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BEFORE THE HAWAII STATE ETHICS COMMISSION
STATE OF HAWAII

HAWAII STATE ETHICS COMMISSION,) Charge No. 13-Cg-2
)
 Complainant,)
) CHARGE
 vs.)
)
 DIANA OSHIRO,)
)
 Respondent.)

CHARGE

Under the authority of and pursuant to sections 84-31(a) and 84-31(b), Hawaii Revised Statutes ("HRS"), and section 21-5-2, Hawaii Administrative Rules, the Hawaii State Ethics Commission ("Commission") issues this Charge against Diana Oshiro ("Respondent") based on the following:

GENERAL ALLEGATIONS

The State Ethics Code and The State Ethics Commission

1. The people of Hawaii believe that state employees must exhibit the highest standards of ethical conduct. To this end, the Hawaii State Constitution mandates that the legislature adopt a code of ethics applicable to all state employees. Haw. Const. Art. XIV.

2. In accordance with and pursuant to the constitutional mandate, the State Ethics Code, chapter 84, HRS, establishes standards of conduct that the legislature deemed necessary to preserve the public's confidence in state employees and creates the State Ethics Commission with the power to administer and enforce those standards. Preamble, chapter 84, HRS, and section 84-31, HRS.

3. All state employees, with the exception of judges and justices, are subject to and must comply with the State Ethics Code.

Myron B. Thompson Academy, Respondent and Kurumi Kaapana-Aki

4. Myron B. Thompson Academy ("MBTA") is a public charter school, organized pursuant to chapter 302B, HRS (repealed L. 2012).

5. At all times relevant herein, MBTA was located at 629 Pohukaina Street, Honolulu, Hawaii ("Pohukaina Street Location").

6. MBTA receives the majority of its funding from the State through an allotment based on the number of students enrolled in the school.

7. At all times relevant herein, MBTA's hours of operation on school days, i.e., MBTA instructional days and teacher institute days, were 8:00 a.m. to 4:00 p.m. ("school hours").

8. MBTA is a "state agency," as defined in the State Ethics Code.

9. At all times relevant herein, Respondent was the Principal (aka Chief Executive Officer) of MBTA.

10. At all times relevant herein, Respondent was an "employee" as defined by the State Ethics Code and was subject to the provisions contained therein.

11. At all times relevant herein, Kurumi Kaapana-Aki ("Kaapana-Aki") was the Vice Principal (aka Chief Operating Officer) for MBTA's elementary division.

12. At all times relevant herein, Kaapana-Aki was also employed by Hawaiian Airlines ("HAL") as a flight attendant.

13. Respondent and Kaapana-Aki are sisters.

MBTA Policies and Procedures

14. Respondent, as the Principal, was responsible for the general operations and management of MBTA.

15. Respondent's responsibilities included, among other things, granting, approving and/or authorizing sick leave, personal leave, vacation leave, compensatory time, and any other excused leave for all MBTA employees, including Kaapana-Aki.

16. At all times relevant herein, Kaapana-Aki, as Vice Principal, was supervised by Respondent.

17. Kaapana-Aki, generally, was responsible for providing oversight and administrative leadership for MBTA's elementary division, including: (i) planning, managing, and supervising the school's operations and instructional program; (ii) supporting teachers in classroom management, discipline, safety, and curriculum; (iii) attending regular staff meetings, weekly "Leadership" meetings with other school administrators, and local school board meetings; and (iv) providing direction to a variety of faculty, staff and student programs and services.

18. From July 1, 2006, through June 30, 2012, MBTA and Kaapana-Aki entered into a series of annual contracts, each entitled "Temporary Contract Employee" agreement ("TCE agreement"), under which Kaapana-Aki was paid \$35,000 per TCE agreement.

19. The amount paid by MBTA to Kaapana-Aki under the TCE agreements was in addition to her salary as the Vice Principal.

20. The TCE agreements, generally, were for the same services that Kaapana-Aki was required to perform as part of her

duties and responsibilities as the Vice Principal.

21. More specifically, the TCE agreements executed by MBTA and Kaapana-Aki from July 1, 2007, through June 30, 2012, described the services to be performed as follows: "The Contract Employee will provide administrative leadership for the elementary division of MBTA and coordinate all curricular and instructional services required therein."

22. In each TCE agreement, Kaapana-Aki expressly agreed to and was contractually required to perform the services described therein throughout the contract term, i.e., the 12 month period beginning July 1 and ending June 30 of the following year.

23. Because Kaapana-Aki had agreed to and was required to perform the services under the TCE agreements for the 12 month term of the contracts, Kaapana-Aki was not eligible or otherwise entitled to earn compensatory time or other credit for school-related work that she performed during periods when the school was not in session, such as winter, spring and summer breaks.

Hawaiian Airlines Policies and Procedures

24. At all times relevant herein, HAL required its flight attendants to report to work for domestic (non-interisland) and international flights departing Honolulu no less than 75 minutes (1.25 hours) before the flight's scheduled departure time.

25. For flights departing Honolulu on which she worked, Kaapana-Aki, on school days, left MBTA's Pohukaina Street

Location at least 30 minutes before she was required to report to work for the flight, i.e., she left MBTA at least 105 minutes (1.75 hours) before the scheduled departure time.

26. At all times relevant herein, HAL required its flight attendants to remain on-duty following a domestic (non-interisland) flight's arrival in Honolulu for 15 minutes.

27. At all times relevant herein, HAL required its flight attendants to remain on-duty following an international flight's arrival in Honolulu for 30 minutes.

28. For flights arriving in Honolulu on which she worked, Kaapana-Aki reported to work at MBTA on school days no sooner than 45 to 60 minutes (0.75 to 1.0 hours) after the flight's arrival time.

29. HAL's policy governing employees' non-revenue travel privileges prohibits employees from travelling as a non-revenue passenger for private business purposes.

30. At all times relevant herein, Kaapana-Aki's absences during school hours when travelling interisland on HAL as a non-revenue passenger were for personal travel and not for MBTA-related business.

31. For interisland travel, HAL policy required passengers to check in and be issued a boarding pass at least 30 minutes prior to the flight's scheduled departure time.

32. For interisland travel from Honolulu on a school day, Kaapana-Aki left MBTA's Pohukaina Street Location at least 45 minutes before the flight's departure time.

