

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

'13 SEP 18 P4 :25

HAWAII STATE ETHICS COMMISSION,)	Charge No. 13-Cg-2	STATE OF HAWAII STATE ETHICS COMMISSION
)		
Complainant,)	FURTHER STATEMENT	
)	OF ALLEGED VIOLATION	
vs.)		
)		
DIANA OSHIRO,)		
)		
Respondent.)		
)		

FURTHER STATEMENT OF ALLEGED VIOLATION

Under the authority of and pursuant to Hawaii Revised Statutes ("HRS") section 84-31(b), the Hawaii State Ethics Commission, in furtherance of Charge No. 13-Cg-2, Hawaii State Ethics Commission v. Diana Oshiro, issued by the Hawaii State Ethics Commission on February 26, 2013, hereby issues this Further Statement of Alleged Violation 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. The Legislature directed that the Commission "liberally construe" the provisions of the State Ethics Code "to promote high standards of ethical conduct in state government." Section 84-1, HRS.

4. 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

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 Myron B. Thompson Academy ("MBTA") is a public charter school, organized pursuant to chapter 302B, HRS (repealed L. 2012).

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

7. MBTA receives the majority of its funding from the State.

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

9. 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").

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

11. At all times relevant herein, Respondent was an "employee" as defined by the State Ethics Code.

12. At all times relevant herein, Kurumi Kaapana-Aki ("Kaapana-Aki") was employed by MBTA as the Vice Principal (aka Chief Operating Officer) of MBTA's elementary division.

13. Respondent and Kaapana-Aki are sisters.

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

MBTA Policies and Procedures

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

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

17. At all times relevant herein, Kaapana-Aki, as Vice Principal, was supervised by and reported to Respondent.

18. 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.

19. 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.

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

21. 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.

22. 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."

23. 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.

24. 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

25. 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 actual departure time.

26. For domestic and international flights on which she worked as a flight attendant departing Honolulu on a school day, Kaapana-Aki was required to leave 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 actual departure time. Thirty minutes includes the time required for Kaapana-Aki to drive to the airport, to park at the airport, to walk or ride a HAL employee shuttle from the parking area to the HAL employee area, to change in to her HAL uniform, and to walk to the HAL gate.

27. 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.

28. 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.

29. For domestic and international flights on which she worked as a flight attendant arriving in Honolulu on a school day, Kaapana-Aki reported to work at MBTA no sooner than 45 to 60 minutes (0.75 to 1.0 hours) after the flight's arrival. Forty-five to 60 minutes includes the time required for Kaapana-Aki to travel from the HAL gate to the HAL employee area, to change out of her HAL uniform, to walk or ride a HAL employee shuttle to her car, and to drive to MBTA's Pohukaina Street Location.

30. 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 actual departure time.

31. For interisland flights on which she traveled as a non-revenue passenger departing Honolulu on a school day, Kaapana-Aki was required to leave MBTA's Pohukaina Street Location at least 45 minutes before the flight's actual departure time. Forty-five minutes includes 15 minutes for Kaapana-Aki to drive to the airport, to park at the airport, to walk from the parking area to the HAL terminal, and to walk to the HAL gate.

32. For interisland flights on which she traveled as a non-revenue passenger arriving in Honolulu on a school day, Kaapana-Aki reported to work at MBTA no sooner than 15 minutes

after the flight's arrival. Fifteen minutes includes the time required for Kaapana-Aki to travel from the HAL gate to her car and to drive to MBTA's Pohukaina Street Location.

33. HAL's policy governing employees' non-revenue travel privileges prohibits employees from traveling as non-revenue passengers for non-HAL related or personal business-related purposes.

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 misused 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 49 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 55 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 60 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 66 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 72 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 78 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 84 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 90 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 96 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 102 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 108 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 114 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 120 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 126 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 133 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 139 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 144 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 149 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 154 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. Kaapana-Aki was absent during all of the school hours on Thursday, September 27, 2007.

161. 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.

