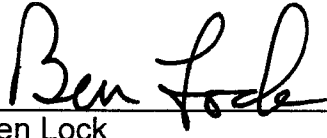


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I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on May 14-15, 2015.

  
\_\_\_\_\_  
Ben Lock  
Secretary

SEAL

[Reviewed: July 20, 2012 April x, 2015]



## Angelo State University Operating Policy and Procedure

### OP 06.02: Academic Workload Calculation

**DATE:** May 14, 2010 (Upon Approval by the Board of Regents, TTUS)

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish rules for calculating the statutory workload of faculty in order to comply with Section 51.402 of the Texas Education Code. This OP is a mechanism for ensuring that each faculty member meets the statutory teaching load minimum.

**REVIEW:** This OP will be reviewed in June-October of even-numbered every three years, or as needed, by the Office of the Provost vice provost for academic affairs and Faculty Senate with recommended revisions forwarded through presented to the provost and vice president for academic affairs (PVPAA) by July 31 to the president by December 1. This policy may be amended only by action of the Board of Regents of the Texas Tech University System.

### POLICY/PROCEDURE

The following faculty academic workload rules and regulations at Angelo State University are designed to support the mission of the university.

1. The workload of faculty members encompasses a variety of teaching, research, and service activities. Teaching load, the number of credit hours taught or equivalent duties assigned to a faculty member, is but one aspect of faculty workload. In carrying out their responsibility to distribute workload, department chairs and deans must assign teaching loads so that:
  - a. Overall workloads are distributed as equitably as possible and in a fashion that is consistent with the unit's mission;
  - b. The university meets its instructional obligations for both undergraduate and graduate programs;
  - c. Each faculty member meets statutory minimum teaching load requirements; and
  - d. Faculty participation in service and the performance of other approved major responsibilities is accommodated.
2. In compliance with Section 51.402 of the Texas Education Code, the minimum teaching load for faculty members paid 100 percent from funds appropriated for instructional purposes is equivalent to 24 semester credit hours of instruction in organized undergraduate and/or graduate classes each nine-month academic year. For purposes of this document, 24 semester credit hours of organized undergraduate and/or graduate instruction equals 24 hours of teaching load credit.

[Reviewed: July 20, 2012 April x, 2015]

3. For faculty members with less than full-time appointments from funds appropriated for instructional purposes, the minimum teaching load is proportionally less. Normally, courses compensated outside regular faculty salary are not counted as part of a faculty member's minimum teaching load.
4. A reduced teaching load may be granted if classes do not materialize because of insufficient enrollment and when additional classes or equivalent academic work cannot be assigned to the faculty member. This exception will not be made for any particular faculty member in successive years. A faculty member granted a reduced teaching load under this provision may be assigned a corresponding increase in teaching load during the following long semester.
5. A reduced teaching load may be granted for a faculty member who has an administrative assignment such as chair of a department, head of a comparable administrative unit, or coordinator of special programs or multi-section courses.
6. A reduced teaching load may be granted when a faculty member has taught a load in excess of the normal requirements during the previous long-term semester. Such reduction in teaching load shall not exceed the previous overload taught by the faculty member.
7. A reduced teaching load may be granted for significant temporary academic administrative responsibilities relating to the institution as a whole.
8. The responsibility for assigning teaching duties rests with department chairs and deans. The Office of the Provost and Vice President for Academic Affairs monitors these assignments for compliance and equity and provides appropriate reports in accordance with state requirements and the *Regents' Rules*.
9. In calculating teaching load, the equivalencies in the following section will be applied. Normally, a faculty member paid by funds appropriated for instructional purposes will comply with the statutory teaching load requirement by serving as the instructor of record for the equivalent of 24 semester credit hours in organized undergraduate and/or graduate classes in an academic year. In no case, however, will a faculty member paid full-time from funds appropriated for instructional purposes teach fewer than the equivalent of 12 semester credit hours in organized undergraduate and/or graduate classes in an academic year without the approval of the provost and vice president for academic affairs.
10. Equivalencies
  - a. One semester credit hour of organized graduate instruction in a class of five or more students is equated to 1.5 semester credit hours of organized undergraduate instruction. Exceptions may be granted with approval of the department chair, dean of the college, and PVPA. The appropriate department chair will notify faculty when an exception is under consideration.
  - b. Teaching load credit for master's thesis direction by graduate student committee chairpersons shall be granted on an accumulative basis of .10 of the thesis research semester credit hours that master's students have successfully completed.



[Reviewed: ~~July 20, 2012~~ April x, 2015]

- c. One semester credit hour of teaching in a large class (above 100) that requires extensive grading and written work may be equated to **1.5** teaching load credits. This adjustment requires the -written approval of the dean of the college.
- d. Three contact hours in laboratory, studio art, and individual private music courses are equivalent to **two** teaching load credits.
- e. One class contact hour of laboratory or discussion section teaching (e.g., science laboratories and classes subject to minimum student enrollment requirements) in courses scheduled to meet more hours per week than the semester credit hour designation of the course is equivalent to **.67** teaching load credits. If a course is a combined lecture/laboratory class that includes a laboratory for which no separate registration is required, the load credit will be assigned in the same manner as specified in this policy for lecture classes and laboratories.
- f. Three contact hours of teaching a major ensemble are equivalent to **3** teaching load credits. Three contact hours of teaching a minor ensemble are equivalent to **2** teaching load credits.
- g. Supervision of 18 student teachers is equivalent to **12** teaching load credits.
- h. ~~One class contact hour of intern supervision or practica supervision in a class of 9 or more candidates is equivalent to 1.5 teaching load credits.~~
- ~~h.~~ One contact hour of direct or ~~precepted~~ undergraduate clinical supervision is equivalent to **.67** teaching load credits. Minimum student enrollment requirements are not applicable.
- i. One teaching load credit will be granted for every 50 clock hours of precepted undergraduate or graduate clinical supervision. Minimum student enrollment requirements are not applicable.
- j. Two class contact hours in physical activity classes are equal to **one** teaching load credit.
- k. Teaching load credit may be granted for a faculty member who is a department chair, director or head of a comparable unit, up to a maximum of **six** hours of teaching load credit per semester.
- l. Up to three teaching load credits per semester may be granted, with prior approval of the college dean, to faculty members for significant administrative responsibilities and for other non-teaching academic service to the department.
- m. With appropriate approval, extramural funds may be used on a prorated basis of a faculty member's salary to reduce his or her teaching load.
- n. With the approval of the president, limited teaching load credit may be granted to carry out major responsibilities, not covered above, that are performed in the best interest of the institution's instructional programs as determined by the president. Teaching load credit granted by the president of the university for such purposes is limited to one percent of the total semester credit hours taught at the university during the previous year.

## ANGELO STATE UNIVERSITY Holiday Schedule for 2015-2016

	DATE	DAY OF WEEK	HOLIDAY
<b>2015</b>	Sep 7	Monday	Labor Day
	Nov 26	Thursday	Thanksgiving Day
	Nov 27	Friday	Thanksgiving Day
	Dec 24	Thursday	Winter Holiday
	Dec 25	Friday	Winter Holiday
	Dec 28	Monday	Winter Holiday
	Dec 29	Tuesday	Winter Holiday
	Dec 30	Wednesday	Winter Holiday
	Dec 31	Thursday	Winter Holiday
<b>2016</b>	Jan 1	Friday	New Years
	Jan 18	Monday	Martin Luther King Day
	Mar 25	Friday	Spring Holiday
	May 30	Monday	Memorial Day
	July 4	Monday	Independence Day
<b>TOTAL ALLOWABLE HOLIDAYS</b>			<b>14</b>

NOTE: University employees who wish to observe Rash Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday may do so, but must use their vacation leave.

State law provides for seventeen (17) state holidays in FY 2016. In FY 2016, three (3) holidays fall on weekends and cannot be substituted for other regular working days. The result is fourteen (14) observable holidays for FY 2016.

## ANGELO STATE UNIVERSITY TRAFFIC AND PARKING REGULATIONS 20154-20165

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The Board of Regents of the Texas Tech University System, in accordance with V.T.C.A., *Education Code*, Section 51.202, is authorized to promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other property of Angelo State University.

In addition to these Angelo State University Traffic and Parking Regulations, V.T.C.A., *Education Code*, Section 51.201, provides that: "All of the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state," and all persons are responsible for compliance with these laws. Angelo State University personnel who are commissioned as peace officers by the Board of Regents of the Texas Tech University System are vested with all of the powers, privileges and immunities of peace officers in the enforcement of these regulations and the general and criminal laws of the State of Texas.

The use of a motor vehicle on the Angelo State University campus is a privilege, and the university is not obligated to furnish parking space to accommodate all vehicles. However, the university will attempt to provide a reasonable number of parking spaces in keeping with resources and available sites.

The university will make every reasonable effort to render protection to vehicles parked on campus, but cannot assume the responsibility for any damages or losses. The university recommends that you properly secure your vehicle and any valuables contained therein. The university holds each operator responsible for the proper registration and use of his or her vehicle.

Pursuant to V.T.C.A., *Education Code*, Section 51.202, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.00.

These regulations apply to all persons who operate vehicles on university property. Repeated violations of these regulations or the failure of faculty, staff, or students to respond to a violation citation may result in appropriate disciplinary or other action in accordance with the *Regents' Rules*.

The university further reserves the right to close or re-zone lots due to construction, traffic congestion and special events. All changes will be made available through the Parking Services Web page <http://www.angelo.edu/parking> or can be obtained upon request from the University Police Department and/or Parking Services Office. All reasonable means shall be used to alert the campus community in advance to lot closures or re-zoning. The Traffic and Parking Regulations are a publication of Angelo State University. Its purpose is to provide students with general information regarding the policies, rules, and regulations concerning traffic and parking. The policies, rules, and regulations contained in the regulations are subject to change at any time without notice. Students are expected to be familiar with the regulations contained herein and to conduct themselves in a manner consistent with them.

Parking Services is located at 1825 South Johnson in the West Office annex complex. For phone or e-mail inquiries, please call (325) 486-6435 or e-mail your question to [parking@angelo.edu](mailto:parking@angelo.edu).

Angelo State University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, and sex. These rules and regulations shall be reviewed to ensure their viability and continued adherence to the university's goals and mission.

- I. **Definitions** – for the purpose of this document, the following definitions are used:
- A. **"Campus"** is all lands owned, managed, or otherwise controlled by the university, herein called "Angelo State University."
  - B. **"Impoundment"** refers to the actual towing of a vehicle or immobilizing a vehicle by means of an "Auto-Boot."
  - C. **"Visitor"** is an individual with no official connection with Angelo State University as a student, faculty member, or staff member.
  - D. **"Valid Parking Space"** is an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.
  - E. **"Vehicle"** is a device used for transporting people or goods, such as a car, truck or motorcycle but is not limited to these descriptive terms.
  - F. **"Non-university Employees"** are individuals working on campus for entities with term contracts with the university (excluding construction) and are not considered university faculty or staff, (i.e., bookstore, food service, bank services).
  - G. **"General Use"** parking lots marked "A/B/C" are designated as general use lots. Anyone with a valid ASU parking permit may park in these lots at any time.
  - H. **"Reserved"** is any parking space or area, permanent or temporary that either requires a special permit or is otherwise marked. Examples would include, but not be limited to, "D" zones, visitor spaces, disabled spaces, service or maintenance spaces.
  - I. **"Alternative Fuel Vehicle"** is any vehicle that runs on a fuel other than "traditional" petroleum fuels (gasoline or diesel). This would include electric, hybrid electric & flex-fuel vehicles. The United States Department of Energy officially recognizes the following as alternative fuels: biodiesel, electricity, ethanol, hydrogen, natural gas & propane. Ethanol blends must be 15% or greater to be considered an alternative fuel.

II. **Angelo State University Police Department**

- A. Angelo State University police officers are duly commissioned peace officers of the State of Texas. Upon request of a university police officer, any person on the campus is required to provide proper identification.
- B. All thefts, accidents, or other offenses that occur on campus should be immediately reported to the University Police Department. One-vehicle accidents and inoperable vehicles must be promptly reported. Keys or valuables should not be left in vehicles while parked on campus. ALWAYS KEEP YOUR VEHICLE LOCKED. The majority of property loss in vehicles can be traced back to an unlocked vehicle.
- C. Angelo State University is concerned about the protection of persons and property and places a high priority on Traffic and Parking Regulations in striving to maintain a safe environment for students, faculty, staff, and visitors. The university, however, cannot guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility.
- D. University Police enforce speed limits on campus and adjacent public streets using RADAR and/or LIDAR. Appropriate citations are issued to speeding violators.
- E. *V.T.C.A., Penal Code*, Section 46.03, provides that a person commits a felony offense, if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.

### III. Vehicle Regulations

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Angelo State community must obtain and display, in his or her name, a vehicle registration permit. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member, or is not a member of that person's immediate family. Violation of the Traffic and Parking Regulations is prohibited by the *Student Handbook* and Angelo State University policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty member, staff member or student MUST display a state issued placard or license plate as well as a university parking permit.
- B. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus. Valid parking permits are required regardless of the number of hours for which a student may be enrolled.
- C. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus.
- D. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student permit in addition to the faculty/staff permit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student permit must be parked in the designated student parking area and not in a faculty/staff parking area.
- E. A faculty/staff permit is to be used by the registering faculty or staff member only, and its use is not transferrable to another person for any reason. If your vehicle is being repaired or is inoperable, you may transfer your hang tag to the vehicle you will be driving temporarily or obtain a temporary permit from the University Police Department.
- F. Any person giving false information when registering a vehicle is subject to the appropriate disciplinary action and revocation of their motor vehicle registration permit and related parking privileges.
- G. Angelo State University issues the following parking permits:
  - 1. "A" zone - All faculty and regular staff employees
  - 2. "B" zone - Commuters (all students living off campus in non-university-owned housing)
  - 3. "C" zone - Residence hall students (all students living on campus in university residence halls)
  - 4. "D" zone - Reserved parking (commuter students with special permits only) includes:
    - a. Academic Building (Upper Lot P-39), permits marked 39 only.
    - b. Carr Education-Fine Arts Building (Lot P-42b), permits marked 42 only.
    - c. "General Use" Lots (lots marked A/B/C)Vehicles found illegally parked in a reserved parking lot shall be subject to immediate towing at the owner's expense.
  - 5. "S" zone - Special vendor parking or contracted parking.

6. **"Temporary"** - Permits may be issued for:
- a. Students enrolled in the Extended Studies Program. ("B" zone parking only)
  - b. Trailers to park in designated areas as established by the University Police Department only after obtaining permission.
  - c. Special disability situations that are limited to individuals with temporary disabilities who are not eligible to park in handicapped spaces. Special disability parking permits are valid only on university property and shall not exceed two weeks in duration. Individuals seeking a temporary disabled permit beyond two weeks must provide a written doctor's excuse.
  - d. Special circumstances as deemed necessary by the parking services manager and/or the chief of university police.
  - e. All temporary or special permits may be obtained at the Parking Services Office.
- H. All permits are for the exclusive use of the registrant. Permits may not be sold, exchanged, given away or purchased from any person or agency other than Angelo State University.
- I. Misuse of a permit could result in it being confiscated, parking privileges being revoked and appropriate fines assessed. Students suspected of misusing their permit or parking privileges, may be referred to the Student Life office for disciplinary action.
- J. Permits remain the property of Angelo State University and may be recalled at any time.
- K. Any expired Angelo State University parking permits must be removed from the motor vehicle(s) prior to use of the current year permit.
- L. Lost or stolen permits should be reported as soon as possible to the Parking Services Office or the University Police Department. The recovery of a lost or stolen permit ~~should~~ must be immediately reported to the University Police Department.
- M. A \$5 fee will be charged for each replacement permit.
- N. Upon termination of employment, an employee's parking privileges are revoked. The faculty/staff permit must be returned to the Parking Services Office or to the Office of Human Resources at the time of his/her exit interview.
- O. With the exception of ASU maintenance and emergency vehicles, motor vehicles may only be parked in the designated parking areas and are prohibited at all times from being parked on the turf, sidewalks, pedestrian traffic zones or any other place not clearly designated for parking. Motorcycles shall park in designated motorcycle parking areas if available. If no space is available, motorcycles may park in any available space within the appropriate zone.
- P. Anyone who changes permit status or vehicles, must on the following class day, update the information at the Parking Services Office.
- Q. Scooters that are not required by state law to obtain vehicle registration and inspection stickers are not required to obtain a parking permit and are not allowed to park in motorcycle or vehicle parking spaces. Individuals operating scooters on campus must adhere to the regulations pertaining to bicycle use.

- R. Trailers must be registered with the Parking Services Office, before they may be parked on the campus. A temporary permit may be issued on a space available basis without charge for a period not to exceed two weeks. Trailer permits for periods to exceed two weeks shall be on a space available basis at the rate established for second vehicles. Trailer parking, if approved, will be limited to a specific area as designated by the University Police Department.
- S. Permits are not issued for mobile homes or for mobile units in which overnight accommodations are intended.

#### IV. Vehicle Registration

- A. Permits are issued for a full academic year (August to August) or on a semester basis.

Vehicle registration fees are as follows:

##### **Fulltime Faculty/Staff "A" Zone and Non-University Employees**

Permits must be paid in person at Parking Services and are non-refundable. Full Year Permit (per vehicle) may be deducted from university employees' paychecks at a monthly rate.

For two vehicle pricing, permits must be purchased at same time.

Single or Two Vehicle(s)	
Single Permit (August – August)	\$90.00
Two Vehicles (August-August)	\$144.00

##### **Part Time /Temporary/Casual Employees "A" Zone and Non-University Employees**

Monthly Permit- Must be paid in person at Parking Services. Non-refundable.

Automobiles or Motorcycles	
Monthly Permit (Rate based on months employed)	\$5.00

##### **Commuter Students "B" Zones**

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$90.00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$80.00
Spring Semester Only (January-May)	\$50.00
Summer Semester Only (May-August)	\$50.00

##### **Residential Students "C" Zones**

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$90.00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$80.00
Spring Semester Only (January-May)	\$50.00
Summer Semester(s) Only (May-August)	\$50.00

### **Student Reserved Parking "D" Zones**

Academic Upper Lot (P-39) only -

Carr EFA Lot (P-42b) only -

"General Use" A/B/C Zones included

Automobiles or Motorcycles	
Flat Fee (per vehicle)	\$120

### **Student Two Vehicle Permits**

For two vehicle pricing, permits must be purchased at same time.

#### **Reserved "D" Zones Not Offered in Combination**

Two Vehicles	
Fall Yearly (August – August)	\$150.00
Fall Semester Only (August-December)	\$80.00
Spring/Summer (January-August)	\$130.00
Spring Semester Only (January-May)	\$80.00
Summer Semester(s) Only (May-August)	\$80.00

#### **B. Additional or Replacement Permits**

**Students/Faculty/Staff additional permits are priced the same as applicable permits.  
Replacement or lost permits are \$5.00.**

- Faculty/Staff and Non-University Employees

Lost or stolen "A" zone permits must be reported immediately to the University Police Department.

- Students

Window decal parking permits are not transferable to another vehicle. Decal permit holders, wishing to transfer a permit to another vehicle or make zone changes, must scrape off the current decal and present it to the Parking Services Office at the time of the requested change. Failure to present the scraped current decal will result in a replacement fee being assessed. Hang tags, if applicable, are transferable to another vehicle operated by the student only. Lost or stolen hang tags will result in an appropriate replacement fee being assessed.

Anyone wishing to exchange a permit must surrender the old permit. A \$5.00 administrative fee will be assessed for any permits being exchanged.

#### **C. Refunds**

1. Withdrawing students may be eligible for a refund in accordance with current academic catalog refund policies. Refunds may only be given for the semester in which the permit was purchased and if the unused permit is returned. No other refunds will be honored.
2. A request for a refund will not be honored when a person's privilege to park on campus has been suspended or other debts remain unpaid.



3. The following chart details the university refunds policy:

Refunds Fall and Spring Semester	
Prior to the first class day	100%
During the 1st, 2nd, 3rd, 4th and 5th class days	80%
During the 6th, 7th, 8th, 9th and 10th class days	70%
During the 11th, 12th, 13th, 14th and 15th class days	50%
During the 16th, 17th, 18th, 19th and 20th class days	25%
After the 20th class day	0%

Refunds Summer Semester	
Prior to the first class day	100%
During the first class day	80%
During the second class day	50%
After the third class day and thereafter	0%

## V. Permit Regulations

- A. All faculty and staff parking or standing a motor vehicle on campus shall have a valid "A" zone permit displayed at all times. A student working part time for the university is not eligible for an "A" zone permit and shall have a valid student parking permit displayed at all times while parked on campus. Graduate students do not qualify as faculty. Teaching Assistants may be issued a temporary "A" zone permit on a semester-by-semester basis. Teaching Assistants must have their instructor submit a written request to the Parking Services Office and purchase a student permit to obtain a temporary A permit.
  1. Hang tag parking permits may be used on any vehicle driven by the person to whom the permit is issued; however, it is a violation to loan a permit to another person to be used in any manner.
  2. A permit holder is responsible for any parking violations incurred if someone else is using their permit. It is a violation to allow someone else to use a permit not issued to him/her. Such violators may also be charged with unauthorized use of a parking permit. Both parties involved are subject to being charged with this violation.
  3. Any and all old or invalid ASU parking permits shall be removed from vehicles being operated or parked on campus.
- B. Parking permits shall be displayed as follows:
  1. **Faculty/Staff – hang tags**
    - A. Hang tags shall be displayed unobstructed, on rearview mirror with front side facing windshield. Permit number and parking zone must be clearly visible from outside the front of the vehicle in order for permit to be valid.
    - B. Faculty/Staff driving convertible type vehicles may obtain a motorcycle decal to place on the front windshield above the vehicle registration/ safety inspection sticker(s).

2. **Students** – window decals and/or hang tags

- A. Window decals shall be permanently affixed to the driver's side, lower left outside portion of the front windshield. It must be affixed in a manner as to not interfere with the visibility of the state registration and/or inspection sticker.
- B. Students driving convertible type vehicles may obtain a motorcycle decal to place on the front windshield above the vehicle registration/ safety inspection sticker(s).
- C. Hang tags, shall be displayed unobstructed, on rearview mirror with front side facing windshield. Permit number and parking zone must be clearly visible from outside the front of the vehicle in order for permit to be valid.

3. **Motorcycles** - window decals

Shall be affixed to the yoke, windshield or other conspicuous place.

All parking permits shall be visible and easily read from the front/rear of the vehicle, where applicable, to be considered valid.

**VI. Parking Zones**

- A. Faculty, staff, and students **MUST** have a valid university parking permit displayed to park on campus. Failure to display a permit in accordance with these rules will result in a parking citation.
- B. Faculty and staff employees will park in areas designated as "A" zone.
- C. Commuting students will park in "B" zone.
- D. Students living in all campus housing shall park in "C" zone specific lots.
- E. Students purchasing a "D" reserved zone permit must park in the lot number specified on the permit or in any General Use zone on campus. They may **NOT** park in the other reserved lots or "B" zones.
- F. **PARKING IN A RESERVED "D" ZONE WITHOUT THE PROPER VALID "D" ZONE PERMIT MAY RESULT IN A CITATION BEING ISSUED AND/OR A VEHICLE BEING TOWED AT THE OWNER'S EXPENSE.**
- G. "A" and "C" zones are in effect and enforced between 7:30 a.m. and 4:30 p.m., Monday through Friday. After 4:30 p.m., "A" and "C" zones are open for general use, unless otherwise specified.
- H. "B" and "D" zones are in effect and enforced from 7:30 a.m. to 1:00 p.m., Monday through Friday. After 1:00 p.m., "B" and "D" zones are open for general use with a valid parking permit.
- I. "A/B/C/D" zones are "general use" parking lots. Any person having a valid campus parking permit may park in general use lots. These lots are open and have no restricted times, unless otherwise specified.
- J. Faculty, staff, and students with a valid parking permit may park in any zone when the parking regulations specified above are not in effect. A valid parking permit is required whenever any vehicle is parked on campus. Students must have an appropriate, valid parking permit anytime they are attending afternoon or evening classes or any other university function requiring parking.

- K. Disabled or handicapped individuals must display a valid approved State of Texas permit on their motor vehicle to legally park in a designated handicapped parking space. This special permit must be obtained at the County Tax Assessor's Office. This permit must be displayed in conjunction with a valid ASU parking permit. In accordance with *V.T.C.A, Transportation Code*, Section 681.008, disabled veterans with valid State of Texas Disabled Veteran license plates may park in designated handicapped spaces without displaying a valid university parking permit. The Parking Services Office is authorized to issue temporary disabled permits, which allow for parking in disabled spaces on campus. **Such permits are only valid on the ASU campus.** Violation of this law may result in a Justice of the Peace citation or an ASU citation, at the officer's discretion.
- L. Faculty, staff, and students shall not park at any time in spaces designated for visitors.
- M. Motorcycles may be parked in designated Motorcycle Zones or in a valid parking space only within the appropriate parking lot.
- N. Vehicles must be parked, nose-first, in all parking spaces. **BACKING IN OR PULLING THROUGH A PARKING SPACE IS PROHIBITED ON CAMPUS.**
- O. All yellow curbs denote "NO PARKING ZONES."
- P. Spaces marked for "Alternative Fuel" vehicles are reserved for vehicles that meet the definition of alternative fuel. Vehicle parking in these spaces must also abide by the lot zone designation. Currently these spaces are only available in lot P-13 and are zoned for "C" parking permit holders.

#### **VII. Parking areas for visitors**

- A. Visitors must obtain and display a proper visitor's pass when parked on campus. Visitor's parking passes are free and may be issued for up to six months. Visitor's passes may be issued and obtained at the Parking Services Office or the University Police Department.
- B. Guests of students residing in campus housing or apartments are permitted to park in "C" zones provided they have obtained a proper visitor's pass from the Parking Services Office.
- C. Visitors to the university residence halls and apartments may also be required at any time to identify themselves and specify the names and locations of students whom they are visiting.
- D. A university police officer may deny parking to any visitor and/or may require the visitor to leave the campus anytime it is believed his/her presence on campus is disruptive.

#### **VIII. Towing of vehicles**

- A. Any vehicle illegally parked on university property is subject to towing at the owner's expense.
- B. The university reserves the right to impound or have impounded any vehicle that is parked in a manner dangerous to vehicular or pedestrian traffic or in flagrant violation of university parking regulations. Any person receiving four or more unresolved citations shall be considered in flagrant violation of university parking regulations, and his or her vehicle may be impounded. If the need arises to impound a vehicle, a local independent wrecker service will be utilized. Charges for this service will be at the discretion of the wrecker operator, and the vehicle owner shall bear all costs associated with the impoundment.

- C. The university reserves the right to remove and impound an abandoned or disabled vehicle or any vehicle found on its property without a valid parking permit, an expired vehicle inspection sticker, or without valid license plates.
- D. A vehicle found to be disabled or not in working order for an extended period may be subject to towing at the owner's expense.
- E. The university reserves the right to attach an "auto cuff" to any vehicle illegally parked on campus. The driver of the vehicle will be advised by a temporary adhesive sign to report to the Parking Services Office for removal of the cuff. A fine of \$30.00 will be charged in addition to the scheduled violation fee(s). The cuff will not be removed until all fines have been paid. Vehicles remaining cuffed longer than 72 hours shall be towed from the campus at the owner's expense.
- F. Any vehicle found illegally parked in a designated student "reserved" parking lot shall be subject to immediate towing at the owner's expense.

#### **IX. General requirements**

- A. Each operator must possess a valid operator's license at the time a permit is issued. If a person's driving privileges are suspended, the permit immediately becomes null and void.
- B. Every person operating a vehicle on the Angelo State University campus is responsible for obeying all university rules and regulations, the City of San Angelo traffic ordinances, and the State of Texas laws regulating traffic and parking.
- C. In all cases in which a vehicle is parked, the position shall be such that the whole vehicle is within the boundaries of the parking space. The fact that other vehicles are parked improperly will not constitute an excuse for improper parking of any vehicle.
- D. Each operator of a vehicle must, upon request by a university police officer, display a valid operator's license. If the operator is a university student, he or she may also be required to present an Angelo State University I.D. card.
- E. Car washing and car servicing or repairs are prohibited on the Angelo State University campus.
- F. The Parking Services Office will not issue any campus parking permit to individuals with outstanding fines.
- G. Non-university employees shall comply with all campus parking rules and regulations.

#### **X. Violations/Fines**

- A. An individual issued a parking permit shall be responsible for all violations of the parking rules and regulations. If a vehicle is not registered with the university, and a family member is currently enrolled, it shall be presumed that the student is the operator of the vehicle and is therefore responsible for all parking violations incurred.
- B. No person shall drive, cause or permit a vehicle to be driven on Angelo State University property at a speed greater than is reasonable and prudent under the existing circumstances. Any speed in excess of posted limits shall be prima facie evidence that the speed is not reasonable and is unlawful.

##### Speed Limits

1. Campus Streets: 25mph, unless otherwise posted.

2. Parking Lots: 10mph, unless otherwise posted.

- C. Citations may be issued for any of the following violations or for other violations of city traffic ordinances or the State of Texas laws regulating traffic and parking:

Violation Fees	
Refusal to display driver's license and/or ASU I.D. card to any university police officer	\$25.00
Failure to stop or heed instructions from a university police officer	\$25.00
Unauthorized use of a parking permit	\$200.00
Parking in or blocking DISABLED space	\$150.00
Parking/Standing in Fire Lane	\$50.00
Blocking a dumpster	\$35.00
Parking with no permit, expired permit, or fail to display permit	\$35.00
Parking/Standing in No Parking Zone	\$35.00
Parking/Standing in Driveway/Right of Way	\$35.00
Parking/Standing in Maintenance/Loading Zone	\$40.00
Parking/Standing in a Reserved Area	\$40.00
Parking/Standing in a Wrong Zone	\$30.00
Parking/Standing on a Sidewalk	\$25.00
Parking/Standing on the Grass/Lawn Area	\$25.00
Not in a designated space/using (2) two spaces	\$20.00
Parking/Standing in a Barricaded/Prohibited Area	\$40.00
Backing or pulling through Parking Space	\$15.00
Bicycles secured to Railing, Trees or Posts	\$20.00
Parking with improperly displayed/Obscured permit	\$20.00
Auto cuff fee	\$30.00
Providing inaccurate vehicle registration information	\$50.00
All other violations/including traffic violations	\$25.00

Fines are applicable to all persons operating motor vehicles on Angelo State University property.

- D. All violations not issued through the Justice of the Peace must be cleared at the Parking Services Office. Holds are placed immediately on a student's record upon receipt of a university citation. Failure to pay the amount owed by the end of the semester may result in any or all of the following:
1. Withholding of future registration privileges
  2. Withholding the issuance of an official certified transcript
  3. Withholding the conferring of a degree
- E. Justice of the Peace citations may be issued for illegally parking in a handicap space. County citations must be paid at the Justice of the Peace Pct. 4 Building, 124 W. Beauregard. The penalty for illegally parking in a designated handicap space is a fine of not less than \$250.00 or more than \$1,000.00. In addition to the parking citation, illegally parked vehicles may be towed at the owner's expense.

- F. The University Police Department may issue citations to appear before a Justice of the Peace for violations of the traffic code, state laws, or *Regents' Rules* as provided by the *V.T.C.A. Education Code*, Section 51.202.
- G. Stealing or defacing a parking permit may result in criminal prosecution and/or a university citation. Using a stolen or altered permit or allowing the use of such a permit may result in a university fine of \$200.00.
- H. Parking permits remain the property of Angelo State University and shall not be transferred or gifted to anyone. Valid permits must be surrendered to the University Police Department upon separation from the university either by terminating your study or employment with the university. Expired permits are not required to be returned.
- I. Using the permit of another person will result in a fine of \$200.00. The permit holder is also subject to the same fine for allowing its use.

Such violations will be referred to Student Life and Student Services Office for appropriate disciplinary action.

## **XI. Appeals**

- A. The Traffic Appeals Committee will review all appeals of traffic violations. The committee will review traffic grievances and has the authority to void citations on the basis of substantive evidence to support such action.
- B. Appeals are only accepted in cases where there is significant dispute over the facts or when there are major extenuating circumstances. Not agreeing with a valid parking regulation, being late to class, bad weather, not being able to find a parking space, or only parking in violation for a short period of time are **NOT** grounds for an appeal.
- C. An appeal form must be completed and returned to the Parking Services Office within ten (10) days after a citation has been issued. The written appeal form will be reviewed by the chief of university police, or designee, who will make a ruling on the appeal based on the information available. If the violation is overturned on appeal, the citation will be voided. If the citation is upheld on appeal, the violator will be expected to submit appropriate payment of the fine. Individuals whose appeal is denied by the Chief of University Police or designee, may request further appeal to the university Traffic Appeals Committee. The chairperson of the Traffic Appeals Committee shall then contact the person making the appeal and advise him/her as to the date, time, and the place the appeal will be heard. Appeal forms may be obtained from the Parking Services Web site at: <http://www.angelo.edu/parking>.

## **XII. Bicycles**

- A. Students are encouraged to use bicycles as a mode of transportation on campus. Parking racks are conveniently located around campus for bicycles. Individuals shall not chain bicycles to buildings, signs, railings, light standards, trees, or shrubs, or park bicycles in any location, area, or space not specifically designated for bicycle parking. Bicycles found secured to trees, posts, hedges, buildings, on hand rails and in buildings may be impounded by the University Police Department. Replacement locks and storage fees will be the responsibility of the owner. Any bicycle left on campus after residence halls close at the end of the spring semester will be considered abandoned, unless prior arrangements have been made with the University Police Department or the ASU Office of Residential Programs. All abandoned property is subject to impoundment.
- B. It is recommended that students take advantage of the engravers located at the University Police Department to mark their bicycles with their driver's license numbers.

Operation ID is a free service provided by the University Police Department's Crime Prevention Unit.

### **XIII. Skates and Skateboards**

- A. No person may skate or use a skateboard on or in any university building, structure, stairway, elevated sidewalk, access ramp, step, retaining wall, handrail, mall, bench or other architectural element.
- B. Skates and skateboards are prohibited on streets or in parking areas.
- C. Skates and skateboards must be operated in a controlled and safe manner. Such individuals must yield the right-of-way to pedestrians, bicyclists, motor vehicles and any device designed to assist in the transportation of persons with disabilities.

### **XIV. Lost and Found**

- A. *V.T.C.A., Education Code, Section 51.213, "Abandoned Personal Property,"* states: "The governing board of each state institution of higher education, including public junior colleges, is authorized to promulgate rules and regulations providing for the disposition of abandoned and unclaimed personal property coming into the possession of the campus security personnel where the personal property is not being held as evidence to be used in any pending criminal case."
- B. All abandoned personal property should be turned-in to the University Police Department. All unclaimed or abandoned personal property of every kind, which shall remain unclaimed for a period of 30 days, shall be transferred to the university property manager, who will arrange to pick up the property and, thereafter, handle it in accordance with established procedure for the disposal of surplus property.
- C. The University Police Department offers a searchable online lost and found. This service allows individuals to search all property currently in our lost and found. To view the online lost and found, please visit our Web page at [asupd.angelo.edu](http://asupd.angelo.edu).

Anyone claiming property from lost and found must present a valid photo identification before **claiming** property. Individuals claiming property may also be requested to provide additional descriptions of the item being claimed.

### **XV. Money Saving Tips**

- A. Purchase/pick up and properly display your parking permit.
- B. Plan ahead, do not wait until the last minute to arrive for class.
- C. DO NOT PARK OR STAND IN: FIRE LANES, VISITOR AREAS, DISABLED SPACES OR RESERVED PARKING AREAS.
- D. Do not back or pull through a parking space.
- E. Display a valid university parking permit **anytime** your vehicle is parked on campus.
- F. Respond immediately if you have been issued a citation.
- G. Notify the Parking Services Office of any changes in your permit status or vehicles.
- H. Do not hang any other items from your mirror other than your valid parking permit or handicap placard.

- I. Be sure you provide accurate information when registering your vehicle. Do not guess on any information provided. Providing incorrect information will result in a fine being assessed.
- J. Do not park in a designated "reserve" parking lot without the appropriate permit or your vehicle will be towed at the owner's expense.
- K. If you need to have a permit replaced, the old permit must be returned to the Parking Services Office. Failure to do so will require the purchase of a new permit.



**TEXAS TECH UNIVERSITY  
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION  
Holiday Schedule for 2015-2016**

	<b>DATE</b>	<b>DAY OF WEEK</b>	<b>HOLIDAY</b>
<b>2015</b>	Sep 7	Monday	Labor Day
	Nov 26	Thursday	Thanksgiving
	Nov 27	Friday	Thanksgiving
	Dec 24	Thursday	Winter Break
	Dec 25	Friday	Winter Break
	Dec 28	Monday	Winter Break
	Dec 29	Tuesday	Winter Break
	Dec 30	Wednesday	Winter Break
	Dec 31	Thursday	Winter Break
<b>2016</b>	Jan 1	Friday	New Years Day
	Jan 18	Monday	Martin Luther King, Jr. Day
	Mar 18	Friday	Spring Holiday
	May 30	Monday	Memorial Day
	July 4	Monday	Independence Day
<b>TOTAL ALLOWABLE HOLIDAYS</b>			<b>14</b>

**NOTE:** University employees who wish to observe Rosh Hashanah, Yom Kippur, Cesar Chavez Day, and Good Friday may do so, but must use their vacation leave.

State law provides for seventeen (17) state holidays in FY 2016. In FY 2016, three (3) holidays fall on weekends and cannot be substituted for other regular working days. The result is fourteen (14) observable holidays for FY 2016.

TEXAS TECH UNIVERSITY  
TRAFFIC AND PARKING REGULATIONS  
~~2014—2015~~ 2015 - 2016

I. Introduction

These regulations are established by Texas Tech University in order to facilitate the safe and orderly conduct of business and to provide registered vehicles parking space as conveniently as possible within the limits of space available. Operating a motor vehicle on campus is a privilege and is conditioned, in part, on complying with these rules and regulations.

II. Applicability of State General and Criminal Laws

Article 51.201 of the Texas Education Code provides that: "All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state."

III. Authority of Board of Regents to Make Rules and Regulations

Article 51.202 of the Texas Education Code provides as follows:

"Rules and Regulations: Penalty—

- A. The governing board or each state institution of higher education, including public junior colleges, may promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to carry out the provisions of this subchapter and the governance of the institution, providing for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control including, but not limited to, the following:
  - 8. limiting the rate of speed;
  - 9. assigning parking spaces and designated parking areas and their use and assessing a charge for parking;
  - 10. prohibiting parking as it deems necessary;
  - 11. removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator; and,
  - 12. instituting a system of registration for vehicle identification, including a reasonable charge.
- B. A person who violates any provision of this subchapter or any rule or regulation promulgated under the authority of this subchapter is guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$200."

IV. Effective Dates

The following are the regulations that apply to the University, including fee and refund schedules, and are effective ~~May 19, 2014~~ May 18, 2015, through the end of the week following Graduation in the following Spring Semester.

V. General Regulations for Traffic and Parking

- A. Texas Tech is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, sex, or

disability, and that equal opportunity and access to facilities shall be available to all.

- B. Due to the diverse nature of operations between the University and the Health Sciences Center campuses, it is necessary to have certain regulations that pertain to the specific institution; these are submitted separately by each institution. Following are the regulations that apply to Texas Tech University as defined in C.1 below.
- C. Definitions
  - 8. The campus is defined as all lands owned, managed, or otherwise controlled by the University, herein called "Texas Tech".
  - 9. Impoundment refers to the actual towing of a vehicle or immobilizing a vehicle by means of an "Auto-Boot".
  - 10. A visitor is an individual with no official connection with Texas Tech as a student, faculty member, or staff member.
  - 11. A valid parking space is defined as an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.
  - 12. A shared-use path is a pathway created and signed for the simultaneous use of pedestrians and bicycle traffic.
  - 13. A decal is a physical permit issued for display on the vehicle. This can include stickers, hang tags, passes and receipts.
  - 14. An ePermit is an authorization given to an individual at the time of vehicle registration allowing them to park the registered vehicle in a designated lot, zone or space.
  - 15. Safe means free of hazard.
  - 16. Hazard means a condition or circumstance involving the chance of injury or death.
  - 10. Pedestrian means a person whose mode of transit is ambulation or who is defined as a pedestrian under the Americans with Disabilities Act. Examples include a person walking or using a wheelchair, self-propelled wheelchair or handicap scooter. A service animal, as distinguished from a work animal or pet, employed by a person with a disability, is granted the status of pedestrian for the purpose of these rules and regulations.
  - 11. Operator means a person who is not a pedestrian, as defined above, and who operates a non-pedestrian device or vehicle.
  - 12. Non-pedestrian device is any device, apparatus or contrivance operated as a means of transit and propelled solely by human power. Examples include bicycle, tricycle, pedal cart, velocipede, roller skate, in-line skate, skateboard and scooter.
  - 13. Vehicle means any device, apparatus or contrivance operated as a means of transit and propelled by means other than human power. Examples include a car, truck, motorcycle, electric cart, tractor, riding mower, forklift and motorized scooter. For the purposes of these rules and regulations, a work animal used for transit, as distinguished from a service animal, is classified as a vehicle and is subject to the requirements thereof, which as by their nature apply to an animal, including proper display of permits.
- D. Texas Tech makes every effort to provide protection for vehicles parking on campus, but cannot assume responsibility for any loss.
- E. The person to whom a vehicle is registered with Texas Tech is responsible for all violations of the parking rules and regulations. If a vehicle is not registered with Texas Tech, and a family member is a currently enrolled student, it shall be presumed that the student is the operator of the vehicle and is responsible for all violations of the parking rules and therefore subject to all Texas Tech traffic rules, policies, and penalties associated with monetary obligations owing Texas Tech.

- F. Pedestrians in crosswalks will be given the right-of-way at all times.
- G. Speed limits on campus are RADAR and/or LIDAR enforced.
- H. No person shall drive, cause or permit a vehicle to be driven on Texas Tech property at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the posted limits shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful:  
Speed Limits
  - 9. Campus Streets: Twenty miles per hour, unless otherwise posted.
  - 10. Parking Lots: Ten miles per hour, unless otherwise posted.
  - 11. Parking Garages: Five miles per hour, unless otherwise posted.
- I. Texas Tech Police Officers are duly commissioned peace officers of the state of Texas. Upon request of a police officer of Texas Tech, any person on the campus is required to identify himself with proper identification.
- J. All thefts, accidents, or other offenses that occur on campus should be reported to the Texas Tech Police Department immediately. Accidents should be reported immediately. In accordance with State Law, vehicles involved in an accident should be moved prior to reporting the accident if they are moveable. One-vehicle accidents and inoperable vehicles must also be promptly reported. Keys or valuables should not be left in a motor vehicle. **KEEP YOUR VEHICLE LOCKED AT ALL TIMES.**
- K. Texas Tech is concerned about the protection of persons and property and places a high priority on striving to maintain a safe environment for students, faculty, staff, and visitors. The University cannot, however, guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility. With that thought in mind, a Personal Safety brochure has been prepared which contains personal safety recommendations, crime statistics, safety services and programs, as well as a list of telephone numbers to contact for help. All visitors and members of the campus community are encouraged to make themselves familiar with this information. The Personal Safety brochure is available at various locations on campus including the Personnel Office, the Texas Tech Police Department, the Center for Campus Life, and the residence halls.
- L. Chapter 46, Section 46.03, Texas Penal Code, provides that a person commits a felony offense if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.
- M. Inoperable, damaged, or dismantled vehicles are to be reported to the Transportation & Parking Services office as soon as possible. Operators should identify their problem immediately and follow the instructions given by Transportation & Parking Services personnel.
- N. The campus is restricted for use as described in these regulations. Any vehicle in violation of the regulations or not having a valid Texas Tech parking decal properly displayed or a valid ePermit registration as directed herein may be issued a campus citation.
- O. These regulations apply to all persons who operate vehicles on Texas Tech property.
- P. The Chief of the Texas Tech Police Department, the Director of Accounting Services at the

Health Sciences Centers (responsible for managing the parking function on that campus), and the Managing Director of Transportation & Parking Services on the University campus are responsible for the implementation and the just and proper enforcement of these regulations.

- Q. The parking wheel stops and curbs located all over campus are six inches tall. Many newer and some older model vehicles have special ground effects attachments, air dams, fog/driving lights, or other attachments that reduce ground clearance under the vehicle. Driving such vehicles over the parking wheel stop or curb may cause damage to these vehicles. Drivers are urged to use caution when parking vehicles to avoid damage. Texas Tech University System assumes no responsibility in such cases.

#### VI. Vehicle Registration and Parking Decals/ePermits

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Texas Tech community must obtain, in his or her name, a vehicle parking decal or ePermit. That decal or ePermit must be displayed or registered as directed below. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member. Violation of the Traffic and Parking Regulations is prohibited by the Student Affairs Handbook and Texas Tech policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty/staff member or student **MUST** display a state issued placard or license plate **as well as a Texas Tech disability parking decal**.
- B. Any person giving false information when registering a vehicle is subject to appropriate disciplinary action and revocation of their motor vehicle parking decal/ePermit and related parking privileges.
- C. Access to the interior portion of the campus during the hours of 7:30am to 5:30pm, Monday thru Friday, is restricted to motor vehicles with reserved space, area reserved, vendor and visitor ePermits. **ALL OTHERS MUST STOP AT THE ENTRY STATION FOR FURTHER INSTRUCTIONS.** The interior portion of the campus is that area controlled by entry stations.
- D. Student Vehicle Registration
1. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus.
  2. Due to the demand for parking on campus, students are limited to one vehicle and/or one motorcycle parking ePermit.
- E. Faculty and Staff Vehicle Registration
1. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus. Faculty and staff who share a motor vehicle where one is employed at the University and the other at the Health Sciences Center, must register at each campus if they intend to park at both campuses.
  2. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student parking ePermit in addition to the employee's parking ePermit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student ePermit must be parked in the designated student parking area and not in either the faculty or staff member's reserved space, zone or lot or in the time limit

areas on campus.

3. Upon termination of employment with Texas Tech, an employee's parking privileges are revoked. If the ePermit is cancelled and decal (if any) is returned to Transportation & Parking Services, the refund in effect at the time it is returned will be issued.

#### F. Types of Parking Permissions

1. Traffic and parking control on the Texas Tech campus is accomplished by issuing parking ePermits or decals for specific lots, zones or spaces. Parking privileges are associated with decals (disability and some metered parking) or license plates (employee reserved and area reserved, contractor/vendor, visitor, commuter, residence hall, and metered parking). Parking privileges are issued at the discretion of Texas Tech University and may be recalled at any time.
  - a. Decals
    - i. Types of Decals
      - (a) Non-transferable Decals  
Non-transferable decals must be permanently affixed to the front windshield in the lower corner of the driver's side. All such decals are self-adhering and application in any other manner may subject the motor vehicle to ticketing. Vehicle registration is not complete until the decal is properly and completely affixed to the motor vehicle of record.
      - (b) Pay and Display Metered Parking  
In those lots controlled by meter, individuals must pay the adjacent meter. If payment is made with bills or coins, the receipt must be displayed on the dash of the vehicle with the expiration date or time visible. If payment is made with credit card by phone, the vehicle license plate number will be required during the registration process and will be used for monitoring the lot.
    - ii. All ePermits and decals are for the exclusive use of the registrant. ePermits and decals may not be sold, exchanged, given away or purchased from any person or agency other than Texas Tech University.
    - iii. All outdated Texas Tech registration decals must be removed from the motor vehicle(s) prior to installation of the current decal.
    - iv. Lost or stolen decals should be reported as soon as possible to the Texas Tech Police Department or Transportation & Parking Services. The recovery of a lost or stolen decal must be reported immediately to the Texas Tech Police Department or Transportation & Parking Services.
    - v. Replacement Decals
      - (b) Replacement for a non-transferable decal will be issued when identifiable remnants or proof of loss or destruction of the permit are provided. The replacement fee indicated in the current fee schedule will be charged for each replacement decal.
  - b. ePermits  
Certain parking permissions do not require that a decal be displayed. In those instances, the ePermit is associated with the license plate registered.
    - i. Vehicles must be parked so that the license plate is visible from the driving aisle.
    - ii. The license plate must be securely fastened to the exterior side of the vehicle facing the driving aisle in a horizontal, upright position of not less than 12 inches from the ground.
    - iii. Removable tow hitches must be removed and stored when not in use.
    - iv. No covers may be placed over the license plate that would inhibit the reflectivity of the plate.