33. For interisland travel to Honolulu on a school day, Kaapana-Aki reported to work at MBTA no sooner than 15 minutes after the flight's arrival time.

Fair Treatment, HRS section 84-13

34. The Fair Treatment provision of the State Ethics Code is intended to prevent a state employee from misusing her state position to benefit herself or others.

35. More specifically, the Fair Treatment law does not allow an employee to use or attempt to use her official position "to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for oneself or others[.]" HRS section 84-13.

36. Kaapana-Aki was absent from MBTA during school hours on numerous occasions, as detailed below, because of her work as a HAL flight attendant and other HAL-related travel.

37. Kaapana-Aki did not account for those absences during school hours as sick leave, personal leave, or vacation leave.

38. Kaapana-Aki's salary and employment benefits that she received from MBTA were not reduced or otherwise affected by her

absences during school hours because of her work as a HAL flight attendant and other HAL-related personal travel.

39. For those days Kaapana-Aki was absent during school hours because of her work as a HAL flight attendant, Kaapana-Aki also received income from HAL.

40. Respondent used her position, as Principal, to grant, approve and/or authorize Kaapana-Aki compensatory time, which Kaapana-Aki was not entitled to earn.

41. Respondent misused her position, as Principal, by authorizing Kaapana-Aki's absences during school hours, without requiring Kaapana-Aki to account for her absences and/or by authorizing her to use unearned compensatory time.

42. Respondent's misuse of her official position, as Principal, allowed Kaapana-Aki to receive her salary from MBTA without any reduction of her accrued leave benefits when she was absent during school hours because of her work as a HAL flight attendant and other HAL-related travel.

A. SCHOOL YEAR 2006-2007 ABSENCES (Counts 1-15)

COUNT 1

43. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

44. On Tuesday, March 6, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 123 from Honolulu to Lihue, which departed at 7:50 a.m.

45. On Tuesday, March 6, 2007, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 172, which arrived at approximately 3:05 p.m.

46. Tuesday, March 6, 2007, was a school day.

47. Kaapana-Aki was absent for almost all of the school hours on March 6, 2007.

48. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

49. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 2

50. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

51. On Sunday, March 11, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

52. On Monday, March 12, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:23 p.m.

53. Monday, March 12, 2007, was a school day.

54. Kaapana-Aki was absent during all of the school hours

on Monday, March 12, 2007.

55. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 3

56. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

57. On Wednesday, March 14, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 939 from Anchorage, Alaska, to Honolulu, which arrived at 12:22 p.m.

58. Wednesday, March 14, 2007, was a school day.

59. Kaapana-Aki was absent for more than one-half of the school hours on March 14, 2007.

60. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 4

61. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

62. On Monday, April 2, 2007, in her capacity as a HAL

flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

63. On Tuesday, April 3, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:34 p.m.

64. Tuesday, April 3, 2007, was a school day.

65. Kaapana-Aki was absent during all of the school hours on Tuesday, April 3, 2007.

66. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 5

67. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

68. On Wednesday, April 11, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

69. On Thursday, April 12, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:32 p.m.

70. Thursday, April 12, 2007, was a school day.

71. Kaapana-Aki was absent during all of the school hours on Thursday, April 12, 2007.

72. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 6

73. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

74. On Wednesday, April 18, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

75. On Thursday, April 19, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:54 p.m.

76. Thursday, April 19, 2007, was a school day.

77. Kaapana-Aki was absent during all of the school hours on Thursday, April 19, 2007.

78. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 7

79. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

80. On Monday, May 7, 2007, in her capacity as a HAL

flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

81. On Tuesday, May 8, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:54 p.m.

82. Tuesday, May 8, 2007, was a school day.

83. Kaapana-Aki was absent during all of the school hours on Tuesday, May 8, 2007.

84. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 8

85. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

86. On Monday, May 14, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

87. On Tuesday, May 15, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:36 p.m.

88. Tuesday, May 15, 2007, was a school day.

89. Kaapana-Aki was absent during all of the school hours on Tuesday, May 15, 2007.

90. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 9

91. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

92. On Friday, May 18, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 173 from Honolulu to Lihue, which departed at 1:03 p.m.

93. Friday, May 18, 2007, was a school day.

94. Kaapana-Aki was absent for two or more school hours on May 18, 2007.

95. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

96. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 10

97. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

98. On Monday, May 21, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 344 from Lihue to Honolulu, which arrived at approximately 2:05 p.m.

99. Monday, May 21, 2007, was a school day.

100. Kaapana-Aki was absent for more than one-half of the school hours on May 21, 2007.

101. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

102. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 11

103. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

104. On Monday, May 21, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

105. On Tuesday, May 22, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:18 p.m.

106. Tuesday, May 22, 2007, was a school day.

107. Kaapana-Aki was absent during all of the school hours

on Tuesday, May 22, 2007.

108. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 12

109. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

110. On Monday, May 28, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

111. On Tuesday, May 29, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:54 p.m.

112. Tuesday, May 29, 2007, was a school day.

113. Kaapana-Aki was absent during all of the school hours on Tuesday, May 29, 2007.

114. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 13

115. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

116. On Monday, June 4, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

117. On Tuesday, June 5, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:40 p.m.

118. Tuesday, June 5, 2007, was a school day.

119. Kaapana-Aki was absent during all of the school hours on Tuesday, June 5, 2007.

120. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 14

121. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

122. On Thursday, June 7, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 126 from Honolulu to Kahului, which departed at 11:00 a.m.

123. Thursday, June 7, 2007, was a school day.

124. Kaapana-Aki was absent for more than one-half of the school hours on June 7, 2007.

125. In light of HAL's policy governing employees' non-

revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

126. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 15

127. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

128. On Thursday, June 7, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 126 from Honolulu to Kahului, and HAL flight 180 from Kahului to Kona.

129. On Friday, June 8, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 159 from Kona to Honolulu, which arrived at approximately 4:22 p.m.

130. Friday, June 8, 2007, was a school day.

131. Kaapana-Aki was absent during all of the school hours on Friday, June 8, 2007.

132. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

133. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

B. SCHOOL YEAR 2007-2008 ABSENCES (Counts 16-43)

COUNT 16

134. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

135. On Wednesday, August 15, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 1465 from Honolulu to Pago Pago, American Samoa, which departed at 8:05 a.m.

