Fwd: Urgent Request

Sarita Rai <sarita@hawaii.edu>  
Mon, Dec 9, 2013 at 8:32 AM

for posting on the Council Meeting for the 13th.

---------- Forwarded message ----------
From: David Ericson <ericson@hawaii.edu>
Date: Sun, Dec 8, 2013 at 1:40 PM
Subject: Re: Urgent Request
To: Sarita Rai <sarita@hawaii.edu>
Cc: John Casken <casken@hawaii.edu>, Miriam Sharma <sharma@hawaii.edu>

Hi Sarita -- SEC will take this up tomorrow at its regular meeting.

David

On Sun, Dec 8, 2013 at 10:05 AM, Sarita Rai <sarita@hawaii.edu> wrote:

Dear David:

I am requesting that the UHM Faculty Senate Committee on Student Affairs look into the matter of Student Conduct overseas. UHM is encouraging more and more students to study abroad. Their behavior - academic and otherwise reflects on our university.

Please read the e-mails below. I requested outreach to withdraw a student, outreach college refused - despite the fact the judicial affairs did say we have the right. Additionally the student conduct code is silent on the study abroad students conduct overseas.

I have copied this e-mail to John Casken and Mimi Sharma Chair and Co-Chairs of the Council on Study Abroad.

Best wishes
Sarita

---------- Forwarded message ----------

On Fri, Dec 6, 2013 at 4:23 PM, Sarita Rai <sarita@hawaii.edu> wrote:

Dear Bill:

Thank you for your quick response to this extremely difficult and critical matter.

However, your response is based on your interpretation of the UHM Code of Student Conduct, which is designed for students who are on campus and takes no account for overseas learning. I feel I need to apprise you of a number of things relating to Study Abroad, student behavior, grounds for expulsion from the Program, etc.

For your information, my office has also extensively consulted with Director Dee Uwono, Judicial affairs and
Assistant VC for Students Lori Ideta concerning this matter prior to contacting you. (Please see email, below)

At the same time, it may help you to appreciate the current situation if you know that there are precedents for doing this in cases where students violate the conditions of their Study Abroad contract (to which they are signatories). For example, there have been four such complete withdrawals that have occurred over the course of my twenty-three years as Director of the Study Abroad Center (e.g., in London for excessive drunkenness and completely unstable behavior; Paris for not showing up for classes or doing course work as well as prostituting; Florence for not living in allotted housing and potential police case; Spain - not living in program housing and not attending classes).

Each component of Study Abroad programming is well integrated and is solely related to advancing students’ academic goals by teaching them cognitive flexibility while studying abroad. Housing - specifically home stay - is also part of this advancement so that cross-cultural learning may be achieved. Additionally, living in the program allotted housing is critical in terms of potential liability for the university, should a student suffer any harm when living in unauthorized quarters. In the past, we have not accepted students into the program who have specified that they want to make their own living arrangements—again, due to safety and liability issues.

Study Abroad Center has the right to expel students from its program; this is done in only the most egregious cases, as you can see from the above, and with all due process after every other avenue has been explored. Unlike a student here at UH, for Study Abroad, “academic and conduct issues” cannot “be treated separately.” Behavioral violations go hand in hand with Academic violations in the case of Study Abroad, specifically because we are responsible and legally liable for the student outside the classroom as well as in the institution.

Secondly, we are not recommending to "withdraw" a student from the University due to "disciplinary reasons;" we are expelling the student only from the Study Abroad Program. At the same time, permitting the student to leave with “W’s” is a concession that will not impact the student’s overall GPA at UHM. Reporting grades will—and unfortunately this may then cause the student to be suspended from the university entirely. In that case, I will see that the student is directed to your office should this occur.

Third, as a way to move forward and to consider Study Abroad Center students overseas within the realm of UHM Student Conduct Code (as it stands, the policy is silent), I will bring this matter to the Mānoa Faculty Senate Committee on Student Affairs as their purview is Student Affairs so that they may weigh in on this matter. They are also charged with issues of registration/withdrawals and oversight of student judicial matters.