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 162 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 167

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 172 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 177 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 182 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 188 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 193 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 198 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 205 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 210 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 215 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 220 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 225 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 231 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 237 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 242 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 247 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 252 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 257 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 262 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 267 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 274

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 280 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 285 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 291 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 296 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 301 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 306 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 311 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 316 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 322

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 327 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 332 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, California, 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 337 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 342 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 347 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 352 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 357 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 363 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 368 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 373 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 379 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 385 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 390 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 396 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 401 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 406 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 411 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 417 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 422 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 427 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 432 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 437 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 442 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 447 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 452

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 457 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 462 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 467 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 472 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 478 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 483 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 488 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 493 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 498 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 503 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 508 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 513 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 519 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 524 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 530 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 535 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 541 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 546 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 551 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 556 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 561 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 567 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 572 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 577 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 583 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 588 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 593 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 598 herein are repeated and realleged.

600. On Monday, October 12, 2009, in her capacity as a flight attendant, Kaapana-Aki worked HAL flight 1007 from Las Vegas, Nevada, to Honolulu, 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 603 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 two or more 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 609 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 616 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 622

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 627 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 632 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 637 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 642 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 648 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 653 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 659 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 664 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 670 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 675 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 680 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 686 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 692 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 697 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 703 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 708 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 713 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 718 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 723 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 728 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 733 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 738 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 743 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 750 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 757 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 763 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 769 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 136-144)

COUNT 136

775. The allegations contained in paragraphs 1 through 774 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 779 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 785 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 two or more 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 791 herein are repeated and realleged.

793. 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.

794. Monday, November 14, 2011, was a school day.

795. Kaapana-Aki was absent for more than one-half of the school hours on November 14, 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 796 herein are repeated and realleged.

798. 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.

799. Friday, January 13, 2012, was a school day.

800. Kaapana-Aki was absent for more than one-half of the school hours on January 13, 2012.

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 801 herein are repeated and realleged.

803. 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.

804. Friday, February 10, 2012, was a school day.

805. Kaapana-Aki was absent for two or more school hours on February 10, 2012.

806. 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.

807. 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

808. The allegations contained in paragraphs 1 through 807

herein are repeated and realleged.

809. 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.

810. Tuesday, February 14, 2012, was a school day.

811. Kaapana-Aki was absent for more than one-half of the school hours on February 14, 2012.

812. 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.

813. 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

814. The allegations contained in paragraphs 1 through 813 herein are repeated and realleged.

815. 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.

816. Monday, April 23, 2012, was a school day.

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

April 23, 2012.

818. 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

819. The allegations contained in paragraphs 1 through 818 herein are repeated and realleged.

820. 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.

821. Monday, April 30, 2012, was a school day.

822. Kaapana-Aki was absent for two or more school hours on April 30, 2012.

823. 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.

Creation of Application for Leave of Absence Forms
In Response to Charges

824. MBTA employees requesting leaves of absences must complete, sign, and submit a Department of Education ("DOE"),

State of Hawaii, "Application for Leave of Absence" form ("Leave Form") to Respondent for approval.

825. MBTA employees must indicate on the Leave Form, among other things, the effective date or dates the employee desires a leave of absence from work, the length of leave (in days and/or hours), and the reason for the leave request, e.g., sick leave, personal leave, vacation, etc.

826. MBTA policy and the collective bargaining agreements applicable to MBTA employees required that MBTA employees submit their Leave Forms at least 48 hours prior to the date on which the employee wishes to be absent, except in cases of emergencies.

827. Upon receipt, Respondent signs the Leave Form, indicating her approval or disapproval of the MBTA employee's request.

828. On or about February 27, 2013, Kaapana-Aki was served with Charge No. 13-Cg-3 ("the Kaapana-Aki Charge"), which identified numerous dates that she was allegedly absent from her job as MBTA's Vice Principal for all or part of the school day without accounting for her absences.

829. The Kaapana-Aki Charge further alleged that Kaapana-Aki misused her position, as Vice Principal, to secure for herself unwarranted privileges, exemptions, advantages and

treatment that enabled her to work as a HAL flight attendant, or to be otherwise absent, during school hours without accounting for those absences, thereby violating HRS sections 84-13 and/or 84-13(3).