136. On Wednesday, August 15, 2007, Kaapana-Aki returned to Honolulu, working HAL flight 1466, which arrived at 8:34 p.m.

137. Wednesday, August 15, 2007, was a school day.

138. Kaapana-Aki was absent during all of the school hours on Wednesday, August 15, 2007.

139. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 17

140. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

141. On Wednesday, September 5, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:40 p.m.

142. Wednesday, September 5, 2007, was a school day.

143. Kaapana-Aki was absent for more than one-half of the school hours on September 5, 2007.

144. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 18

145. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

146. On Thursday, September 6, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 11:56 a.m.

147. Thursday, September 6, 2007, was a school day.

148. Kaapana-Aki was absent for more than one-half of the school hours on September 6, 2007.

149. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned

compensatory time.

COUNT 19

150. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

151. On Wednesday, September 26, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:22 p.m.

152. Wednesday, September 26, 2007, was a school day.

153. Kaapana-Aki was absent for more than one-half of the school hours on September 26, 2007.

154. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 20

155. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

156. On Thursday, September 27, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:28 p.m.

157. On Thursday, September 27, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 260 from Honolulu to Hilo, which departed at 2:38 p.m.

158. On Thursday, September 27, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 261 from Hilo to Honolulu, which arrived at approximately 6:30 p.m.

159. Thursday, September 27, 2007, was a school day.

160. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

161. Kaapana-Aki was absent during all of the school hours on Thursday, September 27, 2007.

162. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 21

163. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

164. On Wednesday, October 10, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:22 p.m.

165. Wednesday, October 10, 2007, was a school day.

166. Kaapana-Aki was absent for more than one-half of the school hours on October 10, 2007.

167. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 22

168. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

169. On Thursday, October 11, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:03 p.m.

170. Thursday, October 11, 2007, was a school day.

171. Kaapana-Aki was absent for more than one-half of the school hours on October 11, 2007.

172. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 23

173. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

174. On Wednesday, October 17, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:20 p.m.

175. Wednesday, October 17, 2007, was a school day.

176. Kaapana-Aki was absent for more than one-half of the school hours on October 17, 2007.

177. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 24

178. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

179. On Thursday, October 18, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:49 p.m.

180. Thursday, October 18, 2007, was a school day.

181. Kaapana-Aki was absent for more than one-half of the school hours on October 18, 2007.

182. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 25

183. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

184. On Friday, November 2, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 348 from Honolulu to Kona, which departed at 1:44 p.m.

185. Friday, November 2, 2007, was a school day.

186. Kaapana-Aki was absent for two or more school hours on November 2, 2007.

187. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

188. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 26

189. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

190. On Thursday, November 8, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:36 p.m.

191. Thursday, November 8, 2007, was a school day.

192. Kaapana-Aki was absent for two or more school hours on November 8, 2007.

193. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 27

194. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

195. On Friday, November 9, 2007, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:55 p.m.

196. Friday, November 9, 2007, was a school day.

197. Kaapana-Aki was absent for more than one-half of the school hours on November 9, 2007.

198. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 28

199. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

200. On Wednesday, December 19, 2007, as a non-revenue passenger, Kaapana-Aki flew HAL flight 4 from Honolulu to Los

Angeles, California, which departed at 10:45 p.m.

201. On Monday, December 24, 2007, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 1.

202. Thursday, December 20, 2007, was a school day.

203. Kaapana-Aki was absent during all of the school hours on Thursday, December 20, 2007.

204. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

205. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 29

206. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

207. On Wednesday, January 23, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:55 p.m.

208. Wednesday, January 23, 2008, was a school day.

209. Kaapana-Aki was absent for two or more school hours on January 23, 2008.

210. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 30

211. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

212. On Thursday, January 24, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:40 p.m.

213. Thursday, January 24, 2008, was a school day.

214. Kaapana-Aki was absent for more than one-half of the school hours on January 24, 2008.

215. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 31

216. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

217. On Wednesday, January 30, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:35 p.m.

218. Wednesday, January 30, 2008, was a school day.

219. Kaapana-Aki was absent for two or more school hours on January 30, 2008.

220. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 32

221. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

222. On Thursday, January 31, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:47 p.m.

223. Thursday, January 31, 2008, was a school day.

224. Kaapana-Aki was absent for more than one-half of the school hours on January 31, 2008.

225. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 33

226. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

227. On Wednesday, February 6, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

228. On Thursday, February 7, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 11:17 p.m.

229. Thursday, February 7, 2008, was a school day.

230. Kaapana-Aki was absent during all of the school hours on Thursday, February 7, 2008.

231. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 34

232. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

233. On Monday, February 25, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu to Los Angeles, California.

234. On Tuesday, February 26, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:40 p.m.

235. Tuesday, February 26, 2008, was a school day.

236. Kaapana-Aki was absent during all of the school hours

on Tuesday, February 26, 2008.

237. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 35

238. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

239. On Wednesday, March 12, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:35 p.m.

240. Wednesday, March 12, 2008, was a school day.

241. Kaapana-Aki was absent for more than one-half of the school hours on March 12, 2008.

242. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 36

243. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

244. On Thursday, March 13, 2008, in her capacity as a HAL

flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:39 p.m.

245. Thursday, March 13, 2008, was a school day.

246. Kaapana-Aki was absent for more than one-half of the school hours on March 13, 2008.

247. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 37

248. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

249. On Wednesday, April 16, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:38 p.m.

250. Wednesday, April 16, 2008, was a school day.

251. Kaapana-Aki was absent for more than one-half of the school hours on April 16, 2008.

252. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 38

253. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

254. On Thursday, April 17, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:09 p.m.

255. Thursday, April 17, 2008, was a school day.

256. Kaapana-Aki was absent for more than one-half of the school hours on April 17, 2008.

257. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 39

258. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

259. On Wednesday, April 30, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:18 p.m.

260. Wednesday, April 30, 2008, was a school day.

261. Kaapana-Aki was absent for two or more school hours on April 30, 2008.

262. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 40

263. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

264. On Thursday, May 1, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 21 from Seattle, Washington, to Honolulu, which arrived at 12:03 p.m.

265. Thursday, May 1, 2008, was a school day.

266. Kaapana-Aki was absent for more than one-half of the school hours on May 1, 2008.

267. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 41

268. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

269. On Thursday, May 29, 2008, as a non-revenue passenger, Kaapana-Aki flew HAL flight 1108 from Honolulu to Kona, which departed at 5:50 a.m.

