

HAWAII ADMINISTRATIVE RULES

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 4

NON-SCHOOL HOURS PROGRAMS

CHAPTER 400

AFTER-SCHOOL PLUS (A+) PROGRAM

§8-400-1 Statement of purpose. It is important to recognize the needs of parents for affordable, accessible, and quality after-school services. To address these needs, the following rule is adopted for the implementation of the after-school plus (A+) program of the department. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-2 Applicability and scope. This chapter shall govern the after-school plus (A+) program of the department, established or hereafter established pursuant to section 302A-408, Hawaii Revised Statutes. With the exception of chapter 41, the provisions of subtitle 2, of title 8, shall not apply to any program governed by this chapter, unless as provided herein. Any parent who feels that there may be a violation of a right to nondiscrimination in education may file a complaint under chapter 41. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-3 Definitions. As used in this chapter:

"A+ program" means the after-school plus program established by the department for public elementary school-aged children and conducted

statewide utilizing public school grounds and facilities. The A+ program is voluntary and is not part of the compulsory educational services provided by the state. The program provides supervision to young children who would otherwise be unsupervised during after-school hours.

"Department" means the department of education.

"District coordinator" means a person who is responsible for the coordination of the A+ program in a school district.

"At-risk student" means a child who is consistently not making satisfactory progress in school or who is in need of a safe, nurturing environment.

"Group leader" means a person who assists the site coordinator in implementing the A+ program at a school site.

"Latchkey" refers to children who have no adult present in the home to provide after-school supervision.

"Parent" means the natural or legal parent, guardian, or other legal custodian of a child.

"Program aide" means a person who assists the site coordinator or group leader in supervising and conducting after-school activities at a school site.

"Site coordinator" means a person who organizes, implements, coordinates and promotes the A+ program at a school site. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1122, 302A-408)

§8-400-4 Eligibility. All latchkey children enrolled in public elementary schools in kindergarten through grade six, are eligible to participate in the program if they are living with both parents who are employed, a single parent who is employed, parents working in the A+ program, and parents attending colleges, universities, or other types of schools or engaged in job training programs during the hours of A+ operations. Based on space availability, a child who is at-risk may also be recommended by the school principal for enrollment in the A+ program. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1122) (Imp: HRS §§302A-1112, 302A-408)

§8-400-5 Application and enrollment. (a) Application forms for the program shall be available at all public elementary school offices. Applicants shall return the completed form to the school where the child is in attendance during the regular school day. Priority shall be given to applications received before the announced application deadline. Two-thirds of any vacant slots can be filled by children who are [educationally] at-risk and who are recommended by the school.

(b) Site coordinators shall notify parents of the acceptance of the child and will arrange for completion of all registration forms and payment of fees for the first month. Late applicants may be accommodated on a space available basis provided funds are available.

(c) Forms that must be completed before admission include the following:

- (1) registration form;
- (2) emergency card;
- (3) registration agreement form for parents; and
- (4) identification card (I.D.).

(d) Part-time enrollment is permissible at the discretion of the site coordinator. There shall be no reduction in fees for part-time enrollment. A child shall not be accepted on a drop-in basis.

(e) Based on the demand for and available resources of the A+ program, nondiscriminatory restrictions may be placed on enrollment.

(f) Decision by the principal regarding enrollment shall be final. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-6 Program sites. An A+ program may be established at those public schools where twenty or more students enroll, and if staff availability is adequate to service the demand. In schools where there is no A+ program or where enrollment is restricted by staff shortages, a child may enroll in an A+ program at another school, if space is available, and upon approval by the site coordinator of the site where the child is to enroll. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-7 Reasonable modifications. (a) The program shall be made available to all eligible children on a nondiscriminatory basis. For the child with a disability who is identified by parents or who are known to the A+ program staff to have special needs, the district will provide such reasonable modifications as are necessary to afford the child an opportunity to participate. The A+ program is not part of the individualized education program (IEP) of the child. In evaluating the needs of the child, site coordinators shall:

- (1) Meet with the parents of the child, and the child, if appropriate, and consult with other school staff familiar with the child to identify the particular needs of the child.
- (2) Determine what program modifications, if any, will be necessary to reasonably accommodate the special needs of the child;
- (3) Determine program changes necessary and whether these modifications can be reasonably provided;
- (4) Consider possible alternatives that may offer the child a comparable program; and
- (5) Consult with the principal and district coordinator if an amenable agreement with the parents of the child cannot be reached.

(b) The determination of the principal of the disposition of each case, in consultation with the district coordinator, shall be final. [Eff 3/1/93; am and comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-8 Hours of operation. (a) A+ services will be provided on regular school days, beginning after school until 5:30 p.m. The program will not operate when school is closed or when school is open only a half day. The A+ program will be open on early dismissal parent-teacher conference days.

(b) If many parents express a desire for services to be provided until 6:00 p.m., the site coordinator may extend program hours if staff schedules and resources can be rearranged. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-9 Curriculum. The department shall create a program curriculum to provide experiences for children that will excite their curiosity,

encourage exploration and inquiry, spur their imagination, and invite experimentation on a wide range of topics. The program may have various components, including enrichment, coordination and physical development, and character development. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) Imp: HRS §§302A-1112, 302A-408)

§8-400-10 Transportation. (a) Transportation to the A+ program is not provided. For a child with permission to attend an A+ program at schools other than the regular school of the child, parents shall make transportation arrangements and assume responsibility for getting the child there. Parents shall notify the site coordinator of the site where the child enrolls and of the arrangements made for the child to get to the A+ program.

