

<b>Policy Title:</b>  <b>CRIME RELATED INCIDENTS</b>	<b>Policy No.</b>	<b>No. of Pages</b>
	ADM05	2
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I. **PURPOSE:** The Corporation and Schools establish these appropriate steps to be taken in reporting criminal offenses committed on school property or at school functions. These policies and procedures apply to reporting offenses committed by individuals who are school employees, school volunteers, or other non-student individuals. For offenses committed by students, refer to Policy STU03.

II. **DEFINITIONS:**

- A. "Crime" means any felony, misdemeanor, or violation defined in Title 37 - Hawaii Penal Code, as well as behavior by a person under 18 years of age which would be considered a felony, misdemeanor, or violation if it had been committed by an adult.
- B. "Executive Director" means the executive director of Ho`okako`o Corporation.
- C. "Parent" means the natural or legal parent, legal guardian or other person similarly responsible for the general care and supervision of the student. For students eighteen years of age or older, all parental rights herein transfer to the student.
- D. "School employee" includes all persons hired by a school to include, but not limited to: school administrators, teachers, paraprofessionals, office employees, custodians, transportation works, food service workers, school health aides, security attendants, substitute teachers, substitute/casual staff, and volunteers.

III. **PROCEDURES**

- A. Whenever a school employee has reliable information that would lead a reasonable person to believe that a person has been the victim of a crime which occurred on school property or at a school function and the offense was committed by a school employee, school volunteer, or other non-student individual—regardless of whether the offense occurred on school property or at a school function—then the school employee who has reliable information that would lead a reasonable person to believe that a crime has been committed shall immediately report the incident to the principal.
- B. The principal must immediately make reasonable efforts to notify the parents of any juvenile victim and must send written notification of the incident to the parents within 3 business days. This paragraph does not apply if the parent is alleged to be the offender.

- C. The principal shall immediately report the incident to the appropriate police agency. The report shall be made by telephone or in person immediately and shall be followed by a written report of the school's investigation within 3 business days.
- D. The principal shall immediately report the incident to the Executive Director. The report shall be made by telephone or in person immediately and shall be followed by a written report of the school's investigation within 3 business days.
- E. Nothing in this policy shall abrogate the reporting requirements for child abuse or sexual abuse set forth in Hawaii Revised Statutes ("HRS") Chapter § 350.
- F. Sexual Harassment - Whenever a school employee has reliable information that would lead a reasonable person to believe that a student has been the victim of sexual harassment which occurred on school property or at a school function, the harassment must be reported to the principal, who shall contact the HC Director of Human Resources to conduct an investigation to determine if it reasonable to believe that harassment has occurred. If it is reasonable to believe that harassment has occurred, the principal must notify the victim's parent of that determination, if the parent is not alleged to be the offender.
- G. A principal (or acting principal if the principal is absent) may not delegate to or rely upon any other person except a vice principal to make the immediate report to the police. A person with supervisory authority over the principal or any school board member who has knowledge of an incident which is required to be reported under this policy, and who has information that would lead a reasonable person to believe that it has not been reported to the police, has an affirmative duty to report the incident to the police immediately. This includes, but is not limited to, incidents in which a school employee is a possible suspect and when an administrative review is ongoing.

#### IV. FAILURE TO REPORT

Any school employee who fails to report an incident, or knowingly prevents another employee from reporting an incident, as required by this policy may be subject to disciplinary action up to an including termination. Any person who fails to report an incident of child abuse shall be guilty of a petty misdemeanor under HRS Chapter 350.

#### V. WHISTLEBLOWER PROTECTION

The employer shall not discharge, threaten, or otherwise discriminate against an employee for reporting crimes or suspected crimes as specified in HRS § 378-62.