270. On Thursday, May 29, 2008, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 363, which arrived at approximately 8:30 p.m.

271. Thursday, May 29, 2008, was a school day.

272. Kaapana-Aki was absent during all of the school hours on Thursday, May 29, 2008.

273. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

274. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 42

275. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

276. On Sunday, June 1, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

277. On Tuesday, June 3, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:40 a.m.

278. Monday, June 2, 2008, was a school day.

279. Kaapana-Aki was absent during all of the school hours

on Monday, June 2, 2008.

280. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 43

281. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

282. On Tuesday, June 3, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:40 a.m.

283. Tuesday, June 3, 2008, was a school day.

284. Kaapana-Aki was absent for more than one-half of the school hours on June 3, 2008.

285. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

C. SCHOOL YEAR 2008-2009 ABSENCES (Counts 44-93)

COUNT 44

286. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

287. On Sunday, August 3, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

288. On Tuesday, August 5, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:39 a.m.

289. Monday, August 4, 2008, was a school day.

290. Kaapana-Aki was absent during all of the school hours on Monday, August 4, 2008.

291. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 45

292. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

293. On Tuesday, August 5, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:39 a.m.

294. Tuesday, August 5, 2008, was a school day.

295. Kaapana-Aki was absent for more than one-half of the school hours on August 5, 2008.

296. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 46

297. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

298. On Wednesday, September 10, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, California, which departed at 1:19 p.m.

299. Wednesday, September 10, 2008, was a school day.

300. Kaapana-Aki was absent for more than one-half of the school hours on September 10, 2008.

301. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 47

302. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

303. On Thursday, September 11, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 11 from San Francisco, California, to Honolulu, which arrived at 11:21 a.m.

304. Thursday, September 11, 2008, was a school day.

305. Kaapana-Aki was absent for more than one-half of the school hours on September 11, 2008.

306. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 48

307. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

308. On Wednesday, September 17, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 1:41 p.m.

309. Wednesday, September 17, 2008, was a school day.

310. Kaapana-Aki was absent for more than one-half of the school hours on September 17, 2008.

311. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 49

312. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

313. On Thursday, September 18, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:17 p.m.

314. Thursday, September 18, 2008, was a school day.

315. Kaapana-Aki was absent for more than one-half of the school hours on September 18, 2008.

316. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 50

317. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

318. On Sunday, September 21, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 8 from Honolulu to Las Vegas, Nevada.

319. On Tuesday, September 23, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 17, which arrived at 5:12 a.m.

320. Monday, September 22, 2008, was a school day.

321. Kaapana-Aki was absent during all of the school hours on Monday, September 22, 2008.

322. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 51

323. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

324. On Wednesday, September 24, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 1:37 p.m.

325. Wednesday, September 24, 2008, was a school day.

326. Kaapana-Aki was absent for more than one-half of the school hours on September 24, 2008.

327. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 52

328. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

329. On Thursday, September 25, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:27 p.m.

330. Thursday, September 25, 2008, was a school day.

331. Kaapana-Aki was absent for more than one-half of the school hours on September 25, 2008.

332. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 53

333. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

334. On Wednesday, October 15, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, which departed at 1:34 p.m.

335. Wednesday, October 15, 2008, was a school day.

336. Kaapana-Aki was absent for more than one-half of the school hours on October 15, 2008.

337. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 54

338. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

339. On Thursday, October 16, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 11 from San Francisco, California, to Honolulu, which arrived at 11:49 a.m.

340. Thursday, October 16, 2008, was a school day.

341. Kaapana-Aki was absent for more than one-half of the school hours on October 16, 2008.

342. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 55

343. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

344. On Wednesday, October 22, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 18 from Honolulu to Las Vegas, Nevada, which departed at 3:05 p.m.

345. Wednesday, October 22, 2008, was a school day.

346. Kaapana-Aki was absent for two or more school hours on October 22, 2008.

347. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 56

348. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

349. On Thursday, October 23, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 7 from Las Vegas, Nevada, to Honolulu, which arrived at 1:39 p.m.

350. Thursday, October 23, 2008, was a school day.

351. Kaapana-Aki was absent for more than one-half of the school hours on October 23, 2008.

352. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 57

353. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

354. On Monday, November 10, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 1:24 p.m.

355. Monday, November 10, 2008, was a school day.

356. Kaapana-Aki was absent for more than one-half of the

school hours on November 10, 2008.

357. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 58

358. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

359. On Monday, November 10, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

360. On Thursday, November 13, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 12:01 p.m.

361. Wednesday, November 12, 2008, was a school day.

362. Kaapana-Aki was absent during all of the school hours on Wednesday, November 12, 2008.

363. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 59

364. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

365. On Thursday, November 13, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:01 p.m.

366. Thursday, November 13, 2008, was a school day.

367. Kaapana-Aki was absent for more than one-half of the school hours on November 13, 2008.

368. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 60

369. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

370. On Wednesday, December 3, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 1:39 p.m.

371. Wednesday, December 3, 2008, was a school day.

372. Kaapana-Aki was absent for more than one-half of the school hours on December 3, 2008.

373. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 61

374. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

375. On Wednesday, December 3, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

376. On Saturday, December 6, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 12:33 p.m.

377. Thursday, December 4, 2008, was a school day.

378. Kaapana-Aki was absent during all of the school hours on Thursday, December 4, 2008.

379. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 62

380. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

381. On Wednesday, December 3, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from

Honolulu to Manila, the Philippines.

382. On Saturday, December 6, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 12:33 p.m.

383. Friday, December 5, 2008, was a school day.

384. Kaapana-Aki was absent during all of the school hours on Friday, December 5, 2008.

385. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 63

386. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

387. On Friday, December 12, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 28 from Honolulu to Seattle, Washington, which departed at 1:39 p.m.

388. Friday, December 12, 2008, was a school day.

389. Kaapana-Aki was absent for more than one-half of the school hours on December 12, 2008.

390. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned

compensatory time.

COUNT 64

391. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

392. On Sunday, December 14, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 28 from Honolulu to Seattle, Washington.

393. On Tuesday, December 16, 2008, Kaapana-Aki returned to Honolulu, working HAL flight 27, which arrived at 12:16 p.m.

394. Monday, December 15, 2008, was a school day.

395. Kaapana-Aki was absent during all of the school hours on Monday, December 15, 2008.

396. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 65

397. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

398. On Tuesday, December 16, 2008, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 27 from Seattle, Washington, to Honolulu, which arrived at 12:16 p.m.

