



## **Reporting Crime-Related Incidents Policy**

### **PURPOSE**

This policy specifies crime-related incidents and guidelines for reporting crime-related incidents on NWOPCS Public Charter School (NWOPCS) property during school hours or during activities supervised by the School.

### **DEFINITIONS**

NWOPCS property: Includes St. Theresa Parish Buildings and associated property, Administrative Building and associated property, Mt. View Gymnasium and associated classrooms and playground.

Class A offenses (as defined in HAR Chapter 19):

- Assault;
- Burglary;
- Dangerous instrument, or substance; possession or use of;
- Dangerous weapons; possession or use of;
- Drug paraphernalia; possession, use, or sale of;
- Extortion;
- Fighting;
- Firearms; possession or use of;
- Homicide;
- Illicit drugs; possession, use, or sale of;
- Intoxicating substances; possession, use, or sale of;
- Property damage or vandalism;
- Robbery;
- Sexual offenses; or
- Terroristic threatening.

Class B offenses (as defined in HAR Chapter 19):

- Bullying;
- Cyberbullying;
- Disorderly conduct;
- False alarm;
- Forgery;
- Gambling;
- Harassment;
- Hazing;
- Inappropriate or questionable uses, or both of internet materials or equipment, or both;
- Theft; or
- Trespassing.

## POLICY

NWOPCS follows Hawai'i Administrative Rules (HAR) Chapter 19. Crime related incidents are considered class A and class B offenses as determined by HAR Chapter 19.

### Reporting class A and class B offenses occurring in school.

- (a) Any teacher, official, or other employee of NWOPCS who is a witness to a class A or class B offense as defined in HAR Chapter 19, or who has reasonable cause to believe that a class A or class B offense has been committed or will be committed, against a student, teacher, official, or other employee of NWOPCS, or involving school property, shall promptly report the incident to campus security and/or principal or designee. Nothing in this policy shall be construed to prohibit or prevent a teacher, official, or other employee of NWOPCS from reporting class C or class D offenses to the principal or designee.
- (b) Upon receiving a class A or class B offense report, the principal or designee shall conduct an investigation to determine whether the behavior requires a direct call to the police or whether the behavior can be handled through school disciplinary procedures.
  - Campus security and/or the principal or designee must report all criminal behavior to The Hawaii County Police (935-3311 or 911) or Criminal Investigations Division (808 973- 1540) to enhance our security posture on campus.
  - Additionally, the police should be called whenever there is perceived danger and the behavior cannot be handled by the school staff.
  - To assist the principal, any employee who witnesses the offense must:
    - Immediately fill out (handwritten) the NWOPCS Incident Report Form
    - Provide a detailed account of what transpired in a Microsoft Word Document
- (c) The principal or designee shall record the incident information into the Electronic Comprehensive Student Support System (ECSSS) database system within five school days of the reported offense.
- (d) The principal or designee shall notify the reporting teacher, official, or other employee, of the disciplinary action, if any, taken on the class offense(s) within five school days after the incident is reported in accordance with subsection (c).
- (e) If the teacher, official, or other employee is dissatisfied with the disciplinary action taken on the offense reported, or if no disciplinary action has been taken within ten school days after the incident was reported by the teacher, official, or other employee, the person who made the report may appeal to the NWOPCS Governing Board, in writing.
- (f) Within five school days of receiving an appeal as provided in subsection (e), the NWOPCS Governing Board or designee shall notify the appellant, in writing, of the disciplinary action taken on the offense reported.

### Indemnity upon reporting class A and class B offenses.

Any teacher, official, or other employee of NWOPCS who in good faith reports as required under HAR §8-19-19 shall be indemnified and held harmless in accordance with section 302A-1003, Hawaii Revised Statutes.

### Failure to report class A or class B offenses occurring in school; consequences.

- (a) The Hawai'i Charter School Commission shall furnish an annual written notice to NWOPCS that failure to report class A or class B offenses occurring on campus, or other education premises, on NWOPCS transportation, or during a NWOPCS sponsored activity or event on or off school property may result in disciplinary actions against responsible teachers, officials, or other employees of NWOPCS. Disciplinary actions may include:
  - (1) Oral warning;
  - (2) Written warning;
  - (3) Suspension without pay;
  - (4) Demotion; or
  - (5) Dismissal.

- (b) Teachers, officials, or other employees of NWOPCS who fail to report class A or class B offenses as required by HAR §8-19-19 may be disciplined in accordance with the regulations and procedures of NWOPCS.
- (c) Any teacher, official, or other employee of NWOPCS who is disciplined for failure to report class A or class B offenses occurring on campus, or other NWOPCS premises, on NWOPCS transportation, or during a NWOPCS sponsored event on or off property shall have the right to appeal the disciplinary action as provided by state law or the regulations and procedures of NWOPCS or applicable collective bargaining agreements.

**OTHER RELATED INFORMATION:**

- Hawai'i Administrative Rules-Chapter 19 Subchapter 5 Reporting Offenses:
  - <http://www.hawaiiboe.net/AdminRules/Pages/AdminRule19.aspx#8-19-19>
- Currenting listing of class offenses form Chapter 19 Hawai'i Administrative Rules:
  - <http://www.hawaiiboe.net/AdminRules/Pages/AdminRule19.aspx#8-19-19>

Approved January 19, 2016  
Nā Wai Ola PCS Governing Board