



Waiver for Modifications to Investigations and Hearings for One-Party Cases to Meet Social Distancing Restrictions

To protect the safety of students and campus personnel from the novel coronavirus and COVID19 outbreak, Howard University has followed the guidance of government and public health leaders to reduce density and in-person interactions on its campus. Under these unprecedented circumstances, we are temporarily modifying certain policies and procedures to our student conduct and investigations process that may not be contemplated in our HU Student Code of Conduct.

The purpose of the waiver is to allow Howard University and our students the opportunity to move forward with the process efficiently and safely. The institution requests confirmation of these minor and temporary modifications to the HU Student Code of Conduct to ensure that there is a clear understanding of what has changed and what remains the same. The institution will not negotiate elements of these modifications individually with students or advisors.

The Office of Student Conduct & Community Standards (OSC) is committed to providing all students with a fair and impartial investigation and adjudication of conduct violations. While some elements of the disciplinary process may benefit from the physical presence of accused students, witnesses, and campus personnel in resolving the matter, we have concluded that in most cases, the lack of physical presence does not impact the fundamental fairness of this process. Other elements, such as mandatory timelines for resolving cases, may also be impracticable under the present circumstances.

Howard University also recognizes that it is in the interest of respondents and the institution to resolve open cases thoroughly and expeditiously. Without this waiver, cases may need to be held over until the Fall 2020 semester or later before they can be closed, which may impact your education or the ability of the University to reimburse lost expenses once a new semester is undertaken.

The Waiver is meant to help students move forward to address accusations in a way that allows them to take responsibility or demonstrate that they are not responsible, remove transcript holds, enable them to register for courses or graduate and otherwise obtain finality and closure in these cases.

HOW DOES THIS WAIVER IMPACT MY CASE?

All relevant procedures in the HU Student Code of Conduct will continue to apply to your conduct case. The only changes you agree to through this waiver are specifically indicated as follows:



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TIMELINES: The institution will be flexible with time frames and, unless there is a clear reason or abuse of the process, will generally consider all requests for extensions. Unless otherwise indicated in this Waiver, all conduct matters will be resolved promptly and reasonably under the circumstances, but specific timelines indicated in the HU Student Code of Conduct are waived for your case(s). Please see attached OSC correspondence.

The institution will endeavor to prioritize cases where the student has an OSC hold for the Fall 2020 semester. If a case is in process, and the student is participating in good faith, the student may request a modification of the OSC hold with the Registrar's Office to allow for registration. This does not include OSC holds placed due to Early Action Suspension Hearings (EASH).

PROCESS: Any in-person meeting or hearing to which a student is eligible or required to attend will be conducted via audio or video conferencing on Zoom or Microsoft Teams. The OSC will send a proposed time for the student to accept and confirm. The OSC will work with you on challenges to participation involving access to technology to ensure, to the best of its ability, that you can participate in the process. Any requests for technological accommodations based on a disclosed disability must be conveyed to OSC before these meetings.

SUBMISSION OF EVIDENCE: The institution will provide access to reviewing documents, photographs, videos, and other evidence related to the case via email. Any evidence in the student's possession that the student wishes to add to this account may be directly emailed to the Office of Student Conduct & Community Standards. **Students and their advisors may not copy or share information. Violations of the rules governing transmission and review of documents are separate conduct violations and may result in further disciplinary action and sanctions.**

ALL PHONE CALLS AND DIGITAL MEETINGS WILL BE RECORDED: The participating student and the institution agree that distance and digital communication make record keeping and note taking more difficult and, to ensure consistency and standards in the process, the institution will record all meetings, hearings, and calls. Recordings shall be a part of the student's record. The recordings remain the property of the Howard University and may contain personal information of the respondent and other students, so they cannot be shared with anyone. **Violations of the rules governing the review of recordings are a separate conduct violation and may result in further disciplinary action and sanctions.**



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SANCTIONS: Where appropriate, sanctions will be modified to include sanctions that a student can complete at home, such as digital educational modules and community service that may be conducted at a distance. Students will not be required by the institution to complete in-person community service that could put the student, the location of the service, or any other party at a health or safety risk. The institution will, as a matter of course, modify any sanction upon reasonable request to either extend the time of completion of the sanction to a time in which the public health risks have passed or to select another method of community service that does not require in-person contact.

HOW DO I AGREE TO THIS WAIVER?

You agree to this Waiver by replying and sending an email with the statement “**I agree to this waiver**” from your Bison email account. The new standards above will then be binding upon the Institution and all participants in the process.

WHAT HAPPENS IF I DO NOT AGREE TO THIS WAIVER?

As indicated above, all relevant policies and procedures applicable to your case under the HU Student Code of Conduct will remain in effect. This means that, under some circumstances, the Office of Student Conduct will not be able to adjudicate and complete your case until the Fall 2020 semester or later when we anticipate that students and campus personnel will physically return to campus. Depending on your circumstances, you may be **unable to register for classes, lift a transcript hold, or graduate without resolving your conduct case.**

WHO CAN ANSWER QUESTIONS ABOUT THIS WAIVER?

Our staff remains available to answer any questions you have about the conduct process and this waiver. Please contact **Mrs. Lawan Lanier-Smith** at lawan.laniersmith@howard.edu.