399. Tuesday, December 16, 2008, was a school day.

400. Kaapana-Aki was absent for more than one-half of the school hours on December 16, 2008.

401. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 66

402. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

403. On Wednesday, January 21, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 2:02 p.m.

404. Wednesday, January 21, 2009, was a school day.

405. Kaapana-Aki was absent for two or more school hours on January 21, 2009.

406. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 67

407. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

408. On Thursday, January 22, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:42 p.m.

409. Thursday, January 22, 2009, was a school day.

410. Kaapana-Aki was absent for more than one-half of the school hours on January 22, 2009.

411. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 68

412. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

413. On Sunday, January 25, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

414. On Tuesday, January 27, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 12:06 p.m.

415. Monday, January 26, 2009, was a school day.

416. Kaapana-Aki was absent during all of the school hours on Monday, January 26, 2009.

417. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 69

418. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

419. On Tuesday, January 27, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:06 p.m.

420. Tuesday, January 27, 2009, was a school day.

421. Kaapana-Aki was absent for more than one-half of the school hours on January 27, 2009.

422. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 70

423. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

424. On Thursday, January 29, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, California, which departed at 2:09 p.m.

425. Thursday, January 29, 2009, was a school day.

426. Kaapana-Aki was absent for two or more school hours on January 29, 2009.

427. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 71

428. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

429. On Friday, January 30, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 11 from San Francisco, California, to Honolulu, which arrived at 11:44 a.m.

430. Friday, January 30, 2009, was a school day.

431. Kaapana-Aki was absent for more than one-half of the school hours on January 30, 2009.

432. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 72

433. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

434. On Wednesday, February 4, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 1:30 p.m.

435. Wednesday, February 4, 2009, was a school day.

436. Kaapana-Aki was absent for more than one-half of the school hours on February 4, 2009.

437. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 73

438. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

439. On Thursday, February 5, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:23 p.m.

440. Thursday, February 5, 2009, was a school day.

441. Kaapana-Aki was absent for more than one-half of the school hours on February 5, 2009.

442. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 74

443. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

444. On Wednesday, February 11, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 2:15 p.m.

445. Wednesday, February 11, 2009, was a school day.

446. Kaapana-Aki was absent for two or more school hours on February 11, 2009.

447. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 75

448. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

449. On Thursday, February 12, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:26 p.m.

450. Thursday, February 12, 2009, was a school day.

451. Kaapana-Aki was absent for more than one-half of the

school hours on February 12, 2009.

452. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 76

453. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

454. On Wednesday, February 25, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 16 from Honolulu to San Diego, California, which departed at 1:18 p.m.

455. Wednesday, February 25, 2009, was a school day.

456. Kaapana-Aki was absent for more than one-half of the school hours on February 25, 2009.

457. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 77

458. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

459. On Thursday, February 26, 2009, in her capacity as a

HAL flight attendant, Kaapana-Aki worked HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:55 p.m.

460. Thursday, February 26, 2009, was a school day.

461. Kaapana-Aki was absent for more than one-half of the school hours on February 26, 2009.

462. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 78

463. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

464. On Wednesday, March 4, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, California, which departed at 2:01 p.m.

465. Wednesday, March 4, 2009, was a school day.

466. Kaapana-Aki was absent for two or more school hours on March 4, 2009.

467. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 79

468. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

469. On Thursday, March 5, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 11 from San Francisco, California, to Honolulu, which arrived at 12:09 p.m.

470. Thursday, March 5, 2009, was a school day.

471. Kaapana-Aki was absent for more than one-half of the school hours on March 5, 2009.

472. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 80

473. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

474. On Sunday, March 8, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

475. On Tuesday, March 10, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:09 a.m.

476. Monday, March 9, 2009, was a school day.

477. Kaapana-Aki was absent during all of the school hours

on Monday, March 9, 2009.

478. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 81

479. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

480. On Tuesday, March 10, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:09 a.m.

481. Tuesday, March 10, 2009, was a school day.

482. Kaapana-Aki was absent for more than one-half of the school hours on March 10, 2009.

483. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 82

484. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

485. On Wednesday, March 18, 2009, in her capacity as a HAL

flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, California, which departed at 1:30 p.m.

486. Wednesday, March 18, 2009, was a school day.

487. Kaapana-Aki was absent for more than one-half of the school hours March 18, 2009.

488. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 83

489. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

490. On Thursday, March 19, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 11 from San Francisco, California, to Honolulu, which arrived at 11:16 a.m.

491. Thursday, March 19, 2009, was a school day.

492. Kaapana-Aki was absent for more than one-half of the school hours on March 19, 2009.

493. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 84

494. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

495. On Monday, April 27, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:33 a.m.

496. Monday, April 27, 2009, was a school day.

497. Kaapana-Aki was absent for more than one-half of the school hours on April 27, 2009.

498. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 85

499. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

500. On Wednesday, April 29, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 26 from Honolulu to Portland, Oregon, which departed at 1:22 p.m.

501. Wednesday, April 29, 2009, was a school day.

502. Kaapana-Aki was absent for more than one-half of the school hours on April 29, 2009.

503. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 86

504. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

505. On Thursday, April 30, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:36 a.m.

506. Thursday, April 30, 2009, was a school day.

507. Kaapana-Aki was absent for more than one-half of the school hours on April 30, 2009.

508. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 87

509. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

510. On Tuesday, May 5, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 27 from Seattle, Washington, to Honolulu, which arrived at 11:26 a.m.

511. Tuesday, May 5, 2009, was a school day.

512. Kaapana-Aki was absent for more than one-half of the school hours on May 5, 2009.

513. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 88

514. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

515. On Sunday, May 10, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

516. On Tuesday, May 12, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:41 a.m.

517. Monday, May 11, 2009, was a school day.

518. Kaapana-Aki was absent during all of the school hours on Monday, May 11, 2009.

519. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 89

520. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

521. On Tuesday, May 12, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:41 a.m.

522. Tuesday, May 12, 2009, was a school day.

523. Kaapana-Aki was absent for more than one-half of the school hours on May 12, 2009.

524. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 90

525. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

526. On Sunday, May 17, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

527. On Tuesday, May 19, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:29 a.m.

528. Monday, May 18, 2009, was a school day.

529. Kaapana-Aki was absent during all of the school hours

on Monday, May 18, 2009.

530. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 91

531. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

532. On Tuesday, May 19, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:29 a.m.

533. Tuesday, May 19, 2009, was a school day.

534. Kaapana-Aki was absent for more than one-half of the school hours on May 19, 2009.

535. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 92

536. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

537. On Tuesday, May 26, 2009, as a non-revenue passenger,

Kaapana-Aki flew HAL flight 27 from Seattle, Washington, to Honolulu, which arrived at 10:50 a.m.

538. Tuesday, May 26, 2009, was a school day.

539. Kaapana-Aki was absent for two or more school hours on May 26, 2009.

540. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

541. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 93

542. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

543. On Friday, June 5, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 26 from Honolulu to Portland, Oregon, which departed at 1:17 p.m.

544. Friday, June 5, 2009, was a school day.

545. Kaapana-Aki was absent for more than one-half of the school hours on June 5, 2009.

546. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

D. SCHOOL YEAR 2009-2010 ABSENCES (Counts 94-118)

COUNT 94

547. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

548. On Monday, August 3, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:12 a.m.

549. Monday, August 3, 2009, was a school day.

550. Kaapana-Aki was absent for more than one-half of the school hours on August 3, 2009.

551. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 95

552. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

553. On Monday, August 10, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:31 a.m.

554. Monday, August 10, 2009, was a school day.

555. Kaapana-Aki was absent for more than one-half of the school hours August 10, 2009.

556. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 96

557. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

558. On Monday, August 24, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:24 a.m.

559. Monday, August 24, 2009, was a school day.

560. Kaapana-Aki was absent for more than one-half of the school hours on August 24, 2009.

561. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 97

562. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

563. On Sunday, August 30, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

564. On Tuesday, September 1, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:33 a.m.

565. Monday, August 31, 2009, was a school day.

566. Kaapana-Aki was absent during all of the school hours on Monday, August 31, 2009.

567. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 98

568. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

569. On Tuesday, September 1, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:33 a.m.

570. Tuesday, September 1, 2009, was a school day.

571. Kaapana-Aki was absent for more than one-half of the school hours on September 1, 2009.

572. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 99

573. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

574. On Tuesday, September 8, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:14 a.m.

575. Tuesday, September 8, 2009, was a school day.

576. Kaapana-Aki was absent for more than one-half of the school hours on September 8, 2009.

577. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 100

578. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

579. On Thursday, September 10, 2009, as a non-revenue

passenger, Kaapana-Aki flew HAL flight 7 from Las Vegas, Nevada, to Honolulu, which arrived at 1:35 p.m.

580. Thursday, September 10, 2009, was a school day.

581. Kaapana-Aki was absent for more than one-half of the school hours on September 10, 2009.

582. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

583. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 101

584. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

585. On Monday, September 14, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:33 a.m.

586. Monday, September 14, 2009, was a school day.

587. Kaapana-Aki was absent for more than one-half of the school hours on September 14, 2009.

588. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 102

589. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

590. On Monday, September 21, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 11:20 a.m.

591. Monday, September 21, 2009, was a school day.

592. Kaapana-Aki was absent for more than one-half of the school hours on September 21, 2009.

593. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 103

594. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

595. On Friday, October 2, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 12:43 p.m.

596. Friday, October 2, 2009, was a school day.

597. Kaapana-Aki was absent for more than one-half of the school hours on October 2, 2009.

598. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 104

599. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

600. On Monday, October 12, 2009, Kaapana-Aki returned to Honolulu, working HAL flight 1007, which arrived at 3:43 p.m.

601. Monday, October 12, 2009, was a school day.

602. Kaapana-Aki was absent during all of the school hours on Monday, October 12, 2009.

603. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 105

604. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

605. On Tuesday, November 10, 2009, as a non-revenue passenger, Kaapana-Aki flew HAL flight 16 from Honolulu to San Diego, California, which departed at 1:20 p.m.

606. Tuesday, November 10, 2009, was a school day.

607. Kaapana-Aki was absent for more than one-half of the school hours on November 10, 2009.

608. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

609. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 106

610. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

611. On Tuesday, November 10, 2009, as a non-revenue passenger, Kaapana-Aki flew HAL flight 16 from Honolulu to San Diego, California, which departed at 1:20 p.m.

612. On Friday, November 13, 2009, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 15.

613. Thursday, November 12, 2009, was a school day.

614. Kaapana-Aki was absent during all of the school hours

on Thursday, November 12, 2009.

615. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

616. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 107

617. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

618. On Friday, November 13, 2009, as a non-revenue passenger, Kaapana-Aki flew HAL flight 15 from San Diego, California, to Honolulu, which arrived at 1:00 p.m.

619. Friday, November 13, 2009, was a school day.

620. Kaapana-Aki was absent for more than one-half of the school hours on November 13, 2009.

621. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

622. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 108

623. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

624. On Monday, November 16, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 12:38 p.m.

625. Monday, November 16, 2009, was a school day.

626. Kaapana-Aki was absent for more than one-half of the school hours on November 16, 2009.

627. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 109

628. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

629. On Thursday, December 3, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 26 from Honolulu to Portland, Oregon, which departed at 2:08 p.m.

630. Thursday, December 3, 2009, was a school day.

631. Kaapana-Aki was absent for two or more school hours on

December 3, 2009.

632. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 110

633. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

634. On Friday, December 4, 2009, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 25 from Portland, Oregon, to Honolulu, which arrived at 1:12 p.m.

635. Friday, December 4, 2009, was a school day.

636. Kaapana-Aki was absent for more than one-half of the school hours on December 4, 2009.

637. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 111

638. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

639. On Friday, December 18, 2009, in her capacity as a HAL

flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 2:10 p.m.