- v. The alphanumeric characters of the license plate must be visible and unobstructed by license plate frames or other accessories.
  - vi. Persons with parking ePermits must ensure their current vehicle is registered and associated with their ePermit. This process can be accomplished at the Transportation & Parking Services website or office.
  - vii. Persons who hold reserved space or area reserved registration ePermits may register up to three vehicles on their ePermit. Multiple vehicles on the same ePermit do not allow for more than one motor vehicle to be on campus during the reserved period.
  - viii. Visitor ePermits  
Visitor ePermits are provided to individuals who qualify as a visitor as previously defined in these regulations. Vehicles with visitor ePermits may utilize any visitor space on campus for the date(s) specified. In lots where multi-space meters are present, the meter fee must also be paid.
2. Residence Hall Parking
- Residence hall lots are reserved for respective residence hall parking ePermit 24 hours daily when school is in session, unless otherwise posted. From 5:30pm Friday until 7:30am Monday, parking in any residence hall zone requires a valid TTU residence hall ePermit (or commuter ePermit if the holder lives in the residence halls).
- a. Decals will not be issued for residence halls parking lots. Parking ePermits for residence hall parking will be associated with the registered vehicle's license plate.
  - b. The holder of a residence hall parking ePermit should use the commuter lots when space is not available in the residence hall parking lot.
  - c. Motor vehicles which cannot be accommodated in the residence halls lot will be assigned to the commuter lots until the residence hall lot has available space. Oversized vehicles which cannot park in residence hall lots without impeding the flow of traffic or affecting the ability of vehicles to park near them will be assigned to the commuter lots as determined by the Managing Director of Transportation & Parking Services.
  - d. A student changing residence halls or moving off campus must change his parking ePermit at the Transportation & Parking Services website or office.
  - e. Residence hall parking ePermits are issued to individuals and OWNERSHIP is not transferable. Use of a residence hall ePermit by anyone other than the individual to whom it was issued is not permitted. Violation of this regulation may result in ticketing, impoundment, and loss of all vehicle registration privileges on campus, including parking, for the academic year for all parties involved.
3. Commuter Parking
- Commuter parking ePermits will be issued for motor vehicles belonging to students residing off campus or to employees who desire a less expensive alternative to reserved parking.
- a. Decals will not be issued for commuter parking lots. Parking ePermits for commuter parking will be associated with the registered vehicle's license plate.
  - b. Commuter parking ePermits are issued to individuals and OWNERSHIP is not transferable. Use of a commuter parking ePermit by anyone other than the individual to whom it was issued is not permitted. Violation of this regulation may result in ticketing, impoundment, and loss of all vehicle registration privileges on campus, including parking, for the academic year for all parties involved.
  - c. There are three classes of commuter parking:
    - i. Commuter North (Red Lot) includes the C1, C2 and C4 lots and a portion of the C3 lot.
      - (a) In addition to these lots, this ePermit is also honored in satellite parking and

- certain designated commuter areas at the Health Sciences Center.
- (b) Red Lot ePermits may also park in any west commuter lot after 2:30P.M.
- (c) When not in use for programs and events, the C1 lot, which is leased from the City of Lubbock, will be available with the exception of the area directly south of the Auditorium and north of the Coliseum which is marked as reserved for the Auditorium/Coliseum.
- (d) Commuter parking east of Jones Stadium in the C2 lot excludes areas marked as reserved or visitor parking
- (e) On days of home football games, parking lots in the vicinity of Jones SBC Stadium are reserved for game day football parking decal holders.  
**VEHICLES PARKED IN THESE LOTS NOT DISPLAYING A VALID GAMEDAY FOOTBALL PARKING DECAL MAY BE TOWED AT THE VIOLATOR'S EXPENSE.**
- (f) On days of home baseball games, the C3 lot west of Dan Law Field is reserved for game day baseball parking decal holders. **VEHICLES PARKED IN THESE LOTS NOT DISPLAYING A VALID GAMEDAY BASEBALL PARKING DECAL MAY BE TOWED AT THE VIOLATOR'S EXPENSE.**
- ii. Commuter West (Blue Lot) includes the C10, C11, C12, C13, C14, C15, C16 and C17 lots located north and west of the United Spirit Arena.
  - (a) In addition to these lots, this ePermit is also honored in satellite parking and certain designated commuter areas at the Health Sciences Center.
  - (b) Blue Lot ePermits may park in any north commuter lot after 2:30P.M.
  - (c) Parking in certain commuter lots adjacent to the United Spirit Arena is prohibited on days of home basketball games beginning four hours prior to game time (this includes lots west of Indiana Avenue) as indicated by signage. This area is reserved for holders of special Athletics basketball parking decals. **VEHICLES PARKED IN THESE LOTS NOT DISPLAYING A SPECIAL ATHLETICS BASKETBALL PARKING DECAL MAY BE TOWED AT THE VIOLATOR'S EXPENSE.**
  - (d) Certain lots designated by signage must be vacated by 5:30P.M. on Fridays before home football games. Typically, this includes the C13, C15 and a portion of the C16 lots. These areas are reserved for football game tailgate permit holders. **VEHICLES PARKED IN THESE LOTS NOT DISPLAYING A SPECIAL ATHLETICS FOOTBALL PARKING DECAL MAY BE TOWED AT THE VIOLATOR'S EXPENSE.**
  - (e) Overnight parking in the C11 lot near the United Spirit Arena service ramp is not permitted. Individuals should carefully observe signage in the lot if parking overnight.
- iii. Commuter Satellite (Green Lot) includes the S1 and S2 lots located at 10<sup>th</sup> Street and Texas Tech Parkway and at the International Cultural Center.
  - (a) Off-campus students who cannot be accommodated in the north or west commuter parking lots will be assigned to the satellite lots until the commuter lots have available space. Satellite ePermits will be honored in the other commuter lots after 2:30P.M.
- d. Only HSC commuter students may register their vehicles at the HSC Traffic and Parking Office. Those students who have a TTU parking ePermit and need to park at TTUHSC may obtain a designator tab at the Transportation & Parking Services office. The designator will alert TTUHSC parking personnel that the individual has a parking ePermit.

#### 4. Reserved Space Parking



- a. Reserved parking spaces are assigned to faculty and staff as space is available. Any space remaining after the needs of the faculty and staff are met will be available for assignment to part-time instructors, graduate teaching assistants, and graduate research assistants who hold contracts for one-half time or more. Such assignments may be revoked as necessary to accommodate regular faculty and staff requirements. Reserved spaces are only available on a twelve-month basis.
  - b. Decals will not be issued for reserved spaces. Parking ePermits for reserved space parking will be associated with the registered vehicle's license plate(s). The space is reserved from 7:30 A.M. to 5:30 P.M., Monday through Friday, unless otherwise indicated. Additionally, in certain designated faculty/staff reserved lots, a limited number of parking spaces are reserved after these hours until 11:00 P.M. for use by any reserved space or area reserved ePermit holder.
  - c. Certain residence hall staff living in the residence halls may be assigned spaces that are reserved 24 hours daily.
  - d. If it is necessary to displace the registrant of a reserved space to an area reserved space for two weeks or more, a partial refund may be issued. (The refund will be equal to the difference between a reserved space and an area reserved space for the affected time period.)
5. Area Reserved Parking  
Area reserved parking spaces are available to qualified faculty and staff, as set forth above, in certain designated parking lots. Decals will not be issued for area reserved lots. Parking ePermits for area reserved parking will be associated with the registered vehicle's license plate(s). Motorcycle areas will not be provided in all area reserved lots; however, motorcycles will be allowed to park in these lots with the proper ePermit. Area reserved ePermit holders should overflow to commuter lots or as instructed by entry station personnel if all available area reserved spaces in their assigned lot are taken. Area reserved parking is reserved from 7:30 A.M. to 5:30 P.M., Monday through Friday, unless otherwise indicated. Faculty and staff with reserved permissions may park in commuter lots but not residence hall lots, including summer sessions.
6. Green Vehicle Parking  
Green vehicle parking is available in some area reserved parking locations. To utilize green vehicle parking, permit holders must obtain a "green vehicle certification" in addition to an ePermit for the desired parking area. In order to be certified as green, a vehicle must meet current American Council for an Energy-Efficient Economy Green Book requirements or be a part of an active carpool. Vehicles parked in green parking spaces must have a current ePermit for the lot plus a certified green vehicle permission. Green vehicle parking is reserved the same hours as other spaces in the lot. Green parking reserved hours are indicated by signage. If all green vehicle parking is taken in the lot, permit holders with green parking permissions may park in their regularly assigned spaces.
7. Garage Parking  
Spaces are provided in the Flint Ave. Parking Facility for faculty, staff and students. Both reserved and area reserved ePermits are provided for faculty and staff on a limited basis. A limited number of student ePermits are available on a first-come first-served basis. All ePermits will be issued according to the guidelines set forth above. Garage reserved and area reserved parking is reserved 24 hours daily when class is in session, unless otherwise indicated. Oversized vehicles which cannot park in the garage without impeding the flow of traffic or affecting the ability of vehicles to park near them will be assigned to other lots as determined by the Managing Director of Transportation & Parking Services.
8. Disability Parking

Persons with disabilities may be issued disability access parking permissions designed to assist them in campus mobility. Parking in spaces reserved for persons with disabilities requires the correct TTU decal and the appropriate state-issued placard or license plate. General rules for vehicle registration still apply; refer to Section VI.E.1 in the main section of the Regulations. Vehicles displaying valid TTU disability decals must park in designated disability spaces. If all disability spaces in a lot are taken, the vehicle may be parked only in the following areas, which are listed in priority order:

- c. Visitor space
- d. Time limit space
- e. Area Reserved space

9. Motorcycle Parking

- c. Motorcycle ePermits allow parking of motorcycles or mopeds in designated two-wheel areas. Decals will not be issued for motorcycle parking areas. Parking permissions for motorcycle parking will be associated with the registered vehicle's license plate. Motorcycles are not permitted on the interior of the campus unless registered by a faculty or staff member who parks in a reserved or area reserved parking space. Mopeds and motorcycles may not park in bicycle racks.
- d. Motorcycles and mopeds must be parked in areas designated for parking of such vehicles. Motorcycles and mopeds are not permitted to park in time limit areas unless they have a current reserved or area reserved ePermit.
- e. Scooters that are not required by state law to obtain vehicle registration and inspection are not required to obtain a parking ePermit and are not allowed to park in motorcycle or vehicle parking spaces. Individuals operating such scooters on campus must adhere to the regulations pertaining to bicycles.

10. Summer School Parking

- c. Summer school ePermits are issued following the same guidelines previously defined for commuter parking.
- d. Drivers who have a valid summer school parking ePermit may utilize residence hall and commuter parking lots.

G. Texas Tech University Health Sciences Center Permits

- 1. Persons who hold Health Sciences Center registration decals and are assigned to that campus' Reserved or Area Reserved spaces may also park on the University campus in Visitor, Time Limit and Park and Pay spaces. TTUHSC employees must ensure their current vehicle registration information is on file with the TTUHSC Parking Services office. Enforcement of TTUHSC parking on campus will be done by license plate and a citation may be issued if the vehicle is not properly registered. University Reserved and Area Reserved ePermits will be honored in Health Sciences Center Patient and Visitor parking spaces. Parking is restricted to use in the individual's capacity as an employee which does not include attending class as a student. Use of Health Sciences Center decals by University employees is not allowed.
- 2. Persons who hold Health Sciences Center registration decals and are assigned to that campus' student parking may also park on the University campus in any commuter lot. TTUHSC students must ensure their current vehicle registration information is on file with the TTUHSC Parking Services office. Enforcement of TTUHSC parking on campus will be done by license plate and a citation may be issued if the vehicle is not properly registered.
- 3. Persons who hold University commuter and residence hall ePermits may also park in Health Sciences Center student parking. The TTUHSC student parking is controlled with a decal rather than license plate. A decal is available in the Transportation & Parking Services office for University parking ePermit holders who also need to park at the

TTUHSC. This decal is available at no additional cost.

H. Metered Parking

Certain lots are controlled by parking permissions until 8:00 P.M.; for those who don't already have a parking permission, an hourly ePermit is available at an adjacent pay station. Other TTU parking permissions are not honored in these areas prior to 5:30 P.M. Signage should be carefully observed, as some spaces remain reserved after 5:30 P.M. Park and Pay spaces will be managed according to TTU OP78.06.

I. Visitor and Time Limit Parking

1. Visitors are welcome to the campus and special parking areas are set aside for them. Visitor ePermits are required throughout the University campus during the hours of 7:30 A.M. to 8:00P.M., Monday through Friday, excluding University holidays. Visitor permissions may be obtained at any entry station.
  - a. Visitors' motor vehicles parked in areas not designated for visitor parking are subject to receiving a campus citation and being impounded at the owner's expense.
  - b. Use of outdated or altered visitor ePermit is prohibited.
  - c. There are charges for parking in visitor areas. Notification will be posted at the entrances to these lots. The fee for parking in these lots can be found in the current *Parking Fees and Refunds Schedule*.
  - d. Departments wishing to purchase parking for visitors to campus may do so by contacting the Manager of Event and Guest Relations at Transportation & Parking Services to obtain a pre-paid parking decals or ePermits.
2. Designated time limit parking areas are enforced from 7:30 A.M. to 5:30 P.M., Monday through Friday, unless otherwise posted.

J. Service and Vendor Vehicle Parking

It is recognized that university and contractor/vendor vehicles are required to transport personnel and materials to work sites on the campus. While it is not the intent of these regulations to hinder workers in the performance of their duties, property damage and unsafe conditions frequently occur on campus as a result of drivers ignoring parking regulations. Service and contractor/vendor motor vehicles found to be blocking a street or creating a hazard may be cited and impounded.

1. Service Vehicle Parking

- a. Small utility vehicles operated on campus must comply with University OP 80.07 "Vehicle Fleet Management Program". Designated service vehicle parking areas are enforced 24 hours, daily, unless otherwise posted.
- b. Movement of heavy equipment and supplies to buildings will be accomplished from the street or service drive, if possible. If not possible, the individual responsible for moving, loading, hauling, etc., will contact the Grounds Maintenance Department to obtain routing information to ensure protection of lawns, sidewalks, bricked areas, ramps, sprinkler systems, etc.
- c. Parking partially in the street and partially on a walk/curb is prohibited. Vehicles will be parked parallel and adjacent to the curb if street parking is necessary.
- d. Damage resulting from vehicles traversing lawns, sidewalks, bricked areas, etc., will be repaired by Grounds Maintenance. All repair costs will be charged to the university department or vendor/ contractor responsible for such damage if circumstances warrant.
- e. Blocking doorways, sidewalks, disability access, and fire lanes is prohibited.
- f. University service vehicles may be parked only in the following areas, which are listed in priority order:

- i. Service area/drive (must be used if the building has one)
  - ii. Time limit space
  - iii. Visitor space
  - iv. On-street where not bicycle lane is present (coordination with parking enforcement required)
2. Vendor Parking  
Vendor vehicles and delivery vehicles will be directed to the appropriate service area or drive by entry station or parking enforcement personnel. Vendor vehicles may be parked only in the following areas which are listed in priority order (depending on the access granted by the parking ePermit):
  - a. Service area or service drive MUST be used if the building has one.
  - b. Time limit space
  - c. Visitor space
  - d. On-street parking where no bicycle lane is present.
3. Construction Contractor Parking
  - a. Parking space for construction contractor vehicles will be designated by the Managing Director of Transportation & Parking Services or by the contracting department (i.e., Building Maintenance, Grounds Maintenance, etc.) on the University campus.
  - b. Construction contractor vehicles will be registered and obtain an ePermit, issued by Transportation & Parking Services, on each vehicle which is parked on University property.

#### VII. Bus Service

The University provides a bus service to assist persons with their on-campus transportation needs. Bus service is provided Monday through Friday when school is in session. Limited service is available on the weekends. Buses are kneeling and lift-equipped to accommodate persons with disabilities. Additional information about hours of operation and routes is available in the Student Government Association office or website at [www.sga.ttu.edu](http://www.sga.ttu.edu).

#### VIII. Use of Non-Pedestrian Devices

##### A. Skates and Skateboards

On the campus of Texas Tech (as defined in Section V.C.1 of these regulations):

1. No person may skate or use a skateboard
  - a. on or in any University building, structure, stairway, elevated sidewalk, access ramp, step, retaining wall, handrail, mall, bench, fountain area or other architectural element;
  - b. on or in planting areas, grass areas or seeded areas;
  - c. on streets open for vehicular traffic;
  - d. where prohibited by sign, by police officer, or where otherwise prohibited by law; or,
  - e. in a manner that is incompatible with the flow of vehicular or pedestrian traffic.
2. No person may use a skateboard in such a way that it is:
  - a. not under the control of the user, or
  - b. operated in an unsafe manner.
3. No person who is skating or using a skateboard may fail to yield the right-of-way to
  - a. a pedestrian;
  - b. a bicyclist;
  - c. a motor vehicle; or

- d. a wheelchair or other device designed for the transport of persons with disabilities.

Pursuant to Section 51.202, Texas Education Code, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.

B. Bicycles

1. Bicycles may be operated on campus only if such operation is safe and complies with established University policies and state laws.
2. Bicycles may only be parked in designated racks. Use of shrubs, trees, or any architectural structures to secure bicycles is prohibited. Bicycles are not permitted in Texas Tech academic or administrative buildings. Any bicycle found in violation of this subsection may be impounded. The normal impoundment fee is \$40.00. **THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION OR ANY APPLICABLE STORAGE FEES.** (See Section IX)
3. Routes
  - a. A walkway may only be used by pedestrians. Examples include a breezeway or any walkway that runs in front of the external door to any building.
  - b. A traveled way may be used by pedestrians and bicycle operators. A traveled way is any way, area, or region, other than a campus street, where bicycles are permitted to be operated or parked. Examples include a campus sidewalk, parking lot, service drive and loading bay, unless designated otherwise. Note: While a parking garage is a traveled way, operation of a bicycle is prohibited in a parking garage, excluding officers of the Texas Tech Police Department and Transportation & Parking Services.
  - c. A campus street may be used in a manner consistent with State law.
  - d. Any sidewalk that runs parallel to a street with a designated bike lane may not be used by a bicycle operator. Operators must use the provided on-street bike lane or dismount their bicycle.
4. A person may operate a bicycle on a traveled way of campus if and only if all rules controlling such operation are observed. Traffic control devices, including designated areas, zones, signage and signals are part of the rules controlling operation of bicycles and must be observed. Certain areas of campus with high levels of pedestrian traffic are signed as dismount zones during specified time periods. Operation of a bicycle on these marked traveled ways is prohibited during the times posted.
5. Bicycle operators may use a traveled way or campus street only for the purpose of simple transit. Simple transit is defined as the minimum actions necessary to safely convey a person or goods from one place to another via a transit route of the campus in a manner consistent with the regulations. Stunts, tricks, feats of skill, acrobatics and "extreme" sports activities are not simple transit and therefore are violations of the regulations.
6. A bicycle operator must immediately comply with any instruction relevant to the operation of a bicycle given by a police officer.
7. Right of Way
  - a. Each operator shall yield the right of way to all emergency personnel.
  - b. Each operator shall yield the right of way to any pedestrian.
  - c. Each operator shall yield the right of way to any other operator of a bicycle as necessary to ensure safe, courteous transit.
8. A bicycle operator will bear to the right side of any traveled way as necessary to ensure safe, courteous transit unless preparing to turn left at an intersection.
9. The maximum speed at which a bicycle may be operated on a traveled way or campus street shall not exceed that which is reasonable and prudent for the conditions at the time or that which creates a hazard to any person or property. In no case shall that speed

exceed 10 miles per hour on any traveled way or 20 miles per hour on any campus street. Note: 2.5 mph is approximately the speed of an average pedestrian walking under fair conditions.

10. Bicycle registration is encouraged and conducted free of charge at the Transportation & Parking Services website or office.
11. Any bicycle or locking device deemed abandoned at residence hall bike racks at the end of the spring semester or at any point during the year at other campus buildings may be considered abandoned and may be properly disposed of through established university procedures. A bicycle is considered abandoned when it has not been operated for 30 days. Abandonment impounds in residence hall bike parking areas are conducted once a year 30-45 days after the end of the spring semester and throughout the year at all other bike parking areas on campus.

#### IX. Enforcement, Violations, and Sanctions

- A. Parking is governed by markers and traffic signs. Parking is permitted only in areas clearly identified for parking.
- B. The absence of "No Parking" signs does not imply that parking is allowed. Street parking is prohibited except where signs indicate parking is permitted.
- C. All curb ramps on campus are part of accessible routes for disabled persons. Blocking of any ramp is not permitted.
- D. The following illegal parking acts may result in a citation being issued:

	Violation	Fine
**1.	Parking in non-designated areas.	\$25.00
2.	Decal not properly installed / License plate not visible	10.00
**3.	Parking in a fire lane.	50.00
4.	Failure to remove expired decal(s).	20.00
**5.	Parking in a no parking or tow away zone.	25.00
**6.	Parking in service vehicle spaces, service drives, or access drives.	20.00
**7.	Unauthorized parking in reserved parking spaces.	50.00
**8.	Obstructing traffic, street, sidewalk, crosswalk, driveway, trash container, building entrance or exit.	25.00
**9.	Parking overtime in a time limit zone.	20.00
**10.	Parking a bicycle in violation of these regulations.	10.00
11.	Parking a motor vehicle beyond the lines of a parking space.	20.00
13.	Parking on wrong side of street facing oncoming traffic.	20.00
**14.	Parking without a valid permission.	25.00
**15.	Parking a motor vehicle upon any unmarked (including turf) or unimproved ground which has not been designated for parking.	75.00
**16.	Parking in a space or area designated for persons with disabilities without the proper insignia.	200.00
**17.	Blocking an access ramp or curb cut designed to aid persons with disabilities.	200.00
**18.	Display or use of a lost, stolen, forged, revoked, or altered decal or license plate. Such violation may result in the responsible party/parties being referred to the appropriate office for disciplinary action which may include loss of parking privileges for the remainder of the academic year.	Up to 200.00
**19.	Other parking violations as defined on the face of the citation.	20.00

- |  |       |
|--|-------|
| 20. Failure to update license plate / transfer permission(s) | 10.00 |
| 21. Failure to pay Pay Station.                              | 20.00 |
- \*\*Impoundable Offenses**

E. In the state of Texas, motorcycles, mopeds, and bicycles are subject to the same rules and regulations as automobiles. Operators are subject to a moving violation, to be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Article 51.208, for failing to comply with Texas Motor Vehicle Laws and these Regulations. Examples of the most common bicycle violations are:

1. Riding on walkways or other prohibited areas
2. Failing to stop at stop signs and red lights
3. Failing to yield right-of-way to pedestrians in crosswalks
4. Operating bicycle without proper lights and reflectors when required
5. Failing to drive on the right side of the roadway

**The maximum fine for violation of these STATE LAWS is \$200.00.**

F. Moving Violations

1. All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state, Article 51.201, Texas Education Code. All violations as set forth above may be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Article 51.208.
2. It shall be unlawful for any person to drive, operate, push, park, or leave standing a motor vehicle on any area of the campus not designated for driving such a motor vehicle.
3. It shall be unlawful for any person to drive by, through or beyond a barricade or roadblock that is lawfully erected.
4. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer vested by law with authority to direct, control, or regulate traffic.

G. Resolving Citations

Citations for parking violations may be resolved in one of the following ways:

1. Pay the stated fee for each citation. If payment is not received within ten (10) calendar days, an additional \$5.00 charge will be assessed. Citation payment information can be found on the-Transportation & Parking Services website at [www.parking.ttu.edu](http://www.parking.ttu.edu).
2. Appeal the citation in writing, within ten (10) calendar days of the alleged violation, through the individual designated as the supervisor of parking appeals for University violations.
  - a. The parking citation appeals process is intended to provide an objective process for the presentation of factual information regarding the receipt of a parking citation. There must be substantial and valid evidence that the parking violation was not committed, or that it occurred due to circumstances beyond the appellant's control. Valid documentation of the evidence must be provided when the appeal is submitted. Reasons considered as frivolous and not valid as a basis for appeal include:
    - i. Lack of knowledge of the regulations;
    - ii. Other vehicles were parked improperly;
    - iii. Only parked illegally for a short period of time;
    - iv. Stated failure of parking officer to ticket previously for similar offenses;
    - v. Late to class or appointment;
    - vi. Inability to pay the amount of the fine;
    - vii. No other place to park.

- b. Citation appeals must be submitted on line. Appeal information can be found at [www.parking.ttu.edu](http://www.parking.ttu.edu). For those who do not have access to the internet, appeals terminals are available at Transportation & Parking Services.
  - c. For the first two appeals submitted during a permit year, the fine and late fee assessments against the appealed citation will be suspended until a ruling is made. Upon filing the third and subsequent appeals during a permit year, the fine indicated on the citation must be paid at the time of appeal. This becomes bond until a final ruling is made on the appeal. An appropriate refund will be issued when the citation is dismissed or reduced. If either of the first two appeals are upheld (citation dismissed), they will not be counted against the total number of appeals for the permit year.
  - d. The President shall provide equitable and efficient appeals processes through the establishment of Parking Violation Appeals Committees. Written appeals will be provided to the appropriate Appeals Committee when there is a significant dispute over facts or major extenuating circumstances.
  - e. A final appeals hearing may be provided should an individual wish to contest the findings of the Parking Violation Appeals Committee. The Hearings Officer will be appointed each year by the Law School Student Bar Association. Individuals appearing before the Hearings Officer must bring any supporting documentation and a copy of the current rules and regulations. The decision of the Hearings Officer is final and no further appeals will be provided.
3. After a period of ten (10) days from the date of issuance of the citation or from the date of final determination of an appealed citation, citations not resolved through Transportation & Parking Services will be overdue. Overdue citations may subject the permit holder's motor vehicle(s) to impoundment and removal of the parking permit(s). Overdue citations may be applied to a student's tuition statement if they remain unresolved or may result in restriction of subsequent academic registration and withholding of a student's transcript until such time as the obligation is satisfied. Parking and these restricted services may be restored when all overdue citations have been resolved. At the discretion of Texas Tech, overdue citations may be adjudicated in a court of competent jurisdiction in accordance with Article 51.208 of the Texas Education Code.
- H. Notice of violation for motor vehicles without permits and returned notices of violation will be sent to the address on file with the Texas Department of Transportation, Division of Motor Vehicles.
- I. Six valid violations of the Traffic and Parking Regulations within the academic year or summer term may result in vehicle impoundment and/or revocation of the individual's parking privileges for a period of 90 days. If, at the end of the 90 days the individual's parking privileges are restored, a single violation of the Regulations may result in permanent revocation for the academic year or summer term.
- 1. All citations must be resolved before any parking privileges are restored.
  - 2. The revocation period shall commence with the return of the registration decal(s) to Transportation & Parking Services and/or cancellation of the parking permission.
- J. Impounding Vehicles
- 1. Vehicles belonging to individuals with ten or more valid violations of the Traffic and Parking Regulations are subject to impoundment on each subsequent violation, regardless of the type of violation.
  - 2. Impoundment may be accomplished either by towing or through immobilization by use of an auto boot.
  - 3. When a vehicle has been impounded it will be necessary for the operator of the vehicle to



contact the Texas Tech parking dispatcher for release. Prior to the release of the impounded vehicle, satisfactory arrangements for payment shall be made.

- a. The impoundment fee for towed vehicles will be a \$15 administrative fee plus the amount charged by the towing company. This amount may vary depending on the vehicle impounded and the current wrecker service contract. Current impoundment charges can be found at the Transportation & Parking Services office or web site.
  - b. The impoundment fee for booted vehicles will be \$40.
  - c. **THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION.**
  - d. Vehicles impounded will be charged storage at the rate of \$6.00 per day, including tax, commencing 72 hours after impoundment.
  - e. The maximum storage fee to be charged is \$130.00 per month, including tax.
4. If the owner or driver of a motor vehicle to be impounded arrives before impoundment has begun, the vehicle will not be impounded. If the owner or driver arrives after impoundment has begun, the vehicle will not be impounded if the driver opts to pay the tow truck driver the impoundment fee less the \$15 administrative fee (payable in a manner acceptable to the towing company) in lieu of impoundment.
  5. If a motor vehicle or bicycle is parked on Texas Tech property and is not moved for a period of 30 days, Texas Tech may deem the same to be abandoned. Abandoned motor vehicles or bicycles may be impounded and disposed of in the manner prescribed by law. This includes those motor vehicles which have a valid registration permit.
  6. No personal property or vehicles (including boats, trailers, motor homes, etc.) shall be permitted to be stored or parked on the campus without permission from Transportation & Parking Services. Such property or vehicles are subject to impoundment.
  7. A motor vehicle parked on Texas Tech property will be subject to impoundment if any of the following apply:
    - a. It does not have attached to it an unexpired license plate and a valid vehicle inspection certificate as required by state in which it is registered.
    - b. It is inoperable and has remained inoperable for more than 14 (fourteen) consecutive days.

Texas Tech University Projected Parking Fees FY 2014 - FY 2018								
	Current Number of Spaces	Fall 2014 Active Permits	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>SURFACE PARKING</b>			0%	3%	0%	5%	5%	3%
Visitor/Metered Space	1,778		\$1.50	\$1.50	\$1.50	\$1.50	\$1.75	\$1.75
Faculty/Staff - Surface Space Res.	160	140	\$802	\$826	\$826	\$867	\$910	\$937
Faculty/Staff - Surface Area Res.	4,157	4,135	\$236	\$243	\$243	\$255	\$268	\$276
Student - Surface Commuter North	1,720	2,903	\$146	\$150	\$150	\$158	\$166	\$171
Student - Surface Commuter West	2,288	3,664	\$128	\$132	\$132	\$139	\$146	\$150
Student - Surface Commuter Satellite	1,564	2,698	\$40	\$40	\$40	\$42	\$43	\$44
Student - Surface Residence Hall	4,708	4,731	\$237	\$244	\$244	\$256	\$269	\$277
Summer Student - Surface	8,716	3,077	\$79	\$81	\$81	\$85	\$89	\$92
Two-Wheel	100	108	\$78	\$80	\$80	\$84	\$88	\$91
<b>GARAGE PARKING</b>								
Visitor/Metered Space	212		\$1.50	\$1.50	\$1.50	\$1.50	\$1.75	\$1.75
Faculty/Staff - Garage Space Res.	31	31	\$1,202	\$1,238	\$1,238	\$1,300	\$1,365	\$1,406
Faculty/Staff - Garage Area Res.	140	127	\$619	\$638	\$638	\$670	\$704	\$725
Student - Garage Area Res.	385	541	\$620	\$639	\$639	\$671	\$705	\$726
Summer Student - Garage	385	150	\$207	\$213	\$213	\$224	\$235	\$242
Leased Garage (RaiderPark)	1,000	916	\$128	\$132	\$132	\$139	\$146	\$150

Refunds are prorated weekly based on the start and end dates of the term.

## TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER Holiday Schedule for 2015-2016

	DATE	DAY OF WEEK	HOLIDAY
<b>2015</b>	Sep 7	Monday	Labor Day
	Nov 26	Thursday	Thanksgiving Day
	Nov 27	Friday	Thanksgiving Holiday
	Dec 24	Thursday	Christmas Holiday
	Dec 25	Friday	Christmas
	Dec 31	Thursday	New Year's Holiday
<b>2016</b>	Jan 1	Friday	New Year's Day
	Jan 18	Monday	Martin Luther King, Jr. Day
	Mar 18	Friday	Spring Holiday
	May 30	Monday	Memorial Day
	July 4	Monday	Independence Day
<b>TOTAL ALLOWABLE HOLIDAYS</b>			<b>11</b>

**NOTE:** State law provides for 17 state holidays. In FY 2016, three (3) holidays fall on a weekend. The Appropriations bill disallows state holidays occurring on weekends. Therefore, the state will observe fourteen (14) holidays in FY 2016, which is one (1) less than FY 2015. TTUHSC will observe 11 holidays.

An additional 3 days of holiday entitlement will be accrued to employees' vacation leave balance at the rate of two hours per month.

Under the provisions of Article V of Senate Bill 5, 73rd Legislature, Regular Session, a state employee is entitled to observe optional holidays, such as Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday. Since the university is closed on scheduled holidays, employees who wish to take an optional holiday will be required to use vacation leave or compensatory time.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER  
TRAFFIC AND PARKING REGULATIONS  
2014-2015-2016

I. Introduction

These regulations are established by Texas Tech University Health Sciences Center in order to facilitate the safe and orderly conduct of business and to provide registered vehicles parking space as conveniently as possible within the limits of space available. Operating a motor vehicle on campus is a privilege and is conditioned, in part, on complying with these rules and regulations.

II. Applicability of State General and Criminal Laws

Section 51.201 of the Texas Education Code provides that: "All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state."

III. Authority of Board of Regents to Make Rules and Regulations

Section 51.202 of the Texas Education Code provides as follows: "Rules and Regulations: Penalty—

- A. The governing board or each state institution of higher education, including public junior colleges, may promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to carry out the provisions of this subchapter and the governance of the institution, providing for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control including, but not limited to, the following:
  1. limiting the rate of speed;
  2. assigning parking spaces and designated parking areas and their use and assessing a charge for parking;
  3. prohibiting parking as it deems necessary;
  4. removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator; and,
  5. instituting a system of registration for vehicle identification, including a reasonable charge.
- B. A person who violates any provision of this subchapter or any rule or regulation promulgated under the authority of this subchapter is guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$200."

IV. The following are the rules and regulations that apply to all of the Health Sciences Center campuses, where applicable, including fee and refund schedules, to be effective for the academic year for students and the entire fiscal year for faculty/staff.

V. General Regulations for Traffic and Parking

- A. Texas Tech is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, sex, or disability, and that equal opportunity and access to facilities shall be available to all.
- B. Due to the diverse nature of operations between the University and the Health Sciences Center campuses, it is necessary to have certain regulations that pertain to the specific institution; these are submitted separately by each institution. Following are the regulations that apply to Texas Tech as defined in C.1 below.
- C. Definitions
  1. The campus is defined as all lands owned, managed, or otherwise controlled by the various Health Sciences Center campuses, herein called "Texas Tech".
  2. Impoundment refers to the actual towing of a vehicle or immobilizing a vehicle by means of an "Auto-Boot".
  3. A visitor is an individual with no official connection with Texas Tech as a student, faculty, or staff member.

4. A valid parking space is defined as an area designated on three sides by lines and/or posts, other types of barriers for the explicit purpose of parking a motor vehicle.
  5. A shared-use path is a pathway created and signed for the simultaneous use of pedestrians and bicycle traffic.
- D. Texas Tech makes every effort to provide protection for vehicles parking on campus, but cannot assume responsibility for any loss.
- E. The person to whom a vehicle is registered with Texas Tech is responsible for all violations of the parking rules and regulations. If a vehicle is not registered with Texas Tech, and a family member is a currently enrolled student, it shall be presumed that the student is the operator of the vehicle and is responsible for all violations of the parking rules and therefore subject to all Texas Tech traffic rules, policies, and penalties associated with monetary obligations owing Texas Tech.
- F. Pedestrians in crosswalks will be given the right-of-way at all times.
- G. Speed limits on campus are radar and/or lidar enforced.
- H. No person shall drive, cause or permit a vehicle to be driven on Texas Tech property at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the posted limits shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful:

Speed Limits

1. Campus Streets: Twenty miles per hour, unless otherwise posted.
  2. Parking Lots: Ten miles per hour, unless otherwise posted.
  3. Parking Garages: Five miles per hour, unless otherwise posted.
- I. Inoperable, damaged, or dismantled vehicles are to be reported to the appropriate Parking Services Office as soon as possible. Operators should identify their problem immediately and follow the instructions given.
- J. The campus is restricted for use as described in these regulations. Any vehicle in violation of the regulations or not having a valid Texas Tech registration permit properly displayed may be issued a campus citation.
- K. Skates and Skateboards
- On the campus of Texas Tech (as defined in Section IV.c.(1) of these regulations):
1. No person may skate or use a skateboard
    - a. on or in any University buildings, structures, stairways, elevated sidewalks, access ramps, steps, retaining walls, handrails, malls, benches, fountain areas or other architectural elements;
    - b. on or in planting areas, grass areas or seeded areas;
    - c. on streets open for vehicular traffic;
    - d. where prohibited by sign, by police officer, or where otherwise prohibited by law; or,
    - e. in a manner that is incompatible with the flow of vehicular or pedestrian traffic.
  2. No person may use a skateboard in such a way that it is
    - a. not under the control of the user; or
    - b. operated in an unsafe manner.
  3. No person who is skating or using a skateboard may fail to yield the right-of-way to
    - a. a pedestrian;
    - b. a bicyclist;
    - c. a motor vehicle; or
    - d. a wheelchair or other device designed for the transport of persons with disabilities.

Pursuant to Section 51.202, Texas Education Code, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.

- L. These regulations apply to all persons who operate vehicles on Texas Tech property.
- M. The Chief of the Texas Tech Police Department, the Director of Student Business Services at the Health Sciences Centers (responsible for managing the parking function on that campus), and the

Managing Director of University Parking Services on the University campus are responsible for the implementation and the just and proper enforcement of these regulations.

- N. The parking wheel stops and curbs located all over campus are six inches tall. Many newer and some older model vehicles have special ground effects, attachments, air dams, fog/driving lights, or other attachments that reduce ground clearance under the vehicle. Driving such vehicles over the parking wheel stop or curb may cause damage to these vehicles. Drivers are urged to use caution when parking vehicles to avoid damage. Texas Tech University System assumes no responsibility in such cases.

#### VI. Vehicle Registration

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Texas Tech community must obtain and display, in his or her name, a vehicle registration permit. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member. Violation of the Traffic and Parking Regulations is prohibited by the Student Affairs Handbook and Texas Tech policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty/staff member or student **MUST** display a state issued placard or license plate **as well as a Texas Tech disability permit**.
- B. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus.
- C. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus. Faculty and staff who share a motor vehicle where one is employed at the University and the other at the Health Sciences Center, must register at each campus if they intend to park at both campuses.
- D. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student permit in addition to the reserved permit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student permit must be parked in the designated student parking area and not in either the faculty or staff member's reserved space or in the time limit areas on campus.
- E. Any person giving false information when registering a vehicle is subject to appropriate disciplinary action and revocation of their motor vehicle registration permit and related parking privileges.
- F. Texas Tech issues two types of registration permits, non-transferable and transferable.
  - 1. Non-transferable Permits  
Non-transferable permits must be permanently affixed to the front windshield in the lower corner of the driver's side. All such permits are self-adhering and application in any other manner may subject the motor vehicle to ticketing. Vehicle registration is not complete until the permit is properly and completely affixed to the motor vehicle of record.
  - 2. Transferable Permits  
Transferable permits are designed and intended to be hung from the rearview mirror. The purpose of these permits is to allow the owner to move them from vehicle to vehicle; the permit **MUST** be displayed on the motor vehicle parked on campus. Be sure to contact Parking Services personnel if you have any problems with your transferable permit. The Texas Tech Police Department recommends you properly secure your vehicle and any valuables contained therein.
  - 3. All permits are for the exclusive use of the registrant. Permits may not be sold, exchanged, given away, or purchased from any person or agency other than Texas Tech.
  - 4. Permits remain the property of Texas Tech and may be recalled at any time.
  - 5. All outdated Texas Tech registration permits must be removed from the motor vehicle(s) prior to installation of the current year permit.
- G. Lost or stolen permits should be reported as soon as possible to the Texas Tech Police Department and the appropriate Parking Services Office. The recovery of a lost or stolen permit must be reported immediately to the Texas Tech Police Department and the appropriate Parking Services Office.
- H. Replacement Permits

1. Replacement for a non-transferable permit will be issued when identifiable remnants or proof of destruction of the permit are provided. The replacement fee indicated in the current fee schedule will be charged for each replacement permit.
2. Replacement for a transferable permit which is reported lost or stolen will be issued the first and second time for the replacement fee indicated in the current fee schedule; thereafter, the cost will be the full price of the permit.

- I. Persons who hold non-transferable reserved registration permits and are assigned reserved spaces may obtain one duplicate permit at no additional charge. Additional permits may be purchased for the replacement fee indicated in the current fee schedule. Duplicate permits do not allow for more than one motor vehicle to be on campus during the reserved period.
- J. Persons who hold Health Sciences Center registration permits and are assigned to Reserved or Area Reserved spaces may also park on the University campus in Visitor, Time Limit, and Park and Pay spaces. University Reserved and Area Reserved permits will be honored in Health Sciences Center Patient and Visitor parking spaces. Parking is restricted to use in the individual's capacity as an employee which does not include attending class as a student.
- K. Upon termination of employment with Texas Tech, an employee's parking privileges are revoked. If the registration permit(s) is returned to the appropriate Parking Services Office, the refund in effect at the time it is returned will be issued.

## VII. Parking Enforcement, Parking Violations, and Sanctions

- A. Parking is governed by markers and traffic signs. Parking is permitted only in areas clearly identified for parking.
- B. The absence of "No Parking" signs does not imply that parking is allowed. Street parking is prohibited except where signs indicate parking is permitted.
- C. The following illegal parking acts may result in a citation being issued:

<u>Violation</u>	<u>Fine</u>
**1. Parking in non-designated areas.	\$25.00
2. Permit not properly installed.	10.00
**3. Parking in a fire lane.	50.00
4. Failure to remove expired permit(s).	20.00
**5. Parking in a no parking or tow away zone.	25.00
**6. Parking in service vehicle spaces, service drives, or access drives.	20.00
**7. Unauthorized parking in reserved parking spaces.	25.00
**8. Obstructing traffic, street, sidewalk, crosswalk, driveway, trash container, building entrance or exit.	25.00
**9. Parking overtime in a time limit zone.	20.00
**10. Parking a bicycle in violation of these regulations.	10.00
11. Parking a motor vehicle beyond the lines of a parking space.	20.00
**12. Parking in reserved zones without proper permit.	25.00
13. Parking on wrong side of street facing oncoming traffic.	20.00
**14. Parking without a valid permit.	25.00
**15. Parking a motor vehicle upon any unmarked (including turf) or unimproved ground which has not been designated for parking.	75.00
**16. Parking in a space or area designated for persons with disabilities without the proper insignia.	200.00
**17. Blocking an access ramp or curb cut designed to aid persons with disabilities.	200.00
**18. Display or use of a lost, stolen, forged, revoked, or altered permit. Such violation may result in the responsible party/parties being referred to the appropriate office for disciplinary action which may include loss of parking privileges for the remainder of the academic year.	Up to 200.00
**19. Other parking violations as defined on the face of the citation.	20.00

- |   |       |
|---|-------|
| 20. Failure to display transferable permit. | 10.00 |
| 21. Failure to pay at Pay Station.          | 20.00 |

**\*\*Impoundable Offenses**

D. In the State of Texas, motorcycles, mopeds, and bicycles are subject to the same rules and regulations as automobiles. Operators are subject to a moving violation, to be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208, for failing to comply with the Official Texas Motor Vehicle Laws and these Regulations. Examples of the most common bicycle violations are:

1. Riding on sidewalks or other prohibited areas
2. Failing to stop at stop signs and red lights
3. Failing to yield right-of-way to pedestrians in crosswalks
4. Operating bicycle without proper lights and reflectors when required
5. Failing to drive on the right side of the roadway

**The maximum fine for violation of these STATE LAWS is \$200.00.**

- E. Motorcycles and mopeds must be parked in areas designated for parking of such vehicles. Motorcycles and mopeds are not permitted to park in time limit areas unless registered to a vehicle that displays a reserved or area reserved permit.
- F. All motorcycle registration permits are issued for the academic year for students and the fiscal year for faculty and staff. They may be purchased at any time during the year at a rate that is prorated monthly.
- G. Bicycles should be parked in racks whenever available. Use of shrubs, trees, or any architectural structures to secure bicycles is prohibited. Bicycles are not permitted in Texas Tech academic or administrative buildings. Any bicycle found in violation of this subsection may be impounded. The normal impoundment fee is \$40.00. THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION OR ANY APPLICABLE STORAGE FEES. (See Section IX.A. 1 and 2)
- H. No person shall operate a bicycle or any other vehicle upon a sidewalk or sidewalk area except those vehicles expressly designed for the transport of persons with disabilities and bicycles operated by officers of the Texas Tech Police Department when necessary to fulfill their lawful duties. Bicycles operating on a shared-use pathway must yield right-of-way to pedestrians and operate at a speed and in a manner consistent with public safety.
- I. Bicycle registration is encouraged and conducted free of charge, 24 hours a day, at the Texas Tech Police Department.
- J. Any bicycle or locking device not removed from campus at the end of the Spring Semester may be considered abandoned and may be properly disposed of through Property Inventory.
- K. Scooters that are not required by State Law to obtain vehicle registration and inspection are not required to obtain a parking permit, and are not allowed to park in motorcycle or vehicle parking spaces. Individuals operating scooters on campus must adhere to the regulations pertaining to bicycles.
- L. Moving Violations
1. All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state, Section 51.201, Texas Education Code. All violations as set forth above may be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208.
  2. It shall be unlawful for any person to drive, operate, push, park, or leave standing a motor vehicle on any area of the campus not designated for driving such a motor vehicle.
  3. It shall be unlawful for any person to drive by, through, or beyond a barricade or roadblock that is lawfully erected.
  4. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer vested by law with authority to direct, control, or regulate traffic.

**VIII. Resolving Citations**

Citations for parking violations may be resolved in one of the following ways:



- A. Pay the stated fee for each citation. If payment is not received within ten (10) calendar days, an additional \$5.00 charge will be assessed. Citation payment information for the TTUHSC Lubbock campus can be found online at [www.fiscal.ttuhsu.edu/parking/](http://www.fiscal.ttuhsu.edu/parking/).
- B. Appeal the citation in writing, within ten (10) calendar days of the alleged violation, through the appropriate Parking Services Office. Citation appeals must be submitted online for the TTUHSC Lubbock campus. Appeal information can be found online at [www.fiscal.ttuhsu.edu/parking/](http://www.fiscal.ttuhsu.edu/parking/). For those who do not have access to the internet, a terminal is available for use in the Parking Services Office, Room BB097.
- C. The Presidents shall provide equitable and efficient appeals processes through the establishment of a Parking Violation Appeals Advisory Committee. Written appeals will be provided to the Parking Violation Appeals Committee when there is a significant dispute over facts or major extenuating circumstances. The appeal must be submitted within ten (10) days from the date of the decision denying the first appeal. A final appeals hearing may be provided should an individual wish to contest the findings of the Parking Violation Appeals Committee. The Hearings Officer will be appointed each year by the Law School Student Bar Association. The final appeal must be submitted within ten (10) days from the date of the decision denying the second appeal. Individuals appearing before the Hearings Officer must bring any supporting documentation. The decision of the Hearings Officer is final and no further appeals will be provided. Individuals who fail to appear at three scheduled hearings before the Law School Hearings Officer will have their citation(s) ruled valid and no further appeals will be provided.
- D. After a period of ten (10) days from the date of issuance of the citation or from the date of final determination of an appealed citation, citations not resolved through the appropriate Parking Services Office will be overdue. Overdue citations may subject the permit holder's motor vehicle(s) to impoundment and removal of the parking permit(s). Overdue citations may be applied to a student's tuition statement if they remain unresolved or may result in restriction of subsequent academic registration and withholding of a student's transcript until such time as the obligation is satisfied. Parking and these restricted services may be restored when all overdue citations have been resolved. At the discretion of Texas Tech, overdue citations may be adjudicated in a court of competent jurisdiction in accordance with Section 51.208 of the Texas Education Code.
- E. Notice of violation for motor vehicles without permits and returned notices of violation will be sent to the address on file with the Texas Department of Transportation, Division of Motor Vehicles.
- F. Four valid violations of the Traffic and Parking Regulations within the academic year may result in the revocation of the individual's parking privileges for a period of 90 days. If, at the end of the 90 days the individual's parking privileges are restored, a single violation of the Regulations may result in permanent revocation for the academic year.
  - 1. All citations must be resolved before any parking privileges are restored.
  - 2. The revocation period shall commence with the return of the registration permit(s) to the appropriate Traffic and Parking Office.
- G. Individuals with at least three unpaid parking citations from the TTUHSC Parking Services Office that are found parking in violation of the rules and regulations on HSC or UMC grounds, may be issued a county citation.

