and custodians shall establish a plan and initiate programs to ensure the health, safety, and cleanliness of their restroom facilities. Schools shall address the various aspects of restroom conditions and identify solutions that best suit their needs. All schools should strive to make their restrooms safe and usable facilities that reflect the general mission and tone of their school.

Rationale: The Board of Education recognizes that it is critically important to have well-maintained restroom facilities where students feel safe and comfortable.

Approved: 08/02/01; Revised: 12/07

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1710-7.2

POLICY 301.5

USE OF SCHOOL EQUIPMENT

Equipment at the schools will be used for school purposes only.

Approved: 4/74

DELETE

2170

INTERNET ACCESS

POLICY

Internet access supports the efforts of the Department of Education and the Hawaii State Public Library System. It enhances educational and research activities, provides a conduit for the transmission and sharing of information, provides access to appropriate national and international resources, and assists in developing the literacy skills necessary in a technology-rich society. In the schools, priority shall be given to student/classroom educational use. The Superintendent of Education and State Librarian are instructed to develop regulations and/or guidelines governing Internet access.

Approved: 9/95; Amended: 10/97

POLICY 301.7

EMPLOYEE ELECTRONIC COMMUNICATION AND TECHNOLOGY USE AND ACCESS

All employees shall limit access to the Internet and use of Department-issued technology such as cellular phones, wireless devices, computers, and software for business transactions and business communications necessary to conduct their work as a Department employee. Furthermore, it is the Board of Education's policy that all employees shall adhere to all applicable laws, rules, and regulations with respect to confidentiality of personally identifiable information. Use other than that provided for by this policy may be considered a misuse of Department assets or resources. Any employee found to be in violation of this policy may be disciplined in accordance with applicable Department policies, regulations, rules, or collective bargaining agreements, or other Department civil service laws, rules or regulations.

The Superintendent of Education shall develop standards of practice to implement this policy.

Rationale: Access to the Internet, personally identifiable information, and use of Department-issued technology such as cellular phones, wireless devices, computers, and software are required in order to support the efforts of the Department of Education (Department) generally by enhancing educational research activities, providing a conduit for transmitting and receiving information, and for sharing information about the Department. Internet use also provides access to appropriate national and international resources.

Approved: 11/19/09

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POLICY 301.8**NAMING OF SCHOOLS AND SCHOOL FACILITIES**

The purpose of this policy is to provide consistency and uniformity in the naming of public schools and public school facilities. The name of a public school or public school facility should be an appropriate representation and reflection of the school or school-community.

A. Naming of Schools

The name of a school shall be recommended by the Superintendent of Education. The recommendation, with its supporting reasons, shall be submitted to the Board of Education for approval.

The name of a school shall be a unique identifier to promote and represent a school's location or identity.

A school named after a personage shall use the personage's formal title and full name as the official name of the school. Schools shall encourage the use of official names among their students and their communities.

B. Naming of School Facilities

Except for the naming of school facilities after benefactors, the name of a school facility shall be recommended by the school community council of each school. The recommendation, with its supporting reasons, shall be submitted to the complex area superintendent of the respective school for approval. The Board and Superintendent of Education shall be informed of the approved name.

The name of a school facility shall be a unique identifier to honor and acknowledge the exceptional service and significant contributions of a personage to the school, school-community, or public education, or to identify the facility in other ways that bear positive association for the school, school-community, or public education.

School facilities may be named to honor major benefactors whose significant contributions benefit the school, school-community, or public education; provided that naming of a school facility after a benefactor or benefactors shall be: (1) Recommended by the Superintendent of Education and submitted to the Board for approval; and (2) Consistent with the criteria and contribution guidelines specified in the regulations of

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Deleted: The names of schools and school facilities are necessary locational and place identifiers. The names of schools and school facilities also serve as a means of honoring and recognizing the exceptional service and contributions of individuals to schools, communities, and public education. Names should serve in ways that bear positive association for schools and communities. ¶

the Department.

The Board may revoke the name of a school or school facility, if necessary.

The Department of Education shall adopt regulations to implement this policy. The regulations shall include criteria and contribution guidelines for the naming of school facilities after benefactors who have made significant contributions to benefit a school, school-community, or public education.

