



Office of Judicial Affairs: Shining a Light on Student Conduct

Leslie Mitchell, Interim Director

Hannah Baldovino, Interim Assistant Director

An overview of the Student Conduct Code and
the Academic Grievance Procedures

Functions/Services

Facilitate
**Academic
Grievance
Procedures**

Administer
**Student
Conduct
Process**



E7.20 8: Student Conduct Code

Governs behavior of students and holds them accountable for any violations

Administrative, internal proceeding of University

Otherwise known as "Common Sense Code"

Key Objectives

- SCC is in place to ensure safety of all students, faculty, staff and others within our community
- OJA strives to help students...
 - Understand why behavior is inconsistent with University expectations
 - Learn from the situation
 - Recognize how behavior affects others
- OJA processes are...
 - administrative, internal proceeding of University
 - NOT court of law (legal standards of trial do not apply)
 - Not designed to be adversarial
 - Consistently applied
 - As transparent as possible for students

Jurisdiction

- Applies to all students:
 - Non-credit/Credit
 - Undergraduate/Graduate/Transfer/Exchange/Etc
- In various locations:
 - On UH premises;
 - At UH sponsored activities;
 - In distance/on-line courses and events; and
 - To off-campus conduct that affects the UH Community and/or the pursuit of its objectives.

How to Report

- To report an incident of academic dishonesty (cheating, plagiarism, etc.), use the online [Academic Dishonesty Reporting Form](#)
- To report other possible code violations, individuals may schedule an appointment with OJA to discuss the reporting process or submit a written complaint to oja@hawaii.edu.
 - A written complaint should include all details regarding the incident: time, date, location, specific behavior of the student, actions taken to address the behavior, and the current status of the situation.
 - The student may access this documentation so make sure it contains only factual, descriptive information.

Process

1. An incident is reported to the Office of Judicial Affairs
2. A Conduct Administrator ...
 - Informs student of alleged violations by email
 - Meets with student and any relevant witnesses
 - Determines if it is more likely than not that a violation occurred (“Preponderance of evidence” standard)
 - If cause is found, student is found responsible for violation(s) of the Student Conduct Code
 - If found responsible, student is sanctioned
3. Students complete sanctions, file is then closed and archived. Files are kept in storage for a minimum of 5 years and constitute a part of the student’s educational record.

Top 10 SCC Violations

1. Alteration and/or misuse of parking permit

2. Disorderly Conduct

3. Improper use of student identification

4. Underage drinking/
public intoxication

5. Threats/intimidation/
endangerment

6. Possession and/or use of controlled substances

7. Unauthorized entry of UH premises

8. Theft of property

9. Failure to comply

10. Academic Dishonesty

Sanctions

- Written Reprimand
- Probation
- Suspension
- Dismissal
- Withholding Degree
- Loss of Privileges
- Restitution (service or financial)
- Revocation of Admission and/or Degree
- Other educational sanctions

= Permanent disciplinary record

SCC: Key Takeaways

- If concerned, report! We'll take it from there.
- Because of student privacy requirements, you will not be notified of the specific outcome of the incident. However, you will be notified if there are aspects you need to know.
- Not adversarial, this is a learning process for students regarding campus safety and community behavior.
- If you have behavior concerns about a student that you believe is not a conduct violation, still notify OJA and/or VCSA as we can liaison the information appropriately.
- An "FYI" at a minimum is requested for academic dishonesty cases – we track the incidents.



Academic Grievance Procedures

Provides students with an avenue to grieve the final grade of course if they are unsatisfied.