#### IX. Impounding Vehicles

- A. Vehicles belonging to individuals with ten or more valid violations of the Traffic and Parking Regulations are subject to impoundment on each subsequent violation, regardless of the type of violation.
- B. Impoundment may be accomplished either by towing or through immobilization by use of an auto boot.
- C. When a vehicle has been impounded it will be necessary for the operator of the vehicle to contact the appropriate Texas Tech parking dispatcher for release. Prior to the release of the impounded vehicle, satisfactory arrangements for payment shall be made.
  - 1. The impoundment fee for towed vehicles will be a \$15 administrative fee plus the amount charged by the towing company. This amount may vary depending on the vehicle impounded and the current wrecker service contract. Current impoundment charges can be found at the TTU University Parking Services Office or website.
  - 2. The impoundment fee for booted vehicles will be \$40.

3. Vehicles impounded will be charged storage at the rate of \$6.00 per day, including tax, commencing 2 hours after impoundment.
  4. The maximum storage fee to be charged is \$130.00 per month, including tax.
- D. If the owner or driver of a motor vehicle to be impounded arrives before impoundment has begun, the vehicle will not be impounded. If the owner or driver arrives after impoundment has begun, the vehicle will not be impounded if the driver opts to pay the tow truck driver the impoundment fee (see Section IX.C.1) less the \$15 administrative fee (payable in a manner acceptable to the towing company) in lieu of impoundment.
  - E. If a motor vehicle or bicycle is parked on Texas Tech property and is not moved for a period of 30 days, Texas Tech may deem the same to be abandoned. Abandoned motor vehicles or bicycles may be impounded and disposed of in the manner prescribed by law. This includes those motor vehicles which have a valid registration permit.
  - F. No personal property or vehicles (including boats, trailers, motor homes, etc.) shall be permitted to be stored or parked on the campus without permission from the appropriate Parking Services Office. Such property or vehicles are subject to impoundment.
  - G. A motor vehicle parked on Texas Tech property will be subject to impoundment if any of the following apply:
    1. It does not have attached to it an unexpired license plate and a valid vehicle inspection certificate as required by the State in which it is registered.
    2. It is inoperable and has remained inoperable for more than 14 (fourteen) consecutive days.

X. Texas Tech Police

- A. Texas Tech Police Officers are duly commissioned peace officers of the State of Texas. Upon request of a police officer of Texas Tech, any person on the campus is required to identify himself with proper identification.
- B. All thefts, accidents, or other offenses that occur on campus should be reported to the Texas Tech Police Department immediately. Accidents should be reported immediately. In accordance with State law, vehicles involved in an accident should be moved prior to reporting the accident if they are moveable. One-vehicle accidents and inoperable vehicles must also be promptly reported. Keys or valuables should not be left in a motor vehicle. ALWAYS KEEP YOUR VEHICLE LOCKED.
- C. Texas Tech is concerned about the protection of persons and property and places a high priority on striving to maintain a safe environment for students, faculty, staff, and visitors. The University cannot, however, guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility. With that thought in mind, a Personal Safety brochure has been prepared which contains personal safety recommendations, crime statistics, safety services and programs, as well as a list of telephone numbers to contact for help. All visitors and members of the campus community are encouraged to make themselves familiar with this information. The Personal Safety brochure is available at various locations on campus including the Personnel Office, the Texas Tech Police Department, the Center for Campus Life, and the residence halls.
- D. Chapter 46, Section 46.03, Texas Penal Code, provides that a person commits a felony offense if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.

XI. Types of Motor Vehicle Registration Permits

- A. Reserved parking spaces are assigned to full-time faculty and staff and part-time faculty and staff not enrolled as students as space is available. Any space remaining after the needs of the faculty and staff are met will be available for assignment to part-time instructors, graduate teaching assistants, and graduate research assistants who hold contracts for one-half time or more. Such assignments may be revoked as necessary to accommodate regular faculty and staff requirements.

1. Non-transferable permits will be issued for reserved spaces. The permit will contain the lot number assigned to the registrant. The space is reserved from 6:30 a.m. to 5:30 p.m., Monday through Friday, year-round, excluding holidays.
- B. Reserved Area parking spaces are available to qualified faculty and staff in certain designated parking lots. Non-transferable permits will be issued for all area reserved lots. Area reserved permit holders should overflow to other designated area reserve parking lots if all available area reserved spaces in the lot are occupied.
- C. Reserved Area parking spaces may be purchased by part-time employees (less than 20 hours a week) at half the specified cost. An approved PAF form must accompany the vehicle registration form. At the Lubbock campus, part-time employees must complete their vehicle registration online at [www.fiscal.ttuhsu.edu/parking/](http://www.fiscal.ttuhsu.edu/parking/). The employee must then contact the Parking Services Office to receive the rate reduction.
- D. Renewal notices for persons assigned reserved and area reserved spaces are sent out no later than July 1 of each year. Employees must renew their vehicle registration by the date stated in the renewal notice. Payment may be made by credit card (Visa, MasterCard, and Discover [Discover is not accepted at the Lubbock Parking Services Office]), cash, personal check, or payroll deduction. (Payroll deduction is available at the Abilene, Amarillo, El Paso, Lubbock, and Odessa campuses.) At the Lubbock campus, vehicle registration must be completed online at [www.fiscal.ttuhsu.edu/parking/](http://www.fiscal.ttuhsu.edu/parking/). Credit card information (Visa and MasterCard) may be entered directly into this site and personal checks can be mailed through campus mail to Mail Stop 6290. This site is "secure" and all data entered will be protected.
- E. Commuter permits will be issued for motor vehicles belonging to students.
  1. Commuter permits will be of the non-transferable type.
  2. Commuter permits are issued to the individual vehicle and ownership is not transferable. Use of a commuter permit by anyone other than the individual to whom it was issued is not permitted. Violation of this regulation may result in ticketing, impoundment, and loss of all parking privileges on campus, including parking for the academic year for all parties involved.
  3. Parking is available in certain designated lots.
  4. Health Sciences Center commuter permits will be allowed in commuter lots around the periphery of the Texas Tech University campus. Health Sciences Center commuter permits will be honored in designated commuter parking areas at all TTUHSU campuses locations (Abilene, Amarillo, El Paso, Lubbock, and Odessa and TTUHSU El Paso).
  5. Texas Tech University commuter, park and ride, garage, law school, and residence hall permits will be honored in the TTUHSU designated commuter parking lots. TTU students are not authorized to park in the TTUHSU parking lots to attend classes at the TTU campus.
  6. At the Lubbock campus, students must complete their vehicle registration on-line at [www.fiscal.ttuhsu.edu/parking/](http://www.fiscal.ttuhsu.edu/parking/).
- F. Persons with disabilities may be issued disability access motor vehicle registration permits designed to assist them in campus mobility.
  1. Parking in spaces reserved for persons with disabilities requires the correct motor vehicle registration permit and the appropriate state issued placard or license plate.
  2. State placards or license plates must be displayed at all times when a vehicle is parked in these areas.
  3. The designated disability parking areas are reserved 24 hours daily.
- G. Motorcycle registration permits will allow parking of motorcycles or mopeds in designated two-wheel areas. Motorcycle registration permits must be permanently affixed to the top of the front headlight, front fender or shock absorbers. Mopeds and motorcycles may not park in bicycle racks. All motorcycle registration permits expire in August.
- H. Temporary registration permits will be issued for the fee indicated in the current fee schedule. Temporary permits are not refundable.

## XII. General Regulations

- A. Persons who hold a Texas Tech Medical Center – Southwest vehicle registration permit (S1) should park in patient/visitor lots if space is available when parking at the Lubbock campus. If space is not available, they should park in the designated area reserved parking lots (A1, A2, B3, C3, D3, or F1).
- B. Persons who hold a motor vehicle registration permit for reserved or area reserved parking from any Health Sciences Center campus or TTUHSC El Paso may park in a designated visitor's area when visiting another campus.

### XIII. Visitor and Patient Parking

Visitors and patients are welcome on the campus. Special parking areas are designated for patients and visitors. Visitors' motor vehicles parked in areas not designated for visitor parking are subject to receiving a campus citation.

### XIV. Time Limit

Designated time limit parking areas are enforced from 7:30 a.m. to 4:00 p.m., Monday through Friday, unless otherwise posted.

### XV. Loading Dock

Parking at the loading dock is enforced 24 hours daily.

### XVI. Service and Vendor Vehicle Parking

It is recognized that service vehicles are required to transport personnel and materials to work sites on the campus. It is not the intent of these regulations to hinder or handicap workers in the performance of their duties. Property damage and unsafe conditions, however, frequently occur on campus as a result of drivers ignoring parking regulations.

Service and vendor motor vehicles found to be blocking a street or creating a hazard may be ticketed and impounded.

#### A. University Service Vehicle Parking

Faculty, staff, and students who operate Texas Tech service vehicles on campus should become familiar with the contents of HSC OP 76.37.

1. Movement of heavy equipment and supplies to the buildings will be accomplished from the loading dock, or the designated delivery area, if possible. If not possible, the individual or contractor responsible for moving, loading, hauling, etc., should make prior arrangements with the designated project manager who will contact the Parking Services Office or the corresponding office at Abilene, Amarillo, El Paso, and Odessa to obtain alternate delivery, parking and routing information to ensure protection of lawns, sidewalks, brick areas, ramps, lawn sprinkler systems, designated fire lanes, etc.
2. Parking partially in the street and partially on a walk/curb is prohibited. Vehicles must park in designated areas only.
3. Damage resulting from vehicles traversing lawns, sidewalks, bricked areas, etc., will be repaired by Grounds Maintenance, TTUHSC Plant Operations, or Regional Facilities Operations and Maintenance. All repair costs will be charged to the department or vendor/contractor responsible for such damage as determined by TTUHSC and in the context of circumstances.
4. Blocking of doorways, sidewalks, handicap access, and fire lanes is prohibited.
5. Texas Tech service vehicles may be parked only in the following areas which are listed in priority order:
  - a. In designated service vehicle parking at the loading dock or designated service vehicle parking location
  - b. F-1 Parking (Lubbock)
  - c. Time limited parking
  - d. On-street parking (Lubbock)

B. Vendor Parking

For external vendor and delivery vehicles, parking spaces are available at the loading dock.

Vendor and delivery vehicles found to be blocking a street, sidewalk or designated parking space will be ticketed and towed by the Parking Services Office or the Police.

Vehicles belonging to vendors may be parked only in the following areas which are listed in priority order:

1. In designated service vehicle parking at the loading dock
2. Visitor parking

C. Contractor Parking

1. Contractors may obtain, at no charge, a construction permit for their trucks or cars from the TTUHSC Parking Services Office, Room BB097, or the corresponding office at Amarillo, El Paso, or Odessa, by prior arrangement through the designated project manager.
2. Contractors must display parking permit on the rear view mirror or lower left-hand drivers' side of windshield at all times while parked on TTUHSC property. Vehicles with the contractor logo clearly shown will be permitted to park in the designated contractors' parking lot/area without a TTUHSC parking permit.
3. Parking for contractors is limited to the following area:
  - a. Contractor's parking lots or specifically designated locations on each campus.
  - b. Parking outside the designated Contractor's lot is a violation of the parking regulations and does subject the vehicle to a citation and/or impoundment.

**XVII. Parking Fees and Refunds - Texas Tech University Health Sciences Center**

**Parking Fees and Refunds - Texas Tech University Health Sciences Center**

2014- 2015-2016 Rates Through	Faculty/Staff Reserved Space		Faculty/Staff Area Reserved		Two-Wheeler	
	12 months		12 months		12 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Sep. 30	\$552.00	\$501.00	\$156.00	\$138.00	\$39.60	\$31.30
Oct. 31	506.00	455.00	143.00	125.00	36.30	28.00
Nov. 30	460.00	409.00	130.00	112.00	33.00	24.70
Dec. 31	414.00	363.00	117.00	99.00	29.70	21.40
Jan. 31	368.00	317.00	104.00	86.00	26.40	18.10
Feb. 28	322.00	271.00	91.00	73.00	23.10	14.80
Mar. 31	276.00	225.00	78.00	60.00	19.80	11.50
Apr. 30	230.00	179.00	65.00	47.00	16.50	8.20
May. 31	184.00	133.00	52.00	34.00	13.20	4.90
Jun. 30	138.00	87.00	39.00	21.00	9.90	0.00
Jul. 31	92.00	41.00	26.00	8.00	6.60	0.00
Aug. 31	46.00	0.00	13.00	0.00	3.30	0.00

2014- 2015-2016 Rates Through	Commuter		Commuter		Extended Commuter	
	12 months		9 months		14 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Jul. 31					\$119.00	\$105.50
Aug. 31					110.50	97.00
Sep. 30	\$102.00	\$88.50	\$76.50	\$63.00	102.00	88.50
Oct. 31	93.50	80.00	68.00	54.50	93.50	80.00
Nov. 30	85.00	71.50	59.50	46.00	85.00	71.50
Dec. 31	76.50	63.00	51.00	37.50	76.50	63.00
Jan. 31	68.00	54.50	42.50	29.00	68.00	54.50
Feb. 28	59.50	46.00	34.00	20.50	59.50	46.00
Mar. 31	51.00	37.50	25.50	12.00	51.00	37.50
Apr. 30	42.50	29.00	17.00	3.50	42.50	29.00
May. 31	34.00	20.50	8.50	0.00	34.00	20.50
Jun. 30	25.50	12.00			25.50	12.00
Jul. 31	17.00	3.50			17.00	3.50
Aug. 31	8.50	0.00			8.50	0.00

Refunds are based on the schedule.

Refunds will not be given unless identifiable remnants of the permit (s) are presented at the time of the refund request.

Additional Permits (after two)	\$2.00
Replacement Permits w/identifiable remnants	
Non-transferable permit (w/identifiable remnants)	\$2.00
Transferable permit – 1 <sup>st</sup> Replacement	\$5.00

Transferable permit – 2 <sup>nd</sup> Replacement	\$10.00
Temporary Permits (Non-Refundable)	
Commuter Area Parking per Week	\$2.00
Faculty/Staff Area Parking per Week	\$3.00
Reserved Space per Week	\$6.00

## TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO Holiday Schedule for 2015-2016

	DATE	DAY OF WEEK	HOLIDAY
<b>2015</b>	Sep 7	Monday	Labor Day
	Nov 26	Thursday	Thanksgiving Day
	Nov 27	Friday	Thanksgiving Holiday
	Dec 24	Thursday	Christmas Holiday
	Dec 25	Friday	Christmas Day
	Dec 31	Thursday	New Year's Holiday
<b>2016</b>	Jan 1	Friday	New Year's Day
	Jan 18	Monday	Martin Luther King, Jr. Day
	Mar 11	Friday	Spring Holiday
	May 30	Monday	Memorial Day
	July 4	Monday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS**

**11**

**NOTE:** State law provides for seventeen (17) state holidays. In FY 2016, three (3) holidays fall on a weekend. The Appropriations Bill disallows state holidays occurring on weekends. Therefore, the state will observe fourteen (14) holidays in FY 2016, which is one (1) less than in FY 2015. TTUHSC El Paso will observe eleven (11) holidays.

An additional three (3) days of entitlement will be accrued at the rate of two hours per month.

Under the provisions of Article V of Senate Bill 5, 73rd Legislature, Regular Session, a state employee is entitled to observe optional holidays, such as Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday in lieu of any holiday(s) on which the institution is required to be open and staffed to conduct business.



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO  
TRAFFIC AND PARKING REGULATIONS  
2015 - 2016

I. Introduction

These regulations are established by Texas Tech University Health Sciences Center El Paso in order to facilitate the safe and orderly conduct of business and to provide registered vehicles parking space as conveniently as possible within the limits of space available. Operating a motor vehicle on campus is a privilege and is conditioned, in part, on complying with these rules and regulations.

II. Applicability of State General and Criminal Laws

Section 51.201 of the Texas Education Code provides that: "All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state."

III. Authority of Board of Regents to Make Rules and Regulations

Section 51.202 of the Texas Education Code provides as follows: "Rules and Regulations: Penalty—

A. The governing board or each state institution of higher education, including public junior colleges, may promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to carry out the provisions of this subchapter and the governance of the institution, providing for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control including, but not limited to, the following:

1. limiting the rate of speed;
2. assigning parking spaces and designated parking areas and their use and assessing a charge for parking;
3. prohibiting parking as it deems necessary;
4. removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator; and,
5. instituting a system of registration for vehicle identification, including a reasonable charge.

B. A person who violates any provision of this subchapter or any rule or regulation promulgated under the authority of this subchapter is guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$200."

IV. The following are the rules and regulations that apply to all of the Health Sciences Center El Paso campuses, where applicable, including fee and refund schedules, to be effective for the academic year for students and the entire fiscal year for faculty/staff.

V. General Regulations for Traffic and Parking

A. Texas Tech is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, sex, or disability, and that equal opportunity and access to facilities shall be available to all.

B. Due to the diverse nature of operations between the University and the Health Sciences Center El Paso campuses, it is necessary to have certain regulations that pertain to the specific institution; these are submitted separately by each institution. Following are the regulations that apply to Texas Tech as defined in C.1 below.

C. Definitions

1. The campus is defined as all lands owned, managed, or otherwise controlled by the various Health Sciences Center El Paso campuses, herein called "Texas Tech".
2. Impoundment refers to the actual towing of a vehicle or immobilizing a vehicle by means of an "Auto-Boot".
3. A visitor is an individual with no official connection with Texas Tech as a student, faculty, or staff member.

4. A valid parking space is defined as an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.
  5. A shared-use path is a pathway created and signed for the simultaneous use of pedestrians and bicycle traffic.
- D. Texas Tech makes every effort to provide protection for vehicles parking on campus, but cannot assume responsibility for any loss.
- E. The person to whom a vehicle is registered with Texas Tech is responsible for all violations of the parking rules and regulations. If a vehicle is not registered with Texas Tech, and a family member is a currently enrolled student, it shall be presumed that the student is the operator of the vehicle and is responsible for all violations of the parking rules and therefore subject to all Texas Tech traffic rules, policies, and penalties associated with monetary obligations owing Texas Tech.
- F. Pedestrians in crosswalks will be given the right-of-way at all times.
- G. Speed limits on campus are radar and/or lidar enforced.
- H. No person shall drive, cause or permit a vehicle to be driven on Texas Tech property at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the posted limits shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful:

Speed Limits

1. Campus Streets: Twenty miles per hour, unless otherwise posted.
  2. Parking Lots: Ten miles per hour, unless otherwise posted.
  3. Parking Garages: Five miles per hour, unless otherwise posted.
- I. Inoperable, damaged, or dismantled vehicles are to be reported to the appropriate Parking Services Office as soon as possible. Operators should identify their problem immediately and follow the instructions given.
- J. The campus is restricted for use as described in these regulations. Any vehicle in violation of the regulations or not having a valid Texas Tech registration permit properly displayed may be issued a campus citation.
- K. Skates and Skateboards
- On the campus of Texas Tech (as defined in Section IV.c.(1) of these regulations):
1. No person may skate or use a skateboard
    - a. on or in any University buildings, structures, stairways, elevated sidewalks, access ramps, steps, retaining walls, handrails, malls, benches, fountain areas or other architectural elements;
    - b. on or in planting areas, grass areas or seeded areas;
    - c. on streets open for vehicular traffic;
    - d. where prohibited by sign, by police officer, or where otherwise prohibited by law; or,
    - e. in a manner that is incompatible with the flow of vehicular or pedestrian traffic.
  2. No person may use a skateboard in such a way that it is
    - a. not under the control of the user; or
    - b. operated in an unsafe manner.
  3. No person who is skating or using a skateboard may fail to yield the right-of-way to
    - a. a pedestrian;
    - b. a bicyclist;
    - c. a motor vehicle; or
    - d. a wheelchair or other device designed for the transport of persons with disabilities.

Pursuant to Section 51.202, Texas Education Code, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.

- L. These regulations apply to all persons who operate vehicles on Texas Tech property.
- M. The Chief of the Texas Tech Police Department, and the Managing Director for Contracting Services(responsible for managing the parking function on that campus on the University campus are responsible for the implementation and the just and proper enforcement of these regulations.

- N. The parking wheel stops and curbs located all over campus are six inches tall. Many newer and some older model vehicles have special ground effects, attachments, air dams, fog/driving lights, or other attachments that reduce ground clearance under the vehicle. Driving such vehicles over the parking wheel stop or curb may cause damage to these vehicles. Drivers are urged to use caution when parking vehicles to avoid damage. Texas Tech University System assumes no responsibility in such cases.

## VI. Vehicle Registration

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Texas Tech community must obtain and display, in his or her name, a vehicle registration permit. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member. Violation of the Traffic and Parking Regulations is prohibited by the Student Affairs Handbook and Texas Tech policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty/staff member or student **MUST** display a state issued placard or license plate **as well as a Texas Tech disability permit**.
- B. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus.
- C. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus.
- D. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student permit in addition to the reserved permit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student permit must be parked in the designated student parking area and not in either the faculty or staff member's reserved space or in the time limit areas on campus.
- E. Any person giving false information when registering a vehicle is subject to appropriate disciplinary action and revocation of their motor vehicle registration permit and related parking privileges.
- F. Texas Tech issues two types of registration permits, non-transferable and transferable.
1. Non-transferable Permits  
Non-transferable permits must be permanently affixed to the front windshield in the lower corner of the driver's side. All such permits are self-adhering and application in any other manner may subject the motor vehicle to ticketing. Vehicle registration is not complete until the permit is properly and completely affixed to the motor vehicle of record.
  2. Transferable Permits  
Transferable permits are designed and intended to be hung from the rearview mirror. The purpose of these permits is to allow the owner to move them from vehicle to vehicle; the permit **MUST** be displayed on the motor vehicle parked on campus. Be sure to contact Parking Services personnel if you have any problems with your transferable permit. The Texas Tech Police Department recommends you properly secure your vehicle and any valuables contained therein.
  3. All permits are for the exclusive use of the registrant. Permits may not be sold, exchanged, given away, or purchased from any person or agency other than Texas Tech.
  4. Permits remain the property of Texas Tech and may be recalled at any time.
  5. All outdated Texas Tech registration permits must be removed from the motor vehicle(s) prior to installation of the current year permit.
- G. Lost or stolen permits should be reported as soon as possible to the Texas Tech Police Department and the appropriate Parking Services Office. The recovery of a lost or stolen permit must be reported immediately to the Texas Tech Police Department and the appropriate Parking Services Office.
- H. Replacement Permits
1. Replacement for a non-transferable permit will be issued when identifiable remnants or proof of loss or destruction of the permit are provided. The replacement fee indicated in the current fee schedule will be charged for each replacement permit.

2. Replacement for a transferable permit which is reported lost or stolen will be issued the first and second time for the replacement fee indicated in the current fee schedule; thereafter, the cost will be the full price of the permit.

- I. Persons who hold non-transferable reserved registration permits and are assigned reserved spaces may obtain one duplicate permit at no additional charge. Additional permits may be purchased for the replacement fee indicated in the current fee schedule. Duplicate permits do not allow for more than one motor vehicle to be on campus during the reserved period.
- J. Persons who hold Health Sciences Center El Paso registration permits and are assigned to Reserved or Area Reserved spaces may also park on the University campus in Visitor, Time Limit, and Park and Pay spaces. University Reserved and Area Reserved permits will be honored in Health Sciences Center Patient and Visitor parking spaces. Parking is restricted to use in the individual's capacity as an employee which does not include attending class as a student.
- K. Upon termination of employment with Texas Tech, an employee's parking privileges are revoked. If the registration permit(s) is returned to the appropriate Parking Services Office, the refund in effect at the time it is returned will be issued.

## VII. Parking Enforcement, Parking Violations, and Sanctions

- A. Parking is governed by markers and traffic signs. Parking is permitted only in areas clearly identified for parking.
- B. The absence of "No Parking" signs does not imply that parking is allowed. Street parking is prohibited except where signs indicate parking is permitted.
- C. The following illegal parking acts may result in a citation being issued:

<u>Violation</u>	<u>Fine</u>
**1. Parking in non-designated areas.	\$25.00
2. Permit not properly installed.	10.00
**3. Parking in a fire lane.	50.00
4. Failure to remove expired permit(s).	20.00
**5. Parking in a no parking or tow away zone.	25.00
**6. Parking in service vehicle spaces, service drives, or access drives.	20.00
**7. Unauthorized parking in reserved parking spaces.	25.00
**8. Obstructing traffic, street, sidewalk, crosswalk, driveway, trash container, building entrance or exit.	25.00
**9. Parking overtime in a time limit zone.	20.00
**10. Parking a bicycle in violation of these regulations.	10.00
11. Parking a motor vehicle beyond the lines of a parking space.	20.00
**12. Parking in reserved zones without proper permit.	25.00
13. Parking on wrong side of street facing oncoming traffic.	20.00
**14. Parking without a valid permit.	25.00
**15. Parking a motor vehicle upon any unmarked (including turf) or unimproved ground which has not been designated for parking.	75.00
**16. Parking in a space or area designated for persons with disabilities without the proper insignia.	200.00
**17. Blocking an access ramp or curb cut designed to aid persons with disabilities.	200.00
**18. Display or use of a lost, stolen, forged, revoked, or altered permit. Such violation may result in the responsible party/parties being referred to the appropriate office for disciplinary action which may include loss of parking privileges for the remainder of the academic year.	Up to 200.00
**19. Other parking violations as defined on the face of the citation.	20.00
20. Failure to display transferable permit.	10.00
21. Failure to pay at Pay Station.	20.00

**\*\*Impoundable Offenses**

- D. In the State of Texas, motorcycles, mopeds, and bicycles are subject to the same rules and regulations as automobiles. Operators are subject to a moving violation, to be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208, for failing to comply with the Official Texas Motor Vehicle Laws and these Regulations. Examples of the most common bicycle violations are:
1. Riding on sidewalks or other prohibited areas
  2. Failing to stop at stop signs and red lights
  3. Failing to yield right-of-way to pedestrians in crosswalks
  4. Operating bicycle without proper lights and reflectors when required
  5. Failing to drive on the right side of the roadway

**The maximum fine for violation of these STATE LAWS is \$200.00.**

- E. Motorcycles and mopeds must be parked in areas designated for parking of such vehicles. Motorcycles and mopeds are not permitted to park in time limit areas unless registered to a vehicle that displays a reserved or area reserved permit.
- F. All motorcycle registration permits are issued for the academic year for students and the fiscal year for faculty and staff. They may be purchased at any time during the year at a rate that is prorated monthly.
- G. Bicycles should be parked in racks whenever available. Use of shrubs, trees, or any architectural structures to secure bicycles is prohibited. Bicycles are not permitted in Texas Tech academic or administrative buildings. Any bicycle found in violation of this subsection may be impounded. The normal impoundment fee is \$40.00. THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION OR ANY APPLICABLE STORAGE FEES. (See Section IX.A. 1 and 2)
- H. No person shall operate a bicycle or any other vehicle upon a sidewalk or sidewalk area except those vehicles expressly designed for the transport of persons with disabilities and bicycles operated by officers of the Texas Tech Police Department when necessary to fulfill their lawful duties. Bicycles operating on a shared-use pathway must yield right-of-way to pedestrians and operate at a speed and in a manner consistent with public safety.
- I. Bicycle registration is encouraged and conducted free of charge, 24 hours a day, at the Texas Tech Police Department.
- J. Any bicycle or locking device not removed from campus at the end of the Spring Semester may be considered abandoned and may be properly disposed of through Property Inventory.
- K. Scooters that are not required by State Law to obtain vehicle registration and inspection are not required to obtain a parking permit, and are not allowed to park in motorcycle or vehicle parking spaces. Individuals operating scooters on campus must adhere to the regulations pertaining to bicycles.
- L. Moving Violations
1. All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state, Section 51.201, Texas Education Code. All violations as set forth above may be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208.
  2. It shall be unlawful for any person to drive, operate, push, park, or leave standing a motor vehicle on any area of the campus not designated for driving such a motor vehicle.
  3. It shall be unlawful for any person to drive by, through, or beyond a barricade or roadblock that is lawfully erected.
  4. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer vested by law with authority to direct, control, or regulate traffic.

**VIII. Resolving Citations**

Citations for parking violations may be resolved in one of the following ways:

- A. Pay the stated fee for each citation. If payment is not received within ten (10) calendar days, an additional \$5.00 charge will be assessed. Citation payment information for the TTUHSC El Paso campus can be found in the Parking Services Office website at <http://elpaso.ttuhsu.edu/parking/default.aspx>.

- B. Appeal the citation in writing, within ten (10) calendar days of the alleged violation, through the appropriate Parking Services Office. Citation appeals must be submitted online for the TTUHSC El Paso campus. Appeal information is available in the Parking Services Office website at <http://elpaso.ttuhsoc.edu/parking/default.aspx>.
- C. The Presidents shall provide equitable and efficient appeals processes through the establishment of a Parking Violation Appeals Advisory Committee. Written appeals will be provided to the Parking Violation Appeals Committee when there is a significant dispute over facts or major extenuating circumstances. The appeal must be submitted within ten (10) days from the date of the decision denying the first appeal. A final appeals hearing may be provided should an individual wish to contest the findings of the Parking Violation Appeals Committee. The Hearings Officer will be appointed each year by the President. The final appeal must be submitted within ten (10) days from the date of the decision denying the second appeal. Individuals appearing before the Hearings Officer must bring any supporting documentation. The decision of the Hearings Officer is final and no further appeals will be provided. Individuals who fail to appear at three scheduled hearings before the Hearings Officer will have their citation(s) ruled valid and no further appeals will be provided.
- D. After a period of ten (10) days from the date of issuance of the citation or from the date of final determination of an appealed citation, citations not resolved through the appropriate Parking Services Office will be overdue. Overdue citations may subject the permit holder's motor vehicle(s) to impoundment and removal of the parking permit(s). Overdue citations may be applied to a student's tuition statement if they remain unresolved or may result in restriction of subsequent academic registration and withholding of a student's transcript until such time as the obligation is satisfied. Parking and these restricted services may be restored when all overdue citations have been resolved. At the discretion of Texas Tech, overdue citations may be adjudicated in a court of competent jurisdiction in accordance with Section 51.208 of the Texas Education Code.
- E. Notice of violation for motor vehicles without permits and returned notices of violation will be sent to the address on file with the Texas Department of Transportation, Division of Motor Vehicles.
- F. Four valid violations of the Traffic and Parking Regulations within the academic year may result in the revocation of the individual's parking privileges for a period of 90 days. If, at the end of the 90 days the individual's parking privileges are restored, a single violation of the Regulations may result in permanent revocation for the academic year.
  - 1. All citations must be resolved before any parking privileges are restored.
  - 2. The revocation period shall commence with the return of the registration permit(s) to the appropriate Traffic and Parking Office.
- G. Individuals with at least three unpaid parking citations from the TTUHSC EP Parking Services Office that are found parking in violation of the rules and regulations on HSCEP or University Medical Center grounds, may be issued a county citation.

#### IX. Impounding Vehicles

- A. Vehicles belonging to individuals with ten or more valid violations of the Traffic and Parking Regulations are subject to impoundment on each subsequent violation, regardless of the type of violation.
- B. Impoundment may be accomplished either by towing or through immobilization by use of an auto boot.
- C. When a vehicle has been impounded it will be necessary for the operator of the vehicle to contact the appropriate Texas Tech parking dispatcher for release. Prior to the release of the impounded vehicle, satisfactory arrangements for payment shall be made.
  - 1. The impoundment fee for towed vehicles will be a \$15 administrative fee plus the amount charged by the towing company. This amount may vary depending on the vehicle impounded and the current wrecker service contract. Current impoundment charges can be found at the TTU University Parking Services Office or website.
  - 2. The impoundment fee for booted vehicles will be \$40.

3. Vehicles impounded will be charged storage at the rate of \$6.00 per day, including tax, commencing 12 hours after impoundment.
4. The maximum storage fee to be charged is \$130.00 per month, including tax.

- D. If the owner or driver of a motor vehicle to be impounded arrives before impoundment has begun, the vehicle will not be impounded. If the owner or driver arrives after impoundment has begun, the vehicle will not be impounded if the driver opts to pay the tow truck driver the impoundment fee (see Section IX.C.1) less the \$15 administrative fee (payable in a manner acceptable to the towing company) in lieu of impoundment.
- E. If a motor vehicle or bicycle is parked on Texas Tech property and is not moved for a period of 30 days, Texas Tech may deem the same to be abandoned. Abandoned motor vehicles or bicycles may be impounded and disposed of in the manner prescribed by law. This includes those motor vehicles which have a valid registration permit.
- F. No personal property or vehicles (including boats, trailers, motor homes, etc.) shall be permitted to be stored or parked on the campus without permission from the appropriate Parking Services Office. Such property or vehicles are subject to impoundment.
- G. A motor vehicle parked on Texas Tech property will be subject to impoundment if any of the following apply:
  1. It does not have attached to it an unexpired license plate and a valid vehicle inspection certificate as required by the State in which it is registered.
  2. It is inoperable and has remained inoperable for more than 14 (fourteen) consecutive days.

X. Texas Tech Police

- A. Texas Tech Police Officers are duly commissioned peace officers of the State of Texas. Upon request of a police officer of Texas Tech, any person on the campus is required to identify himself with proper identification.
- B. All thefts, accidents, or other offenses that occur on campus should be reported to the Texas Tech Police Department immediately. Accidents should be reported immediately. In accordance with State law, vehicles involved in an accident should be moved prior to reporting the accident if they are moveable. One-vehicle accidents and inoperable vehicles must also be promptly reported. Keys or valuables should not be left in a motor vehicle. ALWAYS KEEP YOUR VEHICLE LOCKED.
- C. Texas Tech is concerned about the protection of persons and property and places a high priority on striving to maintain a safe environment for students, faculty, staff, and visitors. The University cannot, however, guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility. With that thought in mind, a Personal Safety brochure has been prepared which contains personal safety recommendations, crime statistics, safety services and programs, as well as a list of telephone numbers to contact for help. All visitors and members of the campus community are encouraged to make themselves familiar with this information. The Personal Safety brochure is available at various locations on campus including the Personnel Office and the Texas Tech Police Department.
- D. Chapter 46, Section 46.03, Texas Penal Code, provides that a person commits a felony offense if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.

XI. Types of Motor Vehicle Registration Permits

- A. Reserved parking spaces are assigned to full-time faculty and staff and part-time faculty and staff not enrolled as students as space is available. Any space remaining after the needs of the faculty and staff are met will be available for assignment to part-time instructors, graduate teaching assistants, and graduate research assistants who hold contracts for one-half time or more. Such assignments may be revoked as necessary to accommodate regular faculty and staff requirements.
  1. Non-transferable permits will be issued for reserved spaces. The permit will contain the lot and space number assigned to the registrant. The space is reserved from 6:30 a.m. to 5:30 p.m., Monday through Friday, year-round, excluding holidays.

- B. Reserved Area parking spaces are available to qualified faculty and staff in certain designated parking lots. Non-transferable permits will be issued for all area reserved lots. Area reserved permit holders should overflow to other designated area reserve parking lots if all available area reserved spaces in the lot are occupied.
- C. Reserved Area parking spaces may be purchased by part-time employees (less than 20 hours a week) at half the specified cost. An approved PAF form must accompany the vehicle registration form. At the El Paso campus, part-time employees must complete their vehicle registration online at <http://elpaso.ttuhschool.edu/parking/default.aspx> and contact the Parking Office for a reduced rate.
- D. Renewal notices for persons assigned reserved and area reserved spaces are sent out no later than July 1 of each year. Employees must renew their vehicle registration by the date stated in the renewal notice. Payment may be made by credit card (Visa, MasterCard, and Discover [Discover is not accepted at the El Paso Parking Services Office]), cash, personal check, or payroll deduction. Vehicle registration must be completed online at <http://elpaso.ttuhschool.edu/parking/default.aspx>.
- E. Commuter permits will be issued for motor vehicles belonging to students.
  - 1. Commuter permits will be of the non-transferable type.
  - 2. Commuter permits are issued to the individual vehicle and ownership is not transferable. Use of a commuter permit by anyone other than the individual to whom it was issued is not permitted. Violation of this regulation may result in ticketing, impoundment, and loss of all parking privileges on campus, including parking for the academic year for all parties involved.
  - 3. Parking is available in certain designated lots.
  - 4. Health Sciences Center El Paso commuter permits will be allowed in commuter lots around the periphery of the Texas Tech University campus. Health Sciences Center El Paso commuter permits will be honored in designated commuter parking areas at all TTUHSC campuses (Abilene, Amarillo, Lubbock and Odessa).
  - 5. Texas Tech University commuter, park and ride, garage, law school, and residence hall permits will be honored in the TTUHSC El Paso designated commuter parking lots.
  - 6. At the El Paso campus, students must complete their vehicle registration in the Parking Services Office, basement of Clinic Building, Room D25BB
- F. Persons with disabilities may be issued disability access motor vehicle registration permits designed to assist them in campus mobility.
  - 1. Parking in spaces reserved for persons with disabilities requires the correct motor vehicle registration permit and the appropriate state issued placard or license plate.
  - 2. State placards or license plates must be displayed at all times when a vehicle is parked in these areas.
  - 3. The designated disability parking areas are reserved 24 hours daily.
- G. Motorcycle registration permits will allow parking of motorcycles or mopeds in designated two-wheel areas. Motorcycle registration permits must be permanently affixed to the top of the front headlight, front fender or shock absorbers. Mopeds and motorcycles may not park in bicycle racks. All motorcycle registration permits expire in August.
- H. Temporary registration permits will be issued for the fee indicated in the current fee schedule. Temporary permits are not refundable.

## XII. General Regulations

- A. Persons who hold a motor vehicle registration permit for reserved or area reserved parking from any Health Sciences Center campus may park in a designated visitor's area when visiting another campus.

## XIII. Visitor and Patient Parking

Visitors and patients are welcome on the campus. Special parking areas are designated for patients and visitors. Visitors' motor vehicles parked in areas not designated for visitor parking are subject to receiving a campus citation.

## XIV. Time Limit



Designated time limit parking areas are enforced from 7:30 a.m. to 4:00 p.m., Monday through Friday, unless otherwise posted.

XV. Loading Dock

Parking at the loading dock is enforced 24 hours daily.

XVI. Service and Vendor Vehicle Parking

It is recognized that service vehicles are required to transport personnel and materials to work sites on the campus. It is not the intent of these regulations to hinder or handicap workers in the performance of their duties. Property damage and unsafe conditions, however, frequently occur on campus as a result of drivers ignoring parking regulations.

Service and vendor motor vehicles found to be blocking a street or creating a hazard may be ticketed and impounded.

A. University Service Vehicle Parking

Faculty, staff, and students who operate Texas Tech service vehicles on campus should become familiar with the contents of HSC OP 76.37.

1. Movement of heavy equipment and supplies to the buildings will be accomplished from the loading dock, or the designated delivery area, if possible. If not possible, the individual or contractor responsible for moving, loading, hauling, etc., should make prior arrangements with the designated project manager who will contact the Parking Services Office or the corresponding office at Abilene, Amarillo, El Paso, and Odessa to obtain alternate delivery, parking and routing information to ensure protection of lawns, sidewalks, brick areas, ramps, lawn sprinkler systems, designated fire lanes, etc.
2. Parking partially in the street and partially on a walk/curb is prohibited. Vehicles must park in designated areas only.
3. Damage resulting from vehicles traversing lawns, sidewalks, bricked areas, etc., will be repaired by Grounds Maintenance, TTUHSC Plant Operations, or Regional Facilities Operations and Maintenance. All repair costs will be charged to the department or vendor/contractor responsible for such damage as determined by TTUHSC and in the context of circumstances.
4. Blocking of doorways, sidewalks, handicap access, and fire lanes is prohibited.
5. Texas Tech service vehicles may be parked only in the following areas which are listed in priority order:
  - a. In designated service vehicle parking at the loading dock or designated service vehicle parking location
  - b. Time limited parking
  - d. On-street parking

B. Vendor Parking

For external vendor and delivery vehicles, parking spaces are available at the loading dock.

Vendor and delivery vehicles found to be blocking a street, sidewalk or designated parking space will be ticketed and towed by the Parking Services Office or the Police.

Vehicles belonging to vendors may be parked only in the following areas which are listed in priority order:

1. In designated service vehicle parking at the loading dock
2. Visitor parking

C. Contractor Parking

1. Contractors may obtain, at no charge, a construction permit for their trucks or cars from the Parking Services Office, basement of Clinic Building, Room D25BB or by prior arrangement through the designated project manager.
2. Contractors must display parking permit on the rear view mirror or lower left-hand drivers' side of windshield at all times while parked on TTUHSC EP property. Vehicles with the contractor logo clearly shown will be permitted to park in the designated contractors' parking lot/area without a TTUHSC EP parking permit.
3. Parking for contractors is limited to the following area:
  - a. Contractor's parking lots or specifically designated locations on each campus.
  - b. Parking outside the designated Contractor's lot is a violation of the parking regulations and does subject the vehicle to a citation and/or impoundment.

**Parking Fees and Refunds - Texas Tech University Health Sciences Center at El Paso**

2015-2016 Rates Through	Faculty/Staff Reserved Space		Faculty/Staff Area Reserved		Two-Wheeler	
	12 months		12 months		12 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Sep. 30	\$552.00	\$501.00	\$156.00	\$138.00	\$39.60	\$31.30
Oct. 31	506.00	455.00	143.00	125.00	36.30	28.00
Nov. 30	460.00	409.00	130.00	112.00	33.00	24.70
Dec. 31	414.00	363.00	117.00	99.00	29.70	21.40
Jan. 31	368.00	317.00	104.00	86.00	26.40	18.10
Feb. 28	322.00	271.00	91.00	73.00	23.10	14.80
Mar. 31	276.00	225.00	78.00	60.00	19.80	11.50
Apr. 30	230.00	179.00	65.00	47.00	16.50	8.20
May. 31	184.00	133.00	52.00	34.00	13.20	4.90
Jun. 30	138.00	87.00	39.00	21.00	9.90	0.00
Jul. 31	92.00	41.00	26.00	8.00	6.60	0.00
Aug. 31	46.00	0.00	13.00	0.00	3.30	0.00

2015-2016 Rates Through	Commuter		Commuter		Extended Commuter	
	12 months		9 months		14 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Jul. 31					\$119.00	\$105.50
Aug. 31					110.50	97.00
Sep. 30	\$102.00	\$88.50	\$76.50	\$63.00	102.00	88.50
Oct. 31	93.50	80.00	68.00	54.50	93.50	80.00
Nov. 30	85.00	71.50	59.50	46.00	85.00	71.50
Dec. 31	76.50	63.00	51.00	37.50	76.50	63.00
Jan. 31	68.00	54.50	42.50	29.00	68.00	54.50
Feb. 28	59.50	46.00	34.00	20.50	59.50	46.00
Mar. 31	51.00	37.50	25.50	12.00	51.00	37.50
Apr. 30	42.50	29.00	17.00	3.50	42.50	29.00
May. 31	34.00	20.50	8.50	0.00	34.00	20.50
Jun. 30	25.50	12.00			25.50	12.00
Jul. 31	17.00	3.50			17.00	3.50
Aug. 31	8.50	0.00			8.50	0.00

Refunds are based on the schedule.

Refunds will not be given unless identifiable remnants of the permit (s) are presented at the time of the refund request.

Additional Permits (after two)	\$2.00
Replacement Permits w/identifiable remnants	
Non-transferable permit (w/identifiable remnants)	\$2.00
Transferable permit – 1 <sup>st</sup> Replacement	\$5.00
Transferable permit – 2 <sup>nd</sup> Replacement	\$10.00 Temporary Permits
(Non-Refundable)	
Commuter Area Parking per Week	\$2.00
Faculty/Staff Area Parking per Week	\$3.00
Reserved Space per Week	\$6.00

**TEXAS TECH UNIVERSITY**  
**STUDENT HANDBOOK 2015-2016**

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## **FORWARD**

### **General Purpose**

A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its organization functions. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook and the *Code of Student Conduct* contained within are intended to serve these purposes in the interest of all segments of Texas Tech University.

The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students are responsible for knowing the information, policies and procedures outlined in this document. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the Undergraduate Catalog and other official University publications, as well as the Texas Education Code. Student organizations also agree to follow these standards, rules, and/or policies. The University or its representative may amend this document at any time without notice.

The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online [http://www.depts.ttu.edu/dos/handbook/] for the updated versions of all policies and procedures. Students are also informed of changes to the *Code of Student Conduct* by electronic notification outlets and/or official campus publications. The *Student Handbook* was approved by the Board of Regents on May 14, 2015~~46, 2014~~ to be effective Monday, May 18, 2015~~49, 2014~~. ~~Changes made outside the annual approval process will be made available here. (Changes made outside the annual approval process will be made available here.)~~

### **Membership in the TTU Community**

As members of the academic community, University students enjoy the privileges and share the obligations of the larger community of which the University is a part. Students are entitled to the privileges which accrue to them by virtue of this membership. These privileges carry with them the obligations of responsible citizenship. Students shall conform to University regulations. Students should recognize that citizenship also includes contributing deliberately to strengthening the educational community, improving learning for themselves and their classmates and promoting excellence within the above context. Freedom of discussion, inquiry and expression is protected and nurtured in the classroom as the safeguard of the freedom to learn. Students are expected to exercise their freedom to learn in a manner consistent with the maintenance of good order. Responsibility for maintaining good order in the classroom is vested in the instructor. -*The Code of Student Conduct* outlines the standards of behavior for University students and the disciplinary processes to address misconduct.

### **Texas Tech University Vision**

Texas Tech is a great public research University where students succeed, knowledge is advanced, and global engagement is championed.

### **Texas Tech University Mission**

As a public research University, Texas Tech advances knowledge through innovative and creative teaching, research, and scholarship. The University is dedicated to student success by preparing learners to be ethical leaders for a diverse and globally competitive workforce. The University is committed to enhancing the cultural and economic development of the state, nation, and world.\*. Approved by the Texas Tech University Board of Regents on May 14, 2010.

### **Texas Tech Statement of Ethical Principles**

Texas Tech University is committed to ethical leadership practices at all levels and to our tradition of community service, both within the University community and in our relationships with the greater community. We strive for exemplary professional and community service through research, creative works, and service programs that extend beyond the University environment. We strive to provide excellent service in a caring and friendly environment and encourage such involvement in the community by all faculty, students, staff, and administration.

### **School of Law and Texas Tech University Health Sciences Center**

Students enrolled in, and student organizations registered with, the Texas Tech University School of Law are subject to the *Code of Student Conduct*. In addition to the *Code of Student Conduct*, Tech Law students and registered organizations are also subject to the Honor Code of the School of Law. In specific situations, students may find themselves in violation of either the *Code of Student Conduct* or the Honor Code of the School of Law, or both. Each document has its own respective disciplinary processes and at times, a single behavioral violation may require two separate disciplinary processes.

Questions concerning the respective jurisdiction of the *Code of Student Conduct* and the Honor Code of the School of Law will be resolved by the Vice Provost for Undergraduate Education & Student Affairs and the Dean of the School of Law.

Students enrolled in the Schools of Medicine, Allied Health Sciences, Nursing, Pharmacy, Graduate School of Biomedical Sciences, and organizations registered with the Texas Tech University Health Sciences Center are subject to the TTUHSC Student Handbook/Code of Professional and Academic Conduct.