Approved: 01/71; Amended: 01/01/79; 11/17/05, 12/07

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SCHOOL FACILITIES AND SUPPORT SERVICES - GENERAL

POLICY

The Office of School Facilities and Support Services shall support the department on school facilities, safety and security, student transportation, and school food service for effective management through advisory and centralized services.

All employees of the department shall follow guidelines set forth by state and federal laws, department rules, regulations and policies, school facilities and support services office policies and regulations, and by procedures outlined in the Standards of Practice of the Office of School Facilities and Support Services.

Approved: 1/71; Revised: 12/07

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CUSTODIAL SERVICES

POLICY

A custodial program shall be established to provide services that will create and maintain safe, sanitary and attractive grounds and buildings. This program shall be governed by the guidelines set forth in the Standards of Practice of the Office of School Facilities and Support Services.

Approved: 1/71; Revised: 12/07

Policy E-302
Transportation

Policy: The Department shall provide safe, reliable, efficient and economical transportation for students to the extent required by law and as directed by the Board of Education.

Rationale: Productivity in an educational setting means educating students to their highest academic potential at a reasonable cost to the taxpayer

Policy E-303

Financial Systems, Business Processes and Organizational Resources

Policy: The Department shall utilize financial systems, business processes, and organizational resources that support student and school success.

The Department shall implement transparent procedures and best practices that promote efficiency and effective use of funds. The Department shall maintain procedures that account for and safeguard all funds received.

Rationale: Confidence in and success of our educational system requires prudent and responsible use and accounting of our taxpayer resources.

POLICY 303.1**DEPARTMENT OF EDUCATION BUDGETS**

Any Department proposal to make adjustments in the operating budget and Capital Improvements Program budget shall require prior approval of the Board and shall include, but shall not be limited to, justification on the:

- Detailed description by cost element and the means of financing, of positions, equipment, or other current expenses being requested;
- Fiscal impact of partial or zero funding for the request;
- Impact on student achievement and facility requirements;
- Impact on other state programs and agencies;
- Strategic goals supported;
- Measurable deliverables; and
- Identification of resources currently being used to address the problem or funding shortfall.

Determination of the merits of budget adjustments shall be based on whether the adjustments address Board goals for education, objectives, and standards.

Budget requests for workload increases shall be evaluated on the basis of whether reliable data is provided on student enrollment projections, new schools that will be completed within the fiscal cycle, and legal mandates.

Rationale: The establishment of budget priorities is one of the primary ways in which the Board of Education (Board) articulates its policies to the Department of Education (Department). Those priorities are articulated through approval of the biennial and supplemental budgets that specify how, where, and in what amount funds are to be expended.

Approved: 03/20/97; Amended: 06/08/06; 8/2/07

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1200-1.16

POLICY 303.2

**DEPARTMENT OF EDUCATION'S BUDGET
PUBLIC INPUT REQUIRED,**

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Per Board of Education (Board) Policy 1200-1.12, the Board is responsible for approving the Department of Education's (Department) biennial and supplemental Operating and Capital Improvements Program budgets. Per Board Policy 6101, the Board is also responsible for the review and approval of the use of any federal funds received by the Department. The Board believes that public school parents, students, employees, and the community should be afforded the opportunity to provide input to the use of the moneys received by the Department and the budget should have their support. The Board and the Department should also be held accountable to the general public for the use of public moneys. Toward that end, the budget should be transparent and understandable. The Department is encouraged to take the public's comments and concerns into consideration prior to submitting a final proposal to the Board for approval.

Approved: 06/08/06

POLICY 303.3

**DEPARTMENT OF EDUCATION
PROGRAM EVALUATIONS**

The Board of Education (Board) is responsible for the review and approval of the Department of Education's (Department) budget. The Board is also responsible for monitoring the use of funds appropriated to the Department. As such, the Board shall review the Department's programs and its use of funds for reasonableness and effectiveness regardless of the program's funding source, and reallocate moneys, if it is deemed necessary and/or prudent.

