

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.
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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 FRP 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.

10. **Failure to comply with any directions of UH officials or law enforcement officers** acting in performance of their duties and/or failure to provide identification to these persons when requested to do so.
11. **Unauthorized possession, duplication, or use of keys/keycards/security mechanisms** to any UH premises or unauthorized entry to or use of UH premises, including trespassing, propping or unauthorized use of doors for entry into or exit from a UH building.
12. **Violation of any UH policy, rule, regulation, contract, or agreement** published in hard copy or available electronically on any UH website.
13. **Violation of any federal, state, or local law.**
14. **Use, possession, manufacturing, or distribution, or other unauthorized use of controlled substances or paraphernalia** except as expressly permitted by law. Controlled substances include but are not limited to marijuana, methamphetamine, narcotics, and opioids.
15. **Use, possession, manufacturing, distribution, or being under the influence of alcoholic beverages (except as expressly permitted by UH System Policies, state or federal law), or public intoxication** while on any UH premise or at any UH sponsored event or ancillary site. Alcoholic beverages may not, in any circumstance, be used, possessed, or distributed to any person under twenty-one (21) years of age.
16. **Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals** on UH premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
17. **Participating in an on-campus or off-campus demonstration, riot or activity** that disrupts the normal operations of UH and/or unreasonably infringes on the rights of other members of the UH community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
18. **Obstruction of the free flow of pedestrian or vehicular traffic** on UH premises or at UH sponsored or supervised functions.
19. **Conduct that is disorderly, lewd, or indecent;** breach of peace; or aiding, abetting, or procuring another person to breach the peace on UH premises or at functions sponsored by, or participated in by, UH or members of the academic community.
20. **Complicity involves action or inaction with another or others to violate the Student Conduct Code,** and may be assumed when a student is present during a policy violation. The student may be held responsible for the underlying policy violation(s).
21. **Violation of local, state, federal or campus fire policies** including, but not limited to:
 - a. Intentionally or recklessly causing or attempting to cause a fire which damages or is intended to damage UH or personal property or which causes or is intended to cause injury.
 - b. Failure to evacuate a UH-controlled building during a fire alarm.
 - c. Improper or reckless use of UH fire safety equipment.
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on UH property.

22. Theft or other abuse of computer and other electronic facilities and resources, including but not limited to:

- Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- Unauthorized transfer of a file.
- Use of another individual's identification and/or password.
- Use of computing facilities and resources to interfere with the work of another student, faculty member, or UH official.
- Use of computing facilities and resources to send obscene or abusive messages.
- Online harassment of members of the UH community.
- Use of computing facilities and resources to interfere with normal operation of the UH computing system.
- Use of computer facilities and resources in violation of copyright laws.
- Any unauthorized use of electronic or other devices to make an audio or video record of any person while on UH premises without their prior knowledge, or without their consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
- Any violation of any UH computer use policy, including but not limited to [EP 2.210](#) (<https://www.hawaii.edu/policy/EP2.210>).

23. Abuse of the Student Conduct Code system or other related UH processes, including but not limited to:

- Failure to obey the notice from a Student Conduct Administrator, UH official, or Student Conduct Board to appear for a meeting or hearing.
- Falsification, distortion, or misrepresentations of information before a Student Conduct Administrator, UH official, or Student Conduct Board.
- Disruption or interference with the orderly conduct of any proceeding.
- Attempting to discourage an individual's participation in, or use of, the Student Conduct Code System or other related UH processes.
- Attempting to influence the impartiality of a Student Conduct Administrator, UH official, or Student Conduct Board prior to, and/or during the course of, the Student Conduct Code System or other related UH processes.
- Harassment (verbal or physical) and/or intimidation of a Student Conduct Administrator, UH official, or Student Conduct Board prior to, and/or during the course of, the Student Conduct Code System or other related UH processes.
- Failure to comply with imposed sanction(s).
- Influencing or attempting to influence another person to commit an abuse of the Student Conduct Code System or other related UH processes.

24 Retaliation UH prohibits and will not tolerate retaliation as defined in [FP 7 205](#)