830. On or about February 27, 2013, Respondent was served with Charge No. 13-Cg-2 ("the Oshiro Charge"), which -- like the Kaapana-Aki Charge -- identified numerous dates that Kaapana-Aki was allegedly absent from her job at the MBTA for all or part of the school day without accounting for her absences.

831. Between February 27, 2013, and March 27, 2013, Kaapana-Aki submitted eighteen (18) Leave Forms to Respondent, seeking Respondent's approval of Kaapana-Aki's "personal leave" request for certain dates identified in the Kaapana-Aki Charge and the Oshiro Charge as dates upon which Kaapana-Aki was allegedly absent from MBTA without accounting for her absences and which are more specifically described in Counts 145 through 162 below.

G. COUNTS RELATING TO NEWLY CREATED LEAVE FORMS
(Counts 145-162)

COUNT 145

832. The allegations contained in paragraphs 1 through 831 herein are repeated and realleged.

833. As alleged in Count 11 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on

May 22, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See §§ 107 & 108 of the Oshiro Charge.

834. Kaapana-Aki did not submit a Leave Form prior to, on, or around May 22, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for May 22, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on May 22, 2007.

835. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for May 22, 2007.

836. The date reflected on the Leave Form next to Kaapana-Aki's signature is "5/18/07" or May 18, 2007.

837. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "5/18/07" request for personal leave.

838. The date reflected on the Leave Form next to Respondent's signature is "5/21/07" or May 21, 2007.

839. Respondent's approval of the Leave Form submitted for May 22, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on May 22, 2007.

840. By "backdating" her approval to "5/21/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

841. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 11 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 11 of the Kaapana-Aki Charge.

COUNT 146

842. The allegations contained in paragraphs 1 through 841 herein are repeated and realleged.

843. As alleged in Count 12 of the Oshiro Charge,

Kaapana-Aki was absent during all of the school hours on May 29, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See §§ 113 & 114 of the Oshiro Charge.

844. Kaapana-Aki did not submit a Leave Form prior to, on, or around May 29, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for May 29, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on May 29, 2007.

845. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for May 29, 2007.

846. The date reflected on the Leave Form next to Kaapana-Aki's signature is "5/21/07" or May 21, 2007.

847. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "5/21/07" request for personal leave.

848. The date reflected on the Leave Form next to

Respondent's signature is "5/22/07" or May 22, 2007.

849. Respondent's approval of the Leave Form submitted for May 29, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on May 29, 2007.

850. By "backdating" her approval to "5/22/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

851. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 12 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 12 of the Kaapana-Aki Charge.

COUNT 147

852. The allegations contained in paragraphs 1 through 851 herein are repeated and realleged.

853. As alleged in Count 13 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on June 5, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 119 & 120 of the Oshiro Charge.

854. Kaapana-Aki did not submit a Leave Form prior to, on, or around June 5, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for June 5, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on June 5, 2007.

855. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for June 5, 2007.

856. The date reflected on the Leave Form next to Kaapana-Aki's signature is "5/30/07" or May 30, 2007.

857. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "5/30/07" request for personal leave.

858. The date reflected on the Leave Form next to Respondent's signature is "5/31/07" or May 31, 2007.

859. Respondent's approval of the Leave Form submitted for June 5, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on June 5, 2007.

860. By "backdating" her approval to "5/31/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

861. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 13 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 13 of the Kaapana-Aki Charge.

COUNT 148

862. The allegations contained in paragraphs 1 through 861 herein are repeated and realleged.

863. As alleged in Count 17 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on September 5, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 143 & 144 of the Oshiro Charge.

864. Kaapana-Aki did not submit a Leave Form prior to, on, or around September 5, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for September 5, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on September 5, 2007.

865. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for September 5, 2007.

866. The date reflected on the Leave Form next to Kaapana-Aki's signature is "8/26/07" or August 26, 2007.

867. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "8/26/07" request for personal leave.

868. The date reflected on the Leave Form next to Respondent's signature is "8/26/07" or August 26, 2007.

869. Respondent's approval of the Leave Form submitted for September 5, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on September 5, 2007.

870. By "backdating" her approval to "8/26/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

871. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 17 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 17 of the Kaapana-Aki Charge.