The Department shall conduct a program and fiscal evaluation of its key strategic initiatives to identify program improvements and inform the redirection of financial and human resources to support the effective implementation of the Department's Strategic Plan for improved outcomes for students as well as in furtherance of the Board's goals. The Department shall also conduct desk reviews on all other programs in a timely manner.

The Department shall make recommendations to the Board as to whether to continue or discontinue a program, or other appropriate action after reviewing the results of the evaluations as well as other pertinent sources of information. The Department shall submit recommendations to the Board, and the Board shall determine whether to reallocate any funds from programs which are designated to be modified or discontinued.

In implementing this policy, the Department shall be responsible for providing the Board with an annual report on the status of its key strategic initiatives. The Board may request supplemental information or in-depth reviews of key strategic programs, as appropriate.

Approved: 08/17/06, 02/17/11

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POLICY 303.4

FEDERAL FUNDS

The Board of Education (Board), as the statutorily designated administrator of federal funds allotted to the State for public educational purposes, is required to use and expend the funds "for any such purposes and to such extent as shall be permitted by the Acts of Congress."

The Department of Education (Department) shall develop and implement regulations, which will include procedures for the routine reporting of the planned use of federal funds and approval of the proposed use of Impact Aid/Department of Defense funds. The Department shall provide the Board with monthly reports on the federal funds received, in a format approved by the Board. At least six months prior to the lapsing of any funds, the Department shall provide the Board with an action plan for ensuring the funds will not lapse.

Approved: 09/21/2000; Amended: 10/05/2006

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POLICY 303.5**CAPITAL IMPROVEMENT PROGRAM**

The Department of Education shall use the Capital Improvement Program (CIP) matrix in the development of its CIP allotment schedule. The CIP allotment schedule shall be evaluated and require prior approval of the Board of Education, but shall not be limited to approval on an annual basis.

Determination of the merits of the adjustments shall be based on, but shall not be limited to:

- A request for additional funding to complete projects;
- A change in means of financing;
- A donation of land or funds for specific projects; and
- Whether the adjustments address Board and Department goals, objectives, and standards.

The CIP allotment schedule shall also be evaluated on the basis of the justifications, evaluations, pertinent data, and reports provided and consistent with Board approved goals, objectives, and policies for the Department.

Rationale: The establishment of capital improvement project priorities is one of the primary ways in which the Board of Education articulates its policies to the Department of Education. Those priorities are articulated through approval of the CIP allotment schedule that specifies how, where, and in what amount funds are to be expended.

Approved: 2/19/09

POLICY 303.6

CARRYOVER FUNDS

The Department of Education is authorized to carryover, from one fiscal biennium to the first year of the next fiscal biennium, up to five percent of any appropriation for the school-based budgeting program (EDN 100) and comprehensive school support services program (EDN 150), pursuant to section 37-41.5, Hawaii Revised Statutes.

The Board of Education understands the importance of allowing flexibility regarding fiscal management to empower schools to be innovative and creative, and to encourage long-term planning and budgeting, including the carrying over of funds.

The Board of Education further recognizes that the law serves as an incentive for schools to spend funds responsibly and to enable them to purchase goods or services that are specific to their schools' needs. However, it is expected that along with such carryover authority and privilege, schools should manage these unobligated balances in an efficient and timely manner, and in conjunction with the school's Standards Implementation Design.

The Department of Education shall develop and implement rules that will include procedures for the routine reporting on school-by-school basis of the planned use of carry-over funds and their connection to each school's Standards Implementation Design, and the fiscal year-end reports of carry-over expenditures and their connection to each school's Standards Implementation Design.

Approved: 2/4/02

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POLICY 303.9

COLLECTING THIRD-PARTY, DUES AND ASSESSMENTS,

The schools shall not collect the dues and assessments of any non-Department of Education organization, including but not limited to any parent-teacher association. ,

Adopted: 8/70

See: Rule 2 - relating to the collection of parent-teacher association dues assessments

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POLICY 303.10

FEE FOR SERVICE

The Department shall determine and assess reasonable fees of public, private, public charter school, and homeschooled students enrolling in Department schools' activities or services when such participation is allowed by law, rule or policy. Fees shall be approved in accordance with procedures established by the Department or overriding law, rule, or policy. A service fee shall be required for access to services and activities for students not enrolled in Department schools unless prohibited by law, rule, or policy.

