

Appendix

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Academic Rights and Freedoms of Students

The University of Hawai'i, like all state universities, embraces those aspects of academic freedom that guarantee the freedom to teach and the freedom to learn. Free inquiry and free expression for both students and faculty are indispensable and inseparable. Students, whether from the United States or from foreign countries, as members of the academic community are encouraged to develop a capacity for critical judgment and to engage in a sustained and independent search for truth.

For its part, the University guarantees all students the freedom of silence. No student is required to engage in research on any topic or to make statements of any kind, unless it is the student's wish to do so.

Student Conduct and Discipline

It is a privilege to be a member of the University of Hawai'i at Mānoa community. This privilege provides the student with the opportunity to learn and to participate in the many programs that are offered on campus. Along with that privilege, the individual is expected to be responsible in relationships with others and to respect the special interests of the institution. These special interests are fully set forth in the University's Student Conduct Code.

Where individuals have conflict with one another or have allegedly violated the Student Conduct Code, every attempt will be made to resolve the problem through nonadversarial and informal proceedings. Where the violation may be particularly serious or differences appear irreconcilable, the matter may be referred to the Student Conduct Committee for an appropriate review and hearing. The committee has the authority to recommend serious disciplinary actions including suspension or expulsion.

Information, advice, or a copy of the code and an outline of the committee's procedures may be obtained from the Office of the Dean of Students and Student Services, Student Services Center 409.

Academic Honesty

The integrity of a university depends upon academic honesty, which consists of independent learning and research. Academic dishonesty includes cheating and plagiarism. The following are examples of violations of the Student Conduct Code that may result in suspension or expulsion from the University.

Cheating

Cheating includes, but is not limited to, giving unauthorized help during an examination, obtaining unauthorized information about an examination before it is administered, using inappropriate sources of information during an examination, altering the record of any grade, altering an answer after an examination has been submitted, falsifying any official University record, and misrepresenting the facts in order to obtain exemptions from course requirements.

Plagiarism

Plagiarism includes, but is not limited to, submitting, to satisfy an academic requirement, any document that has been copied in whole or in part from another individual's work without identifying that individual; neglecting to identify as a quotation a documented idea that has not been assimilated into the student's language and style; paraphrasing a passage so closely that the reader is misled as to the source; submitting the same written or oral material in more than one course without obtaining authorization from the instructors involved; and "dry-labbing," which includes obtaining and using experimental data from other students without the express consent of the instructor, utilizing experimental data and laboratory write-ups from other sections of the course or from previous terms, and fabricating data to fit the expected results.

Disciplinary Action

The faculty member must notify the student of the alleged academic misconduct and discuss the incident in question. The faculty member may take academic action against the student as the faculty member deems appropriate. These actions may be appealed through the *Academic Grievance Procedure*, available in the Office of the Dean of Student Services. In instances in which the faculty member believes that additional action (i.e., disciplinary sanctions and a University record) should be established, the case should be forwarded to the Dean of Student Services.

Academic Grievance

A student who believes that a faculty member has failed to meet specific responsibilities outlined in “Responsibilities of Faculty and Students and Academic Grievance Procedures for Students, University of Hawai‘i at Mānoa (Policy M-4527)” may register a grievance. Students and faculty are encouraged to resolve their differences through consultation and mediation. Where these efforts are ineffective, the policy sets forth the process that is available to the student grievant. The decisions of the Academic Grievance Committee are final within the University. Information, advice, or a copy of the relevant policies and procedures may be obtained from the Office of the Dean of Students and Student Services, Student Services Center 409.

Class Attendance

Regular attendance at class and laboratory sessions is expected for all courses in which a student enrolls. Unavoidable absences should be explained to the instructor.

Nondiscrimination Policy

The University of Hawai‘i is an equal opportunity/affirmative action institution and is committed to a policy of nondiscrimination on the bases of race, sex, age, religion, color, national origin, ancestry, disability, marital status, arrest and court record, sexual orientation, and veteran status. This policy covers academic considerations such as admission and access to, participation and treatment in the University’s programs, activities, and services. With regard to employment, the University is committed to equal opportunity in all personnel actions such as recruitment, hiring, promotion, and compensation. Sexual harassment is expressly prohibited under University policy.