COUNT 149

872. The allegations contained in paragraphs 1 through 871

herein are repeated and realleged.

873. As alleged in Count 19 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on September 26, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 153 & 154 of the Oshiro Charge.

874. Kaapana-Aki did not submit a Leave Form prior to, on, or around September 26, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for September 26, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on September 26, 2007.

875. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for September 26, 2007.

876. The date reflected on the Leave Form next to Kaapana-Aki's signature is "8/26/07" or August 26, 2007.

877. Respondent signed and dated the Leave Form, approving

Kaapana-Aki's "8/26/07" request for personal leave.

878. The date reflected on the Leave Form next to Respondent's signature is "8/26/2007" or August 26, 2007.

879. Respondent's approval of the Leave Form submitted for September 26, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on September 26, 2007.

880. By "backdating" her approval to "8/26/2007," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

881. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 19 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 19 of the Kaapana-Aki Charge.

COUNT 150

882. The allegations contained in paragraphs 1 through 881 herein are repeated and realleged.

883. As alleged in Count 21 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on October 10, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 166 & 167 of the Oshiro Charge.

884. Kaapana-Aki did not submit a Leave Form prior to, on, or around October 10, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for October 10, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on October 10, 2007.

885. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for October 10, 2007.

886. The date reflected on the Leave Form next to

Kaapana-Aki's signature is "8/26/07" or August 26, 2007.

887. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "8/26/07" request for personal leave.

888. The date reflected on the Leave Form next to Respondent's signature is "8/26/07" or August 26, 2007.

889. Respondent's approval of the Leave Form submitted for October 10, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on October 10, 2007.

890. By "backdating" her approval to "8/26/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

891. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 21 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 21 of the Kaapana-Aki

Charge.

COUNT 151

892. The allegations contained in paragraphs 1 through 891 herein are repeated and realleged.

893. As alleged in Count 23 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on October 17, 2007, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 176 & 177 of the Oshiro Charge.

894. Kaapana-Aki did not submit a Leave Form prior to, on, or around October 17, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for October 17, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on October 17, 2007.

895. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for October 17, 2007.

896. The date reflected on the Leave Form next to Kaapana-Aki's signature is "8/26/07" or August 26, 2007.

897. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "8/26/07" request for personal leave.

898. The date reflected on the Leave Form next to Respondent's signature is "8/26/07" or August 26, 2007.

899. Respondent's approval of the Leave Form submitted for October 17, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on October 17, 2007.

900. By "backdating" her approval to "8/26/07," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

901. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 23 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 23 of the Kaapana-Aki

Charge.

COUNT 152

902. The allegations contained in paragraphs 1 through 901 herein are repeated and realleged.

903. As alleged in Count 28 of the Oshiro Charge, Kaapana-Aki: (1) traveled as a non-revenue passenger to Los Angeles, California, on December 19, 2007, returning to Honolulu on December 24, 2007; and (2) was absent during all of the school hours on December 20, 2007. See ¶¶ 200, 201 & 203 of the Oshiro Charge.

904. As further alleged in Count 28, Kaapana-Aki's absence on December 20, 2007, was -- in light of HAL's policy governing employees' non-revenue travel privileges -- for personal travel and not for MBTA-related business. See ¶ 204 of the Oshiro Charge.

905. Respondent misused 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, thereby violating HRS section 84-13. See ¶ 205 of the Oshiro Charge.

906. Kaapana-Aki did not submit a Leave Form prior to, on, or around December 20, 2007, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of

absence for December 20, 2007. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on December 20, 2007.

907. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for December 20, 2007.

908. The date reflected on the Leave Form next to Kaapana-Aki's signature is "12/3/07" or December 3, 2007.

909. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "12/3/07" request for personal leave.

910. The date reflected on the Leave Form next to Respondent's signature is "12/5/2007" or December 5, 2007.

911. Respondent's approval of the Leave Form submitted for December 20, 2007, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on December 20, 2007.

912. By "backdating" her approval to "12/5/2007," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies

and the applicable collective bargaining agreements.

913. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 28 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 28 of the Kaapana-Aki Charge.