The Department and schools are highly encouraged to also apply for grants or any other subsidies to assist in the funding of activities and services. The Department will develop the rules, regulations, and guidelines needed to enable schools to assess fees for services,

Rationale: The Board of Education (Board) recognizes that successful schools rely on services and activities that support or complement the learning experience of students.

Approved: 8/19/10

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POLICY 303.13

SALE OF MERCHANDISE

No public school will be allowed to operate a school store or to sell merchandise of any kind without the written permission of the complex area superintendent except as follows:

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1. School lunches or milk served as a part of the school lunch.

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2. Things made or grown at the school as part of the educational program. The Board encourages schools to have school garden programs and offer fresh, nutritious food options.

3. Special school equipment or supplies not regularly carried in stock by local stores.

4. Feminine hygienic products.

Deleted: Sanitary napkins.

Approved: 8/70

See: S. 298-21, HRS - Restriction on Sale of Merchandise by City and County of Honolulu Schools; Act 79, SLH 1970

POLICY 303.14

INVENTORY,

The department shall properly report and record all state-owned property at schools and offices in order to safeguard and account for the same. All of the above shall be accomplished in accordance with the directives and guidance provided by the state comptroller and further implemented by the procedures found in the Standards of Practice of the Office of Fiscal Services.

Approved: 1/71; Revised: 12/07

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USE OF PROGRAM OR PROJECT FUNDS

POLICY

To maximize the effective use of all program and project resources for students' achievement of the Hawaii Content and Performance Standards, the Department of Education shall require each school that receives designated program or project funds to integrate the use of such funds into the school's Standards Implementation Design (SID). To ensure accountability for designated program or project funds and that adequate information is available for budget development and decision-making about best resource allocation, the Department shall require that schools clearly identify in their SID: (1) the instructional, curricular, assessment, professional development and other support service activities purchased with such funds; (2) the expected contribution(s) of funded activities to students' achievement of the standards; (3) the criteria by which the effectiveness of the funded activities will be evaluated; and (4) recommended action to continue, discontinue, or modify this activity.

The Department shall use the information reported by schools for budget development, proposed resource allocation, and accountable use of funds. The Board shall exercise its responsibility and authority to review the effective use of designated program or project funds and for development of the Department's current services budget.

Approved: 09/21/00

DELETE

6100

FISCAL ACCOUNTABILITY FOR ALL FUNDS

POLICY

The Office of Fiscal Services shall provide financial and related business services to the department. All employees in the department who perform the department's financially related functions, including reporting and dissemination of financial information, will operate in accordance with the guidelines and procedures set forth in the Standards of Practice of the Office of Fiscal Services.

Approved: 1/71; Revised: 12/07

DELETE

6310

PURCHASING AND DISBURSEMENT POLICY

The department shall purchase goods and services at the least cost, commensurate with quality and prompt delivery. Schools and offices purchasing goods and services from available funds shall follow procedures established by the state comptroller, and the department as prescribed in the Standards of Practice of the Office of Fiscal Services.

Approved: 1/71; Revised: 12/07

Policy E-304

Communications (Family and Community Engagement)

Policy: The Department shall encourage and support the public's participation in educational endeavors in such a manner that contributes to the accomplishment of the strategic plan goals. The Department shall have and enforce procedures that, within the bounds of Department policy, both encourage and manage the presence and involvement of parents, community members and the public in the schools.

Rationale: The responsible use of volunteer help as well as effective communication with the public supports program and service delivery and will assist the Department in achieving its Mission. The Board of Education (Board) recognizes that a child's growth and educational success are responsibilities and goals shared by the Department of Education (Department), communities, schools and families. It follows that achievement of these goals depends on the establishment of a broad array of informed partnerships among stakeholders that address the strengths and needs of all students.

POLICY 304.1

E KOMO MAI

All Board of Education and Department of Education employees shall endeavor to treat members of the public with respect and in a courteous and responsive manner.