Fourth, the Council on Study Abroad will invite you to one of their meetings in Spring 2014 together with Judicial Affairs and the Assistant VC for Students to discuss this matter, so we may work cooperatively in the future. I certainly hope you will look more closely at the ramifications of what are student’s behavioral expectations while on a Study Abroad Program—again, both within and outside of the classroom and that you will come to understand the responsibilities and liabilities under which we operate.

Finally then, rest assured, my office always treats students "fairly and with respect," and follows "University policy and procedures” indeed.

Sarita

Lori Ideta

to me, Lei, Allison, Dee

Aloha e Sarita: I hope this note finds you well.
Yesterday, I received a telephone message note from my staff that Allison had called inquiring how she could go about withdrawing a student for disciplinary reasons. Today, I left a voicemail for Allison explaining that only the Office of Judicial Affairs and the Office of the Vice Chancellor for Students have the authority to withdraw a student from the University due to disciplinary reasons. If the student was being withdrawn for disciplinary reasons, one of our offices would have had to adjudicate the case with suspension or dismissal from the University as the outcome.

If your program is withdrawing the student due to the program's purview, then you would need to initiate that type of withdrawal. I am not certain how this would be enacted as I am not familiar with your programmatic structure. The Faculty Senate does not have the authority to withdraw a student from the University. Perhaps you need to follow up with your administration on the process you would use to support the decision of the Study Abroad Center and the Council on Study Abroad?

Happy Thanksgiving to all!

Lori M. Ideta, Ed.D.  
Assistant Vice Chancellor & Dean of Students  
University of Hawai‘i at Manoa  
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Honolulu, Hawai‘i 96822  
808.956.3290 (telephone)  
808.956.3292 (FAX)

On Wed, Dec 4, 2013 at 1:59 PM, William Chismar <chismar@hawaii.edu> wrote:

Sarita:

My staff and I have looked into this problem, including consultations with Judicial Affairs, the Dean of Students, and the VC for Students. I understand that the student violated SAC policy by moving out of SAC approved housing and other potential misconduct. Unfortunately, there is no way to withdraw a student from courses based on this conduct.

Students participating in study abroad are UHM students subject to the UHM student code of conduct—and, possibly, any codes of conduct from the institutions they are visiting—and afforded prescribed due process when accused of violation of that code. Immediate action can be taken to remove a student who poses a threat to others, which I assume, is not the case with this student. In addition, academic and conduct issues must be treated separately; we cannot academically penalize or withhold grades from a student because of misconduct. Students who complete the academic requirements of a course must be given grades based solely on their academic performance.

Accordingly, SAC cannot programmatically or administratively withdraw students from courses and Outreach College will be taking no action against this student. If you believe the student's misconduct violates the UHM student code of conduct, the specified procedures for due process must be followed, and I strongly recommend you do so. But, be aware, that after a quick review of this case, Judicial Affairs does not believe this student violated the student code of conduct. Nevertheless, if the student violated SAC policy, SAC can prohibit the student from participating in future study abroad programs.

I'm sure you are not satisfied with this finding, but you must remember that we need to treat students fairly and with respect, which means following university policy and procedures.

Please contact me if you have additional questions.

- Bill
On Dec 3, 2013, at 4:33 PM, Sarita Rai <sarita@hawaii.edu> wrote:

Dear Bill:

I am writing to you on an urgent matter to request your assistance in withdrawing a Study Abroad Student registered in study abroad sponsored classes through Outreach College. The withdrawal would result in "W's".

The Study Abroad Center (SAC) and the Council on Study Abroad, in accordance with our expulsion policy have expelled Mxxxx, student ID # xxxx-xxxx from the Fall 2013 Delhi Study Abroad Program on November 24, 2013.

This is SAC programmatic / administrative expulsion for non-compliance of Study Abroad policy. Please note that this is not a University expulsion.

I ask for you cooperation to limit UH's exposure to legal liability. The student has moved out of UHM SAC authorized housing and violated SAC rules of conduct in multiple instances.

Thank you for your assistance in this urgent matter. Please call me if you have any questions. I have also copied this e-mail to Professors John Casken and Mimi Sharma, Chair and Co-Chairs of the Council on Study Abroad.

Sincerely,
Sarita

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Sarita Rai, Ph.D.
Director
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Study Abroad Center

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