

Hawaii Department of Education
Summer School Program

Date: 05/05/2020
To: Parents of Students Enrolled in Summer School
From: District Summer School Coordinators
Subject: Hawaii Administrative Rules Title 8 Chapter 19 and Summer School

Dear Parents:

This is to inform you that the provisions of Hawaii Administrative Rules Title 8 Chapter 19 Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism applies to all students enrolled in summer school:

- during summer school hours,
- on school premises,
- on department of education transportation, or
- during a department sponsored activity or event on or off school property.

NO REFUND AND NO CREDIT (GRADE OF F) FOR ANY STUDENT WHO IS DISMISSED OR EXPELLED FROM SUMMER SCHOOL REGARDLESS OF DATE OF EXPULSION OR DISMISSAL.

Crisis Removal

A summer school site director or designee, in an emergency, may impose a crisis removal of your child immediately if after finding that his/her conduct presents an immediate clear threat to the physical safety of self and others or is extremely disruptive as to make the student's immediate removal necessary to preserve the right of other students to pursue an education free from undue disruption.

Class A or Class B Offenses

If your child commits a class A or class B offense, he/she shall be dismissed from summer school. The summer school site director or designee shall meet with you and your child before the dismissal.

Class C or Class D Offenses

If your child commits any two of any class C or class D offense, he/she shall receive a warning for the first offense and may be released from summer for the second offense.

Attachment A list the provisions of Chapter 19 Subchapter 3 Student Misconduct and Summer School.

Should you have any questions regarding the Chapter 19 summer school provisions, please contact your district summer school coordinator or summer school site director.

SUBCHAPTER 3

STUDENT MISCONDUCT AND DISCIPLINE DURING SUMMER SCHOOL

§8-19-12 Disciplinary actions; authority. The summer school director or designee shall impose disciplinary action against any student attending summer school. [Eff 5/23/86; comp 7/19/93; comp 5/19/97; comp 2/22/01; am and comp 9/10/09] (Auth: HRS §302A-1112) (Imp: HRS §302A-1112)

§8-19-13 Prohibited student conduct; class offenses. (a) The following prohibited conduct applies to all students in summer school during summer school hours, on campus, or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property.

- (1) Class A offenses
 - (A) Assault;
 - (B) Burglary;
 - (C) Dangerous instrument, or substance; possession or use of;
 - (D) Dangerous weapons; possession or use of;
 - (E) Drug paraphernalia; possession, use, or sale of;
 - (F) Extortion;
 - (G) Fighting;
 - (H) Firearms; possession or use of;
 - (I) Homicide;
 - (J) Illicit drugs; possession, use, or sale of;
 - (K) Intoxicating substances; possession, use, or sale of;
 - (L) Property damage or vandalism;
 - (M) Robbery;
 - (N) Sexual offenses; or
 - (O) Terroristic threatening.
- (2) Class B offenses:
 - (A) Bullying;
 - (B) Cyberbullying;
 - (C) Disorderly conduct;
 - (D) False alarm;
 - (E) Forgery;
 - (F) Gambling;
 - (G) Harassment;
 - (H) Hazing;
 - (I) Inappropriate or questionable uses, or both of internet materials or equipment, or both;
 - (J) Theft; or
 - (K) Trespassing.

- (3) Class C offenses:
 - (A) Abusive language;
 - (B) Class cutting;
 - (C) Insubordination;
 - (D) Laser pen/laser pointer; possession or use of;
 - (E) Leaving campus without consent;
 - (F) Smoking or use of tobacco substances; or
 - (G) Truancy.
- (4) Class D offenses:
 - (A) Contraband; possession or use of;
- (B) Minor problem behaviors; or
 - (C) Other school rules.
- (b) Class C and D offenses: A summer school student who commits two of any class C or D offense as defined in section 8-19-6 in the course of summer school shall receive a warning for the first offense and may be released from summer school for the second offense.
- (c) Any student who commits a class A or class B offense shall be dismissed from summer school. The summer school director or designee shall notify and meet with the student and parent prior to dismissal from summer school. The summer school director shall file a report with the complex area superintendent and shall provide a copy to the parent.
- (d) A summer school director or designee, in an emergency, may impose a crisis removal of a student immediately after finding that the student's conduct presents an immediate clear threat to the physical safety of self or others or is so extremely disruptive as to make the student's immediate removal necessary to preserve the right of other students to pursue an education free from undue disruption. The summer school director or designee shall inform and meet with the student and parent prior to the student's reinstatement in summer school. No student shall be reinstated without the meeting. The summer school director or designee shall file a report with the complex area superintendent and shall provide a copy to the parent. [Eff 5/23/86; am and comp 7/19/93; comp 5/19/97; comp 2/22/01; am and comp 9/10/09] (Auth: HRS §302A-1112) (Imp: HRS §302A-1112)