Approved: 7/25/96

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Deleted: The Hawaii State Department of Education is supported by public funds to serve the educational needs of the people of Hawaii. Its direct customers are the parents and the children of our State. It indirectly serves all the citizens of Hawaii .

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POLICY 304.3

OPEN COMMUNICATION

Excepting certain personnel matters, and those collective bargaining matters proscribed by law or union-management agreement, there shall be free and open communication of all programs and information to the public, directly and through the media. Such communication shall also be developed between and among individual schools, complex areas, state offices and all personnel in the Department of Education.

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Approved: 5/3/73

POLICY 304.4

DEPARTMENT OF EDUCATION DATA INFORMATION AVAILABILITY AND ACCESS

The Department of Education shall release data information about Hawaii's public schools to all educational stakeholders to the extent that such release of information is in compliance with all state and federal laws and regulations.

Rationale: Facilitating data information availability and access supports the Department of Education's efforts to enhance data-driven decision-making, system transparency and accountability, and educational research activities.

Approved: 4/15/10

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The Department recognizes the potential risks of releasing data information. Any release of data information by the Department shall be in compliance with all state and federal regulations governing the release of data information.

POLICY 304.5**PUBLIC COMPLAINTS**

The Department of Education as well as the Hawaii State Board of Education from time to time receives complaints from members of the public regarding the public education system. The Board of Education believes that a clear process that provides members of the public a means to share their concerns with the Department of Education is important to public confidence.

The Board of Education's primary responsibility is specified by the Hawaii State Constitution to be policy-making. When considering most complaints or concerns, the Board evaluates the extent to which they are addressed by current policy or the extent to which they suggest the need for modified or new policies. When a complaint about school personnel is made to the Board as a whole or to a Board member individually, the Board member shall inform the Superintendent, who shall inform the complainant of the normal channels for reporting complaints about school personnel. The complaint will ordinarily be referred for study and possible solution to the school administrator who directly supervises the staff member involved. The staff member will be advised of the nature of the complaint and be given opportunity to respond to the complaint.

The Board encourages the resolution of public complaints at the level closest to which they occur. As such, when resolving school-level matters, the school principal or designee should be contacted first for further study and solution. If the matter remains unresolved and it appears necessary, the administration, complainant or staff member involved may request a meeting with the school's Complex Area Superintendent for the purpose of fuller study. As the matter is studied, all parties involved may be requested by the CAS to attend meetings for the purposes of presenting facts and evidence, making further explanations, clarifying issues and dispensing with hearsay and rumor. After consulting with the Complex Area Superintendent and receipt of a written decision, or should the matter continue to remain unresolved, the matter may be referred to the office of the Superintendent. At each level of review, the parties shall make reasonable efforts to facilitate communication.

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Deleted: From time to time, the Hawaii State Board of Education is confronted with members of the public who have complaints or concerns regarding the Department of Education. The Board, while providing the opportunity for the public to voice its concerns at any of its meetings, encourages the resolution of public complaints at the level closest to which they occur.

The Board of Education's primary responsibility is specified by the Hawaii State Constitution to be policy-making. When considering most complaints or concerns, the Board evaluates the extent to which they are addressed by current policy or the extent to which they suggest the need for modified or new policies. The Board addresses individual complaints or concerns through the office of its Superintendent.

The Board of Education is committed to assuring that proper attention is given to individual complaints and individual concerns and desires that the Department of Education be as responsive to the public as possible.

The Superintendent of Education shall establish a program which will encourage all DOE employees to deal effectively and sympathetically with public complaints. The program shall:

1. Provide a vehicle whereby members of the public may voice complaints and concerns and may seek resolution at a level closest to that at which the complaint was generated.
2. Be publicized so that members of the public are aware of the existence of the program and of the Board's interest in these matters.
3. Be easy to use and non-threatening to members of the public.
4. Safeguard the rights of both of Department of Education employees and members of the general public.
5. Encourage a sense of public confidence in the Department of Education.

