Academic Rights and Freedoms of Students

UH Mānoa, 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 U.S. 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, UH Mānoa 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

It is a privilege to be a member of the UH Mānoa community. This privilege provides the student with the opportunity to learn and 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 UH System’s Student Conduct Code.

Information, advice, or a copy of the code may be obtained from the Office of Judicial Affairs, Queen Liliʻuokalani Center for Student Services 207 or explore www.studentaffairs.manoa.hawaii.edu/policies/conduct_code/.

Collection of Student Work for Assessment Purposes

UH Mānoa is committed to furthering its efforts in quality improvement. To assess program and institutional effectiveness, we collect student course work and data (including grades when necessary). When collecting such data, student and instructor identities are kept confidential and are not linked in any way to the course work submitted. These assessment activities benefit you and future students because the university uses these assessment results to support continuous improvement efforts. If you do not want your work to be used for generalized assessment, you have the right to opt out. You can opt out by informing your course instructor that you do not want your work shared outside of the class.

Confidentiality Policy for Student Employees

Student employees are governed by policies and procedures stated in APM 9.980. The following is an excerpt from those policies.

Student employees at UH Mānoa may have access to confidential information relating to other students, faculty, and staff and/or pertaining to UH Mānoa in the course of performing their duties and responsibilities as student employees.

Under the Family Educational Rights and Privacy Act (FERPA) federal law and UH Mānoa policy, educational records are protected from disclosure to third parties unless pursuant to narrow exceptions and that other confidential records must not be disclosed.

As part of their duties and responsibilities, student employees shall maintain the confidentiality of all such records during and after their period(s) of employment at UH Mānoa. They shall not, directly or indirectly, disclose to any person other than their supervisor, or an individual approved by their supervisor, any information concerning such records. Any unauthorized disclosure may be grounds for immediate termination, prohibition of future employment and/or disciplinary action up to and including dismissal from UH Mānoa.

Academic Integrity

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 UH Mānoa.

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 information during an examination, altering the record of any grade, and that other confidential records must not be disclosed.

Disciplinary Action

The faculty member must notify the student of the alleged academic misconduct and discuss the incident in question. The

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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 Judicial Affairs. In instances in which the faculty member believes that additional action (i.e., disciplinary sanctions and a UH Mānoa record) should be established, the case should be forwarded to the Office of Judicial Affairs.

**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, UH Mānoa” 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 UH Mānoa. Information, advice, or a copy of the relevant policies and procedures may be obtained from the Office of Judicial Affairs, Queen Lili‘uokalani Center for Student Services Center 207 or explore www.studentaffairs.manoa.hawaii.edu/policies/academic_grievance/.

**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.

**Excused Student Absences for Official University-Sponsored Events**

Faculty members will make all reasonable attempts to accommodate student absences from class due to their participation in a university-sponsored event, such as an intercollegiate athletic competition or academic event at which the student represents his or her department or UH Mānoa. For regularly-scheduled events, students are to notify instructors within the first two weeks of the semester. For special events or tournaments, students are to notify their instructors as soon as they learn of the anticipated absence. In both cases, students who must miss class for such events will be responsible for completing all assigned work as expeditiously as possible.

**Nondiscrimination Policy**

UH Mānoa is an equal opportunity/affirmative action institution and is committed to a policy of nondiscrimination on the basis of race, sex, gender identity and expression, age, religion, color, national origin, ancestry, citizenship, disability, genetic information, marital status, breastfeeding, income assignment for child support, arrest and court record (except as permissible under State law), sexual orientation, national guard absence, status as a covered veteran, and domestic or sexual violence victim status (includes stalking and dating violence). This policy covers admission and access to, and participation in, treatment, and employment in UH Mānoa’s programs, activities, and services. With regard to employment, UH Mānoa is committed to equal opportunity in all personnel actions such as recruitment, hiring, promotion, and compensation. Sexual harassment and other forms of discriminatory harassment are prohibited under the UH Systemwide policy.

UH Mānoa strives to promote full realization of equal opportunity through a positive, continuing affirmative action program in compliance with 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, UH Mānoa is committed to an affirmative policy of hiring and advancing in employment qualified persons with disabilities and covered veterans. For information on equal opportunity policies or complaint procedures for the UH Mānoa campus, contact:

- **Title IX Coordinator** Dee Uwono, Director and Title IX Coordinator, Hawai‘i Hall 124, (808) 956-2299, email 19uhm@hawaii.edu, manoa.hawaii.edu/titleix/
- **Students:** ADA Coordinator, QLCSS 409, (808) 956-3290 (Voice/TTY), email vcs@hawaii.edu
- **Students with Disabilities:** Ann Ito, Director, KOKUA Program, QLCSS 013, (808) 956-7511 (Voice/TTY) or (808) 956-7612 (Voice/TTY), email kokua@hawaii.edu

