

I. BOARD GOVERNANCE

POLICY I.12

REPORTING OF CRIME RELATED INCIDENTS

1. Students

All Ka'ōhāo Public Charter School personnel shall follow Hawaii Administrative Rules (HAR) §8-19-19, Reporting class A and class B offenses occurring in school, and HAR §8-19-6 which defines class A and class B offenses (commonly referred to as “Chapter 19”.)

All Ka'ōhāo Public Charter School personnel shall follow HAR §8-19-21. Failure to report class A or class B offenses occurring in school; consequences.

Documents relating to such incidents shall be maintained at the school for three years. No information about the investigation, conference and the actions taken shall be communicated to any person not directly involved in the proceedings.

2. School Personnel

ARTICLE X, C – Teacher Protection
(HSTA Master Agreement, pp. 47-48)

School personnel shall immediately report cases of theft/damage of their property or physical assault and battery suffered by them in connection with their employment to the School Director or other immediate supervisor, who shall, if deemed appropriate or if so requested by the teacher(s), promptly notify the Honolulu Police Department of the incident and file a report on the form designated below (attached).

For HSTA members, the report(s) shall be made available to the Association upon request.

3. Persons Other Than Students or School Personnel

School personnel shall report any person witnessed committing a Class A or Class B offense or who may be reasonably anticipated to commit such offense. In making such report, school personnel shall apply the definitions, procedures and additional provisions of Hawaii Administrative Rules (HAR) Sections 8-19-9, 8-19-6 and 8-19-21 (Chapter 19) as may be applicable to non-students or non- school personnel.

4. Report Form

In making a written report, the Ka'ōhāo Public Charter School director or designee shall employ the USDOE Campus Security Report Form (see next page or scroll to page 249 at <https://www2.ed.gov/admins/lead/safety/handbook.pdf>)

Approved January 27, 2016

Campus Security Authority Crime Report Form

CSA _____

Date _____

Crime Reported by: _____ Phone Number: _____

Classification (see definitions below): _____ Date Incident Occurred: _____

Location of Incident: _____

Brief Description of the Incident: _____

Check the appropriate answer to the following questions:

Did the crime occur in a building or on the street? Building: _____ Street: _____

Did the crime occur on school owned, controlled, or leased property? Yes: _____ No: _____

Did the crime occur at a school-sponsored activity or event? Yes: _____ No: _____

SEE PAGE 2 FOR HATE CRIMES, SEE PAGE 3 FOR SEX OFFENSES

Please forward this completed form to:

Ka'ōhāo Public Charter School
c/o School Director
140 Alala Road
Kailua, HI 96734

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

Robbery: the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

HATE CRIMES

We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons: possessing carrying, etc. (see definitions on the front page) and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate crime. If a bias-related (hate) crime was reported to you, please fill out the top section of Page 1 and then complete the following information about the type of bias involved in the crime.

Type of Crime (List classification as defined above): _____

Type of Bias (circle one):	Race	Religion	Ethnicity/National Origin
	Gender	Sexual Orientation	Disability

Campus Security Authority Sex Offenses Report Form

CSA _____

Date _____

Crime Reported by: _____ Phone Number: _____

Classification (see definitions below): _____ Date Incident Occurred: _____

Brief Description of the Incident: _____

Check the appropriate answer to the following questions:

Did the crime occur in a building or on the street? Building: _____ Street: _____

Did the crime occur on school owned, controlled, or leased property? Yes: _____ No: _____

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Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape: The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault With An Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible

Unlawful, non-forcible sexual intercourse.

A. Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

*Sex Offenses Definitions From the National Incident-Based Reporting System Edition
of the Uniform Crime Reporting Program*

Please forward this completed form to:

Ka'ohao Public Charter School
c/o School Director
140 Alala Road, Kailua, HI 96734