COUNT 153

914. The allegations contained in paragraphs 1 through 913 herein are repeated and realleged.

915. As alleged in Count 42 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on June 2, 2008, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 279 & 280 of the Oshiro Charge.

916. Kaapana-Aki did not submit a Leave Form prior to, on, or around June 2, 2008, requesting Respondent's approval for

personal leave, sick leave, or any other type of leave of absence for June 2, 2008. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on June 2, 2008.

917. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for June 2, 2008.

918. The date reflected on the Leave Form next to Kaapana-Aki's signature is "5/29/08" or May 29, 2008.

919. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "5/29/08" request for personal leave.

920. The date reflected on the Leave Form next to Respondent's signature is "5/29/2008" or May 29, 2008.

921. Respondent's approval of the Leave Form submitted for June 2, 2008, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on June 2, 2008.

922. By "backdating" her approval to "5/29/2008," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies

and the applicable collective bargaining agreements.

923. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 42 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 42 of the Kaapana-Aki Charge.

COUNT 154

924. The allegations contained in paragraphs 1 through 923 herein are repeated and realleged.

925. As alleged in Count 44 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on August 4, 2008, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 290 & 291 of the Oshiro Charge.

926. Kaapana-Aki did not submit a Leave Form prior to, on, or around August 4, 2008, requesting Respondent's approval for

personal leave, sick leave, or any other type of leave of absence for August 4, 2008. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on August 4, 2008.

927. After being served with the Oshiro Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for August 4, 2008.

928. The date reflected on the Leave Form next to Kaapana-Aki's signature is "7/25/2008" or July 25, 2008.

929. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "7/25/2008" request for personal leave.

930. The date reflected on the Leave Form next to Respondent's signature is "7/28/2008" or July 28, 2008.

931. Respondent's approval of the Leave Form submitted for August 4, 2008, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on August 4, 2008.

932. By "backdating" her approval to "7/28/2008," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved

before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

933. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 44 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 44 of the Kaapana-Aki Charge.

COUNT 155

934. The allegations contained in paragraphs 1 through 933 herein are repeated and realleged.

935. As alleged in Count 48 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on September 17, 2008, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 310 & 311 of the Oshiro Charge.

936. Kaapana-Aki did not submit a Leave Form prior to, on,

or around September 17, 2008, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for September 17, 2008. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on September 17, 2008.

937. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for September 17, 2008.

938. The date reflected on the Leave Form next to Kaapana-Aki's signature is "8/25/08" or August 25, 2008.

939. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "8/25/08" request for personal leave.

940. The date reflected on the Leave Form next to Respondent's signature is "8/25/08" or August 25, 2008.

941. Respondent's approval of the Leave Form submitted for September 17, 2008, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on September 17, 2008.

942. By "backdating" her approval to "8/25/08," Respondent attempted to create the misimpression that Kaapana-Aki's request

for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

943. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 48 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 48 of the Kaapana-Aki Charge.

COUNT 156

944. The allegations contained in paragraphs 1 through 943 herein are repeated and realleged.

945. As alleged in Count 51 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on September 24, 2008, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 326 & 327 of the Oshiro Charge.

946. Kaapana-Aki did not submit a Leave Form prior to, on, or around September 24, 2008, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for September 24, 2008. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on September 24, 2008.

947. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for September 24, 2008.

948. The date reflected on the Leave Form next to Kaapana-Aki's signature is "8/25/08" or August 25, 2008.

949. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "8/25/08" request for personal leave.

950. The date reflected on the Leave Form next to Respondent's signature is "8/25/08" or August 25, 2008.

951. Respondent's approval of the Leave Form submitted for September 24, 2008, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on September 24, 2008.

952. By "backdating" her approval to "8/25/08," Respondent

attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

953. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 51 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 51 of the Kaapana-Aki Charge.

COUNT 157

954. The allegations contained in paragraphs 1 through 953 herein are repeated and realleged.

955. As alleged in Counts 61 and 62 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on December 4, and 5, 2008, and Respondent misused her position, as Principal, to authorize 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, thereby violating HRS section 84-13. See ¶¶ 378, 379, 384 & 385

of the Oshiro Charge.