Approved: 7/25/96

Deleted: PUBLIC COMPLAINTS POLICY

DELETE

1110-1

NEWS RELEASES BY DEPARTMENT PERSONNEL POLICY

On matters of board actions and statewide matters on departmental policies, plans, organizations, and related information, the superintendent or his designee shall issue news releases.

The state librarian, district superintendents, complex managers, and school principals or their designees may release information related to their activities.

This policy is not intended to prevent routine factual or statistical data and news stories going directly to the media from schools, districts, and state offices.

The above authorizations do not apply where there is a necessity for restricting premature disclosure of information which might prejudice the orderly and responsible conduct of government.

Approved: 8/70

See: Governor's Administrative Directive No. 2, 2/13/63

Policy E-305
Safe Schools, Safe Students

Policy: The Department shall institute procedures for ensuring the safety and security of pupils, personnel and school buildings.

Rationale: The safety and security of everyone is a prerequisite for accomplishing the Department's goals and objectives.

POLICY 305.1**STUDENT SAFETY AND WELFARE**

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The Department of Education shall provide a caring environment conducive to the physical, mental, social, and emotional well-being of students while they are participating in school activities. Attention shall be given to the personal safety of each student during these activities and such attention shall include instruction in safety practices and attitudes; proper maintenance of buildings, grounds, and equipment; establishment and enforcement of proper rules of conduct at each school including a no use, no possession, and no distribution of tobacco, alcohol and other non-prescription drugs; and provision of services to safeguard students from the deviant behavior of those who fail to conform to standards of conduct compatible with the best interests of all.

Approved: 10/70; Amended: 3/88, 7/91

POLICY 305.2**SAFE WORKPLACE**

The Department of Education is responsible for providing a safe and harmonious workplace. All employees are responsible for maintaining a safe and harmonious work environment. Workplace violence will not be tolerated under any circumstances and may result in disciplinary action, up to and including termination. Employees shall report all suspected or potential incidents of workplace violence to their supervisors. Supervisors shall process all reported or observed incidents in accordance with any applicable statute, policy, rule, regulation, program requirement, or contract agreement.

Deleted: POLICY

Workplace violence includes but is not limited to acts involving physical attack, property damage, as well as verbal statements that a reasonable person would perceive as expressing or suggesting intent to cause physical or mental harm to another person. Examples of violent behaviors include but are not limited to hitting, pushing, or shoving; throwing or breaking of an object; shouting or yelling, threatening gestures or remarks; disruptive or hostile actions; abusive or belligerent language; sabotage of equipment; repetitive unwanted phone calls, notes, e-mails; or other similar acts.

For the protection of both employees and students, no firearms are permitted on any school campus or Department of Education workplace except for (a) those carried by law enforcement officers while on duty, (b) those used in school Junior Reserve Officer Training Corps programs and (c) those used in school athletics, such as riflery teams and starter guns for athletic events.

Approved: 1/8/98; Amended: 8/2/07; 6/7/11

1110-2/1710-9

POLICY 305.3

SAFE SCHOOLS

The Department shall establish procedures for ensuring the safety and security of students, employees and facilities in the event of threats to safety, including, but not limited to, bomb threats and demonstrations.

The use of school resource officers or other police presence on school campuses shall be primarily for such purposes and in accordance with Policy 101.7.

Deleted: DEMONSTRATION AND DISORDER

POLICY 305.5

COOPERATION WITH LAW ENFORCEMENT AGENCIES

The public schools shall cooperate fully with the law enforcement agencies in the community.

Approved: 8/70

See: Rule 3 - relating to cooperation with police; Chapter 571, HRS

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POLICY 305.6

**CLOSING OF SCHOOLS IN THE EVENT OF
DISASTER AND/OR OTHER EMERGENCIES**

1. The superintendent may declare when all public schools in the state shall be closed for regular sessions. Pupils are to be considered present on days so declared, which shall be called, "Administrative Emergency Holiday(s)."

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2. The complex area superintendent is empowered to close any school in the complex area because of an impending or actual natural disaster or civil emergency.

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3. The superintendent and the complex area superintendent shall disseminate to the affected public the news of such actions as quickly as possible.