## **PART I**

### **CODE OF STUDENT CONDUCT**

#### **SECTION A: STUDENT CONDUCT MISSION AND POLICIES**

The *Code of Student Conduct* outlines behavioral standards developed by the University community for students and student organizations and the related procedures for addressing misconduct. Students should be aware that the student conduct process is not a criminal or civil court proceeding. Students and student organizations are responsible for actions that constitute misconduct and violate the *Code of Student Conduct*. Any student or student organization found responsible for misconduct may be subject to conduct ~~sanction(s), condition(s), and/or restriction(s);~~ sanctions.

The University provides a fair and equitable student conduct process, utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.

The *Code of Student Conduct* and related processes educate students about their rights and responsibilities while promoting holistic development, self-worth, and mutual respect for all members of the University community. Freedom of discussion, inquiry and expression is also fostered by an environment in which the privileges of citizenship are protected and the obligations of citizenship are understood.

The Office of Student Conduct is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community. No student will be found in violation of University policy without sufficient information and evidence showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The student conduct process at the University exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations and values. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

#### **1. Disciplinary Authority**

The authority to enact and enforce regulations of the University is vested in the Board of Regents. The responsibility for enforcing the regulations and imposing penalties is delegated to the ~~Chancellor and/or~~ President of the University and any University officials the President designates. The Office of the Vice Provost, Undergraduate Education and Student Affairs is the principal agency for the administration of student ~~discipline~~ **discipline** conduct. Dean of Students, the Office of Student Conduct, and University Student Housing shall implement the student discipline procedures. -All references to the officials listed above shall be interpreted to include persons designated to act on their behalf.

a-

The Dean of Students, Managing Director of the Office of Student Conduct, or designee, will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

a. Student Conduct Officer/Investigator

A Student Conduct Officer/Investigator is a trained University staff member whose role is to conduct a thorough, reliable, and impartial investigation of alleged violations of the *Code of Student Conduct*. In most cases heard by a University Discipline Committee, the Student Conduct Officer/Investigator will present the information and evidence obtained through the investigation to the Committee, which will make a determination of responsible or not responsible, and assign a sanction. In cases heard through the Administrative Hearing process, or completed via an Informal Resolution, the Student Conduct Officer/Investigator may render findings and issue sanctions. Investigators are assigned to cases by the Dean of Students, The Managing Director of the Office of Student Conduct, or designee. Investigators may be staff members in the Office of Student Conduct, or trained staff in other departments such as the Student Resolution Center, Dean of Students Office, Center for Campus Life, and University Student Housing.

b. Administrative Hearing Officer

An Administrative Hearing Officer is a trained University staff member whose role is to make a decision of responsibility and assign sanctions, as appropriate in Administrative Hearing. The Administrative Hearing Officer may be the Student Conduct Officer/Investigator who completed the Investigation/Investigation Report, or an Administrative Hearing Officer assigned by the Managing Director of the Office of Student Conduct, or designee.

c. University Discipline Committee

The composition of the University Discipline Committee consists of a trained pool of faculty, staff, and students. In cases involving Part II, section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.

1. Committee Composition

The University Discipline Committee will conduct disciplinary Hearings in referred cases after they have completed Office of Student Conduct training. The Committee pool will be composed of full-time faculty members, full-time students and full-time staff members and will be recognized as a University Committee. Each member will be appointed for a single one-year term by the Managing Director of the Office of Student Conduct, in consultation with the Dean of Students. Committee members may be re-appointed for consecutive one-year terms, but must complete Office of Student Conduct training each year.

2. Committee Appointments

University Discipline Committee appointments will be made as follows:

- a. The President of the Student Government Association, Graduate Student Advisory Council, and the President of the Residence Halls Association, and Associate Academic Deans are invited to make recommendations for full-time student Committee members. Upon recommendation, full-time student members will be invited to participate in an application process, prior to appointment. Upon



completion of the application process, full-time student members will be appointed by the Managing Director of the Office of Student Conduct, in consultation with the Dean of Students.

- b. The President of the Faculty Senate and Associate Academic Deans are invited to make recommendations for full-time faculty Committee members. Upon recommendation, full-time faculty members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, full-time faculty members will be appointed by the Managing Director of the Office of Student Conduct, in consultation with the Dean of Students.
  - c. The President of the Staff Senate is invited to make recommendations for full-time staff Committee members. Upon recommendation, full-time staff members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, full-time staff members will be appointed by the Managing Director of the Office of Student Conduct, in consultation with the Dean of Students.
3. Committee Removals  
The Managing Director of the Office of Student Conduct may remove a member from this Committee when, in his/her judgment, the member has failed or refused to serve and perform the duties and functions of this Committee.
4. Committee Chairperson  
The chair of a Committee Hearing will be selected prior to the commencement of a University Discipline Hearing and will be a member of the faculty or staff. The chairperson is responsible for composing the Committee's decision, rationale, and appropriate sanctions.
5. Committee Meetings  
The Office of Student Conduct will establish meeting dates and times during which cases will be heard and will also provide for scheduling special meetings as needed. Committee Hearings will be conducted by a subgroup of the Committee members.
6. Committee Quorum  
A quorum for the Committee consists of five (5) members, provided that at least one (1) member is present from each of the representative categories. In cases involving Part II, section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.
7. Committee Deliberation  
When deliberating a case, the Committee will meet in closed session with only voting members and the Resource Person present.
8. Additional Committee Members  
The Managing Director for the Office of Student Conduct or designee may appoint additional members of the University Discipline Committee to expedite the orderly disposition of cases and/or to aid in the administration of ~~disciplinary action~~ the conduct process within the University. The additional members of the University Discipline Committee will complete the same training, have the same composition of membership, the same duties, and the same authority as the original University Discipline Committee.
9. Committee Orientation & Training

Prior to serving in a Committee Hearing, members of the University Discipline Committee will be required to participate in an orientation and training program facilitated by the Office of Student Conduct.

d. The *Code of Student Conduct* Review Committee

The *Code of Student Conduct* is reviewed every year by the *Code of Student Conduct* Review Committee in conjunction with the Office of Student Conduct, University Student Housing, Dean of Students, and the Associate Vice Provost for Student Affairs. The *Code of Student Conduct* Review Committee will conduct an annual review of the *Code of Student Conduct* and make recommendations to the Associate Vice Provost for Student Affairs regarding omissions, clarifications, constructive changes and other matters relevant to the proper interpretation and operation of the *Code of Student Conduct*. The Associate Vice Provost for Student Affairs will then present the *Code of Student Conduct* to the Vice Provost for Undergraduate Education & Student Affairs and the Provost for review and consideration by the Board of Regents.

1. Committee Appointment

The *Code of Student Conduct* Review Committee members are appointed by the Managing Director of the Office of Student Conduct who will invite recommendations by the President of the Faculty Senate, President of the Staff Senate, President of the Student Government Association, President of the Graduate Student Advisory Council, and the President of the Residence Halls Association.

2. Committee Composition

The *Code of Student Conduct* Review Committee will include members from the following classes of Texas Tech University community members:

- Full-time faculty;
- Full-time staff;
- Full-time undergraduate student(s);
- Full-time graduate student(s).

3. Committee Removals

The Managing Director of the Office of Student Conduct may remove a member from this committee when, in his/her judgment, the member has failed or refused to serve and perform the duties and functions of this committee.

4. Committee Meetings

5. The Office of Student Conduct will establish meeting dates and times during which the *Code of Student Conduct* will be reviewed and will provide for scheduling special meetings as needed.

6. Committee Quorum

A quorum for the committee is five (5) members.

7. Additional Committee Members

The Managing Director of the Office of Student Conduct may appoint additional members of the *Code of Student Conduct* Review Committee to expedite the review process of the code. The additional members of the *Code of Student Conduct* Review Committee.

## **2. Jurisdiction**

Students at the University are provided an electronic copy of the *Code of Student Conduct* annually in the form of a link on the Student Handbook website. Students are responsible for having read and abiding by the provisions of the *Code of Student Conduct*.

1.

The University community has developed standards of behavior pertaining to students and to student organizations. Students and registered student organizations are subject to conduct action according to the provisions of the *Code of Student Conduct*. The University respects the rights and responsibilities of students and will consider each violation of University policy and each violation of federal, state and/or local law on a “case-by-case” basis and will further attempt to initially use educational options and subsequent intervention and/or prevention options to assist students.

a.

The *Code of Student Conduct* and the student conduct process applies to the conduct of individual students, both undergraduate and graduate, including law students and all registered student organizations. For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University.

The *Code of Student Conduct* applies to behaviors that take place on University premises, at University-sponsored activities and events, and may apply to off-campus behavior when the Dean of Students or Managing Director of Student Conduct determine that the off-campus conduct affects a substantial University interest, such as situations where a student’s conduct may present a danger or threat to the health or safety of him/herself or others; situations that infringe on the rights of other students; situations causing significant disruption to the educational community or detrimental to the educational mission of the University. Proceedings under the *Code of Student Conduct* may be carried out prior to, independent of, concurrent with or following civil or criminal proceedings.

b.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student’s ability to re-enroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student’s degree.

The *Code of Student Conduct* may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information, but may take action if and when such information is brought to the attention of University officials.

The Code of Student Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements. Visitors to and guests of University may seek resolution of violations of the Code of Student Conduct committed against them by members of University community.

### **2.3. Notice**

Notice is deemed to have been properly provided when written notification is sent to the student's official assigned Texas Tech University email address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address. Students will be given a reasonable amount of time to respond to requests to meet with University officials. Prescheduled meetings are scheduled around a student's published academic schedule and include the opportunity to reschedule in the event of unavoidable conflicts. Should a student wish to reschedule an appointment, they should do so in a timely manner. The University will make all reasonable efforts to accommodate student scheduling conflicts, but will not permit unreasonable delays in the Conduct Process. After proper notice has been given to the student, the Student Conduct Officer/Investigator or designee may proceed with the conduct process. Should a student fail to comply with the requests of a Student Conduct Officer/Investigator or designee, the Office of Student Conduct may issue a 'Failure to Comply' Code of Student Conduct allegation to the student. Students are advised to keep their most current local address, permanent address, and local telephone number updated in the student records system at [www.raiderlink.ttu.edu/](http://www.raiderlink.ttu.edu/).

### **3.4. Timelines**

It is recommended that reports of alleged violations of the *Code of Student Conduct* should be received by the Office of Student Conduct within ten (10) University working days of the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incidents.

Incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This timeline may vary depending on the availability of ~~students to~~ participate individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

### **4.5. Standards of Evidence**

The proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. The standard of proof used in ~~University judicial~~ Code of Student Conduct proceedings is the preponderance of evidence, or more likely than not.

### **2.6. Reporting Allegations of Misconduct**

To file allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online incident report form. The written allegation should describe the action or behavior in question. Individuals may also file a report in person at the Office of

Student Conduct, located in suite 211 of the Student Wellness Building. Staff are also available in the Dean of Students Office to take initial reports of allegations and assist with conduct processes. The Office of Student Conduct also regularly reviews reports submitted from Texas Tech University faculty and staff, University Student Housing, and the Texas Tech Police Department.

To submit a concern regarding a student organization or to file an allegation of misconduct against a student organization or its members, individuals (faculty, staff, students, organization members, parents, community members or other parties) may complete an online form at <http://ttu.orgsync.com/org/orgconduct/home>. Individuals may also file a report in person with the Center for Campus Life, 201 Student Union. Staff are also available in the Student Resolution Center and Office of Student Conduct to discuss reports of misconduct against student organizations.

Student organization leaders also can self-report organization or member behavior that may be considered violations of TTU policy. When an organization is able to quickly identify a concern, address it, and report it, it is less likely that the organization would be held responsible for behavior that may be a policy violation. The self-report allows the University, in conjunction with the student organization to collect information, begin individual student conduct processes, and ensure that behavior has ceased and does not reoccur. When incidents are unreported by organizations and instead come to the attention of the University via a Complainant or third party, the options for resolution are more limited. Self-reporting allows the University to work collaboratively with the organization to address the situation and can allow for lower-levels of sanctioning for misconduct.

Sometimes organization leaders may also become aware that organization or member activities may result in violations of policy but have not occurred yet. In these cases, the organization leadership is encouraged to work directly with Campus Life staff to intervene and address the concern. This type of pre-report has the highest likelihood of lowering the risk of potential conduct violations and sanctions for the organization. Organization leaders may self-report misconduct or potential misconduct by utilizing the online form at <http://ttu.orgsync.com/org/orgconduct/home> or by contacting the appropriate student organization or fraternity/sorority life staff member in the Center for Campus Life.

If after an initial report has been made a student experiences a subsequent concern or continued incident(s) of alleged misconduct, a student may file an additional report pursuant to the procedures in this section (Part I, section A.6).

## **7. Confidentiality**

Texas Tech University is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support.

- TTU Student Counseling Center  
[www.depts.ttu.edu/scc/](http://www.depts.ttu.edu/scc/)

The University is committed to facilitating an environment that supports students reporting incidents of misconduct, and will always attempt to resolve a situation in accordance with a student's wishes. In most cases, the University will not initiate student conduct proceedings or take administrative action without consulting with the reporting student.

In some exceptional circumstances, where the incident in question presents a continuing threat to the campus community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of student misconduct, and may be required to issue a "timely warning" to the campus community, as required by the Clery Act. Timely warnings do not include personally identifiable information of involved parties.

All reports of misconduct will be maintained with the highest possible level of confidentiality. Information provided by the student will only be shared with essential staff members and only as is necessary for the effective investigation and adjudication of the case. Where reports of misconduct involve other students, either as Respondents or witnesses in the case, some information may need to be shared with those involved parties in order to complete a thorough investigation.

#### **8. Anonymity**

Texas Tech understands the sensitive nature of some incidents of alleged misconduct. Further, the University is mindful of Complainants' desire, in some cases, to report an incident without disclosing their name or other identifying information. Texas Tech will always attempt to protect a student's anonymity if that is the student's request. Doing so, however, can oftentimes make it more difficult to thoroughly and effectively investigate an incident. The University will work with each student on a case-by-case basis to find the approach that best fits the student's wants and needs.

#### **9. Family Educational Rights and Privacy Act (FERPA)**

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing.

Additional information on Student Records is available in The Student Handbook, Part II, Section O.

#### **1.10. Student Organizations**

Information gathered during an investigation of student organization misconduct, as well as any conduct findings and decisions, may be shared with the inter/national or regional

headquarters of organizations as appropriate. This otherwise confidential information will not be shared with other students or the Greek community.

Student organization records do not impact the content of individual student records for members of those student organizations. A finding of responsibility for misconduct for a student organization does not indicate a finding of responsibility for individual students. Individual students may be subject to their own conduct processes separate from the student organization process.

All records concerning a student organization related to conduct processes will remain on file with the University for a minimum of seven (7) years from the date of the completion of the case via Informal Resolution, Administrative or University Discipline Committee Hearing, and/or conduct appeal processes.

### **11. Reporting Criminally**

Some instances of student misconduct may also constitute a violation of state, federal, or local law. Students have the option to report misconduct to the University, to local law enforcement, or to both. Texas Tech administrators are happy to assist students in making a report to law enforcement, and will even accompany the student if he or she wishes.

### **12. Amnesty**

#### **Provisions**

- ~~b. The Office of Student Conduct will attempt to provide educational options in lieu of conduct proceedings for~~
  - ~~1. Victims who may be hesitant to report incident(s) because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident.~~
  - ~~2. Students who offer assistance to others by calling law enforcement or medical personnel will not be charged with alcohol and drug violations 3a, 3b, 4a, 4b, and 4c.~~
  - ~~3. Students who report serious violations but may be hesitant to report because they are engaged in minor violations.~~
  - ~~4. Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the university prior to any conduct incidents or reports.~~
- ~~e. —~~
- ~~d. Amnesty does not preclude students from being charged with violations of misconduct related to B.2. Actions Against Members of the University Community. amnesty provisions do not impact criminal proceedings or charges.~~
- ~~e. —~~
- ~~f. The Student Resolution Center can assist with questions related to amnesty provisions.~~

The University will provide educational options in lieu of conduct proceedings in certain situations. Examples of the amnesty provision include, but are not limited to:

- Victims of misconduct who were engaging in policy violations, such as underage drinking or drug use, at the time of the incident.
- Students who offer assistance to others by calling medical personnel or law enforcement.
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.

Abuse of amnesty provisions can result in a violation of the *Code of Student Conduct*. Amnesty does not preclude students from being charged with allegations of misconduct related to Part II, section B.2 (Actions against Members of the University Community and Others). *The Code of Student Conduct* amnesty provisions do not impact criminal proceedings or charges. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling and BASICS alcohol assessments. The Student Resolution Center can assist with questions related to amnesty provisions.

### **13. Withdrawal**

A responding student facing an alleged violation of the *Code of Student Conduct* may not be permitted to withdraw from the University until all allegations are resolved.

## **3. SECTION B: MISCONDUCT**

### **1. Academic Dishonesty Misconduct**

“Academic dishonesty” misconduct includes cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, violations of published professional ethics/standards, and any act or attempted act designed to give unfair academic advantage to oneself or another student. Additional information about academic integrity is available in the Texas Tech University community standards section. Additional information about academic misconduct is available in the Texas Tech University Community Policies section.

a. “Cheating” includes, but is not limited to:

1. Copying from another student’s academic work, test, quiz, or other assignment
2. Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.
3. The use or possession of materials or devices during academic work, test, quiz or other assignment which are not authorized by the person administering the academic work, test, quiz, or other assignment.
4. Possessing, using, buying, stealing, transporting, selling or soliciting in whole or in part items including, but not limited to, the contents of an unadministered test, test key, homework solution, or computer program/ software. The use or possession of Possession, at any time, of current or previous test/course materials without the instructor’s permission.
5. Obtaining by any means, or coercing another person to obtain items including, but not limited to, an unadministered test, test key, homework solution or computer



- program/software, or information about an unadministered test, test key, homework solution or computer program.
6. Transmitting or receiving information about the contents of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority.
  7. Substituting for another person, or permitting another person to substitute for oneself in order to take a course, take a test, quiz or other assignment or sign in/register attendance.
  8. Taking, keeping, misplacing, damaging or altering the property of the University or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.
  9. Falsifying research data, laboratory reports, and/or other academic work offered for credit.
  10. Failing to comply with instructions given by the person administering the ~~test~~ academic work, test, quiz or other assignment.
- b. ~~"Plagiarism" includes, but is not limited to:~~
1. The representation of words, ideas, illustrations, structure, computer code, other expression or media of another as one's own and/or failing to properly cite direct, paraphrased or summarized materials.
  2. Self-plagiarism which involves the submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.
- c. ~~"Collusion" includes, but is not limited to;~~
1. ~~Collaborating~~ The unauthorized collaboration with or another individual to complete academic work, test, quiz, or other assignment, providing unauthorized assistance to another student, allowing another student unauthorized access to completed academic work, and/or conspiring with another person to commit a violation of academic dishonesty.
- d. ~~"Falsifying academic records" includes, but is not limited to:~~
1. Altering or assisting in the altering of any official record of the University and/or submitting false information.
  2. Omitting requested information that is required for, or related to, any official record of the University.
- e. ~~"Misrepresenting facts" to the University or an agent of the University includes, but is not limited to;~~
1. Providing false grades, ~~resumes, or~~ falsifying information on a resume, or falsifying other academic information.
  2. Providing false or misleading information in an effort to injure another student academically or financially.
  3. Providing false or misleading information or official documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, or credit for attendance in order to obtain an academic or financial benefit for oneself or another individual.
3. *NOTE: Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses family and personal emergencies, and signing into class and failing to remain the entire time.*

f. Violation of Professional Standards

Any act or attempted act that violates specific Professional Standards or a published Code of Ethics.

*NOTE: Students are held accountable under this policy based on their college or school of enrollment, declared major, degree program, and/or pre-professional program.*

g. Unfair Academic Advantage

f. Any other action or attempted action that may result in creating an unfair academic advantage for oneself or may result in creating an unfair academic advantage or disadvantage for another student that is not enumerated in items a-e-f.

2. **Actions Against Members of the University Community and Others**

Any act, or attempted act, perpetrated against a member of the University community including, but not limited to:

a. Disruptive and/or Obstructive Conduct

Intentional or reckless behavior that disrupts or obstructs the normal operation of the University, its students, faculty and/or staff, ~~including, but not limited to the disruption or obstruction of:~~

- ~~1. Teaching~~
- ~~2. Research~~
- ~~3. Administration~~
- ~~4. Free flow of pedestrian or vehicular traffic on University premises~~
- ~~5. Academic mission or pursuits~~
- ~~6. Residential communities~~
- ~~7. Social activities~~

b. Harmful, Threatening, or Endangering Conduct

b. Intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of self or others, including but not limited to:

- ~~1. Physical or verbal abuse or assault as defined in the Texas Penal Code;~~

1. Assault

a. Intentionally or recklessly causing physical harm or endangering the health or safety of another person.

b. Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

2. Threats

Written or verbal acts that would cause significant distress or fear in a reasonable person or that a reasonable person would interpret as a serious expression of a threat or intent to inflict bodily harm upon specific individuals or groups of individuals.

3. Intimidation

An implied threat or act that causes a reasonable fear of harm in another.

4. Intimate partner / relationship violence

Violence or abuse, verbal or physical, by a person in an intimate relationship with another.

5. Bullying / cyber bullying

- a. Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically.
- b. Severe, pervasive, and objectively offensive behaviors that intimidate or intentionally harm or control another person emotionally.

6. Stalking

Behavior which includes, but is not limited to, knowingly and repeatedly engaging in conduct that the individual knows or reasonably believes should know the other person will regard as ~~threatening or unwelcome and~~ would cause a reasonable person to be fearful. See Section 42.072 of the Texas Penal Code at <http://www.statutes.legis.state.tx.us/SOTWDoes/PE/htm/PE.42.htm#42.07> or suffer substantial emotional distress.

c. Sexual Misconduct

~~Noneconsensual conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience.~~

1. Sexual Harassment

~~Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience or creates a hostile educational environment.~~

2. Sexual Exploitation

Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- a. Photography or video recording of another person in a sexual, intimate, or private act without that person's full knowledge or consent;
- b. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;
- c. Sexual voyeurism;
- d. Inducing another to expose one's genitals or private areas;
- e. Prostituting another student;
- f. Engaging in sexual activity while knowingly infected with an STD.

3. Public Indecency

Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to exposing one's genitals or private area(s), public urination, defecation, and/or public sex acts.

3.4. Nonconsensual Sexual Contact

Intentional sexual touching, however slight and with any object or part of one's body, of another's private areas without consent. Private area includes butt, breasts, mouth, genitals, groin area, or other bodily orifice.

4.5. Nonconsensual Sexual Intercourse

Sexual penetration or intercourse, however slight and with any object, without consent. Penetration can be oral, anal, or vaginal.

NOTE: Refer to Appendix A: Definitions for a comprehensive definition of consent

~~Taking non-consensual or abusive sexual advantage of another for his/her own advantage or benefit. Harassing behavior that includes, but is not limited to, invasion of sexual privacy,~~

~~sexual voyeurism, recording another person engaged in a sexual act or other private activity, inducing another to expose his/her genitals or private areas, prostituting another student, and engaging in sexual activity while knowingly infected with an STD.~~

d. Hazing

Intentional, knowing, or reckless act directed against a student by one person acting alone or by more than one person occurring on or off University premises that endangers the mental or physical health or safety of a student for the purpose of pledging or associating with, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose membership consists of students. Consent and/or acquiescence by a student or students subjected to hazing is not a reasonable defense in a disciplinary proceeding. Hazing includes, but is not limited to:

1. Any type of physical brutality, such as whipping, beating, using a harmful substance on the body or similar activity.
2. -Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.
4. Any activity that intimidates or threatens a student with ostracism, that subjects a student to extreme mental stress, shame or humiliation, adversely affects the mental health or dignity of a student, or discourages a student from entering or remaining enrolled at the University, or may reasonably be expected to cause a student to leave the organization or the University rather than submit to acts described above.
5. Any activity in which a person solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; intentionally, knowingly or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred and knowingly fails to report the incident in writing to the Office of Student Conduct.
6. Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates or alumni of the organization of committing or assisting in the commission of hazing.
7. NOTE: See Texas Education Code, Sections 37.151-37.155 and Section 51.936 at Any activity that involves coercing a student to consume an alcoholic beverage, liquor, or drug, or creates an environment in which the student reasonably feels coerced to consume any of those substances.

NOTE: <http://www.statutes.legis.state.tx.us/?link=ED> See Texas Education Code, Sections 37.151-37.155 and Section 51.936.

e. Discriminatory Harassment

Conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is sufficiently

severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

f. ~~Retaliation~~

f. Intentional Retaliatory Discrimination or Harassment

Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate non-discriminatory nondiscriminatory purposes, that harms an individual as reprisal for filing or participating against a participant [or supporter of a participant] in a conduct process, civil rights grievance process proceeding, or other protected activity.

g. Complicity

1. Failure of a student, through act, to assist another student, individual, or group in committing or attempting to commit a violation of the *Code of Student Conduct*, specifically Actions Against Members of the University Community.
2. Complicity with or failure of any organized group to address known or obvious violations of the *Code of Student Conduct* by its members, specifically Actions Against Members of the University Community.

*NOTE: Actions involving free expression activities are covered in Community Policies, Section Q.*

3. Alcoholic Beverages

- a. Use, possession, sale, delivery, manufacture or distribution of alcoholic beverages that would constitute a violation of any, except in accordance with federal, state, local law, and/or Texas Tech University policy.
- b. Being under the influence of alcohol and/or intoxication that would constitute a violation of any as defined by federal, state, local law and/or Texas Tech University policy.

4. Narcotics or Drugs

- a. Use, possession, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound or other controlled substance, except in accordance with federal, state, and/or local law, and/or Texas Tech University policy.
- b. Possession of drug-related paraphernalia that would constitute a violation of any, except in accordance with federal, state, and/or local law, and/or Texas Tech University policy.
- c. Being under the influence of narcotics, drugs, prescription drugs, medicine prescribed another person, chemical compound or other controlled substance that would constitute a violation of any, except in accordance with federal, state, and/or local law, and/or Texas Tech University policy.

5. Smoking

Smoking in unauthorized areas on University property as designated by the Texas Tech University smoke-free and tobacco-free environment policy.

**5.6. Firearms, Weapons and Explosives**

Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, tasers, or explosive or noxious materials on University premises except in accordance with -federal, state, local law, and/or Texas Tech University policy

*NOTE: See University Student Housing Contract Guide for specific approved devices allowed in the residence halls.*

**6.7. Flammable Materials/Arson**

- a. Use or possession of flammable materials, including incendiary devices or other dangerous materials, or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by ~~university~~University officials, such as the Outdoor Events Coordinating Committee.
- b. Attempting to ignite and/or the action of igniting University and/or personal property on fire either by intent or through reckless behavior that results, or could result, in personal injury or property damage of University premises.

**7.8. Theft, Damage, Littering or Unauthorized Use**

- a. Attempted or actual theft of property or services of the University, other University students, other members of the University community, or campus visitors.
- b. Possession of property known to be stolen or belonging to another person without the owner's permission.
- c. Attempted or actual damage to property owned or leased by the University, littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University, by other University students, other members of the University community, or campus visitors.
- d. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, eRaider account information and/or personal check, or other unauthorized use of personal property or information of another.
- e. Alteration, forgery or misrepresentation of any form of identification.
- f. Possession or use of any form of false identification.
- g. Failure to meet financial obligations owed to the University, or components owned or operated by the University, including, but not limited to, the writing of checks from accounts with insufficient funds.

**8.9. Gambling, Wagering, Gaming and/or Bookmaking**

Gambling, wagering, gaming and bookmaking as defined by federal, state, local laws, and/or Texas Tech University policy are prohibited on University premises involving the use of ~~university~~University equipment or services.

**9.10. False Alarms or Terroristic Threats**

Intentional sounding of a false fire alarm, falsely reporting an emergency or terroristic threat in any form, issuing a bomb threat, constructing mock explosive devices, destruction or activation of fire sprinklers, filing false police reports, or improperly possessing, tampering with or destroying fire equipment or emergency signs on University premises.

**10.11. Unauthorized Entry, Possession or Use**

- a. Unauthorized entry into or use of University premises or equipment including another student's room.
- b. Unauthorized possession, use, duplication, production or manufacture of any key or unlocking device, University identification card or access code for use in ~~university~~University premises or equipment.
- c. Unauthorized use of the University name, logo, registered marks or symbols; however, registered student organizations are permitted to use the word "Tech" as a part of their organizational names or to use the complete statement "a registered student organization at Texas Tech University."
- d. Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University.

**11.12. Failure to Comply**

- a. Failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties.
- b. Failure to present student identification on request or identify oneself to any University official acting in the performance of his other duties.
- c. Failure to comply with the sanctions imposed by a Student Conduct Officer/Investigator under the *Code of Student Conduct* or the Student Handbook.

**12.13. Abuse, Misuse or Theft of University Information Resources**

- a. Unauthorized use of University information resources is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions, conditions and/or restrictions pursuant to the *Code of Student Conduct*. "Information resources" means procedures, equipment and software, regardless of location, that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit University information, and associated personnel, including consultants and contractors, regardless of whether the personnel are employed by the University or retained as independent contractors. Usage of TTU information resources may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information resources is also subject to the Information Technology Security Policies (<http://depts.ttu.edu/infotech/security/>), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information resources includes, but is not limited to the following:
- ~~a-b.~~ Unauthorized use of University information resources including, but not limited to, private information and passwords, including the unauthorized sharing of private information or passwords with individuals who otherwise have no authority to access University information resources.
- ~~b-c.~~ Use of University information resources for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing,

copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).

- ~~e.d.~~ Using University information resources to violate Part 1, ~~Section B2-I, section B.2~~ (Actions ~~Against~~ Members of the University Community ~~or~~ Others.).
- ~~d.e.~~ Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to TTU information resources, compromising the privacy of another user or disrupting the intended use of TTU information resources.
- ~~e.f.~~ Attempted or actual use of the TTU information resources for unauthorized political or commercial purposes, or for personal gain.
- ~~f.g.~~ Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the written consent of the Department Head. Discovery of obscene material, including child pornography, on any TTU information resource must be reported to the Information Security Office or Chief Information Officer immediately.
- ~~g.h.~~ Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University or another user or destruction of the integrity of computer-based information using TTU information resources.
- ~~h.i.~~ Attempted or actual use of TTU information resources to interfere with the normal operation of the University.
- ~~i.j.~~ Intentional "spamming" of students, faculty or staff (defined as the sending of unsolicited and unwanted electronic communications, including but not limited to e-mails and text messages to parties with whom the sender has no existing business, professional or personal acquaintance) using TTU information resources.

#### **13.14. Providing False Information or Misuse of Records**

Knowingly furnishing false information to the University, to a University official in the performance of his or her duties, or to an affiliate of the University, either verbally or through forgery, alteration or misuse of any document, record or instrument of identification.

#### **14.15. Skateboards, Rollerblades, Scooters, Bicycles or Similar Modes of Transportation**

Use of skateboards, rollerblades, scooters, bicycles or other similar modes of transportation in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property.

*NOTE: Refer to University Parking Services Regulations at <http://www.parking.ttu.edu/Resources/pdf/rulesregulations.pdf>.*

#### **15.16. Violation of Published University Policies, Rules or Regulations**

Violation of any published University policies, rules or regulations that govern student or student organization behavior, including, but not limited to, violations of:

- a. University Parking Services
- b. University Student Housing
- c. Recreational Sports
- d. Texas Tech University Board of Regents' Rules
- e. Texas Tech University Operating Policies and Procedures



f. Community Policies in Part II of the Student Handbook

**16.17. Violation of Federal, State, Local Law and/or University Policy**

Misconduct which may constitute a violation of federal, state local laws, and/or Texas Tech University policy will be considered a violation of this policy, and will be investigated and adjudicated through the University conduct system and standard of proof. A lack of conviction in any criminal proceeding will not, in and of itself, serve as evidence in a University conduct proceeding.

**17.18. Abuse of the Discipline System**

- a. Failure of a student to respond to a notification to appear before a Student Conduct Officer/Investigator during any stage of the conduct process.
- b. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Filing an allegation known to be without merit or cause.
- e. Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.
- f. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding.
- g. Influencing or attempting to influence another person to commit an abuse of the discipline system.
- ~~a.h. Failure to comply with the sanction(s), condition(s), and/or restriction(s) imposed by a Student Conduct Officer under the Code of Student Conduct or the Student Handbook.~~

**SECTION C: CONDUCT PROCEDURES FOR STUDENTS**

**4. Conduct Procedures**

Upon notice of an alleged violation of the *Code of Student Conduct*, The Dean of Students or The Managing Director of the Office of Student Conduct will appoint a ~~student conduct officer/ investigator~~ Student Conduct Officer/ Investigator to review allegations of misconduct. The ~~student conduct officer/ investigator~~ Student Conduct Officer/Investigator will inquire, gather and review information about the reported student misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

Incidents will ~~not be forwarded for a hearing unless~~ investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or ~~complainant~~ Complainant statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question. ~~Unsupported allegations with no credible information will not be forwarded to a hearing.~~

When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the ~~investigator~~ Student Conduct Officer/Investigator will investigate the reported incident to fullest extent of the information available.

When a Complainant is identified, but is reluctant to participate in the investigative process and/or the student conduct process entirely, the ~~university~~University will make every attempt to follow the wishes of the ~~complainant~~Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the ~~university~~University pursuing conduct action with respect to the named Respondent, the ~~university~~University will proceed with the student conduct process to the extent of the information available. If the Complainant does not want the ~~university~~University to pursue the report in any respect, the ~~university~~University will investigate further only if there is reason to believe that a significant continuing threat to the campus community exists.

## 1. Remedies and Resources

### a. Remedies

The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the ~~victim~~Complainant and community. ~~This includes immediate steps prior to protect complainants even before the final outcome initiation of the investigations, including prohibiting the respondent from having any contact with the complainant.~~ formal investigation and/or formal conduct procedures. These immediate steps will ~~attempt~~be taken to minimize the burden on the ~~complainant~~Complainant while respecting due process rights of the ~~respondent~~.

Respondent. Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, and modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

### b.a. Resources

Texas Tech University has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or Lubbock Police Department, counseling services, medical assistance, academic support referrals, and other support services. The Student Resolution Center is also available to help students understand the student conduct process and identify resources.

### 2.b. Interim Actions

Under the Code of Student Conduct, the Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus Hearing on alleged violation(s) of the Code of Student Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the

scheduling of a campus Hearing on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Dean of Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Dean of Students or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Students or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student. Students are informed of interim actions by the official notice procedures outlined in Part I, section A.3 of the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim administrative action may result in additional allegations of the *Code of Student Conduct*.

a.1. No Contact Orders

When initial inquiry indicates persistent and potentially escalating conflict between two members of the ~~university~~ University community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. -A No Contact Order will be issued by the Office of Student Conduct or Dean of Students via the student's official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

**3. Notice**

~~When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a student conduct officer/investigator.~~

~~In addition to other possible sanctions, conditions and/or restrictions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt.~~

~~The administrative hold will remain until such time as the student conduct officer/investigator receives an appropriate response.~~

~~Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent a Student Conduct Officer from proceeding with disciplinary action.~~

a. 2. Immediate Temporary Suspension – Students

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the Dean of Students, or on recommendation of a Student Conduct Officer/Investigator, the physical or emotional well-being of a student or other students or members of the University community could be endangered or if the presence of the student could significantly disrupt the normal operations of the University. The Dean of Students or designee will notify the Managing Director of the Office of Student Conduct to initiate appropriate conduct procedures to address the disruptive behavior within five (5) University working days from the date of temporary suspension.

~~Upon immediate temporary suspension~~Immediate Temporary Suspension, the student may no longer attend classes, use University services and/or resources, and is not allowed to be on campus until the conduct proceedings have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Office of Student Conduct and the Texas Tech Police Department.

Conduct, on or off campus that typically results in immediate temporary suspension:

~~Conduct, on or off campus, that typically results in interim suspension:~~

- ~~1.● A significant and articulable threat to the health or safety of a student or other member(s) of the University community;:~~
- ~~2.● Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;:~~
- ~~3.● Criminal felony charges related to weapons, drugs, aggravated assault, and/or terroristic threats;:~~
- ~~4.● Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests;:~~
- ~~5.● Violation of a No Contact Order;~~
- ~~6.● Retaliatory harm, discrimination, or harassment.~~

3. Other Interim Actions

In the event that the physical or emotional well-being of a student, other students, or members of the University community could be endangered, or if the presence of the student could significantly disrupt the normal operations of the University, other interim actions may be taken to protect the educational environment. These actions include, but are not limited to, temporary removal from University Student Housing, temporary changes in a student's academic schedule, and temporary restrictions from University activities, services and/or buildings.

#### 4. Non-Student Interim Actions

Any guest to the University who is alleged to have violated the Code of Student Conduct and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members of the University community and/or the presence of an individual could significantly disrupt the normal operations of the University, the Office of Student Conduct, in conjunction with the Texas Tech Police Department, will issue a Criminal Trespass to that individual(s).

#### b.5. Withdrawal of Consent

##### 1.a. Grounds for Removal

The Student Conduct Officer/Investigator or another University agent acting in accordance with his/her duties may recommend to the Dean of Students that, in accordance with the Texas Education Code, the student have his/her consent to remain on the campus withdrawn if, in the judgment of the Student Conduct Officer/Investigator and Dean of Students, it is determined that:

- a.● The student has willfully disrupted the orderly operation of the premises, and;
- b.● The student's presence on the campus or facility constitutes a substantial and material threat to the orderly operation of the premises.

If the Dean of Students concurs with the Student Conduct Officer's/Investigator's recommendation, permission for the student to be on University premises will be withdrawn. This Withdrawal of Consent will not be longer than fourteen (14) calendar days and a ~~hearing~~Hearing must be held within these fourteen (14) calendarg days to determine the student's status at the University.- Permission to be on University premises must be coordinated through the Dean of Students and the Texas Tech Police Department. -The Dean of Students will notify all parties of the final decision using the written notification procedures outlined in Part 1, ~~A3I~~, section A.3 within five (5) University working days.

##### 2.b. Registration Flag Following Withdrawal of Consent

When a student is withdrawn under this section, an administrative hold will be placed on the student's readmission to the University. This administrative hold will remain on the student's records until the student is readmitted.

NOTE: See Texas Education Code, ~~Sections~~sections 51.233-51.244

## 2. The Conduct Process

### a. Notice of Involvement

A student will be given notice of his or her involvement in an alleged violation of the *Code of Student Conduct* by receipt of a "Notice of Involvement/Need to Talk" Letter. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Student Conduct Officer/Investigator. In addition to the possible sanctions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Student Conduct Officer/Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent a Student Conduct

Officer/Investigator from proceeding with the conduct process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

**4.b. Student Rights & Responsibilities**

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. -This document will be reviewed and signed by the student prior to an interview with the ~~investigator/student conduct officer.~~ Student Conduct Officer/Investigator. The Student Rights and Responsibilities document informs the student of his or her rights to be exercised before and during the investigative process. These rights include Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

- a. ~~Students have the right to refuse to participate in the investigation process, either in part or entirely. Expressly, if a student does not provide information during the investigation, he or she will not be allowed to present new information during the hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the investigator's questions but not others), then during the hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the hearing that was available during the investigative process for the purpose of disadvantaging the other party. (Note: see Pre-Hearing for details on inclusion of new, previously unavailable information after conclusion of the investigative process)~~
- b. ~~Notification of the alleged misconduct.~~
- c. ~~Know the source of the allegation(s).~~
- d. ~~Know the specific alleged violation(s) prior to the Formal Hearing.~~
- e. ~~Know the sanctions, conditions, and/or restrictions that may be imposed because of the alleged violation(s).~~

A student has the right to:

1. A prompt, fair, and equitable process;

1.2. Be accompanied by an advisor at any Office of Student Conduct proceeding or any other related proceeding to any meeting or Hearing. An "advisor" can be any one of the following: a member of the Texas Tech Community (faculty, staff, or student), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the ~~hearing~~ Hearing on behalf of the University. -The ~~eomplainant~~ Complainant and/or the student accused of alleged misconduct is responsible for presenting his or her own information, and therefore,

advisors are not permitted to speak or participate directly in any ~~hearing~~Hearing unless authorized by a Student Conduct Officer.- Students should select an advisor whose schedule allows attendance at the scheduled date and time for the ~~hearing~~Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of a Student Conduct Officer/Investigator upon written request five (5) University working days in advance of the scheduled ~~hearing~~Hearing date.;

3. Refrain from making any statement relevant to the investigation. Students are expected to cooperate with the University conduct process, but may elect not to participate in the investigation process, either in part or entirely. However, a student's refusal to participate in the investigation, in whole or in part, lasts for the duration of the conduct process. In other words, if a student chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.
2. To have the opportunity to respond to the allegation(s) and/or present information. In the event that you need additional time to gather information, please inform your conduct officer.
  - f. Know that the standard of proof is a preponderance of the evidence. This differs from the standard of proof in a criminal legal proceeding—beyond a reasonable doubt. To make a finding under a preponderance of the evidence, it must be *more likely than not* that a certain behavior took place. In other words, if the evidence indicates that there is a 51% likelihood that a student violated the Code of Conduct, then that student should be found responsible.
  - g. Know that the proceedings are not restricted by the Rules of Evidence that govern criminal and civil trials. This means that all evidence and information can be taken into consideration in evaluating a situation, regardless of the source or means used to acquire that evidence or information.
  - h. Know that any statements made by the student, or student representing a registered organization, can be used during the proceeding.

Know that if it is discovered that the *NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.*

4. The opportunity to provide information and evidence in support of his/her case;
5. Know if they have been issued any allegations of misconduct;
6. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;

7. Know the Texas Tech University conduct policies and procedures, and where to find them;
8. Know that any information provided by the student may be used in a conduct proceeding;
9. Know that if a student ~~made~~ makes any false or misleading statement(s) statements during the student conduct process, that student ~~will~~ could be subject to further disciplinary action.

It is the student's responsibility to:

1. Be responsive to all correspondence from the University;
2. Provide information relevant to the incident or situation;
3. Be honest and provide true and accurate information during the investigation;
4. Review the *Code of Student Conduct* in order to fully understand all aspects of the student conduct process.

c. Investigation

5.—The Managing Director of the Office of Student Conduct: **Formal Investigation**

A trained investigator/student conduct officer, or designee will appoint a Student Conduct Officer/Investigator who will conduct a thorough, reliable, and impartial investigation of the reported incidents including meeting with the party bringing the complaint to finalize the complainant's statement, interview witnesses, collect evidence, create timelines, and receive information from the respondent/allegation. Reported allegations of misconduct under the *Code* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary.

When initial inquiry indicates a concurrent police investigation is occurring, the ~~investigator/student conduct officer~~ Student Conduct Officer/Investigator will, where possible, collaborate with the Texas Tech Police Department during the investigation. Elements of this collaborative investigation may include the ~~investigator~~ Student Conduct Officer/Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. ~~The investigator~~ The Student Conduct Officer/Investigator will never take physical custody of any physical or electronic evidence, but will work closely with the Texas Tech Police Department to inspect, analyze, and incorporate physical or electronic evidence into the Investigative report.

During the investigative process, Complainants and Respondents are responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the ~~investigator/student conduct officer~~ Student Conduct Officer/Investigator will compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The ~~Student Conduct Officer/investigator~~ Investigator will document any physical or electronic evidence in a



manner that is conducive and unobstructive to concurrent or forthcoming police investigations. A student will have access to review the thea completed Investigation Report for his and/or her case at the Pre-Hearing phase, investigative materials relevant to the investigation after the formal iInvestigative process has concluded. In order to protect confidentiality however, students willare not be allowed to take a copygiven copies of Investigation Reports and/or investigative materials.

Allegations of potential violations of the Code of Student Conduct, if appropriate, are assigned at the conclusion of the Investigative Process at which point the Student Conduct Officer/Investigator explains the options for resolution to the involved parties. Should students not participate in the Investigative Process, the conduct process may continue without their participation, including the assignment of allegations.

d. Informal Resolution

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the Code of Student Conduct outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Student Conduct Officer/Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal.

In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the University Community and Others) of the Code of Student Conduct, both the Complainant and the Respondent must agree to both the finding and the sanctions as recommended by the Student Conduct Officer/Investigator. The case will only be reopened if new material, previously unavailable is presented. Mediation will not be used to resolve cases involving Title IX-based allegations. The Informal Resolution, while not considered mediation, will also not be utilized to resolve cases of nonconsensual sexual intercourse.

Written notification of the outcomes and sanctions, if applicable, of the Informal Resolution will be provided to the student and appropriate University Administrators within five (5) University working days of the effectuation of the Informal Resolution.

e. Pre-Hearing Process

6. In cases involving an Administrative or University Discipline Committee Hearing, the Pre-Hearing/~~Formal Allegations Assigned~~

Process will be followed. Once the investigative process is complete, the responding student will be given notice of a Pre-Hearing Meeting scheduled outside of the student's academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and ~~Formal Hearing~~the completion of an Administrative or University Discipline Committee Hearing. During this meeting, students will be given the

opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or University Discipline Committee Hearing. Other documents reviewed may include notification of Respondent's allegations, Committee composition, and Hearing script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in Part I, section A.3 of a date, time, and location of the Hearing.

~~During this meeting, students will be given the opportunity to review the Investigation Report and other documents or evidence to be used in the Formal Hearing. While students may identify errors in their own statements at this point during the Pre-Hearing, they are not able to add additional information to the Investigation Report during the Pre-Hearing unless that information, in the judgment of the investigator~~ Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the ~~Formal~~ Administrative or University Discipline Committee Hearing, the student should inform the ~~investigator/student conduct officer~~ Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the ~~investigator/student conduct officer~~ Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the ~~Formal~~ Administrative or University Discipline Committee Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the ~~Formal~~ Administrative or University Discipline Committee Hearing.

~~Formal Allegations will be assigned during the Pre-Hearing per the information and evidence gathered during investigation. Allegations are behaviors identified as Misconduct in Part 1B and are assigned for deliberation in the Formal Hearing by the Administrative Hearing Officer or University Discipline Committee to determine the student's responsibility for misconduct. An Allegation Letter will be provided to the student in the Pre-Hearing Meeting or via other methods of notice.~~

The student conduct process is designed to be non-adversarial. Students will be permitted to question the statements and evidence presented by the other involved parties, but may not do so directly. After reviewing the investigation report, during the Pre-Hearing, Complainants and Respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

NOTE: Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Student Conduct Officer/Investigator may be rejected.

Students may indicate whether an Administrative Hearing or University Discipline Committee Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing or

University Discipline Committee ~~hearing~~Hearing will be held notwithstanding the student's preference.

In cases requiring a University Discipline Committee, the ~~investigator/student conduct officer~~Student Conduct Officer/Investigator will share the pool of faculty, staff, and students trained for University Discipline Committees. Students will be given the opportunity to request to strike any member of the University Discipline Committee whose impartiality may be in question. In order to strike a member of the University Discipline Committee, the student must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the University Discipline Committee is set, the ~~investigator/student conduct officer~~Student Conduct Officer/Investigator will schedule the ~~Final~~University Discipline Committee Hearing no sooner than five (5) university working days from the date of the last Pre-Hearing. The five-day period can be waived by the Office of Student Conduct upon consultation with the involved student(s).

## **7. Informal Resolution**

### **8.3. Once Hearings**

~~the investigative process is complete and formal allegations have been assigned, but prior to a formal hearing, a responding student has the option to resolve the issue informally. In order to effectuate an Informal Resolution, a responding student must (1) accept the finding(s) with regard to the allegations presented, and (2) accept the sanction(s), condition(s), and/or restriction(s) recommended by the Student Conduct Officer/Investigator.~~

~~In cases involving another student (the complainant) and/or a violation of Part 1, Section B2 of the *Code of Student Conduct*, both the Complainant and the Respondent must agree to both the finding(s) and the sanction(s), condition(s), and restriction(s) as recommended by the Student Conduct Officer/Investigator.~~

~~In cases where an~~Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and is reached, there is no formal hearing and no appeal. The case will only be reopened if new material, previously unavailable is presented.

