

Student Conduct Code Authority

1. This Student Conduct Code applies at all locations of UH, including any affiliated residence hall.
2. The Student Conduct Administrator shall determine the composition of Student Conduct Boards and Appellate Boards and determine which Student Conduct Board, Student Conduct Administrator and Appellate Board shall be authorized to hear each matter.
3. The Senior Student Affairs Officer shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Student Conduct Board Hearings that are not inconsistent with provisions of the Student Conduct Code.
4. Decisions made by a Student Conduct Board and/or Student Conduct Administrator shall be final, pending the appeal process.
5. At the Student Conduct Board Hearing and for purposes of any appeal, the technical rules of evidence applicable to civil and criminal cases shall not apply.

Proscribed Conduct

Jurisdiction of the UH Student Conduct Code

1. On University property; or
2. Outside of University property if:
 - the conduct was in connection with a University-sponsored program or activity; or
 - the conduct may have a continuing adverse effect or could create a hostile environment on campus.

The Senior Student Affairs Officer shall decide whether the Student Conduct Code shall be applied to conduct occurring off campus (including but not limited to the use of social media and other electronic forums), on a case-by-case basis, in their sole discretion.

Conduct—Rules and Standards

The following are examples of the types of behavior that conflict with the community standards that UH values and expects of students. Engaging in, or attempting to engage in any of these behaviors subjects a student to the disciplinary process and sanctions on each campus.

1. **Acts of dishonesty**, including but not limited to the following:

- a. Cheating, plagiarism, or other forms of academic dishonesty. Cheating is an act of academic dishonesty and includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the UH faculty, staff or student body; and (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

Plagiarism is also an act of academic dishonesty and includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

- b. Furnishing false information to any UH official, faculty member, or office.
- c. Forgery, alteration, or misuse of any UH document, record, or form of identification.

2. **Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other UH activities**, including its public service functions on or off campus, or of other authorized non-UH activities when the conduct occurs on UH premises. This includes creating noise or other disturbances on campus or in student life areas sufficient to disrupt the normal functioning of campus activities including classroom instruction.

3. **Any conduct that threatens or endangers the health or safety of any person** including but not limited to, physical abuse, verbal abuse, threats, intimidation, harassment, bullying, coercion, stalking as defined below. (For any conduct that is sexual or romantic in nature and committed by a current or former partner of an intimate, romantic, or sexual relationship, or is related to an individual's actual or perceived sex or gender, sexual orientation, gender identity or gender expression, refer to F.P. 1.204 for detailed information.)

- a. Threat is written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b. Intimidation is implied threats or acts that cause a reasonable fear of harm in another.
- c. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that

intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

- d. Stalking is two or more acts of unwanted and harassing behavior, directed at a specific person that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating or abusive environment.
 - e. Physical abuse is intentionally or recklessly causing physical harm or endangering the health or safety of any person.
 - f. Verbal abuse is shouting or yelling in a threatening or hostile manner and/or use of abusive or belligerent language.
 - g. Harassment is sufficiently severe, pervasive (or persistent) and objectively offensive conduct that unreasonably interferes with, limits or denies the ability to participate in or benefit from the University/College's educational program or activities.
 - h. Hostile Environment is when unwelcome harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the University/College's educational program or activities.
 - i. Coercion is intentionally compelling or inducing another person to engage in conduct from which another has a legal right to abstain, or to abstain from conduct in which another has a legal right to engage, by threatening with words or conduct to take some negative action that may impact the other person. In this context, some examples of "negative action" include, but are not limited to: causing bodily injury, causing property damage, physical confinement or restraint, or revealing information that is sought to be concealed.
4. **Creation of health and/or safety hazards**, e.g., dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs.
 5. **Sex discrimination and/or gender-based violence** as defined in [EP 1.204](https://www.hawaii.edu/policy/EP1.204)
(<https://www.hawaii.edu/policy/EP1.204>).
 6. **Discrimination** of any person based on [UH](#) protected classes as defined in [EP 1.202](https://www.hawaii.edu/policy/EP1.202)
(<https://www.hawaii.edu/policy/EP1.202>).
 7. **Attempted or actual theft** of [UH](#) property or the personal property of another individual or entity, including goods, services and other valuable, on or off campus, and/or knowingly maintaining possession of stolen property.
 8. Intentional, reckless and/or unauthorized **damage to or destruction of UH property or the personal property of another individual or entity**.
 9. **Hazing** is an act that endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for the continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act; both are violations of this rule.