The University strives to promote full realization of equal employment opportunity through a positive, continuing program in compliance with the affirmative action in employment mandates of federal Executive Order 11246. The program includes measuring performance against specific annual hiring goals, monitoring progress, and reporting on good faith efforts and results in annual affirmative action plan reports. As a government contractor, the University is committed to an affirmative policy of hiring and advancing in employment qualified persons with disabilities, disabled veterans, and veterans of the Vietnam era. For information on equal opportunity policies or complaint procedures for the UH

Mānoa Campus, contact:

- **Students:** Alan Yang, Dean of Students, SSC 409, phone (808) 956-3290 (V/T)
- **Students with Disabilities:** Ann Ito, Director, KOKUA Program, SSC 013, phone (808) 956-7511 (V/T) or (808) 956-7612 (V/T)
- **Employees (and Affirmative Action Plan):** Mie Watanabe, Director, EEO/AA, Administrative Services Building 1, Room 102, phone (808) 956-7077 (V/T)
- **Sexual Harassment and Sex Equity:** Sex Equity Specialist, SSC 209, phone (808) 956-9499
- **Civil Rights Counselor:** Jill Nunokawa, Counselor, SSC 413B, phone (808) 956-4431

UH Mānoa recognizes its obligation to provide overall program accessibility for persons with disabilities. Contact the KOKUA (disabled student services) Program to obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities.

Gender Equity in Intercollegiate Athletics

Gender equity in athletics extends the doctrine of fairness to all areas of athletic activity at the university level. It is activated by a sense of moral obligation that exceeds any specific duty to comply with legal requirements, although it also recognizes the necessity of observing the tenets of Title IX. Its desired effect is to offer women and men equal opportunities to participate in sports for which there is demonstrated interest among athletes in Hawai‘i and to provide equitable levels of support for coaching, travel, scholarships, operating expenses, and facilities used. Beyond these specific goals, gender equity also fosters an attitude and establishes an environment in which men’s and women’s sports are encouraged in comparable ways. Those who support gender equity are willing to cooperate in frequent self-evaluations and to implement change so that all student-athletes can have the same opportunity to realize the highest level of their abilities.

Student Records

Pursuant to Section 99.6 of the rules and regulations implementing the Family Educational Rights and Privacy Act of 1974 (hereinafter the Act), students in attendance at the University of Hawai‘i are hereby notified of the following:

1. It is the policy of the University of Hawai‘i to subscribe to the requirements of Section 438 of the General Education Provisions Act, Title IV, of Public Law 90-247, as amended, and to the rules and regulations implementing the Act, which protect the privacy rights of students.
2. The rights of students under the Act include the following, subject to conditions and limitations specified in the Act:
 - (a) the right to inspect and review education records, (b) the right to request to amend education records, (c) the right of protection from disclosure by the University of Hawai‘i of personally identifiable information contained in education records without permission of the student involved, (d) the right to waive certain rights under the

Act, and (e) the right to file complaints concerning alleged failure by the University of Hawai'i to comply with the Act.