Key Components

- Common Complaints
 - Unfair grading
 - Deviation from course syllabus
- Burden of proof rests upon student
- Remedies may include change of grade
- ...remedies do not include refund of course tuition or any financial penalties

Background and Authority

- Current Academic Grievance Procedures (AGP) were established in 1993 and last updated in December 20 16.
- Established by the VCSA with concurrence of MFS, ASUH, and GSO
- This policy is limited to those issues directly associated with the faculty member's responsibilities as a teacher and the students' responsibilities as a learner
- OJA is the administrative office which facilitates the AGP

Responsibilities of Students and Faculty

■ Responsibilities of Students

“In the classroom, in seminars, in the laboratory, studio, practicum, or other instructional settings, and in conference, students are expected to adhere to the highest academic standards of behavior and conduct”

■ Responsibilities of Faculty

“In the classroom, in seminars, in the laboratory, studio, practicum or other instructional setting, and in conference, faculty members are expected to adhere to the highest professional standards of behavior and conduct.”

- “If a student has fulfilled all of his/her responsibilities as set forth in this document and believes that a faculty member has failed to meet any of the responsibilities stated in this document, or has acted arbitrarily and/or capriciously in the exercise of these responsibilities, the student may initiate action to achieve remedy”

STEP 1

Attempt to
informally
resolve
Issue(s)
with
INSTRUCTOR

If not
resolved...



STEP 2

File formal
written
complaint with
**DEPARTMENT
CHAIR**

If not
resolved...



STEP 3

File written
appeal
(via Office of
Judicial
Affairs)
with
**ACADEMIC
GRIEVANCE
COMMITTEE**

Academic Grievance Committee

- Facilitated and trained by the Office of Judicial Affairs
- Composed of:
 - Chair (Mandy Westfall-Senda)
 - 3 Faculty (appointed by MFS)
 - 3 Students (appointed by ASUH/GSO)
- These are annual positions in which volunteers can be re-appointed for longer service

Pre-Hearing/Hearing Process

- Full and complete cases received by OJA are first scheduled to be reviewed by the AGC in a pre-hearing.
 - Chair, 3 Faculty, 3 Students (UG for UG cases, GR for GR cases)
- Pre-Hearing is a document review only in which the committee determines if the grievance as “cause”. If there is cause, the grievance will be scheduled for hearing. If there is “no cause” no hearing will be scheduled and the student will be notified that his/her grievance has been ended.
- Hearing phase is a full meeting of the AGC, faculty, and student. This involves the opportunity to question each participant and further present documentation.
 - Note: if student does not appear for the hearing it will not be held or rescheduled. The hearing will proceed in the absence of the faculty member as long as appropriate notice was provided.
 - Note: “good and sufficient cause” for absence can be considered for extenuating circumstances
- Students and Faculty are notified of the AGC decision

Key Hearing Components

- Hearings are scheduled within 15 business days after a pre-hearing decision is made.
- Parties are provided written notice 10 business days prior to the hearing time, date, location and the members of their Committee.
 - Address conflict of interest, if any.
- Either party may request an advisor to be present.
- Hearings are recorded and kept with the case. Deliberations are not recorded.
- Each party:
 - has the opportunity to present evidence and arguments on the issues involved.
 - may introduce oral and documentary evidence.
 - has the right to question witnesses and provide rebuttals.
- Members of the AGC then question all parties and witnesses
- The parties are notified of the decision within 7 business days.
- The findings and decisions of the AGC are final within UH-Mānoa.

Advice for Faculty

- Save all course materials and assignments for one year
 - For example: Spring 20 17 semester save through end of Spring 20 18 semester
- Document conversations with students about a grade or assignment; file and save documentation for one year
- Follow-up with a written (email) outcome to a grade dispute.
- Do not fear the process: each step is meant to be as equitable as possible to all parties. With that, OJA is here to assist both parties with questions about the preparation or process of the AGP.
- If you have any questions about a grievance or the process, do not hesitate to reach out to OJA!

AGP: Key Takeaways

- Feedback from faculty previously involved in the AGP process.
- AGP is not a scary process – our office is here to help you throughout.
- OJA is the facilitator. We are here to support faculty and students!
- If you have a questions about a situation, please reach out to OJA for assistance.

CONTACT INFORMATION

Office of Judicial Affairs

- QLCSS 207
- (808) 956-4416
- oja@hawaii.edu
- *http://studentaffairs.manoa.hawaii.edu/departments/judicial_affairs.php*