**Formal Conduct** ~~After proper notice has been given to the student, the University may proceed to conduct either an Administrative or a University Discipline Committee Hearing and deliver~~issue a decision or recommendation respectively. finding and accompanying sanctions, if applicable. The Administrative or University Discipline Committee Hearing may be held and a decision or recommendation made, regardless of whether the student responds, fails to respond, attends the hearingHearing, or fails to attend the hearingHearing. Should the student fail to attend the Administrative or University Discipline Committee Hearing, an Administrative Hearingthe Student

Conduct Officer/Investigator or the University Discipline Committee may consider the information contained in the Investigation Report and render an administrative decision or University Discipline Committee recommendationa decision.

Hearings are closed to the public. ~~Both~~In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the complaining and responding University Community and Others) of the Code of Student Conduct, both the Complainant and the Respondent students have the right to be present at the ~~Formal~~ Hearing; however, they do not have the right to be present during deliberations. Arrangements can be made so that complaining and responding students do not have to physically be in the ~~hearing~~Hearing room at the same time. To request changes in the scheduled ~~hearing~~Hearing time, students should contact the Office of Student Conduct ~~no less than three (3) days prior~~ to the scheduled ~~hearing~~Hearing.

a. Administrative Hearing

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. ~~The assigned Administrative Hearing Officers~~Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director of the Office of Student Conduct, or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, conditions, and restrictions as appropriate.

Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the ~~Formal~~Administrative Hearing. StudentsDecisions made through the Administrative Hearing may utilizebe appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, D11-II, section C.5.

b. University Discipline Committee Hearing

A University Discipline Committee Hearing panel consists of five (5) ~~committee members~~University Discipline Committee Members including faculty, staff and students. Availability may determine a different composition for the Hearing Panel, ~~and in complaints panel. In cases involving Part II, section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, students may be removed from the panel. For allegations related to academic dishonesty, the University Discipline the Committee will be composed of only include faculty and students. staff.~~

During the University Discipline Committee Hearing, a designated Committee Chairperson will facilitate the ~~hearing~~Hearing process. Hearing proceedings, excluding

the deliberations of the University Discipline Committee, will be recorded by the University.

The Investigator/Managing Director of the Office of Student Conduct, or designee will appoint a Committee Resource Person to serve as a non-voting participant in the University Discipline Committee Hearing. The Committee Resource Person will be a trained University staff member who may:

- Prepare the University Discipline Committee Hearing materials;
- Record the University Discipline Committee proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the University Discipline Committee Hearing;
- Ensure the procedural soundness of the University Discipline Committee Hearing;
- Provide student conduct history of the Respondent during the sanctioning phase, if necessary;
- Transcribe the findings of the University Discipline Committee Hearing;
- Compile the post-Hearing documentation,
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the investigation reportInvestigation Report, evidence, witnesses, allegations,allegation(s), and questions for deliberation. The Complainant and Respondent have the right to add or make additional comments about the facts of the case. The University Discipline Committee may question the investigator/student conduct officer, complainant, respondentStudent Conduct Officer/Investigator, Complainant, Respondent and any witnesses. The complainantComplainant and respondentRespondent do not have the right to question each other noror witnesses directly, but may do so pose questions through the investigator/student conduct officer. The complainant and respondent have the right to add or make additional comments about the facts of the case. Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the investigator/student conduct officer, the hearingStudent Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. --Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. Hearing. In the event the chair of the hearingHearing removes a student due to misconduct (complainant, respondentComplainant, Respondent, or witnesses)), the alleged misconduct will be forwarded to the Office of Student Conduct.

Following the hearingHearing, the University Discipline Committee will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. The chair ofShould the University Discipline Committee will informhave any questions for the Managing Director of the Office of Student Conduct in writing of Officer/Investigator, the Complainant, and/or the decision(s). Respondent, the University Discipline Committee Hearing will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the University Discipline Committee will be provided to the student(s) in writing within five (5) University working days of the conclusion of the Formal University Discipline Committee Hearing. Students Decisions made through the University Discipline Committee Hearing may utilize be appealed by students by utilizing the Disciplinary Appeal Procedures as outlined in Part 1, D11-II, section C.5.

#### e.4. Sanctions

##### 9. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or thea University Discipline Committee may impose sanctions, ~~conditions and/or restrictions~~ as a result of a ~~Formal Hearing where thean~~ Informal Resolution, Administrative Hearing, or University Discipline Committee Hearing, when a student is found responsible. ~~Potential~~ The potential sanctions, ~~conditions and/or restrictions~~ are listed in the *Code of Student Conduct* grid at <http://www.depts.ttu.edu/studentconduct>. Please note that ~~the~~ <http://www.depts.ttu.edu/studentconduct>. The grid is provided only as a guideline for administering sanctions, ~~conditions, and/or restrictions~~, by the Student Conduct Officer/Investigator, Administrative Hearing Officer, or the University Discipline Committee. ~~The~~ The Student Conduct Officer/Investigator, Administrative Hearing Officer and/or the University Discipline Committee may deviate from the grid.

~~An administrative fee of up to \$100.00 may be imposed on students and student organizations found responsible for violating the *Code of Student Conduct* in addition to any other sanctions, conditions, and/or restrictions also assessed.~~

Implementation of the disciplinary-sanction(s), ~~condition(s) and/or restriction(s)~~ will not begin ~~and are not deemed final~~ until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Resolution process are final upon effectuation of the Informal Resolution. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Upon the judgment of the Managing Director of the Office of Student Conduct, some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process.

~~If the allegation involves a student organization, the Administrative Hearing Officer or University Discipline Committee may meet with a University staff member whose professional capacity involves the advising of the organization. This staff member may provide information relevant to potential sanctions, conditions, and restrictions for the committee.~~

All records concerning a student or student organization related to the disciplinary process will remain on file in the Office of Student Conduct or University Student Housing for a minimum of seven (7) years from the date the case is completed through a

~~Formal~~an Informal Resolution, Administrative Hearing, or University Discipline Committee Hearing and/or disciplinary appeal procedures (see Part 1, D11, Disciplinary Appeal Procedures). ~~in Part I, section C.5. All records related to the disciplinary process~~ records resulting in suspension and/or expulsion will remain on file indefinitely.

~~Sanctions are defined as the primary outcome of the alleged violation.~~

If a student or student organization is found responsible, for violating the range Code of Student Conduct, sanctions ~~includes the~~ may be imposed and can include, but are not limited to the following outcomes:

1-a. Disciplinary Reprimand:

The disciplinary reprimand is an official written notification using the -notice procedures outlined in Part 1, A3I, section A.3 to the student that the action in question was misconduct.

2-b. Disciplinary Probation:

~~Disciplinary probation~~ Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions, ~~conditions and/or restrictions.~~

3-c. Deferred Disciplinary Suspension:

~~Deferred disciplinary suspension~~ Disciplinary Suspension is a period of time where a disciplinary suspension ~~Disciplinary Suspension~~ may be deferred for a period of observation and review, but in no case will the ~~deferred suspension~~ Deferred Disciplinary Suspension be less than the remainder of the semester. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional ~~sanctions, conditions and/or restrictions~~ sanctions.

4-d. Time-Limited Disciplinary Suspension:

~~Time-limited disciplinary suspension~~ Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class or University related activities. The status of disciplinary suspension ~~Disciplinary Suspension~~ will be shown on the student's academic record, including the transcript. Time-limited disciplinary suspension is noted on the student's transcript by the phrase "Disciplinary Dismissal". ~~Upon written request by~~ Suspension" and will include the period of time in which the student ~~to is/was suspended from the University Registrar,~~ the. The notation of "Disciplinary Dismissal" may be removed from the transcript at the discretion of the University upon readmission or the completion of the disciplinary suspension period. ~~In cases of discriminatory harassment or sexual misconduct, the notation of disciplinary suspension will not be removed~~ will remain on the transcript indefinitely. Notification of disciplinary suspension of a student will indicate the date on which it begins and the earliest date the application for student readmission will be considered. The Student Conduct Officer/Investigator may deny a student's readmission, if the student's misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any ~~sanctions, conditions and/or restrictions that have been~~ sanction that was imposed prior to application for readmission, the Student Conduct Officer/Investigator may deny readmission to a student. On denial of a student's readmission, the Managing

Director of the Office of Student Conduct will set a date when another application for readmission may again be made. An administrative hold will be placed on the student record to prevent registration during the Disciplinary Suspension.

*NOTE: For information pertaining to academic courses taken at another higher education institution during time-limited disciplinary suspension, please refer to OP 34.21 located at <http://www.depts.ttu.edu/opmanual/OP34.21.pdf>*

~~Student organizations may also be subject to suspension of their organization's registration. Time-limited disciplinary suspension is a specific period of time in which a student organization's registration and privileges are suspended. Upon written request by the registered student organization's representative to the Center for Campus Life, the notation of disciplinary suspension may be removed from the registration record of the student organization upon completion of the disciplinary suspension period. Notification of disciplinary suspension of an organization will indicate the date on which the suspension begins and the earliest date the application for re-registration will be considered. The Student Conduct Officer may deny an organization's request for re-registration if the organization's misconduct during a period of suspension would have warranted additional disciplinary action. If the organization has failed to satisfy any sanctions, conditions, and/or restrictions that have been imposed prior to application for re-registration, the Student Conduct Officer may deny re-registration to the organization. On denial of an organization's application for re-registration, the Student Conduct Officer will set a date when another application for re-registration may be made.~~

5.e. Disciplinary Expulsion:

~~Disciplinary expulsion~~Expulsion occurs when the student is permanently withdrawn and separated from the University.

~~The status of expulsion~~Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript or student organization's registration. ~~Disciplinary expulsion~~Expulsion is noted on the student's transcript by the phrase "Administrative Dismissal."

Disciplinary Expulsion" and the date in which the student's expulsion was effective.  
An administrative hold will be placed on the student record by the Managing Director of Student Conduct to prevent future registration.-

b.f. Conditions



A condition is an ~~additional component of a disciplinary sanction~~. A condition is usually an educational or personal element that is to occur in conjunction with the assigned ~~sanction~~ by Student Conduct Officer/Investigator, Administrative Hearing Officer, or University Discipline Committee. Costs associated with conditions may be the responsibility of the student and will be billed to the student's account. Some examples of conditions include, but are not limited to:

1. Personal and/or academic counseling intake session;
2. Discretionary educational conditions and/or programs of educational service to the University and/or community;
3. Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities;
4. Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement;
5. Monetary assessment owed to the University;
6. Completion of an alcohol or drug education program;
7. Referral to the BASICS Program for assessment.

e.g. Restrictions

A restriction is an additional component of a disciplinary sanction. A restriction is usually an educational component that is to occur in conjunction with the ~~sanctions~~ and will usually be time specific. Some examples of restrictions include, but are not limited to:

1. Revocation of parking privileges;
2. Denial of eligibility for holding office in registered student organizations;
3. Denial of participation in extracurricular activities;
4. Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University community;
5. Loss of privileges on a temporary or permanent basis.

h. Academic Penalties

~~6.—In cases involving of University funding (Student Government Association, departmental, Student Services Fees, etc.)~~

~~Restrictions associated with violations of Part XII, section B.3-1 (Academic Misconduct) an academic integrity) penalty may be imposed by the referring party.~~  
Academic penalties include, but are not limited to, dismissal;

- Assignment of a grade for the relevant assignment, exam, or course;
- Relevant make-up assignments;
- No credit for the original assignment;
- Reduction in grade for the assignment and/or course;
- Failing grade on the assignment;
- Failing grade for the course;
- Dismissal from a departmental program, denial;
- Denial of access to internships or research programs, loss;
- Loss of appointment to academically-based positions, loss;

7. • Loss of departmental/graduate program endorsements for internal and external fellowship support and employment opportunities, and/or removal of fellowship or assistantship support.

d. Alcohol & Drug Violations

- Removal of fellowship or assistantship support.

i. Parental Notification

Violations of Part I, sections B3. (alcoholic beverages) or B4 (narcoticsB.3 (Alcoholic Beverages) or drugsB.4 (Narcotics or Drugs) may result in notification to the parents/guardians of dependent students under the age of 21. NOTE: See Parent Notification Policy at <http://www.depts.ttu.edu/studentconduct/process.php>.

### **10.5. Conduct Appeal Procedures**

A student may appeal the decisionfinding or the sanction(s), condition(s) and restriction(s)sanction(s) imposed by the Office of Student Conductin an Administrative Hearing or University Discipline Committee Hearing by submitting a written petition to the designated appeal officer within five (5) University working days of receivingthe delivery of the written decision. An appeal may not be filed on behalf of the student by a third party.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based.

The Dean of Students, or designee, will select an appeal officer in each case. The designated appeal officer will be a trained University staff or faculty member who did not serve as the Student Conduct Officer/Investigator or the Administrative Hearing Officer in the original Conduct Process and will render a neutral, impartial, and unbiased decision.

- a. In cases involving alleged misconduct involving Part I, section B.1 (Academic Misconduct), hearing (e.g. The discovery of new evidence, unavailable during the original hearingThe sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

In cases involving alleged misconduct involving actions against members of the university community, either the complainant or respondent may appeal the decision of the Office of Student Conduct. In cases involving alleged misconduct involving academic dishonesty, the designated appeal officer is the Associate Academic Dean of the college where the student is enrolled or the Associate Academic Dean of the college housing the course where the violation occurred. In situations where the Associate Academic Dean participated in the hearingHearing as the conduct officerStudent Conduct Officer/Investigator or instructorInstructor of recordRecord, the designated appeal officer is the Academic Dean.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not

constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- b. • A procedural [or substantive error] occurred that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- e. • The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
- The sanctions imposed substantially varies from the range of sanctions normally imposed for similar infractions.

In cases involving alleged misconduct involving Part I, section B.2 (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Office of Student Conduct. In such cases, the Office of Student Conduct will provide the request for appeal to the other party and provide opportunity for response.

The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. -If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. ~~If an appeal is granted, the results of the appellate process as outlined below will be final.~~

~~If the designated appeal officer determines that new evidence should be considered, he/she may return the complaint to the original hearing body to reconsider the new evidence, or may order a new Administrative or University Discipline Committee Hearing. If new evidence is considered, the original hearing body may increase, decrease, or otherwise modify the sanctions, conditions, and/or restrictions. The original hearing body or designee will notify the student of the outcome using the written notice procedures outlined in Part 1, A3 within eight (8) University working days of the decision. The decision is final and may not be appealed. If a new Administrative or University Discipline Committee Hearing is ordered, all hearing procedures under Part 1, section D (Conduct Procedures) will be followed. The new hearing body or designee will notify the student of the outcome using the written notification procedures outlined in Part 1, A3, within five (5) University working days of the decision. The decision of the new hearing body is final and may not be appealed.~~

~~If the Managing Director of the Office of Student Conduct or designee determines that a material procedural or substantive error has occurred, he/she may return the complaint to the original hearing officer/committee with instructions for another hearing in light of the appellate findings. All hearing procedures under Part 1, section D (Conduct Procedures) will be followed. The original hearing body will notify the student in writing of the outcome using the written notification procedures outlined in~~

~~Part 1, section A.3 within five (5) University working days of the decision. This decision is final and may not be appealed. In those cases in which the error cannot be cured by the original hearing body (i.e., some cases of bias), the designated appeal officer may order a new hearing with either a new Student Conduct Officer or with a University Discipline Committee hearing with different members. If a new Administrative or University Discipline Committee Hearing is ordered, all hearing procedures under Part 1, section D (Conduct Procedures) will be followed. The new hearing body or designee will notify the student in writing of the outcome within five (5) University working days of the decision. The decision of the new hearing body is final and may not be appealed.~~

If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the director appeal identifies a procedural/substantive error or designee may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to new evidence that was unavailable at the original hearing body or convening a new committee. The designated Hearing, the appeal officer will notify the student in writing then determine whether the error or new evidence would have substantially impacted the decision of the outcome using the written notification procedures outlined in Part 1, section D. within five (5) Administrative Hearing Officer or University working days of the decision. The decision of Discipline Committee. If the designated appeal officer is final and cannot be appealed. determines that the error or new evidence would have substantially impacted the decision, they may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- Remand the case to the original Hearing Body; or
- Remand the case to a new Hearing Body.

The Office of Student Conduct shall make all reasonable efforts to timely notify the student(s) of the status of the appeal throughout the appellate process; and shall make all reasonable efforts to notify the ~~students as to~~ student(s) the result of the ~~their appeal using the written notification procedures outlined in Part I, section A.3 within five (5) ten (10) University working days after the final.~~ If necessary, the Designated Appeal Officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is rendered. The appeals officer's final and cannot be appealed.

If the designated appeal officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final-- and may not be appealed.

#### **11.7. Former Student Conduct & Readmission**

A former student who engages in conduct that is a violation of the *Code of Student Conduct* may be subject to conduct procedures prior to reenrollment, a bar against readmission, revocation of a degree, and withdrawal of a diploma.

A student who has had an administrative hold placed on his or her records under this section must request readmission from the Managing Director of the Office of Student Conduct at least three (3) weeks prior to any Texas Tech University Office of Admissions application deadlines for the semester or summer session in which the student wishes to re-enroll. The student may be required by the Managing Director of the Office of Student Conduct to submit evidence in writing supportive of his/her present ability to function properly and effectively in the University community. The University will evaluate the student's request and supporting documentation with primary consideration given to satisfying all conditions specified at the time of suspension or withdrawal. If approval is granted by the Managing Director for the Office of Student Conduct for the removal of the administrative hold, the student must then complete the regular University readmission procedures.

#### **SECTION D. CONDUCT PROCEDURES FOR STUDENT ORGANIZATIONS**

Upon notice of an alleged violation of the *Code of Student Conduct* by a student organization, the Dean of Students or the Managing Director of the Office of Student Conduct will appoint a Student Conduct Officer/Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather and review information about the reported student organization misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

Incidents will be forwarded for investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Complainant statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question.

##### **1. Initial Inquiry**

An initial inquiry would occur to review information about the alleged misconduct and to evaluate the accuracy, credibility, and sufficiency of the information. When an initial report does not identify victims of misconduct or victims are not available, it can limit the ability to investigate the incident. When the reporting party or complainant is identified but is reluctant to participate in the investigation process or student conduct process, the University will make every attempt to follow the wishes of the complainant while weighing the interests of the campus community and the possibility of continuing inappropriate behavior and threat to the community. If the complainant does not want to participate in the investigative process but has no aversion to the university pursuing the conduct process, the University will proceed to the extent of the information available.

##### **Decision to Document the Incident without Further Investigation**

If it is determined that the information reported and available does not warrant an allegation of a conduct violation, a policy warning letter may be issued to clarify

the policy that was in question. This may happen in situations where reports received are from anonymous sources with no ability to validate the credibility of the concern and the initial inquiry identifies little to no other information to support the report.

## **2. Remedies & Resources to Reporting Parties/Complainants**

- a. The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the Complainant and community prior to the initiation of formal investigation and/or formal conduct processes. These immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, and modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule Remedies will be evaluated on a case-by-case basis.
- b. Assistance and resources are provided to the Complainant in order to help them understand the options available to them when making a report, to determine what resolution the reporting party is seeking, to identify university and community resources to support the reporting party, and to stop any current inappropriate behavior. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or Lubbock Police Department, counseling services, medical assistance, academic support referrals, and other support services. This is handled by the staff member in the Center for Campus Life, Student Resolution Center, Office of Student Conduct or Dean of Students taking the initial report. This staff member may or may not be the person to investigate the complaint.

## **3. Interim Actions**

- a. Under the *Code of Student Conduct*, the Dean of Students or designee may impose restrictions and/or temporarily suspend the registration of a student organization pending the scheduling of a campus Hearing on alleged violation(s) of the *Code of Student Conduct* when the student organization represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Examples of conduct or incidents that may result in interim suspension are hazing, organization events and activities resulting in allegations of sexual misconduct, criminal felony charges, severe disruption, retaliatory harassment; alcohol/drug policy violations occurring during recruitment or social events; and cease and desist directives from inter/national or regional organizations. A student organization who receives an interim suspension may request a meeting with the Dean of Students or designee to demonstrate why an

interim suspension is not merited. Regardless of the outcome of the meeting, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, the student organization is not able to access the benefits of being a registered student organization during this time period, and organization activities should cease in order to prevent additional misconduct. Student organizations are informed of interim actions by the official notice procedures outlined in Part I, section A.3. of the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and other members of the University Community, the University, and/or property. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim actions may result in additional allegations of violations of the *Code of Student Conduct*.

#### **4. Notice of Involvement**

A student organization will be given notice of the organization's involvement in an alleged violation of the *Code of Student Conduct* by receipt of a "Notice of Involvement/Need to Talk" letter or direct contact by a Student Organization or Fraternity/Sorority Life staff member.

#### **5. Initial Contact to the Student Organization Leadership and Advisor**

In most cases, the appropriate Student Organization or Fraternity/Sorority Life staff will ask the student organization President and Faculty/Staff Advisor or Alumni Advisor for an initial response to the information received within a prompt timeframe. At this time, student organization officers and members accused of conduct violations will also receive information about resources that can assist them during the conduct proceedings. When organization leaders are prompt, cooperative and forthcoming with information to assist in the inquiry, it can reduce conduct findings and sanctions. Organizations should be aware that information gathered during this initial contact is documented for use during conduct proceedings. Organizations that fail to comply with or respond to a notice issued as part of conduct procedures and/or failure to appear will not prevent the continuation of the conduct process. Likewise, a student organization that ignores requests for information, misrepresents information, or conceals information can face additional allegations of misconduct and increased sanctions.

#### **6. Notification of the Inter/National or Regional Headquarters (if relevant)**

In most cases (with the exception of low-level concerns), Fraternity and Sorority Life staff will notify representatives of the inter/national or regional headquarters of the complaint received and process for reviewing the complaint. TTU believes in an active partnership with inter/national and regional organization staff to resolve concerns. These inter/national and regional staff and volunteers are often better able to identify opportunities to address concerns and may be conducting

their own investigation and conduct process. TTU staff will specifically contact inter/national and regional organizations when a reoccurring concern indicates a climate issue for the organization, when the response of the organization is not compliant or timely, when there is an immediate threat to member or others safety, or when the organization has already participated in conduct processes for concerns.

## **7. Rights & Responsibilities**

**8. Prior to the formal investigation process, a student organization will be provided a Student Rights & Responsibilities document to review and sign prior to an interview with the appointed Student Conduct Officer/Investigator. The Rights & Responsibilities document informs the student organization of rights to be exercised before and during the conduct process. Those rights include the right to:**

- a. A prompt, fair, and equitable process;**
- b. Be accompanied by an advisor at any conduct or related proceeding.**
  - An "advisor" can be any one of the following: a member of the Texas Tech community (faculty, staff, or student), a victim's advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney.**
  - An advisor's role is that of support – he or she may not speak on behalf of the organization and does not have an active, participatory role in the conduct process. If an advisor for the organization is an attorney, an attorney from TTU Office of General Counsel may attend on behalf of the University.**
  - In the case of a student organization conduct proceeding, the President of the student organization is asked to make a response on behalf of the organization. During these processes, the President is also encouraged to include the faculty/staff advisor for the student organization. In many cases, the President may not be able to speak on behalf of the local advisory board to the student organization, so the inclusion of a local alumni advisor is also allowed.**
  - In the case of student organizations – the current President of the organization, is responsible for presenting information during the formal hearing. The roles of the advisors during formal hearings should be for support and guidance, not to speak or participate directly in the formal hearing unless authorized.**
  - Student organizations should select an advisor whose schedule allows attendance at the meeting, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the investigator and with advanced notice.**
- c. Refrain from making any statement relevant to the investigation.**



- Student organizations are expected to cooperate with the University conduct process, but may elect not to participate in the investigation process, either in part or entirely. However, a student organization's refusal to participate in the investigation, in whole or in part, lasts for the duration of the conduct process. In other words, if a student organization chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student organization provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student organization will only be permitted to speak to the information provided, with no additional commentary. The rationale for this policy is to prevent parties from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.
- d. The opportunity to provide information and evidence in support of the case;
- e. Know if they have been issued any allegations of misconduct;
- f. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
- g. Know the Texas Tech University conduct policies and procedures, and where to find them;
- h. Know that any information provided by the student organization may be used in a conduct proceeding;
  - Any information provided by a student during an investigation may be used in formal conduct processes related to allegations against the student organization, the student or other students.
  - Student and student organization records are subject to the Federal Education Rights & Privacy Act (FERPA). Information collected during an investigation will be compiled into an investigation report and is considered student or student organization records. The investigation report may be shared with the assigned student conduct hearing board members or administrative officers assigned to adjudicate concerns as officials with legitimate educational interest and without written consent for release. Student and student organization records can be subpoenaed in accordance with criminal processes which could include the release of the investigation report to law enforcement officials. The investigation report may also be shared with the inter/national or regional organization headquarters staff to assist with collaborative investigations.
- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

Student organization responsibilities include:

- j. Be responsive to all communications from the university;
- k. Provide information relevant to the incident or situation;
- l. Be honest and provide true and accurate information during the investigation
- m. If a student or student organization needs additional time to gather information, please inform your investigator/conduct officer.
- n. Review the Code of Student Conduct in order to fully understand all aspects of the student conduct process.

## **9. Investigation**

- a. The Dean of Students, or designee will appoint a Student Conduct Officer/Investigator to conduct a thorough, reliable, and impartial investigation of the reported concern.
- b. Reported allegations of misconduct under the Code of Student Conduct have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. In student organization incidents there is the potential for three or more separate investigations to be occurring in a similar time frame.
  - TTU Student Organization Conduct Investigation
  - Criminal Investigation by Texas Tech, Lubbock or Other Police Departments
  - Inter/National or Regional Headquarter Investigation
  - Local Student Organization Advisory Board Investigation
- c. When initial inquiry indicates that another concurrent investigation is occurring alongside the TTU student conduct investigation, the appointed investigator(s) will, where possible, collaborate with the other entities conducting investigations. Elements of a collaborative investigation may include coordinated or joint interviews, evidence sharing, and investigation report sharing within the limits of student records policies.
- d. Investigations of student organization conduct may include the requirement for student organization members to attend an investigation meeting as a group or as individuals. Students may be asked to complete written questionnaires related to the investigation. Regardless of the nature of the investigation, students and student organizations should be aware of their rights and responsibilities in the conduct process and recognize that any information shared during the course of the student conduct investigation may be used in formal conduct processes against the student organization or the individual student. Students can always decline to participate in a collaborative investigation meeting and meet only with the student conduct investigator instead of meeting together with other investigators.

- e. During the investigative process, student organization representatives are responsible for providing all information or evidence that they believe should be considered. Once the investigative process is complete, the Student Conduct Officer/Investigator will compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from the interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and unobstructive to concurrent or forthcoming police investigations.
- f. Student organizations will be asked to provide information about any actions occurring voluntarily by the organization to address concerns or actions occurring related to other conduct processes (intern/national or regional actions, local alumni board actions). This information is used to inform the opportunity for an organization to be eligible for informal resolution processes or the sanctioning portion of a formal hearing if an organization is found responsible for a policy violation.
- g. A student organization will have access to a completed Investigation Report and/or investigative materials relevant to the allegation(s) after the investigative process has concluded. In order to protect confidentiality however, student organizations are not given copies of the Investigation Reports and/or investigative materials.

**10. Investigation Report is Completed by Investigator and Pre-Hearing Scheduled**

- a. Once the investigation report is completed, the President and his/her advisors for the student organization will be given notice of a Pre-Hearing Meeting. During this meeting, the representatives will be given an opportunity to review the Investigation Report and other documents or evidence that would be used in a formal hearing. If new or previously unavailable information is now available, the investigator will make a determination about the inclusion of the information in the report.
  - If there is not sufficient evidence to proceed to a hearing, a policy warning letter would be issued to the organization and the incident would be closed.
  - If there is sufficient evidence to proceed to a hearing, the investigation report will outline the formal allegations against the student organization.
  - A discussion would occur around the opportunity for an informal resolution or a formal hearing.
- b. In cases proceeding to a formal hearing, the student organization representative(s) would review the formal hearing script and the pool of faculty, staff, and students trained for the University Discipline Committee.

## **11. Informal Resolution**

- a. Upon review of the investigation report and the investigation process, the organization may have the opportunity to resolve the issue informally. The investigator would provide an informal resolution in writing to the organization representatives for their consideration. The organization would agree to the outlined findings of responsibility for misconduct and the outlined sanctions, conditions, and restrictions. If there is a complainant, the complainant must also agree to the informal resolution. To participate in the Informal Resolution process, student organizations must accept both the finding and the sanction, condition(s), restriction(s). There is no appeal of signed informal resolutions. Once completed, the informal resolution completes the conduct process. The case will only be reopened if new materials, previously unavailable is presented.

## **12. Pre-Hearing Process**

- a. In cases involving an Administrative or University Discipline Committee Hearing, the Pre-Hearing Process will be followed. Once the investigative process is complete, the student organization will be given notice of a Pre-Hearing Meeting. Should student organizations not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative or University Discipline Committee Hearing. During this meeting, student organizations will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or University Discipline Committee Hearing. Other documents include notification of Respondent's allegations, Committee composition, and Hearing script. Following the pre-hearing, student organizations will be notified, via the notification procedures, outlined in Part I, Section A.3 of a date, time, and location of the Hearing.
- b. While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or University Discipline Committee Hearing, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or University Discipline Committee Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to

provide a response to any new evidence that will be presented in the Administrative or University Discipline Committee Hearing.

- c. The conduct process is designed to be non-adversarial. Student organization representatives will be permitted to question the statements and evidence presented by the other involved parties, but may not do so directly. After reviewing the investigation report, during the Pre-Hearing, complainants and respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

NOTE: Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Student Conduct Officer/Investigator may be rejected.

- d. Student organizations may indicate whether an Administrative Hearing or University Discipline Committee Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing or University Discipline Committee Hearing will be held notwithstanding the student's preference.
- e. In cases requiring a University Discipline Committee, the Student Conduct Officer/Investigator will share the pool of faculty, staff, and students trained for University Discipline Committees. Student organization representatives will be given the opportunity to request to strike any member of the University Discipline Committee whose impartiality may be in question. In order to strike a member of the University Discipline Committee, the student organization representative must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the University Discipline Committee is set, the Student Conduct Officer/Investigator will schedule the University Discipline Committee Hearing.

### **13. Formal Hearings**

- a. Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student organization, the University may proceed to conduct either an Administrative or a University Discipline Committee Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative Hearing or University Discipline Committee Hearing may be held and a decision made, regardless of whether the student organization responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student organization fail to attend the Administrative or University Discipline Committee Hearing, the Student Conduct Officer/Investigator or the University Discipline Committee may consider the information contained in the Investigation Report and render a decision. Student

organization conduct processes are typically adjudicated by a University Discipline Committee.

- b. Hearings are closed to the public. Complainants and respondents have the right to be present at the formal hearing; however, they do not have the right to be present during deliberations. Arrangements will be made so that complaining and responding students are not present in the hearing room at the same time.
- c. Student organizations are typically represented by the current President and an advisor.
- d. In situations where the organization no longer has a current student representing the organization, the conduct process will continue with the information available at the time. Organizations with inter/national, regional, or local advisory staff or volunteers with a long-term interest in the organization's recognition at the University may be allowed to participate in the resolution of conduct processes when a current student is no longer able to represent the organization.
- e. Administrative Hearing

An Administrative Hearing is the process of adjudicating allegations of violations of the Code of Student Conduct by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director of the Office of Student Conduct, or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns a sanctions, as appropriate. Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5.

- f. University Discipline Committee Hearing

A University Discipline Committee Hearing panel consists of five (5) University Discipline Committee Members including faculty, staff and students. Availability may determine a different composition for the Hearing panel. In cases involving Part I, section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.

During the University Discipline Committee Hearing, a designated Committee Chairperson will facilitate the Hearing process. Hearing proceedings, excluding the deliberations of the University Discipline Committee, will be recorded by the University.

The Managing Director of the Office of Student Conduct, or designee will appoint a Committee Resource Person to serve as a non-voting participant in the University Discipline Committee Hearing. The Committee Resource Person will be a trained University staff member who may:

- Prepare the University Discipline Committee Hearing materials;
- Record the University Discipline Committee proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the University Discipline Committee Hearing;
- Ensure the procedural soundness of the University Discipline Committee Hearing;
- Provide student conduct history of the Respondent during the sanctioning phase, if necessary;
- Transcribe the findings of the University Discipline Committee Hearing;
- Compile the post-Hearing documentation,
- Deliver notification to student parties.

g. The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent have the right to add or make additional comments about the facts of the case. The University Discipline Committee may question the Student Conduct Officer/Investigator, Complainant, Respondent and any witnesses. The Complainant and Respondent do not have the right to question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the chair of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct.

h. The investigator would provide information during sanctioning related to any previous conduct history, self-sanctioning occurring with the organization, and general information about the organization's activities and participation at TTU to help inform sanctioning.

Following the Hearing, the University Discipline Committee will deliberate and will render a decision in regard to the alleged misconduct as well as decide any

sanctions, if applicable. Should the University Discipline Committee have any questions for the Student Conduct Officer/Investigator, the Complainant, and/or the Respondent, the University Discipline Committee Hearing will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the University Discipline Committee will be provided to the student organization in writing within five (5) University working days of the conclusion of the University Discipline Committee Hearing. Decisions made through the University Discipline Committee Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, section C.5.

#### **14. Sanctions**

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a University Discipline Committee may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or University Discipline Committee Hearing, when a student organization is found responsible. The potential sanctions are listed in the Student Organization Sanction Grid in the Student Handbook Appendix. The grid is provided only as a guideline for administering sanctions by the Student Conduct Officer/Investigator, Administrative Hearing Officer or the University Discipline Committee.

The cooperation of an organization during the investigation and conduct process as well as any self-sanctioning or other required sanctioning will also be considered in the determination of sanctions.

Implementation of the sanctions will not begin until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Upon the judgment of the Managing Director of the Office of Student Conduct, some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process.

If a student organization is found responsible for violating the Code of Student Conduct, sanctions may be imposed and can include, but is not limited to the following:

##### **a. Disciplinary Reprimand**

The Disciplinary Reprimand is an official written notification that the action in question was misconduct. The disciplinary status of the organization is still good-standing.

##### **b. Disciplinary Probation**



Disciplinary Probation is a period of time during which the organization's conduct will be observed and reviewed. The organization must demonstrate the ability to comply with University policies and any other conditions / requirements stipulated for the period of probation. Further instance of misconduct during this time period may result in additional sanctions, conditions, and/or restrictions.

c. Deferred Disciplinary Suspension

Deferred Disciplinary Suspension is utilized for misconduct that could have resulted in suspension, but the suspension is deferred for a period of observation and review. Deferred suspensions are assigned for no less than one semester. Further instances of misconduct during this time period may result in immediate temporary suspension of organization activities and often result in suspension or expulsion. Deferred suspension often includes multiple conditions and restrictions for the organization to continue recognition with the university.

d. Time-Limited Disciplinary Suspension

Time-Limited Disciplinary Suspension is a specific period of time in which a student organization's registration with the university is suspended as well as privileges and benefits of registration. Suspended student organizations may not hold events or activities on campus, may not solicit or utilize University grounds or services to promote organizations or events or to recruit members, and may not utilize any other benefits or services provided to registered student organizations. If an inter/national or regional organization suspends the charter of an organization, this results in a sanction no less than time-limited suspension for the time period of the suspended charter. Notification of disciplinary suspension of a student organization will indicate the date on which it begins and the earliest date the student organization's application for registration will be considered. The Student Conduct Officer/Investigator may deny an application for registration if the organization's misconduct during suspension would have warranted additional disciplinary action. If the student organization has failed to satisfy any sanction that was imposed prior to application for registration, the Student Conduct Officer/Investigator may deny registration to the student organization. On a denial of student organization registration, the Student Conduct Officer/Investigator or Managing Director of Campus Life will set a date when another application for registration may again be made.

e. Disciplinary Expulsion

Disciplinary Expulsion occurs when the student organization is permanently separated from the University with no opportunity for future registration as a student organization.

f. Conditions

A condition is an additional component of a disciplinary sanction, usually an educational element assigned to occur in conjunction with a period of probation or

deferred suspension or assigned to occur prior to returning from time-limited suspension. Examples include, but are not limited to

- Hosting educational programs or initiatives for the organization or community related to the misconduct
- Requirements for additional training or advisement from TTU staff, advisory boards, or other appropriate parties
- Requirements for membership to complete online education programs or other activities
- Requirements for community service or other activities beneficial to the membership and associated with remedying the impact of behavior on the community
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement
- Requirements for completion of membership reviews and providing updated rosters
- Requirements to submit information about updated and improved organizational processes such as new member education plans, or social event plans

g. Restrictions

A restriction is an additional component of a disciplinary sanction, usually an educational restriction on organization activities that occurs during a time period of probations or deferred suspension or upon return from time-limited suspension. Examples include, but are not limited to

- Revocation of organization benefits such as eligibility for SGA funding, eligibility to reserve rooms, eligibility to solicit or hold events on campus
- Denial of participation or restrictions associated with participation in university activities as a student organization such as homecoming, intramurals, recruitment activities

h. Required Notifications

Some organization misconduct requires additional notifications. Texas Education Code, Chapter 51.936 indicates that institutions of higher education shall distribute to each student during the first three weeks of each semester a list of organizations that have been disciplined for hazing or convicted for hazing on or off the campus of the institution during the preceding three years.

**15. Conduct Appeal Procedures**

- a. A student organization may appeal the decision of a formal hearing or the sanction(s), condition(s), and restriction(s) imposed following a formal hearing by submitting a written petition for appeal to the designated appeal officers with five (5) University working days of receiving the written decision.

- b. The Dean of Students, or designee, will select an appeal officer in each case. The designated officer will be a trained University staff or faculty member who was wholly uninvolved in the original Conduct Process and will render a neutral, impartial, and unbiased decision.
- c. Petitions for appeal must clearly identify the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal.
- d. The only proper grounds for appeal are as follows
  - Procedural or substantive error that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
  - Discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
  - The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- e. In cases involving alleged misconduct involving Part I, section B.2 (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Office of Student Conduct. In such cases, the Office of Student Conduct will provide the request for appeal to the other party and provide opportunity for response.
- f. The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.
- g. If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or University Discipline Committee. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, they may:
  - Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
  - Remand the case to the original Hearing Body;
  - Remand the case to a new Hearing Body.
- h. The Office of Student Conduct or designee shall make all reasonable efforts to notify the student organization of the status of the appeal throughout the appellate

process and shall make all reasonable efforts to notify the student organization of the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days. If necessary, the Designated Appeal Officer will notify the student organization should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

- i. If the designated appeal officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final and may not be appealed.

#### **16. Student Organization Records**

- a. All records concerning a student organization related to conduct processes will remain on file with the University for a minimum of seven (7) years from the date of the completion of the case via informal resolution, formal hearing, and/or conduct appeal processes.
- b. Student organization records do not impact the content of individual student records for student organization members. Findings of responsibility of misconduct for student organizations does not indicate a finding of responsibility for individual students. Individual students are subject to their own conduct processes separate from the student organization process.
- c. Student organization conduct decisions and finding are shared with the inter/national or regional headquarters of organizations as appropriate.

## **PART II COMMUNITY POLICIES**

### **SECTION A. ALCOHOL POLICY & INFORMATION**

- a. **Alcoholic Beverage Provisions in the *Code of Student Conduct***

### **SECTION B. ACADEMIC INTEGRITY**

- a. **Texas Tech University Statement of Academic Integrity**

Academic integrity is taking responsibility for one's own class and/or course work, being individually accountable, and demonstrating intellectual honesty and ethical behavior. Academic integrity is a personal choice to abide by the standards of intellectual honesty and responsibility. Because education is a shared effort to achieve learning through the exchange of ideas, students, faculty, and staff have the collective responsibility to build mutual trust and respect. Ethical behavior and independent thought are essential for the highest level of academic achievement, which then must be measured. Academic achievement includes scholarship, teaching, and learning, all of which are shared endeavors. Grades are a device used to quantify the successful accumulation of knowledge through learning. Adhering to the standards of academic integrity ensures grades are earned honestly. Academic integrity is the foundation upon which students,

faculty, and staff build their educational and professional careers. [Texas Tech University ("University") Quality Enhancement Plan, Academic Integrity Task Force, 2010]

**b. Academic Dishonesty Definitions**

Students must understand the principles of academic integrity, and abide by them in all class and/or course work at the University. Academic Misconduct violations are outlined Part II, section B.2 of the *Code of Student Conduct*. If there are questions of interpretation of academic integrity policies or about what might constitute an academic integrity violation, students are responsible for seeking guidance from the faculty member teaching the course in question.

**c. Academic Integrity Policy Committee**

The Academic Integrity Policy Committee formed by the Associate Vice Provost for Student Affairs will conduct an annual review of the Policy and make written recommendations to the Senior Vice President for Academic Affairs and Provost or a Vice Provost designated by the Provost to serve as Chief Academic Officer regarding omissions, clarifications, constructive changes and other matters relevant to the proper interpretation and operation of the Policy. Such written recommendations will be received annually by the CAO no later than March 1.

**d.c. Instructor Responsibilities**

Any person becoming aware of alleged violations of academic integrity should report the allegation to the instructor of record in the course. The instructor in a course is responsible for initiating action in each case of dishonesty or plagiarism that occurs in that class. The instructor should contact the Office of Student Conduct to discuss the nature of the violation and the student's record of academic integrity violations. Instructions for reporting allegations of academic dishonesty are available in the *Code of Student Conduct*. The instructor should attempt to discuss the matter with the student and receive a response from the student about the allegations. Then, the instructor may notify the student of possible academic sanctions including, but not limited to assigning a paper or research project related to academic integrity, make-up assignment that is different than the original assignment, issue no credit for the original assignment, reduce the grade for the assignment and/or course, issue a failing grade on the assignment, and/or issue a failing grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Office of Student Conduct as a central clearinghouse of violations and for adjudication as a *Code of Student Conduct* violation where disciplinary sanctions will be assigned.

**e.d. Withdrawal and Assignment of Grades**

1. Once a student has been notified of an academic integrity allegation, the student may not drop the course until the academic integrity processes are complete. If a student drops or withdraws, the student will be reinstated to the course in question. A student should continue attending class and participating in course work until the disciplinary process is complete. If it is determined that the student was not responsible for academic integrity violations and/or the referring faculty member allows the student to withdraw from the course, the student may file a request with the Associate Vice Provost for Student Affairs for approval to drop the course or withdraw from the University retroactively.

2. If a referring faculty member must submit a final course grade before an Academic Integrity Violation allegation is resolved, the faculty member should notify the Department Chair and the Associate Academic Dean of the intention to assign a grade of F and/or leave the final grade blank. The involved student may be given a temporary grade of X by the Office of the Registrar, which does not affect the student's GPA, until the academic integrity adjudication process is complete. When the academic integrity adjudication process is complete, the final grade will be assigned through the appropriate academic channels and the completion of a grade change form. All appeals related to academic integrity violations should follow the process outlined in Part I, section C.5 (Disciplinary Appeals Procedures).

**f.e. Academic and Disciplinary Penalties**

The academic and disciplinary penalties will not be implemented until the disciplinary procedure and appeal process has been exhausted. In cases in which a student is found not responsible for academic dishonesty, the student will be entitled to the grade he/she would have received in the absence of an academic integrity violation. In addition, the student will be allowed to continue in the particular course without prejudice.

**g.f. Referrals to the Office of Student Conduct**

In addition to the assignment of academic sanctions by the instructor of record, a referral of the academic integrity violation should also be made to the Office of Student Conduct for the assignment of disciplinary sanctions. Instructions for reporting academic dishonesty violations are available in the Code of Student Conduct. A student referred to the Office of Student Conduct for alleged violations of academic misconduct is entitled to all substantive and procedural guarantees provided in the Code of Student Conduct. Law students are subject to discipline procedures as described in the Honor Code of the School of Law. Instructors of record of the course where the violation occurred and the associate academic dean of the college where the student is enrolled or of the college housing the course where the violation occurred may participate in the adjudication of the violation and assignment of additional sanctions with the Office of Student Conduct as outlined in the Code of Student Conduct.

*NOTE: Additional Academic Integrity information is available from the Office of Student Conduct and TTU Ethics Center*

## **SECTION C. ANTI-DISCRIMINATION POLICY**

Texas Tech University does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, status as a covered veteran, or other protected categories, classes, or characteristics. While sexual orientation is not a protected category under state or federal law, it is Texas Tech University policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.

1. **Discriminatory Harassment**

- a. Discriminatory harassment is verbal or physical conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics and is so severe, persistent, or pervasive it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.
- b. Examples of inappropriate behavior that may constitute discriminatory harassment include, but are not limited to:
  - Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
  - Display of explicit or offensive calendars, posters, pictures, drawings, screen savers, e-mails, or cartoons in any format that reflects disparagingly upon a class of persons or a particular person;
  - Derogatory remarks about a person's national origin, race or other ethnic characteristic;
  - Disparaging or disrespectful comments if such comments are made because of a person's protected status;
  - Loud or angry outbursts or obscenities in the academic environment directed toward another student, faculty, staff, or visitor; or
  - Disparate treatment without a legitimate business reason.

## **2. Sexual Harassment**

- a. Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with the student's educational experience.
- b. Examples of inappropriate behavior that may constitute unlawful sexual harassment include, but are not limited to:
  - Sexual teasing, jokes, remarks, questions
  - Sexual -looks and -gestures-;
  - Sexual innuendoes or stories;
  - Communicating in a demeaning manner with sexual overtones;
  - Inappropriate comments about dress or physical appearance;
  - —
  - Gifts, letters, calls, e-mails, or materials of a sexual nature;
  - Sexually explicit visual material (calendars, posters, cards, software, internet materials);
  - Sexual favoritism;
  - Pressure for dates or sexual favors;
  - Unwelcome physical contact (touching, patting, stroking, rubbing)
  - Non-consensual video or audio-taping of sexual activity;
  - Inappropriate discussion of private sexual behavior;
  - Exposing one's genitals or inducing another to expose their genitals;
  - Unwelcome physical contact (touching, patting, stroking, rubbing);
  - Non-consensual video or audio-taping of sexual activity;
  - Exposing one's genitals or inducing another to expose their genitals;

- ~~s~~Sexual assault; or intercourse.
- Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.
- *Note: While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.*

**3. Reporting Concerns**

Students complaining of discriminatory and sexual harassment should contact the Deputy Title IX Coordinator for Students, Dean of Students, 201 Student Union, (806) 742-2984. Students complaining of discriminatory and sexual harassment in their employment capacity should contact the Office of Equal Employment Opportunity, 212 Administration Building, (806) 742-3627. The Student Resolution Center is available to assist with these processes. An online reporting form is also available.

**4. Office of Civil Rights Complaints**

Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office of Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100, Customer Service Hotline#: (800) 421-3481, <http://www.ed.gov/ocr>.

**5. Non-retaliation**

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or Hearing. Retaliatory harassments is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.

**6. Confidentiality**

Confidentiality of both Complainant and accused will be honored to such extent as is possible without compromising the University's commitment to investigate allegations of discrimination and harassment and only in instances where there is no credible threat to the safety of the Complainant, Respondent, or others. The willful and unnecessary disclosure of confidential information by anyone, including the alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

**7. Faculty/Staff and Student Relationships**

Texas Tech University is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships, including affectionate liaisons or other intimate or close relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Faculty/staff with direct or indirect teaching, training, research oversight or direction, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the ethical and professional boundaries that must exist in such situations. If questions arise about situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean, Provost's Office or the Dean of Students.



**8. Grievance or Complaint Processes**

A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTU policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. Additional information about grievance and complaint processes is available here. Complaint processes are outlined in Part II, Section E of the Student Handbook.

**9. Grievances and Investigations – Complaints Involving Other Students**

Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTU policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part I, section B (*Code of Student Conduct*).

