



STATE OF HAWAII
DEPARTMENT OF EDUCATION
OFFICE OF THE COMPLEX AREA SUPERINTENDENT
WEST HAWAII COMPLEX AREAS
75-140 HUALALAI ROAD
KAILUA-KONA, HAWAII 96740-3723

January 13, 2010

Dear Employees, Students, Parents, Guardians, Volunteers & Friends of Kealakehe Elementary School:

Discriminatory harassment on the basis of sex or race is not tolerated in Hawaii's public schools. A school is a place where every adult and student should enjoy a sense of safety, respect, and belonging. With this in mind, please take the time to learn about the applicable federal and state laws, and Hawaii State Board of Education policies that pertain to civil rights in the Hawaii State Department of Education (DOE).

Federal Laws. *Title VI of the Civil Rights Act of 1964* prohibits discrimination on the basis of race, color, or national origin. *Title IX of the Education Amendments of 1972* bans discrimination on the basis of gender or sex in schools.

State Law. *Chapter 19* (Hawaii Administrative Rules, Chapter 19, Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism and Negligence) includes consequences for students who engage in harassment on the basis of race or sex at school. Students should immediately report any harassment to their school administrator or counselor.

Hawaii State Board of Education Policy.

BOE Policy #4211, Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) by Employees, 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. Under this policy, the DOE strictly prohibits any form of harassment and/or bullying based on gender identity and expression, socio-economic status, physical appearance and characteristic, and sexual orientation. Retaliation against any one who complains or participates in an investigation dealing with harassment or bullying is also expressly prohibited.

BOE Policy # 1110-11 Applicant and Employee Non-Discrimination Policy strictly prohibits any form of discrimination, including harassment based on a person's membership in a protected class, which includes race, color, sex, religion, national origin, ancestry, age, physical or mental disability, sexual orientation, marital status, arrest and court record, income assignment for child support, national guard absence, uniformed service, breastfeeding, or citizenship status. Retaliation against anyone who files a complaint of discrimination or participates in proceeding dealing with discrimination, inquires about their rights under discrimination laws, or otherwise opposes acts of discrimination is also strictly prohibited.

Students and/or parents or guardians should immediately report any acts of racial or sexual harassment or retaliation by other students under the jurisdiction of the school to the principal or the school counselor.

Telephone: (808) 327-4991 • Fax: (808) 327-4994

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

Any teacher, official or other employee who receives a complaint of racial sexual harassment or retaliation from a student by another student shall promptly report the incident to the principal or counselor. The employee who receives a complaint of racial or sexual harassment or retaliation should provide the principal or counselor with a written referral which includes the specifics of the complaint, date, and time of the incident, with the names of any witnesses to the alleged incident.

The Complex is committed to investigating complaints of such harassment and discrimination, reporting incidents of such harassment and discrimination, and taking appropriate action.

Any student, parent or legal guardian who feels that he/she was discriminated against by a DOE employee or officially recognized volunteer should immediately report any racial or sexual harassment or retaliation by the employee to the school principal, vice principal, the Complex Area Superintendent, or contact the DOE's Civil Rights Compliance Office at 808-586-3322.

An employee who witnesses or knows about any incident of racial or sexual harassment by an employee against a student should inform the principal, vice principal, the Complex Area Superintendent, or contact the DOE's Civil Rights Compliance Office at 808-586-3322.

The names and telephone numbers of the personnel who will receive reports of alleged harassment and/or discrimination is provided below:

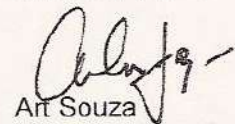
- Principal Nancy Matsukawa 327-4308
- Vice Principal Cynthia Delgado-Gray 327-4308
- Counselor Joy Personius 327-4308
- Complex Area Superintendent Arthur Souza 327-4991

For individuals who are deaf or hard of hearing, any of the above numbers can be accessed through the relay system.

For more information or to file a complaint, contact your school administrator or the DOE Civil Rights Compliance Office (ph. 808-586-3322). Complaint forms are also available at <http://www.doe.k12.hi.us/civilrights/index.htm>.

Thank you for your attention to this matter. Should you have any concerns, please feel welcome to contact me directly at 808-327-4991.

Sincerely yours,



Art Souza
Complex Area Superintendent

c: Garrett Toguchi, Chairperson, Board of Education
Kathryn S. Matayoshi, Interim Superintendent
Susan H. Kitsu, Civil Rights Compliance Director