640. Friday, December 18, 2009, was a school day.

641. Kaapana-Aki was absent for two or more school hours on December 18, 2009.

642. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 112

643. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

644. On Sunday, January 3, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

645. On Tuesday, January 5, 2010, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 11:38 a.m.

646. Monday, January 4, 2010, was a school day.

647. Kaapana-Aki was absent during all of the school hours on Monday, January 4, 2010.

648. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 113

649. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

650. On Tuesday, January 5, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:38 a.m.

651. Tuesday, January 5, 2010, was a school day.

652. Kaapana-Aki was absent for more than one-half of the school hours on January 5, 2010.

653. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 114

654. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

655. On Sunday, January 10, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

656. On Tuesday, January 12, 2010, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 12:22 p.m.

657. Monday, January 11, 2010, was a school day.

658. Kaapana-Aki was absent during all of the school hours on Monday, January 11, 2010.

659. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 115

660. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

661. On Tuesday, January 12, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:22 p.m.

662. Tuesday, January 12, 2010, was a school day.

663. Kaapana-Aki was absent for more than one-half of the school hours on January 12, 2010.

664. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 116

665. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

666. On Sunday, May 2, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines.

667. On Tuesday, May 4, 2010, Kaapana-Aki returned to Honolulu, working HAL flight 456, which arrived at 10:43 a.m.

668. Monday, May 3, 2010, was a school day.

669. Kaapana-Aki was absent during all of the school hours on Monday, May 3, 2010.

670. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 117

671. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

672. On Tuesday, May 4, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 10:43 a.m.

673. Tuesday, May 4, 2010, was a school day.

674. Kaapana-Aki was absent for two or more school hours on May 4, 2010.

675. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 118

676. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

677. On Tuesday, June 1, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:48 a.m.

678. Tuesday, June 1, 2010, was a school day.

679. Kaapana-Aki was absent for more than one-half of the school hours on June 1, 2010.

680. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

E. SCHOOL YEAR 2010-2011 ABSENCES (Counts 119-135)

COUNT 119

681. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

682. On Tuesday, August 3, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 4 from Honolulu

to Los Angeles, California.

683. On Wednesday, August 4, 2010, Kaapana-Aki returned to Honolulu, working HAL flight 9, which arrived at 8:34 p.m.

684. Wednesday, August 4, 2010, was a school day.

685. Kaapana-Aki was absent during all of the school hours on Wednesday, August 4, 2010.

686. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 120

687. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

688. On Sunday, October 10, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 8 from Honolulu to Las Vegas, Nevada.

689. On Tuesday, October 12, 2010, Kaapana-Aki returned to Honolulu, working HAL flight 17, which arrived at 5:38 a.m.

690. Monday, October 11, 2010, was a school day.

691. Kaapana-Aki was absent during all of the school hours on Monday, October 11, 2010.

692. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 121

693. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

694. On Wednesday, October 27, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 18 from Honolulu to Las Vegas, Nevada, which departed at 2:26 p.m.

695. Wednesday, October 27, 2010, was a school day.

696. Kaapana-Aki was absent for two or more school hours on October 27, 2010.

697. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 122

698. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

699. On Wednesday, October 27, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 18 from Honolulu to Las Vegas, Nevada.

700. On Friday, October 29, 2010, Kaapana-Aki returned to

Honolulu, working HAL flight 7, which arrived at 12:15 p.m.

701. Thursday, October 28, 2010, was a school day.

702. Kaapana-Aki was absent during all of the school hours on Thursday, October 28, 2010.

703. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 123

704. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

705. On Friday, October 29, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 7 from Las Vegas, Nevada, to Honolulu, which arrived at 12:15 p.m.

706. Friday, October 29, 2010, was a school day.

707. Kaapana-Aki was absent for more than one-half of the school hours on October 29, 2010.

708. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 124

709. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

710. On Monday, November 1, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 1:40 p.m.

711. Monday, November 1, 2010, was a school day.

712. Kaapana-Aki was absent for more than one-half of the school hours on November 1, 2010.

713. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 125

714. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

715. On Wednesday, November 3, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 48 from Honolulu to Oakland, California, which departed at 12:40 p.m.

716. Wednesday, November 3, 2010, was a school day.

717. Kaapana-Aki was absent for more than one-half of the school hours on November 3, 2010.

718. Respondent violated section 84-13, HRS, by using her

position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 126

719. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

720. On Thursday, November 4, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 47 from Oakland, California, to Honolulu, which arrived at 11:43 a.m.

721. Thursday, November 4, 2010, was a school day.

722. Kaapana-Aki was absent for more than one-half of the school hours on November 4, 2010.

723. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 127

724. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

725. On Tuesday, November 9, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 11:41 a.m.

726. Tuesday, November 9, 2010, was a school day.

727. Kaapana-Aki was absent for more than one-half of the school hours on November 9, 2010.

728. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 128

729. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

730. On Friday, November 19, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 12 from Honolulu to San Francisco, California, which departed at 2:23 p.m.

731. Friday, November 19, 2010, was a school day.

732. Kaapana-Aki was absent for two or more school hours on November 19, 2010.

733. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 129

734. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

735. On Tuesday, November 23, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:06 p.m.

736. Tuesday, November 23, 2010, was a school day.

737. Kaapana-Aki was absent for more than one-half of the school hours on November 23, 2010.

738. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 130

739. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

740. On Monday, November 29, 2010, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:24 p.m.

741. Monday, November 29, 2010, was a school day.

742. Kaapana-Aki was absent for more than one-half of the school hours on November 29, 2010.

743. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence

during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 131

744. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

745. On Thursday, January 6, 2011, as a non-revenue passenger, Kaapana-Aki flew HAL flight 10 from Honolulu to Los Angeles, California, which departed at 8:00 a.m.

746. On Monday, January 10, 2011, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 1, which arrived at 12:55 p.m.

747. Thursday, January 6, 2011, was a school day.

748. Kaapana-Aki was absent during all of the school hours on Thursday, January 6, 2011.

749. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

750. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 132

751. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

752. On Thursday, January 6, 2011, as a non-revenue passenger, Kaapana-Aki flew HAL flight 10 from Honolulu to Los Angeles, California, which departed at 8:00 a.m.

753. On Monday, January 10, 2011, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 1, which arrived at 12:55 p.m.

754. Friday, January 7, 2011, was a school day.

755. Kaapana-Aki was absent during all of the school hours on Friday, January 7, 2011.

756. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

757. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 133

758. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

759. On Monday, January 10, 2011, as a non-revenue

passenger, Kaapana-Aki flew HAL flight 1 from Los Angeles, California, to Honolulu, which arrived at 12:55 p.m.

760. Monday, January 10, 2011, was a school day.

761. Kaapana-Aki was absent for more than one-half of the school hours on January 10, 2011.

762. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

763. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 134

764. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

765. On Thursday, January 13, 2011, as a non-revenue passenger, Kaapana-Aki flew HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:45 p.m.