**10. Grievances and Investigations – Complaints Involving Employees, Whether Faculty or, Staff, or Students**

- a. This grievance process is applicable to all students who choose to complain about unlawful discrimination, harassment, or other violations of the law that adversely affect their educational environment and the responding party is an employee, whether faculty, staff, or student-or staff member.
- ~~b. While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.~~
- ~~e.b.~~ All grievance investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.
- ~~d.c.~~ The filing of a grievance shall not affect the ability of TTU to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance.
- ~~e.~~ Prior to filing a formal grievance, a student should attempt to resolve the situation by addressing the offending party in an informal manner and in an atmosphere of mutual respect. A student is not required to contact the person involved if doing so is impracticable, the student is uncomfortable doing so, or if the student believes that the conduct cannot be effectively addressed through informal means. If the situation is not resolved by informal means, the student may file a formal grievance.
- ~~f.d.~~ A student may also consult with the Dean of Students or Student Resolution Center to determine if he/she wishes to file a formal grievance. Students wishing to file a grievance should complete the grievance form located at www.deanofstudents.ttu.edu. However, even if a formal grievance is not filed, the Dean may notify key personnel at his or her discretion about the allegation, and other action may be taken by TTU as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing alleged offenders of TTU's policy and educating departments and supervisors as needed on this and other policies.
- ~~e.~~ If the grievance involves the Dean of Students, the grievance should be presented to the Equal Employment Opportunity Office.

- g.f. Student complaints of discrimination or harassment by an employee will be investigated jointly by the Office of the Dean of Students and the Office of Equal Employment Opportunity.
- h. Upon receipt of a signed grievance, an investigation will be conducted by the Dean of Students or designee. The Vice Provost for Student Affairs & Undergraduate Education and the appropriate academic dean will be notified of the grievance.
- i.g. The investigation may consist of the review of the grievance and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation and its procedures will be determined by and at the discretion of the Dean of Students or the Office of Equal Employment Opportunity. The Equal Employment Opportunity Office or other administrators may be consulted to assist with the investigation.
- h. After the investigation is complete, the Office of the Dean of Students or the Office of Equal Employment Opportunity or designee will provide a written determination to the student who has filed the grievance, the accused parties, and the appropriate academic dean, and the Vice Provost for Student Affairs & Undergraduate Education administrators.
- i.i. The finding of the Office of the Dean of Students or the Office of Equal Employment Opportunity is final and not appealable.
- j. In the event a finding of a violation of this policy is made, appropriate disciplinary action will be taken as determined by the appropriate administrator. Disciplinary action for faculty and staff would be referred to the next senior level administrator and coordinated with the Equal Employment Opportunity Office.
- k. If either party disagrees with the imposed disciplinary action, or lack thereof, he or she may appeal within 10 business days through procedures established in OP 32.05 for faculty and OP 70.10 for staff.
- l. Any disciplinary action taken in connection with a grievance filed pursuant to this policy shall be reported in writing to the Office of the Dean of Students and the Office of Equal Employment Opportunity at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via a copy of a counseling or other written disciplinary action, resignation, termination document, etc.
- m. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Office of Equal Employment Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance has taken place, the student should contact the Dean of Students or the Office of Equal Employment Opportunity, and/or file a grievance for retaliation.
- k.n. In the event of a finding of a violation of this policy, the Office of Equal Employment Opportunity will follow up with the grievant within 60 days to ensure that the complained of behavior has ceased.

## **SECTION D. CLASS ABSENCES**

### **1. Class Absences**

Responsibility for class attendance rests with the student. Regular and punctual attendance at all scheduled classes is expected, and the University reserves the right to deal at any time with individual cases of non-attendance. In case of an illness requiring an absence from class for more than one week, the student should notify his/her academic dean. Texas Tech University Operating Policy 34.04 provides complete information regarding class attendance and reporting student illness and emergencies.

### **2. Religious Holy Day Absences**

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. More information is available in Texas Tech University Operating Policy 34.19.

### **3. Student Absence due to Sponsorship of Student Activities and Off-Campus Trips**

- a. According to the Undergraduate and Graduate Catalog, faculty, department chairpersons, directors, or others responsible for a student representing the University on officially approved trips should notify the student's instructors of the departure and return schedules in advance of the trip. The instructor so notified must not penalize the student, although the student is responsible for material missed. Students absent because of University business must be given the same privileges as other students (e.g., if other students are given the choice of dropping one of four tests, then students with excused absences must be given the same privilege).
- b. According to Texas Tech University Operating Policy 34.06, students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip.

## **SECTION E: COMPLAINT PROCESSES**

### **1. Complaints/Grievances**

Texas Tech University has various procedures for addressing written student complaints/grievances. Students may seek assistance from the Student Resolution Center as they go through a written complaint/grievance process. The Student Resolution Center helps students understand all of the steps of the process as well as what information they may want to include in their written complaint/grievance.

### **2. Academic Status Complaints**

- a. Policies and processes related to academic status are found in the Undergraduate/Graduate Academic Catalog as well as in Operating Policy 34.07 Undergraduate Academic Status, Operating Policy 34.15 Grade Replacement Policy, and Operating Policy 64.04 Academic Probation and Suspension of Graduate Students.
- b. Undergraduate students on academic suspension may appeal their academic status to the Associate Academic Dean of their Academic College for review of mitigating factors or the use of grade replacement to impact grade point average. Graduate students may appeal to the Graduate School for review.

### **3. Complaints Against Faculty (Non-Grading and Non-Discrimination)**

Conduct of University Faculty is outlined in Operating Policy 32.04 Conduct of University Faculty. The processes for complaints against faculty are outlined in the

policy and in the Undergraduate/Graduate Academic Catalog. Students should direct complaints to the supervisor of the department or organization housing the faculty member, typically the department chair.

**1.4. Conduct Complaints Against Other Students and Student Organizations**

The Code of Student Conduct Part I, Section C and Section D of the TTU Student Handbook outlines the process for filing a conduct complaint against a student or student organization.

**2. Complaints Against Students**

**3. Complaints Against Faculty**

**4. Complaints Against Staff**

**5. Discriminatory and/or Sexual Harassment**

a. Texas Tech University has established policies and grievance procedures providing for prompt and equitable resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of sexual misconduct. In the event a student believes his or her rights under Title IX or other laws have been violated, Operating Policy 40.02 sets forth procedures for filing, investigating, and remediating complaints of harassment and discrimination.

b. For complaints by a student against another student regarding incidents of discrimination or harassment, see Part I, Section B.2 and Part I, Section C of the Code of Student Conduct in the TTU Student Handbook.

c. For complaints by students against faculty or staff regarding incidents of discrimination or harassment, see the Anti-Discrimination Policy in Part II, Section C of the TTU Student Handbook and Operating Policy 40.03 (formerly 70.28).

a.d. For complaints against student organizations related to incidents of discrimination or harassment, detailed policies and procedures are available in Part I, Section B.2 and Section D in the TTU Student Handbook.

Students with grievancees related to discrimination in the educational environment on the basis of race, sex, national origin, religion, age, disability, sexual orientation, genetic information, or other protected categories, classes, or characteristics should review the Anti-Discrimination policies in Part 2, section C of the Student Handbook.

**6. Students with Disabilities Disability-Related Complaints**

a. Complaints related to disabilities are guided by Operating Policy 10.08 Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504) and Operating Policy 34.22 Establishing Reasonable Accommodation for Students with Disabilities.

b. Any students seeking remedy on the basis of a disability must register as a disabled student with Student Disability Services and must provide all required documentation of a disability. Students who are denied services or denied a specific accommodation request by a Student Disability Services counselor may appeal the decision to the Managing Director ~~Managing Director of~~ Student Disability Services. The ADA Campus Coordinator for Students is the Managing Director of Student Disability Services, 335 West Hall, (806) 742-2405.

**7. Personal Records Student Record Complaints & FERPA**

Guidelines governing student access to personal records and the procedures for challenging information in these records are contained in the student records policy that is detailed in the Student Handbook Part II2, section PO. The Registrar's Office provides oversight for student records and student record complaints.

**8. Disciplinary Action**

The University disciplinary appeals process is outlined in the Student Handbook Part 2I, section D. Conduct Procedures relating to the School of Law are contained in the Honor Code of the School of Law. Procedures relating to the School of Medicine, School of Nursing and the School of Allied Health are contained in the School of Medicine Student Handbooks, School of Nursing Student Handbook, and the School of Allied Health Student Handbooks.

**9. Employment**

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact Human Resources or the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the University Operating Policy 70.10 Non-Faculty Employee Complaint Procedures and Operating Policy 40.03 (formerly 70.28) Anti-Discrimination Policy and Grievance Procedure for Violations of Employment and Other Laws. ~~The procedures manual may be reviewed in the Office of Equal Employment Opportunity.~~

**10. Grades**

The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. The complete student grade appeal policy and procedure is listed in Texas Tech University Operating Policy 34.03 Student Grade Appeal. A copy of the grade appeal procedures may be obtained from any academic college dean's office or from the Office of the Provost. Also, refer to the Student Handbook Part I, section B.1 (Academic Misconduct).

**11. Parking Citations**

Students may appeal a campus parking citation online at [www.parking.ttu.edu](http://www.parking.ttu.edu). Transportation & Parking Services rules and a description of the three-tiered appeals process is described in the *Traffic and Parking Regulations* available online at <http://www.parking.ttu.edu/resources/pdf/rulesregulations.pdf>

**12. Graduate School Requirements**

- a. Graduate student complaints related to academic standing and performance follow processes outlined in Operating Policy 64.07 Graduate Student Appeals. ~~s may address specific grievances arising from matters affecting academic standing and performance, other than admission to the Graduate School (see~~ <http://www.depts.ttu.edu/opmanual/OP64.01.pdf>) ~~and allegations of academic dishonesty (see the Code of Student Conduct).~~ Such matters include, but are not limited to, disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, and graduate assistantships. See OP 64.07 <http://www.depts.ttu.edu/opmanual/OP64.07.pdf> for more information.

- b. Appeals of course grades are made through the dean of the college in which the course is offered and are, therefore, excluded from consideration under OP 64.07; see OP 34.03 <http://www.depts.ttu.edu/opmanual/OP34.03.pdf> guided by process in Operating Policy 34.03 Student Grade Appeal.

**13. Housing Complaints**

- 14.** Housing regulations and processes are provided annually in the Housing Contract Guide, on the University Student Housing website. University Student Housing oversees the resolution of complaints related to student housing.

**15. Online and Distance Student Complaints**

- 16.** Students enrolled in distance learning courses utilize the same complaint procedures as students enrolled in traditional courses. In accordance with the Higher Education Opportunities Act of 2008, Texas Tech University provides a website related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at <http://www.depts.ttu.edu/elearning/complaint-process/>.

**17. Tuition, Fee, and Financial Aid Complaints**

- 13.18.** Tuition, fee, and financial aid complaints are guided by Student Business Services and Student Financial Aid processes. Information is available on both department websites. Students with complaints related to tuition, fee, and financial aid may submit concerns through an online system.

**SECTION F. FINANCIAL RESPONSIBILITY**

**1. Financial Responsibility of Students**

- a. Students must meet all financial responsibilities due to the University. The writing of checks on accounts with insufficient funds, issuance of stop pays, fraudulent credit card chargebacks, or the nonpayment or delinquent payment of outstanding loans and failure to meet any other financial obligations to the University are considered a lack of financial responsibility. Financial irresponsibility may subject the student to additional fees, fines, suspension of check writing and cashing privileges, denial of registration, withholding of grades and transcripts and adjudication under the *Code of Student Conduct*. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, but the due date may be prohibited from registering for classes until full payment is made. A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term. Students should understand that consequences may result from not resolving one's financial obligations to the University.
- b. Generally, failure to meet financial obligations to the University may result in:
- Cancellation of the student's registration if tuition and registration fees are not paid by the dates provided by Student Business Services or if a returned check given in payment of tuition and fees is not redeemed by that time.
  - Possible criminal prosecution for writing insufficient fund checks.
  - A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term.

- A hold preventing future registration placed on a student's academic records.
  - A hold on receiving official University transcripts until the obligation is paid.
  - ~~Students should understand that consequences may result from not resolving one's financial obligations to the University.~~ The University may report individual student financial problems to a credit agency or a collection agent. Before registering or requesting a transcript, students may check on the presence of holds by accessing their records at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) under the TTU MyTech (for Students) tab.
- c. For more information, please visit the Student Business Services website at [www.sbs.ttu.edu](http://www.sbs.ttu.edu).

## **SECTION G. FREEDOM OF EXPRESSION**

### **1. Freedom of Expression**

- a. ~~Information related to freedom of expression policy is available in Part II, Section P Use of University Space.~~ Hyperlink to Use of University Space Policy Related to Freedom of Expression (Part 2, section Q)

## **SECTION F. HOUSING REQUIREMENTS**

### **1. Housing Information**

- a. The Texas Tech residence hall system includes a variety of living options and provides convenient and affordable housing for approximately 7,4008400 students. Learning Communities provide students with the opportunity to live with others of similar interests or major. Carpenter/Wells Complex, which is arranged in three-bedroom townhouses or four-bedroom flats, offers private bedrooms in a suite-style setting. Murray Hall and Talkington Hall offer suite-style accommodations to men and women. Most suites include four private bedrooms, a common living area, and shared bathrooms. Talkington Hall and the new West Campus Village includes a limited number of two bedroom suites. The new West Campus Village offers upperclass and graduate buildings are apartment style living with full kitchens and washer and dryers. Priority for assignment to Carpenter/Wells complex and West Village A will be given to students of sophomore or higher classification. The West Village B campus graduate building is will be assigned for students at least 21 years of age or older. Carpenter/Wells Complex, which is arranged in three-bedroom townhouses or four-bedroom flats, offers private bedrooms in a suite-style setting. Priority for assignment to Carpenter/Wells Complex will be given to students of sophomore or above classification. Gordon Hall, a suite-style residence, is designated as the Honors College Residence Hall.
- a.b. Ethernet computer connections are provided in each room. All halls will have WiFi throughout the building by fall 2015. Other services include basic cable television service with Showtime, limitless laundry rooms, vending machines, and an in hall 24-hour professional office.

- ~~b.c.~~ An experienced and trained staff of Residence Life Coordinators and Community Advisors manages each residence hall. Each residence hall office provides assistance to residents with concerns, including maintenance requests, room and roommate assignments, and resource information.
- ~~e.d.~~ The interests of students living on campus are promoted through the Residence Halls Association and individual hall governments. Each hall government sponsors social, cultural, educational, and recreational activities.
- ~~d.e.~~ Complete information regarding campus housing can be found at [housing.ttu.edu](http://housing.ttu.edu). Information regarding residence hall policies can be found at [housing.ttu.edu/hall-policies](http://housing.ttu.edu/hall-policies).

## 2. Housing Policy

- a. In support of the Strategic Plan of Texas Tech University, the ~~U~~university requires enrolled first year students with less than 30 post-high school college hours to live in the University Residence Halls if there are vacancies. Institutional research suggests that students who live on campus are significantly more inclined to remain in college and achieve higher GPAs in comparison to students living off campus. Compliance with the University housing policy is a condition of enrollment, as set forth in the Student Handbook and the Undergraduate and Graduate Catalog~~academic catalogs~~ and approved by the Board of Regents.

## 3. Housing Requirement

- a. Subject to verification and authorization by University Student Housing, students who meet one or more of the following criteria may be given permission to eligible to live off campus prior to moving in:
  - A student is residing and continues to reside in the established primary residence of her/his parents (or legal guardian) if it is within a 60-mile radius of Texas Tech University. The parents must have established their primary Lubbock-area residency at least six months prior to the request for an exemption. ~~In order for the exemption request to be considered, a~~ legal guardianship must have been established by a court of law at least one year prior to the request.
  - A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for ~~f~~Financial ~~a~~Aid.
  - A student is married or has dependent children living with the student.
  - A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.
  - A transfer student has successfully completed 30 or more semester hours of academic credit prior to the student's enrollment or re-enrollment. Credit earned by exam (Advanced Placement, CLEP, ACT, and SAT) and hours received from concurrent high school credit are not considered.
  - A student is awarded a ~~U~~university scholarship/sponsorship that is managed by a ~~U~~university department or college, which minimally and includes the equivalence of the current academic school year's room, dining plan, tuition, fees, and textbooks (as estimated by the Student Financial Aid Office). Upon prior approval from the managing department or college, the student may request to be exempted from living on campus.



The managing department or college must provide verification in writing to University Student Housing prior to the student's enrollment and/or re-enrollment to the University.

- A student is enrolled in the Graduate School or Law School.
- A student has served in active military service, as verified by a discharge certificate (DD214).
- A student presents sufficient evidence of an extreme medical condition, as documented by his/her treating physician for which on-campus accommodations cannot be made.
- A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.
- A student has completed a full academic year (fall and spring terms) of living on campus residence in the Texas Tech University residence halls; or provides sufficient evidence of living on campus at another university prior to off campus residence eligibility.
- A student is enrolled in on-line classes only.
- A student is taking six or less hours during the academic year.
- A student enrolled on for a TTU or TTUHSC campus other than the Lubbock campus.

b. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement will be grounds for disciplinary action. Such action may include, but is not limited to, revocation of a previously approved exemption, restitution of up to a semester's room and dining plan fees, or probation, as determined by the Office of Student Conduct and in accordance with the *Code of Student Conduct* of Texas Tech University.

c. Students sign a Residence Hall Contract for the summer session or the academic year (fall and spring semesters). Any student wishing to move from the residence halls should consult the Residence Hall Contract for the provisions applicable to cancellation of the contract. Authorization for exemption from the on-campus housing requirement does not relieve the student of contractual obligations that may have been assumed with the University for housing in the residence halls.

d. Signing a lease for off-campus housing does not relieve the student of contractual obligations with the University for housing in the residence halls. The student is responsible for complying with all provisions of the Texas Tech University University Student Housing and Hospitality Services Contract.

e. The student is responsible for updating any incorrect information including place of residence with the Office of the Registrar.

d. No exemptions will be approved once the student has moved in to the residence halls.

5. It is the responsibility of the student to update any incorrect information regarding place of residence with the Office of the Registrar.

#### **6.4. Room and Dining Plan Fees and Advance Payments**

7. a. Room and dining plan fees are due and payable by the semester and will be billed by Student Business Services. A payment plan is available. Payments must be

made by the scheduled due dates to avoid delays in registration or termination of the residence hall contract. Additional remedies available to the university for non-payment of room and dining plan fees include withholding the student's transcript of grades, diploma, and other academic records, and cancellation of enrollment.

- 8.b. Students with academic year contracts are charged 60 percent of the academic year room and dining plan rate for the fall semester and 40 percent for spring semester. Students entering the residence halls for the spring semester with an academic year contract are charged 50 percent of the academic year rate.
- e.c. An Advance Payment must be paid prior to reserving a room/space in the residence halls. These fees are applied to the student's billing account at the end of the contract term provided the contract is not cancelled prior to the end date of the contract term.
- d. An Apartment Reservation Fee must be paid prior to reserving a room/space in designated halls. These fees are applied to the student's billing account at the end of the contract term provided the contract is not cancelled prior to the end date of the contract term.

## **SECTION I. SEXUAL VIOLENCE**

### **1. Sexual Violence/Sexual Misconduct/Title IX Information**

Information about Texas Tech University's response and prevention of sexual violence and misconduct can be found at <http://sexualviolence.ttu.edu>.

## **SECTION J. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS**

### **1. General Policy**

- a. The primary mission of the University is education. The University is responsible for promoting and protecting the intellectual and cultural growth and development of the institution and the members of its community. Therefore, solicitations or advertisements and sales, displays or distribution of publications on the campus are not permitted, except as provided below or as provided by law.

### **2. Definitions**

- a. Solicitation includes, but is not limited to requesting money, seeking agreement to pay, taking subscriptions, selling merchandise or tickets or offering other comparable materials and privileges in person or by handbills, posters or similar materials to promote sales.
- b. Advertisements are the displays of any items that have, as an integral part of their design, the identification of a consumer product or service.
- c. Printed materials are publications, handbills, posters, leaflets and other written matter intended for public distribution, sale or display on campus.

### **3. University Name, Document and Records**

- a.—The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of

University documents, records or seal is prohibited. Information is also available in Operating Policy 01.06 Use of Texas Tech University Name or Logo for Private Business Purposes, Operating Policy 72.23 Licensing and Use of TTU Registered Names, Logos, and Trademarks, and Operating Policy 68.03 Visual Identity Guidelines. Pertinent links:

1. <http://www.depts.ttu.edu/opmanual/OP01.06.pdf>,
2. <http://www.depts.ttu.edu/opmanual/OP72.23.pdf>

b.a.

#### **4. Jurisdiction**

- a. All solicitation requests should be directed to the Outdoor Events Coordinating Committee for review. Complete the Grounds Use/Solicitation Request form at [www.depts.ttu.edu/centerforcampuslife/](http://www.depts.ttu.edu/centerforcampuslife/) and return to the Center for Campus Life. Requests must be submitted at least six (6) University working days before intended use.
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the Managing Director of the Center for Campus Life.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Senior Vice President of Administration and Finance.
- d. All regulations pertaining to on-campus solicitations by academic departments and faculty shall be administered by the Provost and Senior Vice President of Academic Affairs.
- e. Solicitation of all gifts, donations, and non-contractual grants from private philanthropic sources (e.g., individuals, foundations, and corporations) are administered by the Vice Chancellor of Institutional Advancement and in accordance with OP 02.02.

#### **5. Solicitation Processes**

- a. Solicitations by registered student organizations and students are prohibited on Texas Tech University grounds and facilities except for:
  - Activities supporting the educational mission of the institution;
  - Promotion of organizational activities consistent with organization mission;
  - Recruitment of members or membership drives;
  - Accepting donations on behalf of altruistic or charitable projects;
  - Scholarship and/or fundraising projects in support of organization mission.
  - The regulating offices may grant special permission for solicitation purposes or places not listed above in exceptional circumstances.
- b. Permission will not be granted for any activity which promotes the use of alcoholic beverages, infers sponsorship by Texas Tech University or violates any federal, state and/or local laws and/or University policies.
- c. In order to solicit in University buildings, authorization is required via the Outdoor Events Coordinating Committee and appropriate building manager.
- d. Registered student organizations may use the University's registered marks when used in connection with a student organization activity, provided items are acquired from a licensed vendor. A sample or drawing needs to be provided

showing how the University's registered marks are to be used before production of the merchandise can proceed. This sample will be submitted by the licensed vendor selected by the registered student organization. For additional information on licensing and use of Texas Tech University registered names, logos and trademarks, refer to OP 54.03 or contact the Office of Intercollegiate Athletics External Operations.

- e. Requests for permission to solicit are granted for a specified period. To be eligible to solicit, an individual must present current student identification and submit a Grounds Use/Solicitation request form to the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. A permit to solicit may be revoked if the solicitation violates any of the regulations pertaining to solicitations and advertising or sale, display, or distribution of printed materials.
- f. Decisions by the Outdoor Events Coordinating Committee rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the Managing Director of the Center for Campus Life.
- g. A written appeal describing the objections to the denial to the Managing Director of the Center for Campus Life must be filed no later than five (5) University working days after receipt of notice of denial from the Outdoor Events Coordinating Committee.
- h. The Managing Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within five (5) University working days from the receipt of the written appeal.
- i. The student or registered student organization may not appeal beyond the Managing Director of the Center for Campus Life.

**6. Advertisements**

- a. Advertisements by commercial organizations, either as groups or through student representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co-sponsorship, which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.
- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the Texas Tech Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Outdoor Events Coordinating Committee.

**7. Printed Materials & Digital Signage**

The following policies apply to the display and distribution of printed materials and digital signage in all areas of the University campus:

- a. Only individuals affiliated with the University (i.e. students or student organizations) may distribute handbills, leaflets or any other type of printed materials, except as provided by law
- b. Students and registered student organizations do not need prior approval concerning the content or distribution of materials such as leaflets and handbills; however, students may be required to provide verification of current student status upon request;
- c. Solicitation and Advertising materials must conform with the provisions stated above;
- d. Student election campaign literature must conform to the procedures outlined in the Student Election Code of the Student Government Association;
- e. Use of the Texas Tech campus that results in the need to utilize University personnel for litter collection, crowd control, repair/replacement of University property, etc., may necessitate repayment to the University by the responsible party;
- f. Printed materials may not be placed on vehicles parked in University parking lots or on vehicles in motion without permission of the vehicle owners;
- g. Printed materials such as handbills and leaflets may not be distributed within University buildings;
- h. Printed materials and digital signage content shall not violate any local, state, or federal law; Printed materials shall not include the use of obscenities, libelous statements, or "fighting words" as defined by law.
- i. Registered student organizations and University departments are allowed to hang banners within the Student Union at the discretion of the Managing Director of the Center for Campus Life. A list of requirements regarding the banners is available in the Center for Campus Life.

**8. Use of Bulletin Boards & Digital Signage**

- a. Posters, signs, and announcements may be displayed only on University announcement bulletin boards and approved digital signage designated specifically for use by students and registered student organizations. The University announcement bulletin boards and approved digital signs may be used only by students, registered student organizations, and University departments. Bulletin boards will be cleared periodically. A list of designated University announcement bulletin boards and digital signs is maintained in the Center for Campus Life.
- b. Posters, signs and announcements shall not exceed a maximum size of 18" x 24", digital signage requirements will differ per location and are available via the coordinator of that signage;
- c. Posters, signs, and announcements shall not promote the use of alcoholic beverages, tobacco, or illegal drugs;
- d. Posters, signs, and announcements shall not promote unauthorized sponsorship by Texas Tech University;
- e. Posters, signs, and announcements shall not violate any local, state or federal law;
- f. Bulletin boards belonging to academic and administrative Departments are for official University use only. Posters, signs, and announcements may not be displayed without consent of the appropriate department; and

- g. Posters, announcements, banners, cards or other campaign material for any individuals seeking student government office may be posted in accordance with the rules and regulations of the Student Government Association.

**9. Violations**

A student or registered student organization violating regulations governing solicitations, advertising, and printed materials is subject to the disciplinary sanctions outlined in the *Code of Student Conduct*.

**SECTION K. STUDENT IDENTIFICATION**

**1. Student Identification**

- a. The student identification card is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.
- c. Students shall not alter their student identification in any way.
- d. On request, students must present their student identification to any member of the University faculty, staff, administration or police.
- e. A student must pay a replacement charge for lost, stolen or damaged student identification cards.

**SECTION L. STUDENT INVOLVEMENT & REPRESENTATION**

**1. Student Government Association**

The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the University.

**2. Student Media**

Texas Tech University recognizes the editorial independence and press freedom of all student-edited campus media, specifically *The Daily Toreador* student newspaper and *La Ventana* yearbook. Student editors have the authority to make all content decisions; consequently, they bear the responsibility for the decisions they make. Student media should be operated and published within the canons of responsible journalism and policies as established by the University Student Media Committee and the Department of Student Media. See TTU Operating Police 30.27.

**3. Military & Veterans Programs**

Military & Veterans Programs (MVP) is here to assist veterans and their families in achieving academic and personal success. The department serves as a resource to connect veterans and their family members to the University and surrounding community. MVP oversees the certification of Veterans Educational Benefits such as:

- a. The exemption for Texas Veterans under the Hazelwood Act which provides an education benefit to honorably discharged or separated Texas veterans and to eligible dependent children and spouses of Texas veterans.
- b. The educational programs such as the various educational benefits offered through the Department of Veteran Affairs.

## **SECTION M. STUDENT ORGANIZATIONS**

### **1. Registered Student Organizations**

- a. A registered student organization is a group (president, treasurer and a minimum of three members, excluding officers) comprised of at least five students enrolled at Texas Tech University who voluntarily come together under a common purpose. The purposes and activities of the organization shall be lawful and not in conflict with the policies, rules, regulations and standards of the University and/or federal, state and/or local statutes.
- b. Generally, student groups broadly fall under one of the following categories: Advocacy/Lobby, Campus Departmental Support, Cultural/International, Fraternity/Sorority, Graduate, Hobby/Leisure/Recreation, Honor, Law, Professional-Agricultural Sciences and Natural Resources, Professional-Architecture, Professional-Arts and Sciences, Professional-Business, Professional-Education, Professional-Engineering, Professional-Human Sciences, Professional-Media and Communications, Professional-Visual and Performing Arts, Religious, Residential, Service, and Sports Clubs.
- c. All student organization registration is administered by Center for Campus Life.

### **2. Sports Clubs**

- a. Recreational Sports is responsible for the oversight of the Texas Tech Sports Clubs Program. This program exists to promote and develop interest in sports. Sport club members learn new skills, engage in competition and enjoy the recreational and social fellowship of sport.
- b. A group seeking sports club status must first be a registered student organization, subject to the rules and regulations of the University. Typically, a student organization must be registered with the Center for Campus Life for at least an academic year before full consideration for Sport Club status.
- c. Following the organization registration process, a group should request a meeting with Recreational Sports to initiate the application process for sports club affiliation. After obtaining Sport Clubs status, groups must also comply with the guidelines of Recreational Sports.

### **3. Social Fraternities/Sororities**

- a. The Center for Campus Life is responsible for the oversight of Texas Tech Social Fraternities and Sororities. A group seeking social fraternity or sorority status must first be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.
- b. All student organizations registering as a social fraternity or social sorority must show proof of their Title IX exemption by attaching to their registration application a letter from their national affiliate with their IRS 501(c) number.

### **4. Conditions for Registration of New and Reforming Student Organizations**

- a. A student organization is eligible for registration if it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identify, or gender expression, except that: a registered student organization created primarily for religious purposes may restrict the right to vote or hold office to persons who

subscribe to the registered student organization's religious beliefs; and a registered student organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972.

- b. Faculty and staff may hold associate memberships to the extent allowed by the student organization's constitution.
- c. The organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is substantiated with the Center for Campus Life.
- d. All funds allocated to a registered student organization from University-controlled sources must be maintained in a University account. Additional resources acquired by fundraising may be kept in an off-campus organizational account.
- e. The student organization shall show initiative in effectively meeting its stated goals-purpose and be lawful and peaceful in its activities. The Center for Campus Life is available to assist in organizational development.
- f. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/ associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Texas Tech University.
- g. Registered student organizations shall not use the name, logo or symbols of the University as part of its name or in its publications. In addition, the organization shall not advertise or promote functions or activities in a manner that suggest sponsorship by the University. Registered student organizations are permitted to use the word "Tech" as a part of their names or to use the complete statement "a registered student organization at Texas Tech University." Approval of the use of logos or symbols protected by Texas Tech University is under the discretion of the Athletic Department External Operations, Texas Tech University.
- h. Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials in the Center for Campus Life. Any student organization wishing to solicit on campus must follow the policies and procedures listed in the current Student Handbook.
- i. All registered student organization resources must be used to advance and support the organization's purpose, identified goals, and/or mission.
- j. Must comply with University rules, standards, and policies.
- k. Student organization registration does not imply University approval of either the organization or its functions or activities.

**5. Registration of New and Re-Registering Student Organization**

- a. A student organization may file-submit the "intent to form" a registered student organization application to the ~~Student Organization Staff or designee administering student organizations on OrgSync~~. This is a temporary status, which lasts for 30 days and allows the non-registered group the privileges of University facilities and publicity venues common to registered student organizations. The 30-day time period should be used to recruit new members, develop a constitution and by-laws and obtain a permanent full-time faculty/staff advisor. A student



organization may choose to register within the 30-day time period if they have met all of the requirements to register.

- b. Before the “intent to form” expiration deadline, students still interested in permanent status should complete the on-line registration process, and schedule a meeting with the Student Organization Staff to discuss finalizing their status as a registered student organization. Extensions of the “intent” status are possible under extenuating circumstances and requests should be addressed to the Student Organization Staff. Although re-registration of current groups occurs during the spring, this does not mean that new or reforming groups have to wait until the spring to complete the process.
- c. New and/or re-registering student organizations that desire the benefits of a registered student organization should attend a ~~Student Organization Registration Meeting or make an individual request an appointment~~ with the Student Organization staff to discuss the policy regulating the registration of student organizations.
- d. After attending the meeting or individual appointment and reviewing the policy regulating student organization registration, students who are still interested in re-registering or forming an organization and are in a position to meet the requirements of registered student organizations, must complete the online registration process.
- e. Registration occurs by going to the Student Organization website at <http://ttu.orgsync.com> and logging in to OrgSync. Students are guided through completing the registration process online. Students will be prompted to create an individual profile if you have not already created one.
- f. To validate the online process, student organizations must provide:
  - List of Officers (must include president and treasurer).
  - List of membership, must have a minimum of three members in addition to a president and treasurer (total minimum organization size of five).
  - List a member of the organization as the Student Organization Representative Council (SORC) representative (either an officer or a general member may be listed-) or an Organization representative (for fraternities, sororities, and sport clubs).
  - List an on-campus address, also known as a Mail Stop or box number.
  - Submit updated copy of new constitution and/or by-laws and constitution and/or by-laws of any other local, state or national affiliate organization (if applicable). An organization’s constitution and/or by-laws should address a minimum of these areas: purpose, membership selection and removal, officer list and duties, departmental and/or external relationships, financial procedures, and advisor selection and expectations. It is recommended to include the organization’s risk management policy into the bylaws or upload it to the organization OrgSync files folder.
  - New student organizations registering as a single-sex, social fraternity or social sorority must show proof of their Title IX exemption. Upon filing their registration application, groups must attach a letter from their national affiliate with their IRS 501(c) (Internal Revenue Code) tax exemption number from the Internal Revenue Service. This is the

mechanism the government uses to verify eligibility for single-sex exemption.

- Provide the title, campus address, telephone number and e-mail address of a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member indicating their willingness to serve as the organization's advisor.
  - President, Treasurer, SORC or Organization representative, advisor(s) and ~~two~~<sup>three</sup> (23) members must sign a "University Policy Agreement" (found within registration in OrgSync and in the OrgSync "files" folder) stating they intend to comply with all University standards, rules and/or policies as well as all federal, state, and/or local laws.
  - Submit the signed University Policy Agreement page(s) to complete the registration process. These form(s) should be scanned and uploaded into the OrgSync registration application.
- g. The registration process must be completed annually by mid-Spring (date to be announced annually) to maintain registration status for student organizations and sport clubs to maintain registration status. Registration will open up in mid-spring and will need to be completed by the first day of the fall semester. The registration process for fraternities and sororities will take place twice a year.

**6. Benefits of Registered Student Organizations**

- a. Benefits include: free space reservations in the Student Union, opportunity to reserve rooms in academic space (i.e. classrooms), free mailbox in the Student Union, organization information published online, posting on campus, use of University logo (with permission of Athletics Department External Operations), leadership training, ready references and access to Involvement Center, opportunity for free cubicle space through Student Union Main Office, and free webpage via OrgSync.
- b. Registered student organizations may apply for funding through the Student Government Association (SGA) each year provided they are registered as a student organization with the Center for Campus Life prior to the application deadline for reviewing registered student organization funding and meet other eligibility requirements.
- c. Sport Clubs  
Sport clubs are entitled to all of the benefits of a registered student organization. In addition, each club receives administrative and financial support from Recreational Sports. However, since the Sport Club program receives its funding from the Student Recreation Fee, organizations that affiliate with Recreational Sports are not eligible for SGA funding.

**7. Faculty or Staff Advisor**

- a. Each registered student organization shall have a full-time University faculty or staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning and decision-making. The advisor should certify the organization's expenditures by co-signing all checks or vouchers. The advisor must oversee

adherence to University standards, rules and/or policies as well as the organization's constitution and by-laws.

- b. Registered student organizations may have additional advisors, i.e. coaches (typical of sports clubs) or alumni advisors, to the extent permitted by their constitution and/or by-laws; however, one advisor must be a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member as required and identified in the registration packet.
  - c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Texas Tech employee should also be included when filling out the registration application, complete with names, addresses, telephone numbers and emails.
  - d. Registered student organizations have ten (10) University working days to update their Org Profile at <http://ttu.orgsync.com> with the name, address, telephone number and email of any new or replacement full-time University faculty or staff member appointed as their advisor. Failure to do so may result in suspended privileges.
  - e. Certain student organizations do not choose their advisor(s); rather, they are assigned a full-time faculty or staff person by the department to oversee the administration of those areas, groups and resources.
  - f. Established full-time University faculty or staff members, who reduce employment hours below full-time status and maintain an office on-campus, may continue to function as the "Primary" advisor of a student organization with the approval of the Center for Campus Life.
  - g. Student organization advisors should complete advisor risk management training set by the Student Organization Staff or designee.
8. Prerequisites for Maintaining Registration

To maintain its active registration status throughout the academic year, a registered student organization must meet the following criteria:

- a. Organizations must update the "Org Profile" on OrgSync at <http://ttu.orgsync.com> within ten (10) University working days of any of the following:
- b. Election of or change in officers and/or SORC/Organization representatives;
- c. Change of full-time faculty or staff advisor;
- d. Changes in organization documents (i.e. constitution, membership requirements);
- e. Conduct its affairs in a lawful manner as a collaborative entity, in accordance with the constitution and by-laws it has on file, and applicable policies, rules, regulations and standards of the University and/or federal, state, and/or local statutes.
- f. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the Student Organization Staff or designee.
- g. Ensure off-campus individuals or organizations whose appearance on campus is sponsored by the organization observe all applicable policies, rules, regulations and standards of the University.
- h. In accordance with Texas Education Code, Section 51.9361, all registered student organizations are required to attend training sessions on the topic of risk

management as it relates to individuals, organization functions, and/or activities. Social fraternities and sororities are required to attend the Clay R. Warren Memorial Risk Management ~~Risk Education~~ Programming annually. The Student Organization Staff and/or other designated departments may require other student organizations to attend the Clay R. Warren Memorial Risk Management ~~Risk Education~~ Programming in order to fulfill this requirement. Student organizations not required to attend will participate in an alternative risk management training opportunity identified by the Student Organization Staff.

- i. ~~i.~~ Student organizations will be assigned a tier group based on the questions they answer in their student organization registration regarding risk.
- ii. ~~ii.~~ The Student Organization Staff or designee will determine any additional risk management training requirements for student organizations.
- i. Center for Campus Life and/or Office of Student Conduct may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the Student Handbook, Part I, Section D.

Temporary Suspension and Denial of Registration

- j. A student organization will not be officially registered with the Center for Campus Life if it is determined that the organization's actions or activities are detrimental to the educational purposes of the University or not in accordance to the Student Handbook. The registration of a student organization may be temporarily suspended while an investigation is pending involving an alleged violation of registered student organization policies and procedures as outlined in the Student Handbook. The registered student organization will be afforded all due process guidelines as described in the Student Handbook. The president of the student organization may file an appeal in writing to the Managing Director of the Center for Campus Life or designee within five (5) University working days from the date of the "temporary suspension" notification letter.
  - k. The president and advisor of the student organization shall be notified of a decision to deny registration in writing by the Center for Campus Life. The president of the applying organization may wish to schedule a meeting with the Center for Campus Life to discuss the denial. If, following the meeting, the group wishes to file an appeal, the president must do so in writing to the Managing Director of the Center for Campus Life or designee within five (5) University working days from the date of the "denial" notification letter
9. Conduct Procedures for Student Organizations
- a. Student organization conduct procedures are outlined in Part 1 Code of Student Conduct, Section D, including processes for the temporary suspension and denial of registration for student organizations.

## SECTION N. STUDENT RIGHT TO KNOW

## SECTION O. STUDENT RECORDS

### 1. General Policy

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from disciplinary records. (During the time of disciplinary suspension or expulsion, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Texas Tech University.

### 2. Address of Record

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) via the MyTech (for Students) tab.

### 3. Student Access to Educational Records

- a. All current and former students of the University have the right to access their educational records as provided by law.
- b. Students may obtain copies of records relating to themselves at their expense. The reproduction charge shall not exceed the actual cost to the University.
- c. The University will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.
- d. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards. A student seeking employment through the University Career Services may sign a waiver.
- e. Personally identifiable information such as classification, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the consent of the student.

### 4. Records Not Accessible to Students

The following are records not accessible to students:

- a. Instructional, supervisory and administrative personnel records and the student's educational personnel records in the sole possession of the author and not revealed to any person other than a substitute (i.e. grade books, notes of observation and notes for recollection purposes).
- b. Employment records of a University employee who is not a student.
- c. Medical records are maintained for students visiting Student Health Services. Information contained in the medical record is privileged and will not be released to another person or institution without written permission of the student, unless otherwise authorized by law. Medical records are kept on file indefinitely at the

Student Wellness Center at the corner of Main and Flint, Lubbock, Texas 79430. Students needing to request a copy of their medical records may contact Student Health Services at (806) 743-2860. While not considered "education" records under the Family Educational Rights and Privacy Act of 1974, as amended, the mentioned statute still allows the patient, in most instances, access to his/her records. The general rule of confidentiality contains an exception when the patient or someone authorized to act on his/her behalf submits a written consent. Consent must be in writing and signed by the patient (or a parent or legal guardian if the patient is a minor). A physician shall furnish copies of medical records requested in accordance with the consent provided, except if the physician determines that access to the information would be harmful to the physical, mental or emotional health of the patient.

- d. Medical and/or psychological information submitted to Student Disability Services for the purpose of determining eligibility and services are not releasable. Students may obtain the original information from the sources.

**5. Authorized Non-student Access to Student Records**

Educational records (or personally identifiable information within a record) may be released without the written consent of the students to:

- a. Officials, faculty and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends to enroll or seeks to enroll if the student is notified of what is being released and given a copy if desired.
- c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education and administrative heads of educational agencies or state educational authorities.
- d. Individuals needing this information in connection with a student application for, or receipt of, financial aid.
- e. Federal, state and local officials to whom laws (in effect on or before Nov. 19, 1984) require information to be reported.
- f. Organizations such as Educational Testing Service administering predictive tests, student aid programs and improving instruction. The organizations must not show the personally identifiable information to outsiders and the information must be destroyed when no longer needed for audit, evaluation or compliance with federal requirements.
- g. Accrediting organizations.
- h. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ascertained by the Office of the Registrar.
- i. Appropriate persons, if necessary, to protect the health or safety of the student or other persons.
- j. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena, on condition that the student may be notified by the University of all such orders and subpoenas in advance of compliance.
- k. Emergency contacts as listed in students' educational records may be notified by designated staff upon notice of student hospitalization or transport via emergency personnel.

## **6. Students' Rights to Challenge Records**

Students have the right to challenge records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal procedures are described in the Student Handbook, Part VI, section A.7. The challenge is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed for an appropriate challenge.

- a. Any student wishing to challenge records or information directly relating to him or her must notify the individual responsible for maintaining the records. The notice must be in writing and specifically identify the item challenged and the basis for the custodian of the challenged records.
- b. All initial meetings will be informal and participants will include: the custodian of the challenged records or information, the student and the author (if appropriate) of the material.
- c. If any of the participants (record custodian, student or author) are not satisfied with the results of the informal meeting, a formal Hearing will be conducted under the following procedures:
  - The Hearing will be conducted within seven University working days following the request for the Hearing.
  - The Hearing will be conducted by an institutional official or other party who does not have direct interest in the outcome of the Hearing appointed by the Associate Vice Provost for Student Affairs.
  - The student may present evidence relevant to the content of the educational records to demonstrate how they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.
  - A written decision must be delivered in writing to all interested parties within seven University working days after the conclusion of the Hearing.

## **7. Release of Student Directory Information**

- a. The following student information is considered Texas Tech University Directory Information:
  - Student Name
  - Permanent and Local Addresses
  - Place of Birth
  - Classification
  - Major Field of Study
  - Dates of Attendance
  - Degrees, Awards, and Honors Received
  - Specific Enrollment Status
  - Full-time, Part-time, Half-time
  - Undergraduate, Graduate, Law
  - Participation in Officially Recognized Sports and Activities

- Height/weight of members of Athletic Teams
  - Previous Institution(s) Attended
- b. This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld in writing in West Hall, room 103, or by restricting personal directory information at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) under the MyTech (for Students) tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name.
  - c. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as “directory information.” To restrict directory information from appearing in the directory, students must go to Raiderlink and restrict directory information prior to the 12<sup>th</sup> class day in the fall term. Restricted directory information will remain restricted until the student unrestricts the information.
  - d. The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail address or telephone number, is confidential and not subject to disclosure under Section 552.021, Government Code.

**8. Destruction of Records**

The University constantly reviews the “educational records” it maintains and periodically destroys certain records. The University will not destroy records if prohibited by state or federal law. The student’s basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Office of Student Conduct. Student Disability Services records are maintained for three years after the last date of enrollment. In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely.

**9. Letters of Recommendation**

- a. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
- b. Appropriate forms are available in University Career Center for students using this service for future employment purposes. These forms are designed to provide the student with several options concerning the use and confidentiality of future letters of reference and recommendation.
- c. Under the Family Educational Rights and Privacy Act 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.



## **SECTION P. USE OF UNIVERSITY SPACE**

### **1. General Policy**

2. With the exception of free expression activities outlined below, the space and facilities of the University are intended primarily for the support of the instructional programs of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is encouraged for activities that have as their purpose, service or benefit to the Texas Tech University community, and that are sponsored by registered student organizations. University buildings, grounds or property may not be used by individuals or organizations not connected with the University, with the exception of the use of Forum Areas for free expression as set forth in the section below or as otherwise permitted under Texas Tech University or Texas Tech University System policies. An individual who is not a student, faculty, or staff member may attend functions or activities held on University property, but to be eligible for the use of campus facilities, the function or activity must be sponsored by and affiliated with a University department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person. Except as otherwise permitted under Texas Tech University or Texas Tech University System policies, non-registered organizations or off-campus groups or persons not sponsored by a department or registered organization will not be permitted to reserve space on campus. State law requires that University facilities and property be used only for state purposes and not for private gain.

### **3. Reservation Requirements**

- a. Reservations must be made for the use of buildings and grounds under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. Requests must be made to the appropriate office. Requests from registered student organizations must be signed by the organization's president and full-time faculty/staff advisor. Requests from individuals must be signed by the person applying for the use of the space or facilities.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

### **4. Use of Facilities by Student Organizations**

- a. Student organizations must be registered to use University facilities or grounds.
- b. A student organization that has petitioned the Center for Campus Life for registration status may hold up to three meetings in the Student Union pending action on the petition. These meetings must be held within a 25 calendar-day time period from the date the petitioning organization filed its intent to register. Other

campus facilities or space may be reserved by “petitioning” student organizations for one meeting only, if their full-time faculty or staff advisor agrees to be present at their event. Additional reservations will not be approved until the student organization is registered.

**5. Procedure and Priorities for Designated Facilities**

a. Student Union

Priority for use of space in the Student Union is given to programs and activities which are conducted by the various departments within the Student Union. Secondary priority is given to registered student organizations and University departments. Reservations must be made in the Student Union Office Room 203.

b. Academic Buildings

Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Academic Support and Facilities Resources Office. All requests must be submitted by an active member of the student organization using the online request form in Ad Astra Schedule at

[http://academicscheduling.ttu.edu/Astra\\_Schedule](http://academicscheduling.ttu.edu/Astra_Schedule) or in person at the Academic Support Facilities Resources Office. A link to the scheduling site and complete instructions can be found on the department website at [www.depts.ttu.edu/asfr/escheduling](http://www.depts.ttu.edu/asfr/escheduling). All requests must include the full name, department, and phone number of the student organization’s full-time faculty or staff advisor. Recurring space assignments may be made for one semester only. All space assignments are made on the basis of use consistent with the purposes of the University and of available space. Space assignments for student organizations will not be scheduled on weekends, holidays, or during final examination periods. Academic use by departments and colleges has priority over other uses and organizational assignments may be changed or canceled if conflicts with regular academic programs develop.

Academic space will be assigned on a limited basis if:

- The intended use is in keeping with the educational purposes of the University.
- The intended use does not conflict with the use by academic programs or academic organizations.
- The intended use does not conflict with normal security and maintenance schedules.

c. Residence Halls

Currently enrolled students who live in the residence halls and participate in the residence hall governments have first priority for use of all residence hall facilities. Facilities may also be provided for individuals or groups whose activities are sponsored by, or affiliated with, University Student Housing. University departments or registered student organizations may use residence hall facilities during the summer, or at times when space is available, for workshops, institutes, short courses and conferences. However, space availability is limited,

and requests for the use of residence hall space must be made to the Managing Director of University Student Housing.