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Approved: 8/70

POLICY 305.7**ALCOHOL AND ILLICIT DRUG USE**

The Board of Education believes that all students have the right to an education in safe and orderly school environments. The Department of Education (DOE) has a fundamental responsibility to provide a safe and healthy work and learning environment for all public school students, employees, and persons under its jurisdiction. The Board supports the DOE's need to eliminate alcohol and illicit drug use and distribution in public schools.

The DOE shall develop regulations and procedures for public schools in an effort to eliminate alcohol and drug use and distribution on their respective campuses. The regulations, guidelines, and procedures developed shall be scientifically based and within the confines of state statutes and constitutional compliance.

Approved: May 19, 2005

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POLICY

POLICY 305.8**YOUTH GANGS**

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Schools and students must be free from the threats or harmful influence of any groups or gangs which advocate drug use, violence, vandalism, or disruptive behavior.

Youth gangs, therefore, will not be tolerated in the public schools. The Department of Education will administer a "no tolerance" policy towards youth gangs and involve students, school staff, parents, other community members and agencies in the programs to address youth gangs in schools.

Approved: 11/21/91

POLICY 305.9

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PRACTICE OF HAZING STUDENTS

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The Department of Education is responsible for providing an environment which nurtures the physical, mental, social, and emotional well-being of students.

The practice of hazing as a part of athletics or other co-curricular and social activities shall not be allowed. Hazing is defined as any conduct or method of initiation into any student organization or activity, whether in school or off-campus, 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 brutal treatment or forced physical activity which is likely to adversely affect the physical and/or mental health 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.

Staff shall inform students that hazing will not be tolerated. Students and staff shall not harass others verbally and/or physically. Students and staff shall behave with dignity and treat others with respect and courtesy and honor the rights of others.

Students and staff found to be in violation of this policy will be subject to counsel and/or disciplinary action in accordance with Chapter 19.

Approved: 4/97

POLICY 305.10**ANTI-HARASSMENT, ANTI-BULLYING, AND ANTI-DISCRIMINATION
AGAINST STUDENT(S) BY EMPLOYEES**Deleted:
POLICY

The Department of Education strictly prohibits discrimination, including harassment, by any employee against a student based on the following protected classes: race, color, national origin, sex, physical or mental disability, and/or religion. In addition to the above protected bases, the Department of Education strictly prohibits any form of harassment and/or bullying based on the following: gender identity and expression, socio-economic status, physical appearance and characteristic, and sexual orientation.

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A student shall not be excluded from participation in, be denied the benefits of, or otherwise be subjected to harassment, bullying, or discrimination under any program, services, or activity of the Department of Education.

The Department of Education expressly prohibits retaliation against anyone engaging in protected activity. Protected activity is defined as anyone who files a complaint of harassment, bullying, or discrimination; participates in complaint or investigation proceedings dealing with harassment, bullying, or discrimination under this policy; inquires about his or her rights under this policy; or otherwise opposes acts covered under this policy.

The Department of Education shall develop regulations and procedures relating to this policy to include personnel action consequences for anyone who violates this policy.

Approved: 02/21/08

POLICY 305.11

CLASSROOM AND LABORATORY SAFETY

The Department of Education shall design and implement a classroom and laboratory safety program that ensures a safe learning environment for students. Teachers shall comply with prescribed safety standards and regulations. Students shall be taught standards and practices that ensure their own safety and care and that of others.

Rationale: The Board of Education recognizes that classroom experiments and laboratory activities are integral and essential components in helping students to understand abstract concepts, build skills, and demonstrate proficiencies. The Board of Education also understands that good learning and teaching embodies the demonstration of sound safety practices and respect for one's environment.

Former Code Nos. 6223.1 Safety Policy - Trade and Industrial Education
6123.1 Safety Policy - Agricultural Education Service
6123.4 Safety Policy - Industrial Arts Education

Former Policies: 6223.1 Approved: 01/53 [;Am.]Amended: 07/60
6123.3 Approved: 05/47 [;Am.] 09/55; Rev. 07/60
6123.4 Approved: 09/58; Rev. 7/60

Adopted: 10/70; Amended: 03/88; 01/05/06

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