766. Thursday, January 13, 2011, was a school day.

767. Kaapana-Aki was absent for two or more school hours on January 13, 2011.

768. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for

personal travel and not for MBTA-related business.

769. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 135

770. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

771. On Friday, January 21, 2011, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 22 from Honolulu to Seattle, Washington, which departed at 2:41 p.m.

772. Friday, January 21, 2011, was a school day.

773. Kaapana-Aki was absent for two or more school hours on January 21, 2011.

774. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

F. SCHOOL YEAR 2011-2012 ABSENCES (Counts 136-146)

COUNT 136

775. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

776. On Friday, September 2, 2011, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 12:51 p.m.

777. Friday, September 2, 2011, was a school day.

778. Kaapana-Aki was absent for more than one-half of the school hours on September 2, 2011.

779. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 137

780. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

781. On Wednesday, September 21, 2011, as a non-revenue passenger, Kaapana-Aki flew HAL flight 2 from Honolulu to Los Angeles, California, which departed at 2:20 p.m.

782. Wednesday, September 21, 2011, was a school day.

783. Kaapana-Aki was absent for two or more school hours on September 21, 2011.

784. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

785. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 138

786. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

787. On Thursday, September 22, 2011, as a non-revenue passenger, Kaapana-Aki flew HAL flight 1 from Los Angeles, California, to Honolulu, which arrived at 11:30 a.m.

788. Thursday, September 22, 2011, was a school day.

789. Kaapana-Aki was absent for more than one-half of the school hours on September 22, 2011.

790. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

791. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 139

792. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

793. On Friday, November 11, 2011, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 455 from Honolulu to Manila, the Philippines, which departed at 1:27 p.m.

794. Friday, November 11, 2011, was a school day.

795. Kaapana-Aki was absent for more than one-half of the school hours on November 11, 2011.

796. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 140

797. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

798. On Monday, November 14, 2011, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 456 from Manila, the Philippines, to Honolulu, which arrived at 12:20 p.m.

799. Monday, November 14, 2011, was a school day.

800. Kaapana-Aki was absent for more than one-half of the school hours on November 14, 2011.

801. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 141

802. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

803. On Friday, January 13, 2012, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 466 from Pago Pago, American Samoa to Honolulu, which arrived at 12:07 p.m.

804. Friday, January 13, 2012, was a school day.

805. Kaapana-Aki was absent for more than one-half of the school hours on January 13, 2012.

806. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 142

807. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

808. On Friday, February 10, 2012, as a non-revenue passenger, Kaapana-Aki flew HAL flight 36 from Honolulu to Phoenix, Arizona, which departed at 3:10 p.m.

809. Friday, February 10, 2012, was a school day.

810. Kaapana-Aki was absent for two or more school hours on

February 10, 2012.

811. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

812. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 143

813. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

814. On Friday, February 10, 2012, as a non-revenue passenger, Kaapana-Aki flew HAL flight 36 from Honolulu to Phoenix, Arizona, which departed at 3:10 p.m.

815. On Tuesday, February 14, 2012, Kaapana-Aki returned to Honolulu as a non-revenue passenger on HAL flight 35, which arrived at 11:50 a.m.

816. Monday, February 13, 2012, was a school day.

817. Kaapana-Aki was absent during all of the school hours on Monday, February 13, 2012.

818. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

819. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 144

820. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

821. On Tuesday, February 14, 2012, as a non-revenue passenger, Kaapana-Aki flew HAL flight 35 from Phoenix, Arizona, to Honolulu, which arrived at 11:50 a.m.

822. Tuesday, February 14, 2012, was a school day.

823. Kaapana-Aki was absent for more than one-half of the school hours on February 14, 2012.

824. In light of HAL's policy governing employees' non-revenue travel privileges, Kaapana-Aki's absence was for personal travel and not for MBTA-related business.

825. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 145

826. The allegations contained in paragraphs 1 through 42

herein are repeated and realleged.

827. On Monday, April 23, 2012, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 454 from Fukuoka, Japan, to Honolulu, which arrived at 10:16 a.m.

828. Monday, April 23, 2012, was a school day.

829. Kaapana-Aki was absent for two or more school hours on April 23, 2012.

830. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account for her absence and/or by authorizing her to use unearned compensatory time.

COUNT 146

831. The allegations contained in paragraphs 1 through 42 herein are repeated and realleged.

832. On Monday, April 30, 2012, in her capacity as a HAL flight attendant, Kaapana-Aki worked HAL flight 454 from Fukuoka, Japan, to Honolulu, which arrived at 10:04 a.m.

833. Monday, April 30, 2012, was a school day.

834. Kaapana-Aki was absent for two or more school hours on April 30, 2012.

835. Respondent violated section 84-13, HRS, by using her position, as Principal, to authorize Kaapana-Aki's absence during school hours, without requiring Kaapana-Aki to account

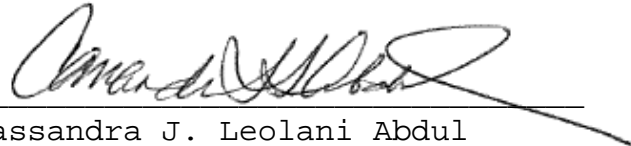
for her absence and/or by authorizing her to use unearned compensatory time.

Dated: February 26, 2013.

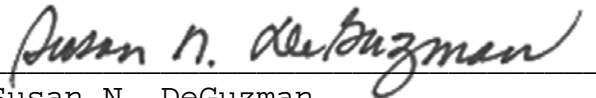
HAWAII STATE ETHICS COMMISSION



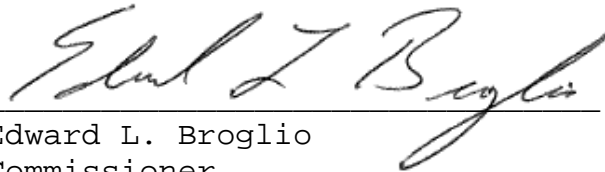
Maria J. Sullivan, Esq.
Chairperson



Cassandra J. Leolani Abdul
Vice Chairperson



Susan N. DeGuzman
Commissioner



Edward L. Broglio
Commissioner

Note: There was a vacancy on the Commission when this Charge was considered.