956. Kaapana-Aki did not submit a Leave Form prior to, on, or around December 4, and 5, 2008, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for December 4, and 5, 2008. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absences on December 4, and 5, 2008.

957. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for December 4, and 5, 2008.

958. The date reflected on the Leave Form next to Kaapana-Aki's signature is "12/1/08" or December 1, 2008.

959. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "12/1/08" request for personal leave.

960. The date reflected on the Leave Form next to Respondent's signature is "12/1/08" or December 1, 2008.

961. Respondent's approval of the Leave Form submitted for December 4, and 5, 2008, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absences on December 4, and 5, 2008.

962. By "backdating" her approval to "12/1/08," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

963. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Counts 61 and 62 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Counts 61 and 62 of the Kaapana-Aki Charge.

COUNT 158

964. The allegations contained in paragraphs 1 through 963 herein are repeated and realleged.

965. As alleged in Count 68 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on January 26, 2009, and Respondent misused 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,

thereby violating HRS section 84-13. See §§ 416 & 417 of the Oshiro Charge.

966. Kaapana-Aki did not submit a Leave Form prior to, on, or around January 26, 2009, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for January 26, 2009. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on January 26, 2009.

967. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for January 26, 2009.

968. The date reflected on the Leave Form next to Kaapana-Aki's signature is "1/13/09" or January 13, 2009.

969. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "1/13/09" request for personal leave.

970. The date reflected on the Leave Form next to Respondent's signature is "1/14/09" or January 14, 2009.

971. Respondent's approval of the Leave Form submitted for January 26, 2009, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on

January 26, 2009.

972. By "backdating" her approval to "1/14/09," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

973. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 68 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 68 of the Kaapana-Aki Charge.

COUNT 159

974. The allegations contained in paragraphs 1 through 973 herein are repeated and realleged.

975. As alleged in Count 103 of the Oshiro Charge, Kaapana-Aki was absent more than one-half of the school hours on October 2, 2009, and Respondent misused 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, thereby violating HRS section 84-13. See §§ 597 & 598 of the Oshiro Charge.

976. Kaapana-Aki did not submit a Leave Form prior to, on, or around October 2, 2009, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for October 2, 2009. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on October 2, 2009.

977. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for October 2, 2009.

978. The date reflected on the Leave Form next to Kaapana-Aki's signature is "9/28/09" or September 28, 2009.

979. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "9/28/09" request for personal leave.

980. The date reflected on the Leave Form next to Respondent's signature is "9/28/09" or September 28, 2009.

981. Respondent's approval of the Leave Form submitted for October 2, 2009, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to

retroactively account for Kaapana-Aki's unauthorized absence on October 2, 2009.

982. By "backdating" her approval to "9/28/09," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

983. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 103 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 103 of the Kaapana-Aki Charge.

COUNT 160

984. The allegations contained in paragraphs 1 through 983 herein are repeated and realleged.

985. As alleged in Counts 112 and 113 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on January 4, 2010, and more than one-half of the school hours on January 5, 2010, and Respondent misused her position, as

Principal, to authorize 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, thereby violating HRS section 84-13. See ¶¶ 647, 648, 652 & 653 of the Oshiro Charge.

986. Kaapana-Aki did not submit a Leave Form prior to, on, or around January 4, and 5, 2010, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for January 4, and 5, 2010. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absences on January 4, and 5, 2010.

987. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for January 4, and 5, 2010.

988. The date reflected on the Leave Form next to Kaapana-Aki's signature is "12/15/09" or December 15, 2009.

989. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "12/15/09" request for personal leave.

990. The date reflected on the Leave Form next to Respondent's signature is "12/15/09" or December 15, 2009.

991. Respondent's approval of the Leave Form submitted for

January 4, and 5, 2010, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absences on January 4, and 5, 2010.

992. By "backdating" her approval to "12/15/09," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

993. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Counts 112 and 113 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Counts 112 and 113 of the Kaapana-Aki Charge.

COUNT 161

994. The allegations contained in paragraphs 1 through 993 herein are repeated and realleged.

995. As alleged in Count 114 of the Oshiro Charge, Kaapana-Aki was absent during all of the school hours on

January 11, 2010, and Respondent misused 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, thereby violating HRS section 84-13. See ¶¶ 658 & 659 of the Oshiro Charge.