(b) Transportation from the A+ program is also the responsibility of the parents. Parents shall notify the site coordinator or designee in advance of how the child is to get home. No modifications in school bus schedules shall be made to accommodate the child participating in the A+ program. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-11 Child pick-up. (a) A child shall be picked up only by parents or persons authorized by the parents on the registration forms. Parents shall give permission for other types of arrangements, such as:

- (1) the child is to be picked up by someone else that day; or
- (2) the child is to walk, ride, bike, skateboard; or
- (3) the child is to take the bus home; and
- (4) the time the parents want the child to be dismissed from the program to do that.

If parents want the A+ staff to release a child to leave the school on the child's own, parents shall sign an authorization for release of an unaccompanied child form, releasing the A+ program and staff of all responsibility for the welfare of the child once the child leaves the school grounds. When a child leaves the A+ program, the child shall check out with an adult on staff, and the parents or persons designated by the parents shall sign the child out on a sign-out sheet, noting the time of departure.

(b) All persons authorized for child pick-up on A+ registration forms shall be issued I.D. (Identification) cards which shall be effective for the school year. I.D. cards shall be shown before the child is released. If a card has been misplaced, the persons who come to pick up the child shall show a picture I.D. A+ staff shall match the social security number on the picture I.D. against their own records before releasing the child.

(c) If, for any reason, the child cannot be picked up by the time the program closes, parents shall be required to contact one of the designees previously authorized by them for pick-up of the child. If the child is not picked up by closing, the site coordinator shall try to contact the parents of the child and then other persons authorized to pick up the child. A child shall be released only to those persons. A \$5 late pickup fee, or an amount as established by the superintendent of education, shall be imposed for every fifteen minutes beyond closing time that a student is picked up late (e.g., one to fifteen minutes late, \$5; sixteen to thirty minutes, \$10; thirty-one to forty-five minutes, \$15, etc.). Chronic late pick-ups may be grounds for the termination of the child from the program. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-12 Illness. If a child becomes ill during the A+ program, the site coordinator shall contact the parents or other responsible persons named on the registration form of the child to pick up the child. A child with a communicable disease which normally excludes a child from school as required by the department of health, shall also be excluded from the A+ program. Once readmitted to school, the child may return to the A+ program. A+ staff will not take responsibility for storing, holding, dispensing, or administering medication to the child. An exception may be made for life-threatening situations as prescribed by the child's physician and approved by the district coordinator, with administration by the A+ staff person certified in first aid. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-13 Emergency provisions. (a) At least one A+ staff member with a current certificate in first aid will be on site during A+ program hours. A current certificate means a certificate which is issued by the American Red Cross or any other certifying agency and which is less than three years old.

(b) If a major injury or illness occurs, the child will be transported by ambulance to a hospital or physician. In all cases of injury or illness, attempts will be made to contact parents immediately. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-14 Termination or suspension from program. (a) A child may be terminated or suspended from the program for:

- (1) failure to pay the monthly non-refundable fee or any other outstanding fees;
- (2) chronic late pick-up; or
- (3) conduct which disrupts the activities of the program or jeopardizes the safety or welfare of the staff or participants.

(b) Prior to termination from the program, the site coordinator at each school site shall meet with the child and the parents of the child to apprise them of the problems and to afford them a reasonable time to take corrective action.

(c) Prior to the suspension or termination of a child with a disability from the program because of misconduct, the site coordinator shall meet with the child and the parents to consider whether the misconduct may be related to the disability of the child, and if found to be related, to make such reasonable modifications as are necessary to afford the child an equal opportunity for participation.

(1) After such reasonable modifications are provided, and if the misconduct of the child with a disability persists and the child is unable to function in the program, the child may be suspended or terminated from the A+ program regardless of the disability of the child.

(2) A child with a disability can be immediately suspended from the A+ program if the conduct of the child presents a clear threat to the physical safety of self or others, or if the child is so disruptive as to make the immediate removal from the program necessary to preserve the rights of other participants. Prior to readmittance from such a suspension, the site coordinator shall meet with the parents to determine whether any

reasonable modifications can be provided for continued participation.

(d) The determination of the site coordinator of the disposition of each case, in consultation with the district coordinator, shall be final. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408, 302A-1153; 29 U.S.C. 794; 34 C.F.R. 104.27 (a))

§8-400-15 Searches and seizures. Chapter 8-19 shall apply to searches and seizures as may be conducted during the A+ program. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-16 Parent-teacher conference. Parent conferences are not required but may be arranged at the request of parents, group leaders, or the site coordinator. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-17 Confidentiality of records. Chapter 8-34 shall apply to records of the A+ program. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-18 Reporting child abuse. A+ program staff are required to report any suspected cases of child abuse or neglect and shall promptly report the matter orally to the department of human services or to the police department. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-19 Fees and other charges. (a) A monthly fee up to the total monthly cost per pupil of providing such services during the prior year shall be assessed. This fee shall be rounded to the nearest dollar. A fee waiver or fee adjustment may be provided in accordance with board policy.

(b) Fees shall be collected for the months determined by the superintendent. A child shall be charged the same monthly fee, regardless of the number of days the child participates in the program. There shall be no refunds for unused days.

(c) Monthly fees shall be due and payable at the school, or postmarked if mailed, on or before the first school day of each month. Checks are preferred. A service charge shall be imposed on all returned checks. A late charge of \$5, or an amount as established by the superintendent of education, shall be imposed each school day a payment is overdue. Overdue payments may be grounds for termination from the program. There shall be no provision for refunds once payments are made with the exception of reimbursement for advanced payments for services not rendered or for tuition category reclassification, e.g., from full tuition to free or reduced tuition. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; am and comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)

§8-400-20 Conflict of provisions. The provisions of this chapter are deemed specific to the after-school plus (A+) program of the department and shall control over any conflicting provisions of this title. [Eff 3/1/93; comp 8/7/93; comp 4/1/96; comp 3/13/00] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-408)