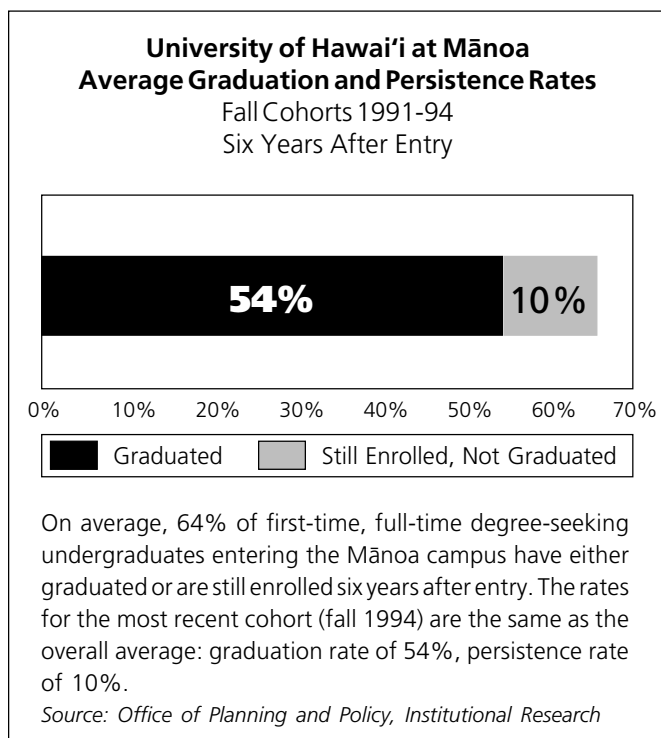
3. Students are advised that institutional policy and procedures required under the Act have been published as Administrative Procedure A7.022, "Procedures Relating to Protection of the Educational Rights and Privacy of Students." Copies of APA7.022 may be obtained from the Office of the Dean of Students and Student Services.
4. Directory Information. Students are advised that certain personally identifiable information is considered by the University to be directory information and, in response to public inquiry, may be disclosed in conformance with state law, at the University's discretion, without prior consent of the student unless the student requests that the University not disclose such information. This includes (a) name of student, (b) current address and ZIP code, (c) telephone number, (d) major field of study, (e) educational level (e.g., freshman, sophomore, etc.), (f) participation in officially recognized activities and sports, (g) weight and height of members of athletic teams, (h) dates of attendance, (i) most recent educational institution attended, and (j) degrees and awards received. A student has the right to request that any or all of the above items not be designated directory information with respect to that student. Should a student wish to exercise this right, he or she must in person and in writing, not earlier than the first day of instruction, nor later than 14 calendar days from the first day of instruction for the academic term or semester, or the fourth day of a summer session, inform the campus registrar which of the above items are not to be disclosed without the prior consent of that student.
5. A parent or spouse of a student is advised that information contained in educational records, except as may be determined to be directory information, will not be disclosed to him/her without the prior written consent of the student.

Student Graduation Rates

Graduation and Persistence of Entering Students

The information in this graph provides a partial description of the graduation and enrollment patterns of students and describes averages for groups of students. It should not be used to infer or predict individual graduation or enrollment behavior.

This information is provided for the Student Right-to-Know Act, Public Law 101-542 published in the Federal Register, December 1, 1995.



Residency Requirements for Tuition Purposes

Students who do not qualify on the first day of instruction as bona fide residents of the state of Hawai'i, according to University of Hawai'i rules and regulations, must pay the nonresident tuition. An official determination of residency status will be made at the time of application. Applicants may be required to provide documentation to verify residency status. Once classified as a nonresident, a student continues to be so classified during his/her enrollment at the University until he/she can present satisfactory evidence to the residency officer that proves otherwise.

Some of the more pertinent University residency regulations follow. For additional information or clarification, contact the residency officer in the Office of Admissions and Records.

Definition of Hawai'i Residency

A student is deemed a resident of the state of Hawai'i for *tuition purposes* if the student (19 years old or older) or the student (under 19 years old) and the student's parents or legal guardians have done the following:

1. *Demonstrated intent to establish domicile* in Hawai'i (see below for indicia);
2. Been *physically present in Hawai'i* for the 12 consecutive months prior to the first day of instruction and subsequent to the demonstration of intent to establish domicile in Hawai'i; and
3. The student, whether adult or minor, *has not been claimed as a dependent for tax purposes* for at least 12 consecutive months prior to the first day of instruction by his/her parents or legal guardians who are not residents of Hawai'i.

To demonstrate the intent to make Hawai'i a person's domicile, the following indicia apply, but no single act is sufficient to establish residency for tuition purposes:

1. Filing Hawai'i resident personal income tax return;
2. Voting/registering to vote in the state of Hawai'i; and
3. Other indicia, such as permanent employment and ownership or continuous leasing of a dwelling in Hawai'i.