- d. Intercollegiate Athletic Facilities  
The Jones/AT&T Stadium Athletic Complex, Fuller Track and Field, Rip Griffin Park, McLeod Tennis Center, Rocky Johnson Field, John Walker Soccer and other athletic fields are owned and maintained by the University for the primary use and benefit of the intercollegiate athletic programs of the University, of allied non-University athletic activities consistent with such programs and of official academic events of the University. The use of these facilities shall be limited to these purposes unless otherwise authorized by the Intercollegiate Athletics Office. Requests for use of all intercollegiate athletic facilities must be made to the Intercollegiate Athletics Office.
- e. Recreational Facilities  
The Robert H. Ewalt Recreational Center, Aquatic Center, Leisure Pool, recreation fields, tennis courts, racquetball courts and basketball courts are intended primarily for student recreational and instructional use on an organized group and individual basis. Recreational Sports is responsible for scheduling the use of these facilities.
- f. McKenzie-Merket Alumni Center  
The McKenzie-Merket Alumni Center, located on the southeastern corner of the Texas Tech campus, directly west of the Kent R. Hance Chapel, is the home for all Texas Tech Alumni and friends. This facility boasts a ballroom that can seat 300-plus for a banquet and more than 500 in a theatre setting. Two separate courtyards provide space for outdoor events. Booking of this facility is coordinated by the Texas Tech Alumni Association at (806) 742-0400.
- g. Frazier Alumni Pavilion  
The Frazier Alumni Pavilion, situated just southwest of Jones AT&T Stadium is a 6,000-square foot facility designed to host large banquets but can be configured for weddings, press conferences, and other events. It also has a 10,000-square foot outdoor porch area that can be used to increase the size of your event. To book this venue, contact the Texas Tech Alumni Association at (806) 742-0400.
- h. Kent R. Hance Chapel  
A 6,879-square foot, 250-seat, non-denominational Spanish Renaissance chapel is capable of supporting a broad range of services and events. To book this venue, contact the Texas Tech Alumni Association at (806) 742-0400.
- i. United Spirit Supermarket Arena  
The United Supermarket Spirit Arena is a 15,000-seat multi-purpose facility and is host to a variety of entertainment and athletic events, including Texas Tech University basketball and volleyball, commencement ceremonies, concerts and numerous meeting room events. Facilities available for lease within the United Spirit Arena include the four meeting rooms in the City Bank Conference Center, Club Red, the arena concourse, the arena floor and the arena bowl area. Registered student organizations receive rental discount for the City Bank Conference Center meeting rooms. Texas Tech University Commencement, Health Sciences Center Commencement, Texas Tech basketball and volleyball games and major arena events, such as concerts, have priority in booking the

United Spirit Arena. Space in the United Spirit Arena is reserved through the Arena Management Office.

**6. Use of Campus Grounds**

- a. Selected grounds area (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, students and employees. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop.
- b. Students or registered student organizations desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. Faculty, staff, or departments of the University desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304 as well. In accordance with the University's Operating Policy 61.02 regarding Use of University Grounds, Facilities and Amplification, each use must be approved in writing by the Outdoor Events Coordinating Committee (OECC). Requests must be submitted at least two (2) weeks before the intended use. Recurring use assignments shall not be permitted.
- c. The Outdoor Events Coordinating Committee (OECC) will coordinate all grounds use applications and shall grant only grounds use requests that are consistent with applicable University regulations and local, state and federal law.
- d. A permit granting grounds use shall specify the boundaries of the area to be used, the date for which the use is approved, the time at which the proposed activity may begin, the time at which the reservation for the use expires and any special provisions concerning the use of the space. No request will be approved for activities occurring during individual study days and/or final examination period.
- e. Students or registered organizations using a designated area are subject to the following requirements:
  - Use of amplification equipment must comply with the guidelines below.
  - A structure may not be erected on campus grounds without prior written approval that will include arrangements for cleaning up after the event.
  - If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a University account number before the activity can be approved by the Outdoor Events Coordinating Committee.
  - Violations of these campus grounds use regulations are subject to the disciplinary sanctions and procedures outlined in the *Code of Student Conduct*.
  - Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the General Counsel's Office, Risk Management Office, other University departments or others as necessary prior to approval from the Outdoor Events Coordinating Committee.
  - Participants in, and/or sponsors for, events may be required to sign a "Hold Harmless" release.

- The sponsor should contact the Environmental Health and Safety Department to make necessary arrangements for any event that includes concessions or a mobile concession stand. In order for any person, vendor, or organization to operate a temporary food service or mobile unit on Texas Tech property, the Environmental Health and Safety Department must issue a valid Temporary Food Service Permit.
- The sponsor should contact Transportation & Parking Services to make necessary parking arrangements for the event.
- If the use of University grounds is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

**7. Freedom of Expression Activities and Forum Areas**

- a. The open exchange of information, opinions, and ideas between students is an essential element of the campus experience. These policies are intended to protect the interests of all students as well as other members of the University community. These policies presume that students are generally free to engage in freedom of expression activities in those outdoor areas of campus that are common and accessible to all students (such as park-like areas and sidewalks) without the need of prior approval of the University.
- b. Although the Texas Tech University campus is generally an open campus for purposes of student freedom of expression activities, students are encouraged, and persons and groups not affiliated with the University are required, to use the Forum Areas of the campus for freedom of expression activities.
- c. The following are the Forum Areas as currently defined at Texas Tech University. Each location is marked with a plaque that reads, "Forum Area," and may be used on a first-come, first-serve basis.
  - Southwest Collections – the outdoor gazebo and concrete octagon surrounding it located immediately east of the Southwest Collections building close to the corner of 15<sup>th</sup> Street and Boston Avenue.
  - Engineering Key – the northern 1/3 of the grassy area of the Engineering Key from the diagonal sidewalk going north to the flowerbed and bound by the street curbs on the east and west sides.
  - Student Union – northeast corner (15<sup>th</sup> Street and Akron Avenue).
  - Student Union/Library Plaza – the southern 1/3 of the plaza between the Student Union and Library described as follows: From the southwest raised flowerbed in front of the Library on the west to the black brick border of the flowerbeds on the east; and from the black brick border that stretches from the Library steps to the flowerbed outside the Student Union west entrance on the north to the bollards on the south end.
  - Jerry S. Rawls College of Business Administration – the western half of the courtyard between the College of business Administration building and the Architecture building as described by the midway sidewalk on the

east to the inside of the Flint Avenue sidewalk on the west and the sidewalks on the north and south sides.

- Urbanovsky Amphitheater – the Urbanovsky Amphitheater bound on the west by the second semicircular sidewalk, on the east by the inside of the sidewalk bordering Flint Avenue, and by the north and south sidewalks.
- d. Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:
- The location selected for the activity is inadequate for the purpose for which it will be used (either too close to buildings, not big enough for the event, etc.);
  - The activity substantially interferes with either vehicular or pedestrian traffic;
  - The activity blocks the ingress or egress to buildings;
  - The space is not available due to prior reservation;
  - The activity conflicts with a previously planned University activity;
  - The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University;
  - The activity presents an unreasonable danger to the health or safety of the applicant or other individuals;
  - The activity is prohibited by local, state, or federal law; or
  - The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on campus.
- e. Students engaged in freedom of expression activities may be subject to discipline under the *Code of Student Conduct* for the following actions:
- Activities which are illegal.
  - Activities that deny the rights of other students, faculty and staff of the University.
  - Activities that substantially obstruct or restrict the free movement of persons on any part of the University campus, including the free entry or exit from University facilities.
  - Activities that deny the use of office or other facilities to the students, faculty, staff or guests of the University.
  - Activities that threaten or endanger the health or safety of any person on the University campus.
  - Activities that include the use of obscenities, libelous statements, or “fighting words,” as defined by law.
  - Activities that result in damage to or destruction of University property or;
  - Activities that attempt to prevent a University event or other lawful assembly by the threat or use of force or violence.
  - Signs, banners, posters, and other displays used for freedom of expression activities must be handheld and must remain in the hands of individuals engaged in the expressive activities at all times.

## **8. Appeals of Ground Use Request Denials**

9. Students of registered student organizations, whose requests for the use of campus grounds or non-academic space are denied, may appeal to the Managing Director of the Center for Campus Life as follows:
- a. A written appeal describing the objections to the denial presented to the Managing Director of the Center for Campus Life must be filed no later than five (5) University working days after the receipt of notice of the denial from the Outdoor Events Coordinating Committee.
  - b. The Managing Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within a reasonable time from the receipt of the written appeal.

**10. Use of Amplification Equipment**

- a. Use of Amplification Equipment for Freedom of Expression Activities
  - Use of Amplification Equipment in Forum Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities within the designated Forum Areas from 8:00 am to 5:00 pm Monday through Friday.
  - Use of Amplification Equipment in All Other Outdoor Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities in all other outdoor areas of the campus after 5:00pm Monday through Friday.
  - Use of amplification equipment is subject to all rules concerning the time, place, and manner of freedom of expression activities and Forum Areas as set forth in section 7 of this policy.
  - Only handheld amplification devices are permitted.
  - No amplification of sound is permitted during the week prior to or the week of final exams.
  - The volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
  - Use of amplification equipment shall not create a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University community.
- b. Other Use of Amplification Equipment
  - The use of loudspeakers, any other type of amplification equipment (e.g. portable stereo devices, portable studios, etc.), or amplified musical instruments on University grounds by students and/or registered student organizations for any purpose other than expressive activities as set forth in section 7, above, is by permission only.
  - Applications from individuals, departments, and organizations for permission to use amplification equipment must be made on the Grounds Use and Solicitation Request form provided by the Outdoor Events Coordinating Committee.
  - Applications must be submitted at least two weeks before the intended use.

- The Outdoor Events Coordinating Committee and the Director of Academic Support & Facilities Resources may prescribe rules concerning scheduling, maximum sound levels, location and direction of speakers, and other rules to facilitate the use of amplified sound to mediate any conflict with University functions, classes in session, examinations, other nearby activities, and the campus environment.
  - The use of amplification equipment for solicitation purposes must conform to all campus grounds use provisions, as well as policies governing solicitation and commercial activities.
  - The use of such equipment or loudspeakers is not permitted in the vicinity of classrooms during regularly scheduled class hours without written permission from Academic Support and Facilities Resources.
  - Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
  - Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Outdoor Events Coordinating Committee (OECC).
  - Outdoor dances utilizing sound amplification devices may be held only on Friday and Saturday nights, and must terminate by 1:00 a.m. Bands may use their own equipment on such dates.
- c. Academic Use
- The appropriate use of loudspeakers for official University activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the Provost.
  - Permission for use of the victory bells or carillon bells in the towers of the Administration Building must be requested through the Office of the Provost at least one University working day before time of intended use. Use of the bells must not interfere with the normal functions and programs of the University. See OP 30.21.



## **SECTION Q. WITHDRAWALS**

### **1. Voluntary Withdrawal from the University**

- a. According to the Undergraduate and Graduate Catalog and OP 34.05, students who find it necessary to withdraw from the University during a semester or summer term must apply to the Office of the Registrar prior to the term withdrawal deadline. A student wishing to drop to zero hours must withdraw from the institution. If a student withdraws on the 13th class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the Office of International Affairs as a part of the withdrawal procedure. Student athletes must receive clearance from their Athletic Academic Advisor. Withdrawal and reenrollment procedures vary for School of Law students. Students enrolled in the School of Law and seeking withdrawal information should contact the Associate Dean for Student Affairs at the School of Law for assistance.
- b. Students considering withdrawal for medical reasons may contact the Center for Campus Life to discuss additional University resources and services.
- c. There may be financial implications to withdrawal. If a student receives financial aid or is living in TTU student housing, he/she should first contact those offices before applying for the withdrawal. If a registration hold exists on the student's record, it must be cleared before the withdrawal can be processed. To check your student record for registration holds, log on at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) and select the MyTech (for Students) tab.
- d. Refunds  
The Undergraduate and Graduate Catalog indicate that students withdrawing to zero hours at their request or those who have been withdrawn due to University action may be eligible to receive a refund of paid tuition and fees. A tuition and fee refund schedule is listed in the Undergraduate and Graduate Catalog and at <http://www.depts.ttu.edu/registrar/>.
- e. Returning to the University after a Voluntary Withdrawal  
Application materials and deadlines for former Texas Tech students are available at [www.gototexastech.com](http://www.gototexastech.com). Official transcripts from all institutions attended subsequent to Texas Tech reenrollment must be submitted by the application deadline. All returning students must have a minimum of a 2.0 GPA on work taken since leaving Texas Tech. Please visit the following for more information: <http://www.depts.ttu.edu/formertech/>.

### **2. Involuntary Withdrawals**

- a. Texas Tech University seeks to balance the rights of individual students with the rights of the community. In order to maintain the safety of both, some behaviors require consultation among a network of campus professionals to determine the appropriate course of action to address the behavior.
- b. When a student poses a direct threat to the health or safety of others, and the direct threat cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations where required, a student may be involuntarily withdrawn from the University.

- c. Notice  
Notice regarding students who may be direct threats (both self-reports and third-party reports) should be made to the Dean of Students or designee.
- d. A “direct threat” means
  - There is a high probability (not just a slightly increased, speculative, or remote risk)
  - of substantial harm
  - Based on observation of a student’s conduct, actions, and statements.
- e. The Dean of Students or designee will review the information presented in the notice, including what attempts, if any, have been made to reduce or eliminate the direct threat, such as the student’s voluntary compliance with medical or counseling assistance.
- f. The Dean of Students or designee will notify the student of the concern.
- g. The Dean of Students or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled within five University working days in order to determine whether the student poses a direct threat to him/herself or others. The meeting may include, but is not limited to discussion of:
  - Involvement of parents or significant others;
  - Academic progress;
  - Living arrangements;
  - Previously granted accommodations;
  - Confidentiality waivers;
  - Other possible accommodations, care and support resources including medical or counseling assistance; and
  - Withdrawal implications such as financial aid, health insurance, visas, and academic timelines.
- h. If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via certified mail to the student’s last known official, local address as provided by the student to the Registrar’s Office and/or electronically to the student’s University email account. Students not responding to requests for meetings or assessments may be referred to the Office of Student Conduct for allegations of failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties.
- i. Temporary Suspensions  
During the involuntary withdrawal process, if the Vice Provost, Undergraduate Education and Student Affairs or designee determines that an immediate direct threat exists others or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending a final decision on the involuntary withdrawal as long as the student has received notice of the concern, and had an opportunity to address the concern, and the student is afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may not attend classes, use University services and/or resources (except those expressly permitted by the Vice Provost, Undergraduate Education and Student Affairs or designee), and may not be on campus until the proceedings

have been resolved. If the student needs to return to campus, the visit must be coordinated through the Vice Provost, Undergraduate Education and Student Affairs or designee and the Texas Tech Police Department.

j. Involuntary Withdrawal Assessment

An individualized, objective assessment will be completed to determine whether a direct threat exists, and if so, whether the student should be permitted to remain enrolled at the University.

The assessment will be based on reasonable medical judgment, using current medical knowledge, or the best available objective information, to assess the student's ability to safely participate in the University's programs. The assessment will be in the form of a written report containing the findings and recommendations of the medical and other professionals performing the assessment.

Within five (5) University working days from the initial meeting with the student or five University working days from the date of notice regarding the meeting, the student will be scheduled for an assessment with a medical doctor, a licensed counseling or clinical psychologist, and other professionals as appropriate. If applicable, this assessment would include a psychiatrist from Student Health Services and a psychologist from the Student Counseling Center.

The student may provide information from other medical professionals as part of the assessment.

If a student elects not to participate in this assessment, the process will continue with the information that is otherwise available to consider.

The assessment will determine:

- The nature, duration, and severity of the risk;
- The probability that the potentially threatening injury will actually occur; and
- Whether reasonable modifications of policies, practices, or procedures will sufficiently mitigate the risk.

k. Involuntary Withdrawal Committee

The assessment report will be forwarded to the Involuntary Withdrawal Committee for review.

The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Associate Academic Dean, Director of the Student Counseling Center, Medical Director of Student Health Services, Director of Student Disability Services, and Dean of Students. If the student resides in campus housing, the Director of Student Housing will also serve as a voting member of the committee. The Dean of Students will chair the committee. A non-voting resource person may be assigned from the Vice Provost for Undergraduate Education and Student Affairs to present information and assist the committee. The Involuntary University Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be permitted an opportunity to address the evidence being considered by the Involuntary Withdrawal Committee.

The Hearing will be scheduled by the Dean of Students within five (5) University working days of the completion of the individualized assessment. The student will be provided the information to be considered at the Hearing by the Dean of Students in advance of the Hearing. The student may elect to attend the Involuntary Withdrawal Committee Hearing and present information on his or her behalf. The student may be accompanied by one or more advisors. A non-voting resource person will present information and act as a recorder for the committee. When deliberating a decision, the Involuntary Withdrawal Committee will meet in closed session with only voting members and the resource person present. Following the Hearing, the Involuntary Withdrawal Committee will recommend one of the following:

- the student may remain enrolled at the University with no restrictions;
- the student may remain enrolled at the University subject to specific conditions and/or restrictions as defined by the Involuntary Withdrawal Committee; or
- The student should be involuntarily withdrawn from the University upon a specific date.

l. Review of Committee Recommendation

The Dean of Students will notify the student in writing of the decision within five University working days.

m. Appeals Process

The student may appeal the decision of the Dean of Students by submitting a written appeal to the Associate Vice Provost for Student Affairs within five (5) University working days. The student will be notified in writing of the final decision within five (5) University working days of receipt of the appeal.

n. Final Decision

Upon completion of the appeal process or with no receipt of an appeal, the student who is involuntarily withdrawn may not attend class or use University facilities, must vacate University housing within 48 hours and may not return to campus unless approved by the Vice Provost, Undergraduate Education and Student Affairs. Referrals will be made for the student upon request to appropriate community resources, i.e. medical care and housing. The student may be entitled to refunds of prorated tuition, fees, and room and board charges as a result of involuntary withdrawal. A registration hold will be placed on the student's record at the direction of the Dean of Students, limiting any subsequent registration until approval is given by the Dean of Students.

o. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year. At that time, the student should present documentation to the Dean of Students for review. Documentation may include, but it is not limited to, current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon reenrollment. The documentation shall be presented to the Involuntary Withdrawal Committee for recommendation to the Dean of Students. Readmission requests and documentation must be presented by February 1 for summer enrollment, May 1 for fall enrollment, and October 1 for spring enrollment. Readmission will be contingent upon

demonstration or documentation that the student is no longer a direct threat, and upon meeting admission deadlines and requirements.

## APPENDIX A

### DEFINITIONS

#### **Academic Work, Test, Quiz, or Other Assignment**

The terms “academic work, test, quiz, or other assignment” includes any required or optional academic work that is assigned. Examples include, but are not limited to, exams, quizzes, tests, homework, case studies, essays, research papers, group work, extra credit assignments, class attendance, experiential learning activities, internship or externship components, resumes, comprehensive exams, and thesis and dissertation drafts and submissions.

#### **Administrative Hold**

The term “administrative hold” refers to the indicator placed on a student’s record preventing access to such University procedures as registration, release of transcripts, and course add/drops until the student meets the requirements of the University office placing the indicator as described in the Undergraduate/Graduate Catalogs.

#### **Complainant**

The term “Complainant” refers to the party reporting the complaint or concern against another party.

#### **Consent**

Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for sexual activity.

#### **Disciplinary Good Standing**

The term “disciplinary good standing” is defined as a student not currently on disciplinary probation, deferred disciplinary suspension, or any level of disciplinary suspension/expulsion and who has fulfilled in a timely manner, if any, sanctions imposed.

#### **Discipline Body**

The term “discipline body” means any University official or group of officials authorized by the Director of the Office of Student Conduct to determine whether a student has violated the *Code of Student Conduct* and to recommend imposition of sanctions.

#### **Hearing Body**

A “hearing body” is the individual or individuals that make the determination of responsible or not responsible and issue sanctions upon a responsible finding in an Administrative Hearing or University Discipline Committee Hearing.

#### **Investigation Report**

An “investigation report” is a formal or informal report of all of the evidence and/or information gathered by the Student Conduct Officer/Investigator.

### **Member of the University Community**

The term “member of the University community” includes any person who is a student, faculty or staff member, University official or any person employed by the University or campus visitors.

### **Official Academic Record**

The term “official academic record” includes, but is not limited to applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms, and reporting forms used by the Office of the Registrar.

### **Policy**

The term “policy” is defined as the written regulations, standards and/or rules of the University.

### **Preponderance of Evidence**

The term “preponderance of evidence” is the standard of proof used by Student Conduct Hearing Officers, Office of Student Conduct and University Student Housing. It is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

### **Religious Holy Day**

The term “religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Texas Tax Code § 11.20.

### **Respondent**

The term “Respondent” refers to the party responding to the complaint or concern reported regarding their behavior or actions.

### **Sponsorship and/or co-sponsorship**

The term “sponsorship and/or co-sponsorship” is defined as minimally including, but not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.

### **Student**

The term “student” includes all persons admitted to or enrolled in courses at the University, either full time or part time, pursuing undergraduate, graduate or professional studies, and/or those who attend postsecondary educational institutions other than Texas Tech University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students”.

### **Student Conduct Officer**

The term “Student Conduct Officer” means a University designee authorized by the Director of the Office of Student Conduct, Dean of Students and/or the Director of University Student Housing pursuant to the *Code of Student Conduct* to adjudicate alleged violations of the *Code of Student Conduct*.

**Student Organization**

The term “student organization” means any number of students who have complied with the formal requirements for University registration.

**University**

The term “University” means Texas Tech University and Texas Tech University Health Sciences Center.

**University Official**

The term “University official” includes any person employed by Texas Tech University or Texas Tech University Health Sciences Center while performing assigned administrative or professional responsibilities.

**University Premises**

The term “University premises” includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the University (including adjacent streets and sidewalks)





# **Student Handbook**

**Student Code**

**2015-2016**

**School of Medicine**

**~~Paul L. Foster School of Medicine~~**

**Graduate School of Biomedical Sciences**

**School of Nursing**

**~~Gayle Greve Hunt School of Nursing~~**

**School of Allied Health Sciences**

**School of Pharmacy**

Rev. 05/16/1405/15/15

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## STATEMENT OF ACCREDITATION

The Texas Tech University Health Sciences Center is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters, doctoral, and professional degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the Texas Tech University Health Sciences Center. The Commission should be contacted only if there is evidence that appears to support the institution's significant non-compliance with a requirement or standard.

## PART I. FOREWORD

### A. General Policy

1. The **mission** of the Texas Tech University Health Sciences Center is to improve the health of people by providing educational opportunities to students and health care professionals, advancing knowledge through scholarship and research, and providing patient care and service.

The following institutional goals are broad, measurable priorities that will enable TTUHSC to fulfill its mission:

- Train competent health professionals and scientists
  - Increase externally funded, peer-reviewed research, especially NIH-funded research, and research focused on aging, cancer, and rural health
  - Improve access to quality health care for the TTUHSC's target populations
  - Prepare health professions students for an increasingly diverse workforce and patient population
  - Provide leadership in the development of partnerships and collaborations to improve community health
  - Operate the TTUHSC as an efficient and effective institution
2. A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual School's catalogs are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center.
3. The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications. Registered student organizations are required to follow all of these standards, rules and policies.
4. ***The Texas Tech University Health Sciences Center (TTUHSC or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, express or implied, between any student or faculty member and Texas Tech University System, TTUHSC, or the TTUHSC School of Medicine, Paul L. Foster School of Medicine, School of Allied Health Sciences, School of Pharmacy, School of Nursing, Gayle Greve Hunt School of Nursing or the Graduate School of Biomedical Sciences (See updates at [www.ttuhschool.edu/studentservices](http://www.ttuhschool.edu/studentservices))***

## **B. Tobacco-Free Environment**

1. According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk for a number of cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration (HSC OP 10.19).
2. As a health care institution, TTUHSC is committed to the establishment and enforcement of a healthier tobacco-free environment. TTUHSC OP 10.19, Tobacco-Free Environment Policy, includes regulation and assessment.

## **C. Authority**

1. The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.
2. All references to the Chancellor and/or President of the University, the Executive Vice President for Academic Affairs or designee shall be interpreted to include persons designated to act on behalf of these officials.

## **D. Policy on Non-Discrimination**

The University brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences. The University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, color, religion, national origin, age, sex, disability, genetic information, status as a protected veteran, or any other legally protected category class or characteristic, ~~creed, national origin, age, sex or disability~~ and that equal opportunity and access to facilities shall be available to all. Non-discrimination is observed in the admission, housing, and education of students and in policies governing discipline, extracurricular life and activities. For more information, visit [www.ttuhsu.edu/HSC OP 51.01](http://www.ttuhsu.edu/HSC OP 51.01), Equal Employment Opportunity Policy and Affirmative Action Plan.

## **E. University Name, Documents, and Records**

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of University documents, records or seal is prohibited. See TTUHSC OP 67.01, *Publication Guidelines*.



## F. Definitions

1. "Accused Student" means any student accused of violating the TTUHSC Code of Professional Conduct set forth in Part II of this Handbook. This term may also mean an accused registered student organization. If a registered student organization is alleged to have violated the Student Code, only one student from the organization may appear or act on behalf of the student organization (such as appearing before a Student Conduct Board or Student Conduct Administrator) for purposes of the Student Code.
2. "Business day" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the Student Code(s). An anonymous report or a report by a person who is not a member of the University community shall not constitute a Complaint of Misconduct. However, such report may initiate an investigation and/or filing of a Complaint of Misconduct by an appropriate University official.
5. Conduct Board reference F. Definitions, pg. 9, item # 22.
6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, expulsion or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.
7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.
8. "Flag" means the indicator placed on a student's official record which may prevent registration and/or the issuance of a transcript until the student meets the requirements of the University office placing the indicator, as described herein and in the Schools' catalogs.
9. "May" is used in the permissive sense.

10. "Member of the University community" means any person who is a volunteer including high school students, an enrolled student, faculty or staff member, University official, any other person employed by the University or campus visitors.
11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC Student Handbook; Texas Tech University Residence Hall Calendar and Handbook, if applicable; School of Nursing handbook and catalog; Gayle Greve Hunt School of Nursing handbook and catalog; School of Medicine catalog; School of Allied Health Sciences catalog; School of Pharmacy catalog; Paul L. Foster School of Medicine catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSC web page and computer use policies.
12. "Department Chair" means the Chair is charged primarily with mentoring and guiding faculty, overseeing Department administrative support, and serving as an interface between faculty and the administration of the School and Texas Tech University Health Sciences Center (TTUHSC). Matters of student misconduct and academic deficiency that are addressed from faculty/program directors etc. are referred to the Department Chair and if not resolved refer to the appropriate student conduct administrator for each school.
13. "Registered student organization" means any number of students who have complied with the formal requirements for University registration.
14. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Vernon's Texas Codes Annotated, Tax Code. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Tex. Gov't Code § 62.112.
15. "Representative" means a University official authorized on a case-by-case basis by the Dean of each School to investigate and resolve alleged violations of the Code of Professional and Academic Conduct and the Residence Halls Standards of Student Behavior, if applicable.
16. "School" means School of Medicine, School of Nursing, ~~Gail Greve Hunt School of Nursing~~, School of Pharmacy, School of Allied Health Sciences, ~~Paul L. Foster School of Medicine~~, or Graduate School of Biomedical Sciences.
17. "Shall" is used in the imperative sense.
18. "Sponsorship and/or co-sponsorship" is defined as minimally including, but not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.
19. "Student" means all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, specifically excluding

School of Medicine House staff. In addition, for purposes of Part II of this Handbook, persons who withdraw or on leave of absence after alleging violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance may be considered "students."

20. "Student Code" means the TTUHSC Code of Professional Conduct, which is set forth in Part II of this Handbook. Section D, Misconduct, applies to all students, while Section E, Other Professional and Ethical Standards, applies to students in certain TTUHSC Schools. A student must have applied for admission or be enrolled in the applicable School before a School's provisions in Section E apply to the student.

21. "Student Conduct Administrator" means a TTUHSC official authorized by the Dean of each School to receive Complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board's deliberations. In any case in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School, appointments are made as follows or as otherwise determined by the Dean.

- a. For the Graduate School of Biomedical Sciences, the Assistant Dean.
- b. For the School of Medicine, the Associate Dean for Academic Affairs.
- c. For the School of Nursing, the ~~Assistant~~ Associate Academic Dean for Student Affairs and Education Support Services.
- d. For the School of Allied Health Sciences, the Associate Dean for Admissions ~~Education Support~~ and Student Affairs.
- e. For the School of Pharmacy, academic violations--the Assistant Dean for Student Services; professional violations--Associate Dean for Professional Affairs.
- f. ~~For the Paul L. Foster School of Medicine, the Associate Dean for Student Affairs.~~
- g. ~~For the Gayle Greve Hunt School of Nursing, the Associate Dean.~~

22. "Student Conduct Board" or "Board" means any person or persons authorized by the Dean of each School to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed. All persons serving on the Student Conduct Board must acknowledge an ability to be able to serve objectively and shall decline to serve if there is a conflict of

interest or an appearance of a conflict of interest with either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. For each School, appointments are made as follows.

a. For the Graduate School of Biomedical Sciences, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. One (1) Faculty member from the membership of the Graduate Council, who shall serve as Chair;
- ii. Two (2) other faculty members from the membership of the Graduate Faculty; and,
- iii. Two (2) graduate students from the School.

b. For the School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. Two (2) faculty members chosen by the Chair of the School Hearing Committee or designee;
- ii. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,
- iii. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.
- iv. The Board will elect one (1) of the faculty members as its Chair.

c. For the School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. One (1) tenured faculty member, who will serve as Chair;
- ii. Two (2) faculty members not directly involved with the Complainant or the Accused Student; and,
- iii. Two (2) students not directly involved with the Complaint or the Accused Student..

~~For the Gayle Greve Hunt School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~

- ~~i. One (1) tenured faculty member, who will serve as Chair;~~
- ~~ii. Two (2) faculty members not directly involved with the Complainant or the Accused Student; and,~~
- ~~iii. Two (2) students not directly involved with the Complaint or the Accused Student.~~

d. For the School of Allied Health Sciences, the Student Conduct Board shall be appointed by the Dean as follows:

- i. The Associate Dean for Admissions and Student Affairs serves as the Student Conduct Administrator and he/she will appoint a Student Conduct Board comprised of the following:
- ii. One (1) faculty member who will serve as Chair
- iii. Two (2) faculty members not directly involved with the case
- iv. Two (2) students not directly involved with the case

e. For the School of Pharmacy, the Student Conduct Board shall be ~~appointed by the Student Conduct Administrator as follows:~~ the appropriate Honor Council members pursuant to the School of Pharmacy OP 77.27.

- ~~i. Three faculty members of the Student Affairs Committee;~~
- ~~ii. President of the Pharmacy School Student Government; and,~~
- ~~iii. Vice President of the Pharmacy School Student Government.~~
- ~~iv. The Board will elect a Chair from its membership, and that Chair will vote only in the case of a tie.~~

~~f. For the Paul L. Foster School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~

- ~~i. Two (2) faculty members chosen by the Chair of the School Hearing Committee or designee;~~
- ~~ii. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,~~
- ~~iii. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.~~
- ~~iv. The Board will elect one (1) of the faculty members as its Chair.~~

23. "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code and/or sanctions resulting from an alleged violation(s) are based. At the hearing, information is presented to the Student Conduct Board in order to determine whether a student's responsibility related to the alleged violation of the Student Code is valid and appropriate sanctions, if any.

24. "Student Handbook" or "Handbook" means the TTUHSC Student Handbook.

25. "Student organization" means any number of students who have complied with the formal requirements for Texas Tech University Health Sciences Center registration.

26. "University" means Texas Tech University System or Texas Tech University Health Sciences Center (inclusive of all regional sites and their components).

27. "University official" means any person employed by Texas Tech University System, Texas Tech University or Texas Tech University Health Sciences Center while performing their assigned administrative or professional responsibilities.

28. "University premises" includes all land, buildings, facilities and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).

29. "User" means any member of the University community who uses any University computing and/or networking resources.

30. "Will" is used in the imperative sense.

31. State law exclusively refers to the State of Texas

## **PART II. CODE OF PROFESSIONAL CONDUCT ("STUDENT CODE")**

### **A. General Policy**

1. An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior pertaining to students and to student organizations.

2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.

3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' individual catalogs. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.

4. Each student is responsible for his/her own integrity, and is likewise responsible for reporting possible violations of this Student Code by other students. Faculty and staff shall take all reasonable steps to prevent violations, and each faculty/staff member likewise is responsible for reporting violations.

### **B. Disciplinary Jurisdiction**

1. The Student Code shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University and/or pursuit of its objectives. On a case-by-case basis, the Dean and

his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.

2. All students are expected to subscribe to an honor system which is implicit in accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

### **C. Violation of Law and TTUHSC Discipline**

A disciplinary proceeding may be instituted against a student ~~charged with conduct that~~ regardless of whether conduct allegedly violates both the criminal and/or civil law and/or this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil and/or criminal proceedings at the discretion of the Dean of each School. Determinations made or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal and/or civil law defendant.

### **D. Misconduct**

Any student or student organization found to have committed the following misconduct is subject to disciplinary sanction(s), condition(s) and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to:

#### **1. Alcoholic Beverages**

- a. The use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by University policy or as allowed by law.
- b. Being under the influence of alcohol and/or intoxication except as allowed by law.

*NOTE: State law will be strictly enforced at all times on all property controlled by the University and is inclusive of all regional sites and its components.*

## 2. Narcotics or Drugs

- a. Use, possession, sale, delivery or distribution of any narcotic, drug or medicine prescribed to someone else, chemical compound or other controlled substance or drug-related paraphernalia, except as expressly permitted by the laws of the State of Texas; or,
- b. Being under the influence of narcotics or drugs, except as permitted by law.
- c. The failure of a drug test whether required by TTUHSC or any health care facility to which a student is assigned or has any type of patient care, contact or responsibility.

~~NOTE: The University respects the rights and responsibilities of students and shall consider each violation of the University's substance abuse policy and each violation of federal, state, and/or local law on a "case-by-case" situation and, if appropriate, may attempt to initially use educational options and subsequent intervention and/or prevention options to assist students. Violations of this substance abuse policy shall result in appropriate disciplinary action by the respective School, which may include, but is not limited to, required attendance and active participation in substance abuse education and/or intervention programs, and may result in notification to the parents/guardians of dependent students under twenty-one (21) years of age.~~

## 3. Firearms, Weapons, and Explosives

Use or possession of firearms, ammunition, explosive weapons, illegal knives and other deadly weapons are prohibited on university property except as specifically authorized by federal, state, or local laws.

~~NOTE: Possession of weapons by licensed holders of concealed handguns is prohibited on University premises. The Texas Tech Police Department provides storage for weapons and firearms.~~

## 4. Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University, students, or members of the University community or campus visitors;
- b. Possession of property known to be stolen or belonging to another person without the owner's permission;
- c. Attempted or actual damage to property of the University, University students, members of the University community or campus visitors; or,
- d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or



misrepresentation of any form of identification including, but not limited to, a social security number or drivers license number.

5. Actions Against Members of the University Community

- a. Physical harm or threat of harm to any person;
- b. Intentional or reckless conduct which endangers the health or safety of any person, campus visitor, or volunteer;
- c. Behavior that disrupts the normal operation of the University, including its students, faculty, staff or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a student for students academic pursuits or a faculty or staff's work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.
- d. Sexual conduct that involves:
  - i. Deliberate touching of another's sexual parts without consent;
  - ii. Deliberate sexual invasion of another without consent; or,
  - iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.
- e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:
  - i. Academic pursuits;
  - ii. University employment;
  - iii. Participation in activities sponsored by the University or organizations or groups related to the University; or,
  - iv. Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.
- f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to ~~retain or recruit a student for membership in an organization; or,~~ recruit, initiate, retain or otherwise intimidate a student for membership in an organization.
- g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.

## 6. Gambling, Wagering, or Bookmaking

Gambling, wagering, or bookmaking on University premises is prohibited.

## 7. Hazing

Hazing means any intentional, knowing or reckless act directed against a student, occurring on or off campus, by one or more individuals acting alone or collectively, that endangers the mental or physical health or safety of a student for the purpose of pledging or associating, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose members are, or include, students. Consent or acquiescence by a student or students subjected to hazing is not a defense in a disciplinary proceeding. Hazing includes, but is not limited to:

- a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;
- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
- d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;
- e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g. Any act that is unlawful as designated by local, state, or federal government.

NOTE: *Texas Education Code, Sections 37.151-37.157 and Section 51.936*

#### 8. False Alarms or Terrorist Threats

Intentionally or recklessly sounding a false ~~fire alarm~~ alarm of any kind or character; making a false emergency call or terrorist threat; issuing a bomb threat; constructing mock explosive devices; improperly possessing, tampering with or destroying fire equipment, Automatic External Defibrillators (AED) or emergency signs on University premises.

#### 9. Financial Irresponsibility

Failure to meet financial obligations owed to the University, including, but not limited to, the writing of checks on accounts with insufficient funds, see also 4d above.

#### 10. Unauthorized Entry, Possession or Use

- a. Unauthorized entry into or use of University facilities;
- b. Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;
- c. Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,
- d. Use of the University's name to advertise or promote events or activities in a manner which suggests sponsorship by the University without prior written permission.

#### 11. Traffic and Parking

- a. Violation of University Traffic and Parking regulations; or,
- b. Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.

#### 12. Housing and Dining Services Regulations

Violation of rules, which govern behavior in the campus residence and/or dining halls as stated in the Residence Hall Handbook and/or other notifications or publications provided by the University Department of Housing and Dining Services.

### 13. Student Recreation and Aquatic Center Regulations

Violation of rules, which govern behavior ~~in the~~ as determined by TTU or the University Student Recreation Center and Aquatic Center.

### 14. Failure to Comply with Reasonable Directions or Requests of University Officials

Failure to comply with the reasonable directions or requests of a University official acting in the performance of his or her duties.

### 15. Failure to Present Student Identification

The failure to present their student identification to any University official upon request and identify himself/herself to any University official acting in the performance of his/her duties. The student identification card is property of the university. Students shall neither allow their student identification card to be used by other persons, nor shall they alter their student identification in any way. A student must pay a replacement charge for lost, stolen or damaged student identification cards.

### 16. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment

- a. Unauthorized use of computing and/or networking resources;
- b. Use of computing and/or networking resources for unauthorized or non-academic purposes;
- c. Unauthorized accessing or copying of programs, records or data belonging to the University or another user or copyrighted software, without permission;
- d. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to University computing and/or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources;
- e. Attempted or actual use of the University's computing and/or networking resources for personal or financial gain;
- f. Attempted or actual transport of copies of University's programs, records or data to another person or computer without written authorization;
- g. Attempted or actual destruction or modification of programs, records or data belonging to the University or another user or destruction of the integrity of computer-based information;

- h. Attempted or actual use of the computing and/or networking facilities to interfere with the normal operation of the University's computing and/or networking systems; or through such actions, causing a waste of such resources (people, capacity, computer); or,
- i. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.

17. Providing ~~False Information or~~ False, Misleading or Untrue Statements Misuse of Records

~~Knowingly furnishing false information~~ Knowingly providing to the University, or to a University official in the performance of his/her duties, either verbally, or through forgery, alteration or misuse of any University document, record or instrument of identification.

18. Skateboard, Roller Blades, or Similar Devices

Use of skateboards, roller blades or other similar devices in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property or which disrupts the normal operation of the University.

*NOTE: Also refer to TTUHSC OP 76.32, Traffic and Parking Regulations.*

19. Academic Misconduct

- a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.
- b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.
- c. "Cheating" includes, but is not limited to:
  - i. Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
  - ii. Failing to comply with instructions given by the person administering the test;

- iii. Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
- iv. Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with other assignment (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
- v. Discussing the contents of an examination with another student who will take the examination;
- vi. Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
- vii. Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
- viii. Paying or offering money or other valuable thing to, or coercing another person to obtain an examination, test key, homework solution or computer program, or information about an examination, test key, homework solution or computer program;
- ix. Falsifying research data, laboratory reports and/or other academic work offered for credit;
- x. Taking, keeping, misplacing or damaging the property of the University, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;
- xi. Possession at any time of current or previous test materials without the instructor's permission;
- xii. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
- xiii. Alteration of grade records;
- xiv. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
- xv. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
- xvi. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific permission of the instructor of the course for which the work is being submitted.
- xvii. Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, etc.

d. "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work (such as words, ideas, expressions, illustrations, or product of another), in whole or in part, and the

submission of it as one's own work offered for an academic credit or requirement. When a student presents the works of another (published or unpublished) in his/her academic work, the student shall fully acknowledge the sources according to methods prescribed by his/her instructor.

e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms and reporting forms used by the Office of the Registrar.

f. "Misrepresenting facts" to the University or an agent of the University includes, but is not limited to, providing false grades or resumes, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual, or providing false or misleading information in an effort to injure another student academically or financially.

g. For additional information relating to the School of Medicine Academic Misconduct procedures, please refer to E.1.d.

## 20. Violation of Published University Policies, Rules, or Regulations

Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, applicable publications for each TTUHSC School, such as student handbooks, catalogs, professional and ethical standards and course syllabus.

## 21. Violation of Federal, State, and/or Local Law

Misconduct which constitutes a violation of any provisions of federal, state and/or local laws.

## 22. Abuse of the Discipline System

a. Failure by an Accused Student to comply with or respond to a notification to appear before the Dean of his or her School, Dean's representative and/or an official of the University, including, but not limited to, the Student Conduct Administrator, during any stage of a disciplinary proceeding. Failure to comply with or respond to a notice issued as part of a disciplinary procedure and/or failure to appear will not prevent the Dean or Dean's representative and/or an official of the University from proceeding with disciplinary action;

b. Falsification, distortion or misrepresentation of information in disciplinary proceedings;

- c. Disruption or interference with the orderly conduct of a disciplinary proceeding;
- d. Filing an allegation known to be without merit or cause;
- e. Discouraging or attempting to discourage an individual's proper participation in, or use of, the discipline system;
- f. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding;
- g. Harm, threat of harm, or intimidation either verbally, physically or written of a member of a disciplinary body prior to, during and/or after disciplinary proceeding;
- h. Failure to comply with the sanction(s), condition(s) and/or restriction(s) imposed under this Student Code;
- i. Influencing or attempting to influence another person to commit an abuse of the discipline system; or,
- j. Retaliation against any person or group who files a Complaint of Misconduct in accordance with the Student Code or files a grievance under the applicable School grievance policy.

## **E. Other Professional and Ethical School Standards**

In addition to the Misconduct identified in Part II.D, the following constitute professional and ethical standards for individual TTUHSC Schools and for the basis of a disciplinary action.

### **1. School of Medicine**

- a. All students entering the TTUHSC School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the School of Medicine.
- b. TTUHSC School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:
  - i. Altruism, whereby they subordinate their own interests to take care of their patients;
  - ii. High ethical and moral standards;
  - iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;



- iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,
- v. Maintaining confidentiality concerning the patient and the patient's records.

c. *Medical Student Honor Code*

"In my capacity as a Texas Tech University Health Sciences Center School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."

d. In matters of Academic Misconduct, the student shall refer to the School of Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.

2. ~~TTUHSC School of Nursing and the Gayle Greve Hunt School of Nursing~~

a. ~~All students entering into the TTUHSC SON as well as the Gayle Greve Hunt School of Nursing~~ are required to subscribe to the standards and codes of the profession.

b. ~~TTUHSC SON and the Gayle Greve Hunt School of Nursing~~ students as nursing professionals, are expected by patients and society as a whole to adhere to:

- i. American Nurses Association (ANA) Code of Ethics for Nurses, and the;
- ii. Texas Board of Nurse Practice/Unprofessional Conduct Rules.

c. Students who fail to uphold and/or comply with the above codes and standards for safe and professional nursing practice will be considered in violation of the law and/or professional nursing standards.

3. School of Pharmacy

a. The following principles of professional conduct are established to guide pharmacists in relationships with patients, fellow practitioners, other health professionals, and the public. A Pharmacist should hold the health and safety of patients to be of first consideration and should tender to each patient the full measure of professional ability as an essential health practitioner. All candidates of the TTUHSC School of Pharmacy shall subscribe to the Student Code. Each

candidate implicitly and personally subscribes to the following, as well as the Student Code, in accepting admission to the School of Pharmacy.

- i. A Pharmacist should never knowingly condone the dispensing, promoting or distributing of drugs or medical devices, or assist therein, that are not of good quality, that do not meet standards required by law, or that lack therapeutic-value for the patient.
- ii. A Pharmacist should always strive to perfect and enlarge professional knowledge. A pharmacist should utilize and make available this knowledge as may be required in accordance with the best professional judgment.
- iii. A Pharmacist has the duty to observe the law, to uphold the dignity and honor of the profession, and to meet and maintain ethical principles. A pharmacist should not engage in any activity that will bring discredit to the profession and should expose, without fear or favor, illegal or unethical conduct in the profession.
- iv. A Pharmacist should seek at all times only fair and reasonable remuneration for professional services. A pharmacist should never agree to, or participate in, transactions with practitioners of other health professions or any other person under which fees are divided or that may cause financial or other exploitation in connection with the rendering of professional services.
- v. A Pharmacist should respect the confidential and personal nature of professional records; except where the best interest of the patient requires or the law demands, a pharmacist should not disclose such information to anyone without proper patient authorization.
- vi. A Pharmacist should not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill, that cause a deterioration of the quality of professional services, or that require consent to unethical conduct. A Pharmacist should strive to provide information to patients regarding professional services truthfully, accurately and fully and should avoid misleading patients regarding the nature, cost or value of those professional services.
- vii. A Pharmacist should associate with organizations having as their object the betterment of the profession of pharmacy and should contribute time and funds to carry on the work of these organizations.
- viii. Acts of plagiarism or any other acts of academic dishonesty (as defined in Part II.D above) by students on any assignment, quiz or examination shall result in a course grade of zero (0) and may also result in the additional sanctions identified in Part II.G below.
- ix. Permanent dismissal of a pharmacy candidate from a professional clerkship or affiliated healthcare system for academic or professional misconduct shall constitute violation of the code and will be subject to further sanctions identified in Part II.G below in addition to a course grade of zero (0) for the course clerkship.
- x. Violations of the School of Pharmacy Professional Conduct Code will

constitute demonstration of professional misconduct and are subject to sanctions as identified in Part II G below. The student should refer to the School of Pharmacy Professional Conduct Code located at [http://student.ttuhsu.edu/pharmSG/files/Professionalism\\_code.pdf](http://student.ttuhsu.edu/pharmSG/files/Professionalism_code.pdf)

-Incidences of academic or professional misconduct as well as violations of the Code, regardless of severity, shall result in a review of the student's disciplinary file by the Student Conduct Administrator and patterns of habitual misconduct, regardless of severity, shall result in escalation of the sanctions administered by the School of Pharmacy as outlined in the School of Pharmacy Procedures for Academic/Professional Misconduct <http://www.ttuhsu.edu/studentservices>.

xi. Course Failures Resulting from Sanctions Secondary to Academic or Professional Misconduct

A first course failure resulting from sanctions enforced due to academic or professional misconduct will result in the student being placed on academic probation. If the student is in good standing at the time, then the student will be placed on first probation. If the student is already on academic probation, then the failure will raise the student's probation by 1 level (i.e. 1<sup>st</sup> to 2<sup>nd</sup> or 2<sup>nd</sup> to Dismissal).

A second course failure resulting from sanctions due to academic or professional misconduct, regardless of semester, will result in student dismissal from the school.

4. School of Allied Health Sciences

Students in the School of Allied Health Sciences will not lie, cheat, or steal or tolerate those who do.