996. Kaapana-Aki did not submit a Leave Form prior to, on, or around January 11, 2010, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for January 11, 2010. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on January 11, 2010.

997. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for January 11, 2010.

998. The date reflected on the Leave Form next to Kaapana-Aki's signature is "1/8/10" or January 8, 2010.

999. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "1/8/10" request for personal leave.

1000. The date reflected on the Leave Form next to Respondent's signature is "1/8/10" or January 8, 2010.

1001. Respondent's approval of the Leave Form submitted for January 11, 2010, after service of the Oshiro Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on January 11, 2010.

1002. By "backdating" her approval to "1/8/10," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

1003. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 114 of the Oshiro Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 114 of the Kaapana-Aki Charge.

COUNT 162

1004. The allegations contained in paragraphs 1 through 1003 herein are repeated and realleged.

1005. As alleged in Count 116 of the Kaapana-Aki

Charge, Kaapana-Aki was absent during all of the school hours on May 3, 2010, and Respondent misused 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, thereby violating HRS section 84-13. See §§ 669 & 670 of the Kaapana-Aki Charge.

1006. Kaapana-Aki did not submit a Leave Form prior to, on, or around May 3, 2010, requesting Respondent's approval for personal leave, sick leave, or any other type of leave of absence for May 3, 2010. Consequently, none of the records maintained by the MBTA and the DOE that reflects Kaapana-Aki's cumulative hours of unused leave were adjusted to account for her absence on May 3, 2010.

1007. After being served with the Kaapana-Aki Charge on February 27, 2013, Kaapana-Aki completed, signed, dated, and submitted a Leave Form to Respondent, requesting personal leave for May 3, 2010.

1008. The date reflected on the Leave Form next to Kaapana-Aki's signature is "4/29/10" or April 29, 2010.

1009. Respondent signed and dated the Leave Form, approving Kaapana-Aki's "4/29/10" request for personal leave.

1010. The date reflected on the Leave Form next to

Respondent's signature is "4/29/2010" or April 29, 2010.

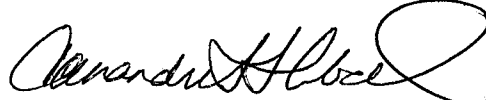
1011. Respondent's approval of the Leave Form submitted for May 3, 2010, after service of the Kaapana-Aki Charge in February 2013, demonstrates Respondent's attempt to retroactively account for Kaapana-Aki's unauthorized absence on May 3, 2010.

1012. By "backdating" her approval to "4/29/2010," Respondent attempted to create the misimpression that Kaapana-Aki's request for leave was submitted and approved before the leave was taken, consistent with both MBTA policies and the applicable collective bargaining agreements.

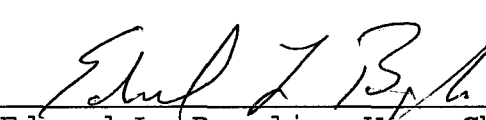
1013. Respondent violated HRS section 84-13 by using her position, as Principal, to (a) attempt to retroactively account for Kaapana-Aki's unauthorized leave, (b) create the misimpression that Kaapana-Aki's request for personal leave was submitted and approved before the leave was taken, and (c) provide a defense to the allegations in Count 116 of the Kaapana-Aki Charge, as well as to similarly provide Kaapana-Aki with a defense to the allegations in Count 116 of the Kaapana-Aki Charge.

Dated: Honolulu, Hawaii, September 18, 2013.

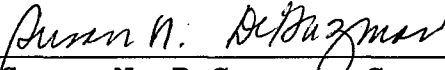
HAWAII STATE ETHICS COMMISSION



Cassandra J. Leolani Abdul, Chair



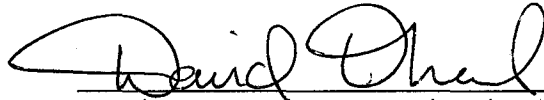
Edward L. Broglio, Vice Chair



Susan N. DeGuzman, Commissioner

RECUSED

Ruth D. Tschumy, Commissioner



David O'Neal, Commissioner