Other Legal Factors

Other legal factors involved in making a residency determination include the following:

1. The age of majority is 18 years. However, a person between the ages of 18 and 19, unless emancipated, cannot claim residency solely on the basis of himself/herself because he/she does not have the minimum 12 months residency, which commences on his/her 18th birthday. Therefore, the applicant must claim a portion of the required 12 months on the basis of his/her parents or legal guardian;
2. The 12 months of continuous residence in Hawai'i shall begin on the date upon which the first overt action (see indicia above) is taken to make Hawai'i one's domicile. Resident status will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction;
3. Residency in Hawai'i and residency in another place cannot be held simultaneously;
4. Presence in Hawai'i primarily to attend an institution of higher learning does not create resident status, regardless of the length of stay. A student cannot establish residency by simply being enrolled in school. If a student is a nonresident, it is presumed that he/she is living in Hawai'i primarily to attend school and his/her presence is temporary even if the student lives in Hawai'i during vacation and other breaks from study. For example, the student may be presumed to live in Hawai'i primarily to attend school if he/she is enrolled in school half-time or more, appears to be receiving significant financial support from family members who reside outside Hawai'i, is absent from the state for more than 30 days per year during school vacation period, or receives student

financial assistance based on residency in another state or jurisdiction;

5. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor;
6. The residency of a married person may follow that of the spouse; and
7. Resident status, once acquired, will be lost by future voluntary action of the resident inconsistent with such status. However, Hawai'i residency will not be lost solely because of absence from the state while a member of the United States Armed Forces, while engaged in navigation, or while a student at any institution of learning.

Exemptions

Nonresidents may be allowed to pay resident tuition if they qualify as one of the following:

1. United States military personnel and their authorized dependents (as defined by the armed services) during the period such personnel are stationed in Hawai'i on active duty;
2. Persons who are legal residents of any Pacific island or Asian district, commonwealth, territory, or insular jurisdiction, state, or nation that does not provide public institutions of higher learning;
3. Certain employees of the University of Hawai'i and their spouses and legal dependents (as defined under Internal Revenue Service rules);
4. East-West Center grantees pursuing baccalaureate or advanced degrees; or
5. Hawaiians, descendants of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778.

Misrepresentation

A student or prospective student who provides incorrect information on any form or document intended for use in determining residency status for tuition purposes will be subject to the requirements and/or disciplinary measures provided for in the rules and regulations governing residency status.

Appeal Process

Residency decisions may be appealed. Contact the residency officer for information on how to initiate an appeal before the Committee on Resident Status.

Compliance with Federal Guidelines Concerning Research

There are a number of offices and committees at the University that play key roles in overseeing and developing policy for various aspects of the research process. Federal, state, and University regulations require that certain proposed research projects are reviewed and approved to ensure that the proposed research complies with protective standards.

University students who intend to conduct the following types of research should check with their respective academic

offices and the committees and office below for guidance and information pertaining to their research project.

1. Research funded by non-University funds.
2. Research sponsored by the University of Hawai'i.
3. Research conducted by or under the direction of any employee or agent of the University in connection with his or her institutional responsibilities.
4. Research conducted by or under the direction of any employee or agent of this institution using any property or facility of this institution.
5. Research involving the use of the University's non-public information to conduct research or identify research subjects.

General information regarding standards applicable to research activities can be obtained from the Office of Research Services, Sakamaki D-200, 2530 Dole Street, Honolulu, HI 96822, (808) 956-7470.

Institutional Animal Care and Use Committee

University employees and students who intend to conduct research involving nonhuman, vertebrate animals are required to submit an application to the Institutional Animal Care and Use Committee (IACUC) for review and approval prior to any such use of animals. Applications and information may be obtained from the Office of Research Services. Students should check with their departments or course instructors for further guidance.

Committee on Human Studies

University employees and students who will conduct research involving human subjects are required to submit an application to the Committee on Human Studies (CHS) for review and approval prior to the involvement of human subjects in the research project. Applications and information may be obtained from the Committee on Human Studies. Students should check with their departments or course instructors for further guidance.

Environmental Health and Safety Office

Employees and students whose research projects may involve recombinant DNA, radioactive materials, SCUBA diving, or hazardous materials should contact the Environmental Health and Safety Office at 2040 East-West Road, Honolulu, HI 96822; tel. (808) 956-8660, for information and guidance. This office will also provide information regarding appropriate safety and health standards. Applications and/or information may also be obtained from the Environmental Health and Safety Office for the following committees:

- Institutional Biosafety Committee
- Radiation Safety Committee
- Diving Control Board
- Workplace Safety Committee