- **Employees (and Affirmative Action Plan):** Mark Au, Director of EEO/AA, Deputy Title IX Coordinator for Employees and ADA Coordinator, Administrative Services Building 1, Room 102, (808) 956-7077, email eco@hawaii.edu, www.hawaii.edu/offices/eco.
- **Student Advocates:** Jennifer Barnett, Program Coordinator of the Women’s Center, QLCSS 211, (808) 956-8059, email uhwmwomen@hawaii.edu and Leslie Cabingabang, Pau Violence Program, QLCSS 211, (808) 956-8059, email uhmpau@hawaii.edu
- **Sexual Harassment/Gender Equity Specialist:** Jenna Friedman, Gender Equity Specialist, QLCSS 210, (808) 956-9977, email jfriedma@hawaii.edu
- **Civil Rights Counselor:** Jill Nunokawa, Civil Rights Counselor, QLCSS 210, (808) 956-4431, email jnl@hawaii.edu

UH Mānoa recognizes its obligation to provide equal access to programs, services, and activities to students with disabilities. Contact the KOKUA (disabled student services) program for accessibility information and services.

**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**

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. These rights include:

- The right to inspect and review the student’s education records within 45 days after the day UH Mānoa receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

- The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

- The right to review the amendment of the record as requested, the school will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by UH Mānoa in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of regents; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of UH Mānoa who performs an institutional service or function for which the school...
would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for UH Mānoa.

- Parents and spouses of students are advised that information contained in education records, with the exception of directory information, will not be disclosed to them without the prior written consent of the student.

- Students are advised that institutional policy and procedures required under FERPA have been published as Administrative Procedure AP 7.022, Procedures Relating to Protection of the Educational Rights and Privacy of Students. Copies may be obtained from the Office of the Vice Chancellor for Students.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by UH Mānoa to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office; U.S. Department of Education; 400 Maryland Avenue, SW, Washington, DC 20202.

Directors Information: The university has designated the following information from a student’s education record as “directory information”: (1) Name of student; (2) Major field of study; (3) Class (i.e., freshman, sophomore, etc.); (4) Past and present participation in officially recognized activities (including positions held and official statistics related to such participation and performance); (5) Past and present participation in officially recognized sports (including positions held and official statistics related to such participation and performance); (6) Weight and height of members of athletic teams; (7) Dates of attendance; (8) Previous institution(s) attended; (9) Full or part-time status; (10) Degree(s) conferred (including dates); (11) Honors and awards (including dean’s list).

At its discretion and in conformance with applicable state law, the university may disclose directory information to the public without obtaining a student’s prior consent, so long as certain conditions regarding general notification of disclosure of directory information have been followed. Specific directory information about an individual student will not be released to the public if the student has affirmatively informed the university that he or she does not want any or all of those types of information about himself or herself designated as directory information. The procedures for an individual student to “opt” out of disclosure is set forth in UH Administrative Policy AP 7.022.

Note: Submission of this FERPA nondisclosure of directory information request does not automatically remove students from the UH Online Directory of email addresses, which is accessible only to those with a valid UH email address. To remove yourself from the UH Online Directory: (1) Login to MyUH; (2) Select the My Profile tab; (3) Look for UH Online Directory, Options for Students, select Opt-out. Lists of directory information will not be made publicly available to third parties.

The school may provide the UH Foundation with lists of students with the following information: name, school/college/division/department, Degree, major and minor fields of study, UH email address, home address, and telephone number for the purpose of university and alumni relations.

FERPA Annual Notice Addendum: As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records—including your social security number, grades, or other private information—may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is “principally engaged in the provision of education,” such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, state authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other federal or state data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Student Graduation Rates

Graduation and Persistence of First-time Full-time Degree-seeking Undergraduates

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 UH Mānoa 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 or her enrollment at UH Mānoa until he or she can present satisfactory evidence to the residency officer that proves otherwise.

