

Appendix I: Student Infectious Disease Mitigation in Response to COVID-19¹

Purpose:

Purpose of this addendum, is to make clear during the COVID-19 pandemic how health and safety requirements, including those incorporated in the [University of Hawai'i COVID-19 Guidelines \(Interim\)](#) are incorporated into EP 7.208.

Background:

The mission of the 10 campus system, as the state's only public institution of higher education, is to provide environments in which faculty, staff and students can discover, examine critically, preserve and transmit the knowledge, wisdom, and values that will help ensure the survival of present and future generations with improvement in the quality of life. In carrying out that mission, it is the basic purpose of the university to afford all qualified people in Hawai'i an equal opportunity for quality college and university education at both undergraduate and graduate levels.

In fulfilling that mission during the COVID-19 pandemic, the UH's top priority is the health and safety of its students and employees as we face the myriad of challenges caused by COVID-19. As members of the UH ohana, we have obligations to ourselves and to each other to abide by health and safety requirements and guidelines established by federal, State, county and the University relating to COVID-19. Because of the imposing nature of the health and safety requirements during a pandemic, this addendum is deemed necessary to make clear the University's expectations and requirements, and the consequences of failure to meet those requirements.

COVID-19 Expectations

The University of Hawai'i has established expectations for students, staff, faculty and visitors interacting on campuses related to the COVID-19 pandemic and public health concerns. These guidelines are available at <https://www.hawaii.edu/covid19-guidelines>. Additionally, individual University of Hawai'i campuses have established additional guidelines to further communicate measures and expectations of those interacting on campus:

- [Mānoa](#)
- [Hilo](#)
- [West O'ahu](#)
- [Hawai'i](#)
- [Honolulu](#)
- [Kapi'olani](#)
- [Kaua'i](#)
- [Leeward](#)

¹ University of Hawaii Executive Policy EP 7.208 [COVID-19 & Student Conduct Code Appendix I 2020.08.10](#) (2020-08).

- [Maui](#)
- [Windward](#)

Proscribed Conduct:

Section IV.B of EP 7.208 enumerates behavior proscribed by the Student Conduct Code. The following examples of misconduct are illustrative of how behaviors that violate federal, State, county, UH System or campus COVID policies and guidelines may constitute violation of the Student Conduct Code and be subject to progressive disciplinary action. Established institutional Student Conduct Code procedures will be administered for all alleged violations before students are denied any educational opportunity, including attending classes or living on campus, afforded to them as a University of Hawai'i student. Due to the severity of public health risk, students in violation may be asked to be removed from the class, building/office, or campus immediately.

Violations may include, but are not limited to:

IV.B.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.

- Example: Failure to heed the instructions of faculty with respect to physical distancing in lab spaces.
- Example: Failure to heed the instructions of faculty with respect to face coverings in classroom spaces.

IV.B.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.

- Example: Belligerent behavior towards faculty, teaching assistants, staff and other students when reminded of the need for proper face coverings in indoor spaces (including classrooms) and outdoor spaces where social distancing is not being practiced.
- Example: Failure to heed instructions when reminded of proper face coverings and physical distancing in indoor spaces and outdoor spaces.

IV.B.4. Creation of health and/or safety hazards, e.g., dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs.

- Example: Failure to wear face coverings correctly while interacting with others.
- Example: Gathering in groups and interacting with others and not properly wearing face coverings and practicing social distancing in indoor spaces and outdoor spaces.

IV.B.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.

- Example: Failure to show UH COVID App clearance when on campus or at a UH-sponsored event, when requested.

IV.B.12.: Violation of any UH policy, rule, regulation, contract, or agreement published in hard copy or available electronically on any UH website

<https://www.Hawaii.edu/policy/>.

- Example: Failure to follow the COVID Guidelines (Interim), <https://www.hawaii.edu/covid19-guidelines/>
- Example: For those participating in the University's modified quarantine program, violating the terms of the "Pre-Travel Agreement Between the University of Hawai'i and An Out-of-State Student Choosing to Participate in the Modified Quarantine Program".
- Example: Failure to conduct daily health self-screenings via the UH app when planning to be on campus or at a UH sponsored event.

IV.B.13.: Violation of any federal, state or local law.

- Example: Violating applicable provisions of the State of Hawai'i Emergency Proclamations, which have the force and effect of law (and which also may involve criminal sanctions):
 - <https://governor.hawaii.gov/covid-19/>
 - https://governor.hawaii.gov/wp-content/uploads/2020/07/2007090-ATG_Tenth-Supplementary-Proclamation-for-COVID-19-distribution-signed.pdf, and any subsequent proclamations, e.g., https://governor.hawaii.gov/wp-content/uploads/2020/08/2008022-ATG_Eleventh-Proclamation-for-COVID-19-distribution-signed.pdf
- Example: Violating applicable provisions of the various county emergency orders and proclamations, including those relating to the wearing of facial coverings, physical distancing, and limitations on gatherings, which also

have the force and effect of law (and which also may involve criminal sanctions):

- City & County of Honolulu: <https://www.honolulu.gov/mayor/proclamations-orders-and-rules.html>
- County of Kauai: <https://www.kauai.gov/covid-19>
- County of Maui: <https://www.mauicounty.gov/2370/COVID-19-Coronavirus-Information>
- County of Hawaii: <https://www.hawaiicounty.gov/departments/civil-defense/active-emergency-proclamations>

Sanctions:

Pursuant to EP 7.208, sanctions, as defined by the Student Conduct Code procedures, may be issued upon a student found responsible for violating the rules and standards contained within the Student Conduct Code and are intended to be primarily educational in nature. Student Conduct Administrator reserves the discretion to impose sanctions commensurate with the violations found to have occurred, up to and including expulsion. Repeat violations of the Student Conduct Code will be subject to progressive discipline.

Once a student has been found responsible for violating the Student Conduct Code, the Student Conduct Administrator will use all information available, including but not limited to: prior violations of the Student Conduct Code (if any), community service involvement, and/or employment to determine (an) appropriate sanction(s). Specifically, with respect to this Addendum, the Student Conduct Administrator will consider facts relevant to the student's level of disregard for the student's own health and safety, as well as for the health and safety of others.