

Compliance with COVID-19 campus protocols: message from the Office of Wellness and Community Responsibility

August 28, 2020

To all employees:

Please see the message below from the **Office of Wellness and Community Responsibility (OWCR)** regarding guidelines for ensuring compliance with the University's various policies and procedures to ensure the safety of our entire campus community.

Greetings,

As we prepare to return to the classroom I would like to acknowledge how well Summer B went regarding compliance in face-to-face learning. OWCR did not receive any complaints from faculty, staff or students regarding non compliance and we are thankful to our community members for doing their part to keep everyone safe.

That being said, I would like to address questions that have been voiced regarding the enforcement of new rules and regulations for members of our community as students and employees begin a slow and phased return to campus. The Office of Wellness and Community Responsibility (OWCR) recognizes that many of you are wondering what tools we have at our disposal to ensure compliance and if it is necessary to make changes to the Code of Community Responsibility (the Code) to hold students accountable.

First and foremost, please be assured that **as the Code stands, all the tools we need are currently in place to address any student behavioral issues that arise related to the University's COVID-19 response.**

The practice of the OWCR is to always try to resolve conflict at the lowest possible level. Ideally this means that we address conflict with the parties in conflict without utilizing our administrative tools. Frequently we find that these conflicts stem from misunderstandings, assumptions of bad faith and a lack of understanding of perspectives.

Based on our experience in working with similar concerns, OWCR will approach the challenges of reopening and compliance using the assumption that we are all acting in good faith and doing the best we can. We hope that the entire community will do the same; hold one another accountable and be willing to be held to account.

If one of us sees a community member who is not following the University's requirements -- which will include new routes of movement, check-ins, wearing face coverings, specified entrances and exits -- let us assume that the community member has simply made an error and politely point them to the correct new practice. Let us also agree that we ourselves may make errors in adopting new practices and that we will count on our fellow community members to help us comply. There will also be staff -- at building check-in desks as well as "ambassadors" who will be located throughout campus -- who will be available to remind individuals about correct practices.

Willful non-compliance is a different issue and requires different interventions. The most frequent question that we have heard from faculty members is "What should I do if someone refuses to wear a face covering in the classroom?". Our answer is this: Do not conduct that class session, just as you would not conduct a class in any unsafe environment.

We also suggest that you communicate the same operating procedure to the support staff that you work with. No one should be expected to provide service to any community member who is not in compliance.

Communicate to your classes, before in-person sessions resume, that classes will not be held in an unsafe environment and make clear to them what their responsibility will be regarding course content that can not be delivered due to an issue of non-compliance. We hope that the social pressure from one's classmates to comply will be sufficient to encourage compliance. If, however, a student fails to comply and a session is cancelled, we will then turn to the Code to address the issue.

There are three violations in the above scenario that might be addressed. They are:

Disruptive Conduct

Actions that impair, interfere with, or obstruct the normal operations of the University and/or interfere with the rights of other members of the University community or visitors. This includes intentional occupation of or blocking the entry or exit of University facilities, including but not limited to, buildings, classrooms, offices, hallways, entryways, conference rooms and campus grounds.

Actions that impair, interfere with, or obstruct the orderly conduct, processes and functions within the university community.

Failure to Comply

Failure to comply with a lawful order or directive of a University official, in the performance of his/her duty.

Other Violations

Violation of any other published or posted University regulations not specifically mentioned in this Section, including, but not limited to:

- [Board Policy Manual\(s\)](#);
- [Guide to Campus Living](#);
- [Housing Contracts](#);
- [Student Handbook](#);
- [Course Syllabi](#)

In this situation the OWCR would charge the student and compel them to meet with us. Our goal will be to resolve the situation and ensure future compliance through administrative and secondary action plans.

The OWCR also believes that it would be appropriate for the instructor to make classroom removal procedure by following this protocol:

Removal of Students from the Classroom (pending investigation)

There may be occasions where a student's behavior warrants removal from the classroom/online course while a potential Student Conduct Code violation is being investigated. In such situations, Instructors must submit an OWCR Incident Report online and select the option indicating they are requesting to have a student removed from the class and immediately notify the Department Head/School Director of the report. OWCR and the Assistant Vice President of Student Affairs will perform an appropriate investigation and make a final determination as to the student's return and/or permanent removal from a class and/or the campus as a result of conduct code violations and sanctioning.

Should we be forced to remove the student, the matter will be resolved either through the Community Responsibility Review or through a formal hearing. If the student accepts responsibility or is found to be responsible for a violation that has endangered the community, that student may be put on a probationary plan that will include a separation from the University should any further infractions regarding COVID-19 compliance occur.

In summary:

- Instructors should immediately end any class session if students are non compliant.
- Instructors should report all violations to the OWCR.
- Incident reports should be filed using our [online reporting system](#).
- Students will be charged under existing Code violations.
- Instructors may use the Classroom Removal procedure to prevent the students' return pending a resolution.
- Students may receive both probation and deferred suspension as part of this resolution.
- Future incidents may result in a separation from the University.

I would like to reiterate my sincere hope that we can all hold one another accountable for keeping our community safe. I strongly believe that most community members will adhere to the new COVID-19 rules. At the same time, as a University we are well positioned to address the behavior of any community members who choose not to.

We at the OWCR would like to remind the community that we are always at your disposal as consultants on behavioral issues and concerns. We are happy to help you to strategize in your approach to creating a safe learning and teaching environment that meets both you and your student's educational needs. Please visit our [website](#), and we may be reached at emu_owcr@emich.edu.

Respectfully yours,

Sean Woolf
Associate Director, Office of Wellness and Community Responsibility