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

Definition of Hawai‘i Residency

A student is deemed a resident of the state of Hawaii 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 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

UH Mānoa Graduation and Persistence Rates First-Time, Full-time, Degree-Seeking Undergraduates

<table>
<thead>
<tr>
<th>Fall 2011 Cohort</th>
<th>GRADUATION RATE–Graduated within 6 years.................</th>
<th>60%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>Men.........................................................................</td>
<td>57%</td>
</tr>
<tr>
<td></td>
<td>Women......................................................................</td>
<td>62%</td>
</tr>
<tr>
<td>IPEDS Race/Ethnicty</td>
<td>Nonresident Alien...........................................</td>
<td>74%</td>
</tr>
<tr>
<td></td>
<td>Hispanic/Latino..................................................</td>
<td>51%</td>
</tr>
<tr>
<td></td>
<td>American Indian or Alaska Native..........................</td>
<td>62%</td>
</tr>
<tr>
<td></td>
<td>Asian......................................................................</td>
<td>73%</td>
</tr>
<tr>
<td></td>
<td>Black or African American...................................</td>
<td>28%</td>
</tr>
<tr>
<td></td>
<td>Native Hawaiian or Other Pacific Islander................</td>
<td>42%</td>
</tr>
<tr>
<td></td>
<td>White.....................................................................</td>
<td>44%</td>
</tr>
<tr>
<td></td>
<td>Two or more races...............................................</td>
<td>58%</td>
</tr>
<tr>
<td></td>
<td>Race and ethnicity unknown...................................</td>
<td>#</td>
</tr>
<tr>
<td>Federal Grant/Loan Recipient</td>
<td>Recipient of a Federal Pell Grant.....................</td>
<td>57%</td>
</tr>
<tr>
<td></td>
<td>Recipient of a subsidized Stafford Loan who did not receive a Pell Grant...</td>
<td>52%</td>
</tr>
<tr>
<td></td>
<td>Student who did not receive either a Pell Grant or a subsidized Stafford Loan...</td>
<td>63%</td>
</tr>
<tr>
<td>PERSISTENCE RATE–Still enrolled 6 years after entry..............</td>
<td>5%</td>
<td></td>
</tr>
</tbody>
</table>

A pound sign (#) denotes any cohort/subcohort with fewer than ten students.

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

Definition of Hawai‘i Residency

A student is deemed a resident of the state of Hawaii 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 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 or 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 or herself because he or she does not have the minimum 12 months residency, which commences on his or her 18th birthday. Therefore, the applicant must claim a portion of the required 12 months on the basis of his or 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 or she is living in Hawai‘i primarily to attend school and his or 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 or 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 50 percent of the 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. 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 U.S. 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. U.S. 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. Members of the Hawai‘i National Guard or Hawai‘i-based Reserves;
3. Full-time employees of UH Mānoa and their spouses and legal dependents (as defined under Internal Revenue Service rules);
4. East-West Center student 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.

Citzens of an eligible Hawai‘i Pacific island district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions that grant baccalaureate degrees may be allowed to pay 150% of the resident tuition. These currently include the following: American Samoa, Commonwealth of the Northern Marianas, Cook Islands, Federated States of Micronesia, Futuna, Kiribati, Nauru, New Caledonia, Niue, Republic of Palau, Republic of Marshall Islands, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu, and Wallis.

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 UH Mānoa that play key roles in overseeing and developing policy for various aspects of the research process. Federal, state, and UH Mānoa regulations require that certain proposed research projects are reviewed and approved to ensure that the proposed research complies with protective standards. UH Mānoa 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-UH Mānoa funds.
2. Research sponsored by UH Mānoa.
3. Research conducted by or under the direction of any employee or agent of UH Mānoa 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 UH Mānoa’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, 2425 Campus Road, Sinclair Library Room 1, Honolulu, HI 96822, (808) 956-8658 or visit their website at www.hawaii.edu.

Environmental Health and Safety Office
Employees and students whose research projects may involve radioactive materials, SCUBA diving, or hazardous materials should contact the Environmental Health and Safety Office at (808) 956-8660 or visit their website at www.hawaii.edu/ehso for information and guidance. For more details, go to the “Instructional Support and Research Units” section.

Human Studies Program
UH Mānoa employees and students who intend to conduct research involving nonhuman, vertebrate animals are required to submit an animal use protocol application to the Institutional Animal Care and Use Committee (IACUC) for review and approval prior to any use of animals. Applications and information may be obtained from the Animal Welfare Program Office by calling (808) 956-4552 or visit the website at www.hawaii.edu/researchcompliance/animal-welfare. Students should check with their departments or course instructors for further guidance.

Institutional Animal Care and Use Committee
UH Mānoa 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 Animal and Veterinary Service Program or visit the website at www.hawaii.edu/researchcompliance/animal-resource-center-arc-services. Students should check with their departments or course instructors for further guidance.

Institutional Biosafety Committee
UH Mānoa employees and students who intend to conduct research, teaching, and testing activities involving infectious microbial agents or recombinant biological or synthetic materials are required to submit a biosafety protocol application to the Institutional Biosafety Committee (IBC) for review and approval prior to use. Applications and information may be obtained from the Biosafety Program Office by calling (808) 956-3084/3197 or visit the website at www.hawaii.edu/researchcompliance/Biological-Safety. Students should check with their departments or course instructors for further guidance.