5. ~~Paul L. Foster School of Medicine~~

~~a. All students entering the Paul L. Foster School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the Paul L. Foster School of Medicine.~~

~~b. Paul L. Foster School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:~~

- ~~i. Altruism, whereby they subordinate their own interests to take care of their patients;~~
- ~~ii. High ethical and moral standards;~~
- ~~iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;~~
- ~~iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,~~

~~v. Maintaining confidentiality concerning the patient and the patient's records.~~

~~c. Medical Student Honor Code~~

~~"In my capacity as a Paul L. Foster School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."~~

~~d. In matters of Academic Misconduct, the student shall refer to the Paul L. Foster School of Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.~~

**F. Disciplinary Procedures** *Academic issues, such as grading and promotion issues, should be addressed by each school's policies and procedures.*

1. Nature of Proceedings. These proceedings are part of an educational process whereby the University applies its values to establishing the best possible learning environment for its students. These proceedings are not intended to follow, or be restricted by, courtroom or judicial procedures, including the rules of evidence. In addition, these proceedings are not intended for grading and promotions issues, which should be addressed under individual School policies.

2. Procedural Deviations. If the Student Conduct Board has not yet been appointed, or in the absence of the Chair of the Student Conduct Board, the parties and the Student Conduct Administrator may agree in advance and in writing to deviations from procedure. If a Student Conduct Board has been appointed, the parties and the Chair of the Student Conduct Board may mutually agree to procedural deviations, such as deadlines for submission of evidence and hearing dates and times.

NOTE: Any notices that are sent by mail will be considered to have been received on the third calendar day after the date of mailing, excluding any intervening Saturday, Sunday or holiday.

3. Filing A Complaint

a. Any faculty, staff, or student of TTUHSC may file a Complaint(s) against a student(s) or a student organization(s) for violation(s) of the Student Code. A preliminary investigation/discussion with a supervisor (program director, chair, etc.) must be done prior to filing a Complaint. If a basis for the Complaint exists,

Attachment A shall be completed and delivered by the Complainant to the Student Conduct Administrator. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the Student Conduct Administrator.

b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint of Misconduct filed by the Complainant and ~~will request in writing that the~~ notify the Accused Student in writing that he or she shall ~~is required to~~ appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter. The Accused Student shall meet with the Student Conduct Administrator.

c. The Student Conduct Administrator may conduct an informal meeting to determine if the complaint may be disposed prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties. Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.

d. If the Complaint is not disposed of administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Accused Student to determine if the Accused Student admits or denies violating institutional rules.

i. If the Accused Student admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board Hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.

ii. If the Accused Student denies violating University rules, the allegations shall be referred by the Student Conduct Administrator for a Hearing before the Student Conduct Board under Part II.F.4 below.

e. A Student Conduct Board Hearing shall be scheduled within thirty (30) business days after the Accused Student has met with the Student Conduct Administrator under Part II.F.3.d. above. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board Hearing date, such Hearing will be held during the first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

#### 4. Student Conduct Board Hearings

a. *Closed Hearing.* A Student Conduct Board Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Conduct Board, who shall render a final written decision.

b. *Hearing Notice.* At least fifteen (15) business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:

- i. Date, time and place for the hearing,
- ii. Name of the members of the Student Conduct Board,
- iii. Summary statement of the charge(s), or a copy of the complaint and
- iv. ~~Request in writing~~ that at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below.

c. *Challenge.* An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator. The student shall specificity with and clarity detail each reason for such challenge.

Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator or his or her designee that the member can serve with fairness and objectivity. If the member cannot establish his or her fairness and objectivity to the satisfaction of the Student Conduct Board Administrator, the member in question shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed the Student Conduct Administrator, may in his or her sole discretion choose to reschedule the hearing.

d. *Evidence Submission.* At least ten (10) business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.

- i. All pertinent records and exhibits:
- ii. Written statements must be notarized (including Impact or Position Statements);
- iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, ~~including a brief summary of the information to be given by each; and,~~
- iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i below.

e. *Evidence Exchange.* At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.

f. *Separate or Joint Hearings.* A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused student may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.

g. *Recordings.* The University shall record, either digitally, through audiotape, or otherwise as deemed appropriate all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its' Findings and Recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent record of the proceedings.

h. *Hearing Attendance.* The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

i. *Advisors.* The advisor must be a faculty, staff, or student of TTUHSC. However, if an Accused Student is also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances, he or she may be allowed to have an attorney serve as his or her advisor, at his or her own expense, to participate only in the same manner as any other advisor. If an advisor for the Accused Student is an attorney, an attorney from the Office of General Counsel ~~shall~~ may attend the Student Conduct Board Hearing on behalf of the University. The University will provide legal counsel for the Student Conduct Board as the Student Conduct Board Chair deems it necessary.

The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly or indirectly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Chair upon written request seven (7) business days in advance of the date scheduled for the Student Conduct Board Hearing.

j. *Witnesses.* Members of the Student Conduct Board may question all witnesses, followed by the parties. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only during the time they are providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in his/her sole discretion determines otherwise.

i. *Parties Witnesses.* The Complainant and the Accused Student may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused Student are responsible for arranging for the voluntary attendance of his or her own witnesses.

ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.

k. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.

l. *Deliberations.* If the Student Conduct Board concludes that all pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the Accused Student has violated any section of the Student Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) of the



Student Code, the Student Conduct Board may also recommend all or any of the sanctions identified in Part II.G below.

m. *Failure to Appear.* The Accused Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice Section II.F...4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Accused Student to attend the hearing or answer the charges.

n. *Findings and Recommendations.* The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations in writing. If the Findings and Recommendations are not unanimous, opinion(s) may be written by those who differ with the Majority's Findings and Recommendations. The Chair will forward the Findings and Recommendations, including differing opinion(s), within ten (10) business days to the Dean, the Student Conduct Administrator, the Accused Student and the Complainant.

o. *Dean's Review.* The Dean will review the Findings and Recommendations of the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing within ten (10) business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's decision shall be final.

p. *Appeal.* Within ten (10) business days of receipt of the decision of the Dean, if either party believes that the *due process* procedures have been violated, an appeal may be made, in writing, to the President of the University. The President will review the case and notify all parties of his decision within ten (10) business days. If a written appeal is not submitted within ten (10) business days following receipt of the Dean's letter, the right to appeal is thereby waived and the Dean's decision is final.

The Accused Student or Complainant may only raise, and the President shall only consider, the following:

- a. Whether a procedural deviation occurred that substantially affected the outcome of the case;
- b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at

the time of the original Student Conduct Board Hearing.

The President will review the Findings and Recommendations and, at his or her sole discretion, the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing to the Accused Student, the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Dean. The President's decision shall be final.

## **G. Sanctions**

1. Sanctions which may be recommended by the Student Conduct Board, and imposed by the Dean of the School, upon any student found to have violated this Student Code. include but are not limited to the following:

a. *Failing Grade or Cancellation of Credit.* Failing grade for an examination or assignment or for a course, and/or cancellation of all, or any portion, of a prior course credit.

b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.

c. *Probation.* A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

d. *Loss of Privileges.* Denial of specified privileges for a designated period of time.

e. *Restitution.* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

f. *Discretionary Sanctions.* Assignments may be made at the discretion of the board, such as work assignments, essays, training, service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the students disciplinary file or other related discretionary assignments.

g. *Suspension.* Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.

h. *Dismissal With or Without Readmission.* Separation or dismissal of the student from their current program, with or without the option to apply for

readmission to the University. The student's transcript will reflect the nature of the dismissal.

i. *Revocation of Admission and/or Degree.* Admission to or a degree awarded by the University may be revoked for fraud, misrepresentation or other violations of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

j. *Withholding Degree.* The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Disciplinary Procedures.

k. *Multiple Sanctions.* More than one of the sanctions listed above may be imposed for any single violation.

l. Any other sanction(s) which may be appropriate under the particular circumstances of the violation.

2. Other than dismissal from the University or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the Office of the Dean for the applicable School.

3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim.

4. The following sanctions may be imposed upon registered student organizations and/or members thereof:

a. Those sanctions listed above in Part II.G.1 above.

b. Loss of selected rights and privileges for a specified period of time.

c. *Deactivation.* Loss of all privileges, including University recognition and/or registration, for a specified period of time.

#### **H. Interpretation and Revision**

1. Any question of interpretation or application of this Student Code shall be referred to the Dean of the appropriate School or his or her designee for final determination.

2. The Student Code Review Committee (Review Committee) shall conduct an annual review of the Student Code and make recommendations to the President regarding

omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Student Code. The Review Committee is composed of the Student Affairs representatives from each School. The President may invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members.

### **PART III. WITHDRAWAL OF CONSENT**

#### **A. Recommendation to Withdraw Consent During Periods of Disruption**

1. The term "period of disruption" is any period in which it reasonably appears that there is any of the following (Texas Education Code § 51.231):

- a. Threat(s) of destruction to University premises;
- b. Physical or emotional injury to human life on University premises; or,
- c. Threat(s) of willful disruption of the orderly operation of the University.

2. During periods of disruption, the Department Chair within the applicable School may recommend to the Dean that prior to a Student Conduct Board Hearing, and in accordance with Texas Education Code, Section 51.233, a student have his/her consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.

3. Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.

4. Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend, dismiss, or expel any student or employee at the University in accordance with the procedures set forth in Part II of this Handbook. If a person is alleged to have violated the Student Code, and Withdraw of Consent also occurs, the procedures set forth in Parts II and III may occur concurrently.

#### **B. Concurrence by Dean**

1. If the Dean concurs with the Department Chair's recommendation, the student will have his/her consent to be in attendance at the University or on University premises withdrawal in writing by the Dean. Texas Education Code § 51.233(a) & 51.234.

2. The written notice by the Dean shall contain all of the following:

- a. That consent to remain on the campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed fourteen (14);
  - b. Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
  - c. Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
  - d. Notification that the student is entitled to a hearing on the withdrawal not later than three (3) days from the date of receipt by the Dean of a request for hearing from the person.
3. Whenever consent is withdrawn by the Dean, the Dean shall submit a written report to the President within twenty-four (24) hours, unless the Dean has reinstated consent for the student. The report shall contain all of the following:
- a. Description of the student, including, if available, the student's name, address, and phone number; and,
  - b. Statement of the facts giving rise to the Withdrawal of Consent.

### **C. Confirmation by President**

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or university premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).
2. If the President or his/her designee does not confirm the action taken by the Dean within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall be deemed void and of no force or effect, except that any arrest made during the period shall not for this reason be deemed to have been made for probable cause.

### **D. Hearing**

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.
2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted not later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.

b. *Representation.* The student may be represented by counsel. The University will be represented by the Office of General Counsel.

c. *Witnesses.* The student, as well as the Department Chair who recommended consent be withdrawn, have the right to call and question witnesses and to cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. Witnesses are permitted to attend the Hearing only when they are providing information, unless the Hearing Committee, in its sole discretion, allows otherwise. The student shall be advised of the content of the statements, and the names of the persons who made them, at the hearing.

d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.

- i. All pertinent records, exhibits and written statements (including Impact or Position Statements);
- ii. A list of witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, including a brief summary of the information to be given by each; and,
- iii. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i.

e. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair.

f. *Recordings.* University shall record, either digitally or through audiotape, or otherwise as deemed appropriate all Hearings until such time that the Hearing Committee begins discussion and deliberation and prepares Findings and Recommendations. Deliberations shall not be recorded. The record is University property.

g. *Appeal to President.* The student may appeal the decision within three (3) days from the date of the decision by sending a written appeal to the President. If the student does not appeal the decision by the hearing committee, the decision is final. The president will review and render a decision within seven (7) days.

h. *Appeal to the Board of Regents.* If the student is not satisfied with the decision by the President, the student may appeal to the Texas Tech Board of Regents by sending a written appeal to the Chairman of the Board of Regents, with a copy to the President, within three (3) days from the date of the President's decision. If the student does not appeal the President's decision, the President's decision is final. If the student appeals to the Texas Tech Board of Regents, the decision by the Board is final.

#### **PART IV. Anti-Discrimination and Sexual Misconduct Procedures (Including Title IX)**

##### **A. Introduction**

Texas Tech University Health Sciences Center (TTUHSC) is an Equal Employment Opportunity employer and ensures compliance with federal and state employment laws and regulations. TTUHSC provides a fair and equitable student conduct process, utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.

##### **1. Anti-Discrimination Policy**

TTUHSC does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, status as a covered veteran, or other protected categories, classes, or characteristics. While sexual orientation is not a protected category under state or federal law, it is TTUHSC policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.

##### **a. Discriminatory Harassment**

- i. Discriminatory harassment is verbal or physical conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics and is so severe, persistent, or pervasive it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

- ii. Examples of inappropriate behavior that may constitute discriminatory harassment include, but are not limited to:
  - Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
  - Display of explicit or offensive calendars, posters, pictures, drawings, screen savers, e-mails, or cartoons in any format that reflects disparagingly upon a class of persons or a particular person;
  - Derogatory remarks about a person's national origin, race or other ethnic characteristic;
  - Disparaging or disrespectful comments if such comments are made because of a person's protected status;
  - Loud or angry outbursts or obscenities in the academic environment directed toward another student, faculty, staff, or visitor; or
  - Disparate treatment without a legitimate business reason.

b. Sexual Harassment

2. Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with the student's educational experience.
3. Examples of inappropriate behavior that may constitute unlawful sexual harassment include, but are not limited to:
  - Sexual teasing, jokes, remarks, questions;
  - Sexual looks and gestures;
  - Sexual innuendoes or stories;
  - Sexual favoritism;
  - Pressure for dates or sexual favors;
  - Gifts, letters, calls, e-mails, or materials of a sexual nature;
  - Sexually explicit visual material (calendars, posters, cards, software, internet materials);
  - Communicating in a demeaning manner with sexual overtones;
  - Inappropriate comments about dress or physical appearance; or
  - Non-consensual video or audio-taping of sexual activity;
  - Inappropriate discussion of private sexual behavior;
  - Exposing one's genitals or inducing another to expose their genitals;
  - Unwelcome physical contact (touching, patting, stroking, rubbing);
  - Non-consensual video or audio-taping of sexual activity;
  - Sexual assault; or
  - Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

*Note: While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.*

c. Reporting Concerns

Students complaining of discriminatory and sexual harassment should contact the Deputy Title IX Coordinator for Students, Assistant Vice President for Student



Services, Registrar & Financial Aid, Room 2C400, 3601 4th Street, MS 8310, Lubbock, Texas 79430, (806) 743-6426. Students complaining of discriminatory and sexual harassment in their employment capacity should contact the Office of Equal Employment Opportunity, 212 Administration Building, (806) 742-3627. The Student Resolution Center, (806) 743-SAFE is available to assist with these processes.

d. Office of Civil Rights Complaints

Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office of Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100, Customer Service Hotline#: (800) 421-3481, <http://www.ed.gov/ocr>.

e. Non-retaliation

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or Hearing. Retaliatory harassments is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.

f. Confidentiality

Confidentiality of both Complainant and accused will be honored to such extent as is possible without compromising the University's commitment to investigate allegations of discrimination and harassment and only in instances where there is no credible threat to the safety of the Complainant, Respondent, or others. The willful and unnecessary disclosure of confidential information by anyone, including the alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

g. Faculty/Staff and Student Relationships

TTUHSC is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships, including affectionate liaisons or other intimate or close relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Faculty/staff with direct or indirect teaching, training, research oversight or direction, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the

ethical and professional boundaries that must exist in such situations. If questions arise about situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean or the Assistant Vice President for Student Services.

#### h. Grievance or Complaint Processes

A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. This Part IV of the Student Handbook refers to processes and procedures pertaining to sexual misconduct. For all other types of misconduct, refer to Part II of the Student Handbook.

#### i. Grievances and Investigations – Complaints Involving Employees, Whether, Faculty, Staff, or Students

1. This grievance process is applicable to all students who choose to complain about unlawful discrimination, harassment, or other violations of the law that adversely affect their educational environment and the responding party is an employee, whether faculty, staff or student.
2. All grievance investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.
3. The filing of a grievance shall not affect the ability of TTUHSC to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance.
4. A student may consult with the Assistant Vice President for Student Services to determine if he/she wishes to file a formal grievance. Students wishing to file a grievance should complete the grievance form located at [www.ttuhsu.edu/student-services](http://www.ttuhsu.edu/student-services). However, even if a formal grievance is not filed, the Assistant Vice President for Student Services may notify key personnel at his or her discretion about the allegation, and other action may be taken by TTUHSC as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing alleged offenders of TTUHSC's policy and educating departments and supervisors as needed on this and other policies.
5. If the grievance involves the Assistant Vice President for Student Services, the grievance should be presented to the Equal Employment Opportunity Office.
6. Student complaints of discrimination or harassment by an employee will be investigated jointly by the Assistant Vice President for Student Services and the Office of Equal Opportunity.
7. The investigation may consist of the review of the grievance and any supporting documentation, examination of other relevant documentation,

and interviews with relevant individuals. The extent of the investigation and its procedures will be determined by and at the discretion of the Assistant Vice President for Student Services or the Equal Employment Opportunity Office or other administrators may be consulted to assist with the investigation.

8. After the investigation is complete, the Assistant Vice President for Student Services or Equal Employment Opportunity Office or designee will provide a written determination to the student who has filed the grievance, the accused parties, and the appropriate administrators.
9. The findings of the Assistant Vice President for Student Services or the Office of Equal Employment Opportunity is final and not appealable.
10. In the event a finding of a violation of this policy is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.
11. If either party disagrees with the imposed disciplinary action, or lack thereof, he or she may appeal within 10 business days through procedures established in OP 60.10 for faculty and OP 70.10 for staff.
12. Any disciplinary taken in connection with a grievance filed pursuant to this policy shall be reported in writing to the Assistant Vice President for Students and the Office of Equal Employment Opportunity at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via copy of a counseling or other written disciplinary action, resignation, termination document, etc.
13. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Officer of Equal Employment Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance has taken place the student should contact the Vice President for Student Services or the Office of Equal Employment Opportunity, and/or file a grievance for retaliation.
14. In the event of a finding of a violation of this policy, the Office of Equal Employment Opportunity will follow up with the grievant within 60 days to ensure that the complained of behavior has ceased.
2. Grievances and Investigations – Complaints Involving Other Students  
Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part II and Part IV, B, as applicable. Section B of this Part IV of the Student Handbook contains the processes and procedures pertaining to sexual misconduct.

## **B. Sexual Misconduct Complaints Involving Other Students**

1. Jurisdiction.
  - a. Part IV of the Student Handbook shall apply to conduct that occurs on TTUHSC premises, at TTUHSC sponsored activities, and to off-campus conduct

that adversely affects TTUHSC and/or pursuit of its objectives. On a case-by-case basis, the Deputy Title IX Coordinator for Students and/or his/her designee, in his or her sole discretion, shall determine whether this Part IV of the Student Handbook should be applied to conduct occurring off premises. Part IV may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials.

b. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Part IV of the Student Handbook shall apply to persons who withdraw after alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with TTUHSC, or who have been notified of their acceptance.

## **2. Timelines**

It is recommended that reports of alleged violations of Part IV of the Student Handbook should be received by the Deputy Title IX Coordinator for Students within ten (10) university working days of the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incidents.

Incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This timeline may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays

## **3. Standards of Evidence**

The proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. The standard of proof used in TTUHSC proceedings in Part IV of the Student Handbook is the preponderance of evidence. The term "preponderance of evidence" is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

#### **4. Reporting Allegations of Sexual Misconduct**

To file allegation(s) of sexual misconduct against student(s) or student organization(s), individuals must complete a *Complaint of Sexual Misconduct* form that can be found as Appendix A in the Student Handbook. The written allegation should describe the action or behavior in question. Individuals may also file a report in person at 3601 4<sup>th</sup> Street, Room 2C400 located in the Office of Student Services.

#### **5. Confidentiality**

TTUHSC is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support.

- TTU Student Counseling Center, [www.depts.ttu.edu/scc/](http://www.depts.ttu.edu/scc/)
- Program of Assistance for Students, 3601 4th Street, Room 1A122  
Lubbock, Texas 79430-8103  
806-743-1327      1-800-327-0328      [www.EAP.ttuhsu.edu](http://www.EAP.ttuhsu.edu)

The University is committed to facilitating an environment that supports students reporting incidents of misconduct, and will always attempt to resolve a situation in accordance with a student's wishes. In most cases, the University will not initiate student conduct proceedings or take administrative action without consulting with the reporting student.

In some exceptional circumstances, where the incident in question presents a continuing threat to the campus community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of student misconduct, and may be required to issue a "timely warning" to the campus community, as required by the Clery Act. Timely warnings do not include personally identifiable information of involved parties.

All reports of misconduct will be maintained with the highest possible level of confidentiality. Information provided by the student will only be shared with essential staff members and only as is necessary for the effective investigation and adjudication of the case. Where reports of misconduct involve other students, either as Respondents or witnesses in the case, some information may need to be shared with those involved parties in order to complete a thorough investigation.

#### **6. Anonymity**

TTUHSC understands the sensitive nature of incidents involving sexual misconduct. Further, the University is mindful of Complainants' desire, in some cases, to report an incident without disclosing their name or other identifying information. TTUHSC will always attempt to protect a student's anonymity if that is the student's request. Doing

so, however, can oftentimes make it more difficult to thoroughly and effectively investigate an incident. The University will work with each student on a case-by-case basis to find the approach that best fits the student's wants and needs.

## **7. Reporting Criminally**

Some instances of student misconduct may also constitute a violation of state, federal, or local law. Students have the option to report misconduct to the University, to local law enforcement, or to both. TTUHSC administrators are happy to assist students in making a report to law enforcement, and will even accompany the student if he or she wishes.

## **8. Amnesty Provisions**

The University will provide educational options in lieu of conduct proceedings in certain situations. Victims of misconduct who were engaging in minor policy violations, such as underage drinking or drug use, at the time of the incident. Examples of the amnesty provision include, but are not limited to:

- Students who offer assistance to others by calling medical personnel or law enforcement.
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.

Abuse of amnesty provisions can result in a violation of the Code of Student Conduct. Amnesty does not preclude students from being charged with allegations of misconduct related to Actions against Members of the University Community and Others. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, or actions required to comply with professional ethic requirements. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling. The Deputy Title IX Coordinator for Students can assist with questions related to amnesty provisions.

## **9. Sexual Misconduct Defined**

### **Sexual Misconduct**

- a. **Sexual Harassment**  
Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience or creates a hostile educational environment.
- b. **Sexual Exploitation**

Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- i. Photography or video recording of another person in a sexual, intimate, or private act without that person's full knowledge or consent;
  - ii. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;
  - iii. Sexual voyeurism;
  - iv. Inducing another to expose one's genitals or private areas;
  - v. Prostituting another student;
  - vi. Engaging in sexual activity while knowingly infected with an STD.
- c. Public Indecency  
Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to exposing one's genitals or private area(s), public urination, defecation, and/or public sex acts.
- d. Nonconsensual Sexual Contact  
Intentional sexual touching, however slight and with any object or part of one's body, of another's private areas without consent. Private area includes butt, breasts, mouth, genitals, groin area, or other bodily orifice.
- e. Nonconsensual Sexual Intercourse  
Sexual penetration or intercourse, however slight and with any object, without consent. Penetration can be oral, anal, or vaginal.

*Note: Consent is defined as mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for sexual activity.*

## **10. Conduct Procedures for Sexual Misconduct**

### **a. Intake and Initial Inquiry**

Upon notice of an alleged violation of Part IV of the Student Handbook, the Deputy Title IX Coordinator for Students will appoint a Title IX Investigator to review allegations of sexual misconduct. The Deputy Title IX Coordinator for Students, in his or her sole discretion, may appoint more than one Title IX Investigator or co-investigators to review an alleged violation of Part IV of the Student Handbook. Reported allegations of misconduct have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. The Title IX Investigator will inquire, gather and review information about the reported student sexual misconduct and will evaluate the accuracy, credibility, and sufficiency of the information. Incidents will not be forwarded for to a hearing officer unless there is reasonable cause to believe a policy has been violated. Reasonable cause is

defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Complainant statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to any individual involved to clarify the policy that was in question. Unsupported allegation with no credible information will not be forwarded to a hearing. When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Title IX Investigator will investigate the reported incident to fullest extent of the information available. When a Complainant is identified but is reluctant and/or refuses to participate in the investigative process and/or the sexual misconduct process entirely, TTUHSC will make every attempt to follow the wishes of the Complainant while weighing the interests of the university community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to TTUHSC pursuing conduct action with respect to the named Respondent, TTUHSC will proceed with the sexual misconduct process to the extent of the information available.

b. Remedies and Resources

i. Remedies

TTUHSC will take immediate action to eliminate hostile environments, prevent reoccurrence and address any effects on the victim and community. This includes immediate steps to protect Complainants even before the final outcome of the investigations, including prohibiting the Respondent from having any contact with the Complainant. These steps will attempt to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, modifications to parking assignments, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

ii. No Contact Orders

When initial inquiry indicates persistent and potentially escalating conflict between two members of the university community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Deputy Title IX Coordinator via the student's official TTUHSC email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Deputy Title IX Coordinator for Students. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the No Contact Order. Failure to comply with the No Contact Order is considered retaliation and will result in disciplinary action, including possible



suspension or expulsion. Violations of No Contact Orders may also result in possible violation(s) under Part II of the Student Handbook, and/or a referral to the Texas Tech Police Department during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

iii. Resources

**Sexual Violence.** TTUHSC has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or Lubbock Police Department, counseling services, medical assistance, student legal services, academic support referrals, and other support services.

**c. Interim Actions**

**Immediate Temporary Suspension – Students**

A student may be temporarily suspended and/or referred to the Texas Tech Police Department pending completion of conduct procedures if, in the judgment of the Deputy Title IX Coordinator for Students, or on recommendation of a Title IX Investigator, the physical or emotional well-being of a student or other students or members of the university community could be endangered or if the presence of the student could significantly disrupt the normal operations of TTUSHC. The Deputy Title IX Coordinator for Students or designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) university working days from the date of temporary suspension. A student who receives an interim suspension may request a meeting with the Deputy Title IX Coordinator for Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. Upon immediate temporary suspension, the student may no longer attend classes, use TTUHSC or TTU services and/or resources, and is not allowed to be on campus until the conduct proceedings under Part IV have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Deputy Title IX Coordinator for Students and the Texas Tech Police Department. Conduct, on or off campus that typically results in interim suspension under Part IV include but is not limited to:

- i. A significant and articulable threat to the health or safety of a student or other member(s) of the university community.
- ii. Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation.

- iii. Violation of a No Contact Order
- iv. Retaliatory harm, discrimination or harassment

d. Notice of Involvement. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Title IX Investigator. In addition to other possible sanctions, conditions and/or restrictions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Title IX Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent the Deputy Title IX Coordinator for Students from proceeding with disciplinary process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply in Part II of the Student Handbook.

e.. Student Rights and Responsibilities

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview with the Title IX Investigator. The Student Rights and Responsibilities document informs the student of his or her rights to be exercised before and during the investigative process. Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student has a right to:

- i. A prompt, fair, and equitable process;
- ii. Be accompanied by an advisor to any meeting or Hearing. An "advisor" can be any one of the following: a member of the TTUHSC Community (faculty, staff, or student), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the hearing on behalf of the TTUHSC. The Complainant and/or the student accused of alleged misconduct is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing unless authorized by the Hearing Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Hearing Officer upon written request five (5) University working days in advance of the

scheduled hearing date.

- iii. Students are expected to cooperate with the University sexual misconduct process, but may elect not to participate in the investigation process, either in part or entirely. In other words, if a student chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.
- iv. NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.
- v. The opportunity to provide information and evidence in support of his/her case;
- vi. Know if they have been issued any allegations of misconduct;
- vii. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
- viii. Know the TTUHSC conduct policies and procedures, and where to find them;
- ix. Know that any information provided by the student may be used in a conduct proceeding;
- x. Know that if a student makes any false or misleading statement(s) during the investigation or Hearing the student will be subject to further disciplinary action under Part II of the Student Handbook.

It is the student's responsibility to:

- 1. Be responsive to all correspondence from the University;
- 2. Provide information relevant to the incident or situation;
- 3. Be honest and provide true and accurate information during the investigation;
- 4. Review the Code of Student Conduct in order to fully understand all aspects of the student conduct process.

f. Initial Inquiry/Formal Investigation

A trained Title IX Investigator will conduct a thorough, reliable, and impartial investigation of the reported incidents including meeting with the party bringing the Complaint to finalize the Complainant's statement, interview witnesses, collect evidence, create timelines, and receive information from the Respondent.

When initial inquiry indicates a concurrent police investigation is occurring, the Title IX Investigator will, where possible, collaborate with the Texas Tech Police Department during investigation. Elements of this collaborative investigation may include the Title IX Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Title IX Investigator will never take physical custody of any physical or electronic evidence, but will work closely with the Texas Tech Police Department to inspect, analyze, and incorporate physical or electronic evidence into the Investigative report.

During the investigative process, Complainants and Respondents are responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the Title IX Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Title IX Investigator will document any physical or electronic evidence in a manner that is conducive and un-obstructive to concurrent or forthcoming police investigations.

A student will have access to the completed Investigation Report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, students are not given copies or Investigation Reports and/or investigative materials.

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the Code of Student Conduct outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Title IX Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal. The case will only be reopened if new material, previously unavailable is presented. The Informal Resolution, or any other form of mediation will not be utilized to resolve cases involving Title IX allegations, such as sexual harassment, sexual violence, or other forms of sexual misconduct.

g. Prehearing/Formal Allegations Assigned

Once the investigative process is complete, the student will be given notice of a Pre-Hearing Meeting scheduled outside of the student's academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and Hearing. During this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or University Discipline Committee Hearing. Other documents include notification of Respondent's allegations, Committee composition, and Hearing script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in the Student Handbook of a date, time, and location of the Hearing.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Title IX Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Hearing, the student should inform the Title IX Investigator immediately. If the new information is pertinent to the consideration of the case, the Title IX Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Hearing.

Formal Allegations will be assigned during the Pre-Hearing per the information and evidence gathered during investigation. Allegations are assigned for deliberation in the Hearing by the Hearing Officer to determine the student's responsibility for misconduct. An Allegation Letter will be provided to the student in the Pre-Hearing Meeting or via other methods of notice. Title IX Investigator will schedule the Final Hearing no sooner than five (5) university working days from the date of the last Pre-Hearing. The five-day period can be waived by the Deputy Title IX Coordinator for Students upon consultation with the involved student(s).

h. Hearing

After proper notice has been given to the students, TTUHSC may proceed to conduct a hearing and deliver a decision or recommendation respectively. The Deputy Title IX Coordinator for Students shall appoint a Hearing Officer to conduct a Hearing under Part IV of the Handbook. The Hearing may be held and a decision or recommendation made, regardless of whether the student responds, fails to respond, attends the hearing or fails to attend the hearing. Should the student fail to attend the Hearing, the Hearing Officer may consider the information and render a decision.

Hearings are closed to the public. Both the Complainant and Respondent have the right to be present at the Hearing; however, they do not have the right to be present during the deliberation. Arrangements can be made so that Complainant and

Respondent do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, students should contact the Deputy Title IX Coordinator for Students not less than three (3) days prior to the scheduled hearing.

The Title IX Investigator presents the investigation report, evidence, witnesses, allegations, and questions for deliberation. The Hearing Officer may question the Title IX Investigator, Complainant, Respondent and any witnesses. The Complainant and Respondent do not have the right to question each other nor witnesses directly but may do so through the Title IX Investigator. The Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Hearing Officer may ask questions to all parties through the Title IX Investigator. Should new evidence be presented without prior discussion with the Title IX Investigator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officer removes a student due to misconduct (Complainant, Respondent, or witnesses) the alleged misconduct will be forwarded to the Deputy Title IX Coordinator for Students or his/her designee. In regard to removal of the student, the Deputy Title IX Coordinator for Students or his/her designee will forward the alleged misconduct to the appropriate student conduct administrator, who will follow the conduct process in Part II of the Student Handbook in regard to adjudication of the alleged misconduct.

Following the hearing, the Hearing Officer will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. The Hearing Officer will inform the Deputy Title IX Coordinator for Students in writing within five (5) University working days of the decision(s).

Outcomes of the Hearing will be provided to the student(s) in writing within five (5) University working days of the conclusion of the Hearing.

Either the Complainant or Respondent may utilize Disciplinary Appeal Procedures outlined in sub-section j below.

i. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

The Hearing Officer may impose sanctions, including but not limited to those described in Part II of the Student Code, conditions and/or restrictions as a result of a Hearing where the student is found responsible.

If the allegation involves a student organization, the Hearing Officer may meet with a University staff member whose professional capacity involves the advising of the organization. This staff member may provide information relevant to potential sanctions, conditions, and restrictions for the Hearing Officer.

All records concerning a student or student organization related to the disciplinary process will remain on file with the Deputy Title IX Coordinator for Students for a minimum of seven (7) years from the date the case is completed through a Hearing and/or disciplinary appeal procedures.

j. Conduct Appeal Procedures

A student may appeal the decision or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officer by submitting a written appeal to the Executive Vice President of Academic Affairs or his/her designee within five (5) University working days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- i. A procedural [or substantive error] occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- ii. The discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
- iii. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

Either the Complainant or Respondent may appeal the decision of the Hearing Officer. The Deputy Title IX Coordinator for Students will provide the request for appeal to the other party and provide opportunity for response.

The Executive Vice President of Academic Affairs will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. If an appeal is granted, the results of the appellate process as outlined below will be final. If the designated appeal officer determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officer to reconsider the new evidence, or may order a new Hearing. If new evidence is considered, the Hearing Officer may increase, decrease, or otherwise modify the sanctions, conditions, and/or restrictions. The Hearing Officer or designee will notify the student of the outcome using the written notice procedures within eight (8) University working days of the decision. The decision is final and may not be appealed. If a new Hearing is ordered, all hearing Conduct Procedures in Part IV will be followed. The Hearing Officer will notify the student of the outcome using the written notification procedures within five (5) University working days of the decision. The decision of the new Hearing Officer is final and may not be appealed.

If the Executive Vice President of Academic Affairs or designee determines that a material procedural or substantive error has occurred, he/she may return the complaint to the original hearing officer with instructions for another hearing in light of the appellate findings. All hearing Conduct Procedures described in Part IV will be followed.

The original Hearing Officer will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of the decision. This decision is final and may not be appealed. In those cases in which the error cannot be cured by the original Hearing Officer(i.e., some cases of bias), the Executive Vice President of Academic Affairs or designee may order a new hearing with a new Hearing Officer. If a new Hearing is ordered, all hearing Conduct Procedures in Part IV will be followed. The new Hearing Officer or designee will notify the student in writing of the outcome within five (5) University working days of the decision. The decision of the new Hearing Officer is final and may not be appealed.

If the Executive Vice President of Academic Affairs determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the Executive Vice President of Academic Affairs or designee may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officer or convening anew Hearing. The Executive Vice President of Academic Affairs will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of the decision. The decision of the Executive Vice President of Academic Affairs is final and cannot be appealed.

The Deputy Title IX Coordinator for Students shall make all reasonable efforts to timely notify the student(s) of the status of the appeal throughout the appellate process, and shall make all reasonable efforts to notify the students as to the result of the appeal within five (5) University working days after the final decision is rendered. The appeals officer's decision is final.

## **PART V. STUDENT RECORDS**

### **A. General Policy**

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from disciplinary records. (During the time of disciplinary suspension or expulsion, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Texas Tech University Health Sciences Center.



## **B. Address of Record**

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official university requirements. Students should maintain a current local address and telephone number that is used by university officials, and/or student organizations and the campus community.

## **C. Student Access to Educational Records**

All current and former students of the university have the right to access their educational records as provided by law.

Notification of Rights under FERPA for Postsecondary Institutions The Family Educational Rights and Privacy ACT (FERPA) afford eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center receives a request for access. A student should submit to the Office of the Registrar a request by completing and submitting HSC OP 77.13 Attachment B 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.
  - a. Generally if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.
  - b. Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.
2. The right to provide written consent before the university 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 the [School] 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 trustees; 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 the [School] who performs an institutional service of 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 or a student volunteering to assist another school official in performing his or her tasks. 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 the [School].

[Optional] Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE TO POSTSECONDARY INSTITUTION: FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school states in its annual notification that it intends to forward records on request.]

3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance ~~Office~~ Center  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

4. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.

5. Personally identifiable information such as rank in class, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student.

#### **D. Records Not Accessible to Students**

The following are records not accessible to students:

1. Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

2. Records of the Texas Tech Police Department, subject to the provisions of 34 C.F.R. 99.8;

3. Records relating solely to an employee of TTUHSC in his/her capacity as an employee that are not available for any other purpose, unless the Student is employed as a result of his/her status as a Student;

4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and

5. Alumni records or other records that contain information about an individual after he/she is no longer a Student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

#### **E. Disclosure of Education Records**

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within Texas Tech University Health Sciences Center whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31 (a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or-State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further

disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31 (a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31 (a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31 (a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31 (a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31 (a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31 (a)(15))

## F. Student's Request to Amend Records

Students have the right to request an amendment of their educational records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student Handbooks for each School and the TTUHSC Student Handbook/Code of Professional Conduct. The request is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed to amend the records.

1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. If the result of the informal discussion with the Office of the Registrar is not satisfactory to the Student, and the Student still wishes to have the record corrected, the Student should submit a Student Request to Amend Education Records form HSC OP 77.13 to the Executive Vice President for Academic Affairs or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the Student believes the record is inaccurate, misleading or in violation of his/her privacy rights. **[Note: The substantive judgment of a faculty member regarding a Student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for Students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student handbooks for each School and the TTUHSC Student Handbook/ Code of Professional Conduct.]**
3. After receiving the written request from the Student for a change in his/her Education Records, the ~~Senior~~ Executive Vice President for Academic Affairs ("SVPAA") or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the Office of the Registrar, the SVPAA or designee will provide written notification to the Student whether or not TTUHSC will implement the change. If not, the SVPAA or designee will notify the Student of the right to a hearing to challenge the information believed by the Student to be inaccurate, misleading, or in violation of the Student's rights.
4. Upon receiving a written request from the Student for a hearing, the SVPAA or designee shall arrange for a hearing and provide written notice to the Student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:

- a. The hearing shall be conducted by a hearing official or committee appointed by the President or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the Student or the Office of the Registrar.
- b. At least five (5) days prior to the date scheduled for the hearing, the Student and the Office of the Registrar, shall submit to each other, as well as to the hearing official or committee, any and all pertinent documents and a list of witnesses and advisors who are to be involved in the hearing process. The Student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. If the Student has an advisor, the Office of General Counsel shall represent the University. The Student and the Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the Parties are not permitted to speak or participate directly in the hearing.
- c. At the hearing, the Student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the Student.
- d. Any additional information regarding the hearing procedures will be provided to the Student when notified of the right to a hearing.
- e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the Student, the Office of the Registrar, and the S EVPAA or designee. The decision must include a summary of the evidence and the reasons for the decision. If, as a result of the hearing, the hearing official or committee determines that the information in the Education Record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the Student, the Student will be notified of the right to place a statement in the record contesting the information in the record or stating why the Student disagrees with the decision of the agency or institution, or both. Any statement provided by the Student shall be maintained with the contested portion of the record for as long as the record is maintained. In the event the contested portion of the record is later requested, the statement shall be disclosed with the record to the extent it pertains to the contested portion.

#### **G. Release of Student Directory Information**

The following student information is considered Texas Tech University Health Sciences Center Directory Information:

1. Student Name

2. Permanent and Local Addresses
3. Telephone Numbers
4. Classification
5. Major Field of Study
6. Dates of Attendance
7. Degrees, Awards, and Honors Received
8. Specific Enrollment Status
  - a. Full-time, Part-time, Half-time
  - b. Undergraduate, Graduate
9. Participation in Officially Recognized Sports and Activities
10. Previous Institution's Attended
11. Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld by submitting a completed HSC OP 77.13 Attachment A, Student Consent to Release Education Records, or by restricting personal directory information at WebRaider.ttuhsu.edu on the MyTech tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as "directory information". To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information **prior** to the 12th class day in the fall term. Restricted directory information will remain restricted until the students unrestricts the information.

#### **H. Destruction of Records**

The university constantly reviews the "educational records" it maintains and periodically destroys certain records. The university will not destroy records if prohibited by state or federal law. The student's basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Student Judicial Programs office. Student Disability Services records are maintained for three years after the last date of enrollment.

#### **I. Letters of Recommendation**

1. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
2. Under the Family Educational Rights and Privacy Act 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.

## **J. Medical Records**

Medical records are maintained for students seen by a Student Health Services provider. Information contained in the medical record is completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by law. Students needing to request a copy of their medical records may contact Student Health Services at (806) 743-2860.

## **PART VI. REGISTRATION OF STUDENT ORGANIZATIONS**

### **A. Conditions for Registration**

1. Student organizations wishing to register with the Texas Tech University Health Sciences Center must file an application with the Office of HSC Student Services. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center.
2. This application shall contain, but not be limited to, the following information:
  - a. A statement of the organization's purposes;
  - b. Any present or intended relation the organization may have to any other local, state, or national organization;
  - c. The organization's proposed activities;
  - d. A list of the organization's officers;
  - e. A copy of the organization's constitution/bylaws;
  - f. A copy of the constitution/bylaws of any related organization if any; and,
  - g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
3. Membership in the organization shall be open only to students of Texas Tech University Health Sciences Center without regard to race, religion, sex, handicap or national origin, except in cases of designated fraternal organizations which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.
4. The organization shall not duplicate the purposes and functions of a previously registered organization unless need for such duplication is substantiated.



5. All funds allocated to the organization from TTUHSC controlled sources must be maintained in a TTUHSC account.
6. The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization and be lawful and peaceful in its activities.
7. The organization shall not use the name of the Texas Tech University Health Sciences Center, logotype, or symbols of TTUHSC as part of its name or in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC. The organization is permitted to use the word "TTUHSC Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSC." Requests to use logos or symbols protected by TTUHSC, Texas Tech University or the Texas Tech University System shall be submitted to Office of the Vice Chancellor for Institutional Advancement.
8. Registration of an organization results from compliance with these regulations; it does not imply TTUHSC approval of the organization or its activities.

#### **B. Faculty or Staff Advisor**

Each registered organization shall have a TTUHSC full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to attend organization meetings and functions as often as possible, to certify the expenditures of the organization by co-signing checks or vouchers, to offer suggestions regarding the operations of the organization and to oversee adherence to TTUHSC regulations and the organization's constitution and bylaws.

#### **C. Conditions for Maintaining Registration**

1. In order to maintain its registration, a student organization shall comply with the following requirements:
  - a. The organization shall file a list of its current officers and advisor within one (1) month of the first day of classes of the fall semester each year. The current president of the organization, or his or her designated representative shall file notification of subsequent changes, when such changes occur.
  - b. The organization shall submit to the Office of TTUHSC Student Services for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds or changes in membership requirements.

c. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center.

d. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the application.

e. The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center regulations and state statutes.

f. The organization shall be responsible for the observance of all applicable TTUHSC regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.

g. The Office of TTUHSC Student Services may withdraw the registration of an organization for non-compliance with University policies and procedures.

#### **D. Denial of Registration**

1. No student organization will be officially registered with the Texas Tech University Health Sciences Center if the Office of TTUHSC Student Services determines that the organization's actions or activities are detrimental to the educational purposes of the University or not in accordance to the Student Handbook.

2. If registration is denied, the designated president and advisor of the applying organization shall be notified of the decision by the Office of TTUHSC Student Services in writing. The applying organization may appeal in writing to the Executive Vice President for Academic Affairs within five (5) business days from the date of the denial letter. The decision of the Senior Vice President for Academic Affairs is final.

### **PART VII. USE OF UNIVERSITY SPACE, FACILITIES AND AMPLIFICATION EQUIPMENT**

#### **1. Space and Facilities**

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is permitted and encouraged for activities which are intended to serve or benefit the entire University community.

b. TTUHSC buildings, grounds, or property may not be used by individuals or organizations not connected with TTUHSC.

c. Outside individuals or groups who are not faculty, staff or a currently enrolled student may attend functions held on TTUHSC property, but to be eligible for use of campus facilities, the function must be sponsored or cosponsored by, and affiliated with, a recognized TTUHSC department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, participation in, planning, coordination, and implementation directly by members of the sponsoring organizations. Sponsors are directly responsible for ensuring that activities and events comply with TTUHSC requirements for liability insurance, hold-harmless agreements, financial responsibility for property damage, etc.

d. Permission to use campus space facilities may be granted only by the offices designated by TTUHSC OP 61.07, *Use of TTUHSC Premises and Amplification Equipment*. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person.

e. TTUHSC reserves the right to move the location of any assembly should it appear that the activity might interfere with the normal operations of TTUHSC or interfere with the rights of others. The use of buildings, grounds or TTUHSC property must conform to these regulations and to local, state and federal law.

f. Although TTUHSC is generally an open campus for purposes of student, faculty and staff free expression activities, students, faculty and staff are encouraged, and person and groups not affiliated with TTUHSC are required, to use the Forum Areas of the campus for free expressions activities. Forum Areas for each campus are set forth in TTUHSC OP 61.07, *Use of TTUHSC Premises and Amplification Equipment*.

g. With the exception of free expression activities mentioned above, reservations must be made for the use of TTUHSC premises and must be in accordance with TTUHSC OP 61.07, *Use of TTUHSC Premises and Amplification Equipment*. The term "TTUHSC premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSC (including adjacent streets and sidewalks).

## **PART VIII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS**

Solicitation and sales and services on University premises or in University-owned or University-controlled buildings are prohibited without prior written approval from the Office of Student Services. This includes financial planners, mortgage vendors and other financial services. The distribution of advertising leaflets or handbills or the use of sound trucks and equipment to promote sales on University premises is also prohibited without prior approval from the Office of Student Services.

## **PART IX. STUDENT TRAVEL POLICY**

### **A. TTUHSC OP 77.08, Student Travel Policy**

1. TTUHSC OP 77.08 regulates any travel undertaken by one or more students presently enrolled at TTUHSC to an activity or event that is located more than 25 miles from the campus of TTUHSC. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC.

2. Modes of travel by students to events or activities as defined above include:

- a. personally-owned vehicles;
- b. rental cars, vans, chartered buses;
- c. commercial airlines; and
- d. use of TTUHSC-owned vehicle.

3. The purpose of this policy is to help minimize the risks of liability connected with motor vehicle travel by University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization.

### **B. Travel Using University Owned Vehicles**

1. Appropriate Use. Only persons who are acting within the course and scope of University-related activities should use University vehicles.

2. Drivers. Because of the risks of personal injury, it is required that only those persons whose names appear on the approved driver's list be asked or allowed to use University-owned motor vehicles. If students will be using state-owned or rental vehicles, the following is required:

- a. The requesting department or unit must place students who drive on behalf of the University on the approved driver's list.
- b. Qualifications for drivers of all University or rental vehicles are as follows:
  - i. Must possess a valid (Texas or other U.S. state) driver's license, be at least 18 years of age and have held a valid license for at least two years;
  - ii. Must have available documentation of current personal insurance;

- iii. Must sign a disclosure statement;
- iv. Must not have any moving violations within the last 18 months,
- v. Are required to report any driving violations to their immediate supervisor as soon as possible. This includes violations that occur while driving a vehicle not owned by the University; and
- vi. Must not have had any violations for drunk driving, driving under the influence of drugs or reckless driving. Must not have had a reinstated license in effect for less than one year after a revocation.

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

- i. Must be at least 21 years of age;
- ii. Must comply with Motor Vehicle check on an annual basis;
- iii. Must successfully complete a driver training course;
- iv. Must attend retraining annually; and
- v. Must not have any moving violation in the last 18 months.

3. Operator Conduct.

a. Operators of University vehicles must take a 15-minute break every 3 hours and may drive no more than 10 hours in a 24-hour period. When the vehicle driven is a van with passengers, a second person must remain awake at all times and ride in the front passenger seat.

b. Those who operate a University vehicle represent the University to the general public. The image conveyed does affect the University; therefore:

- i. DO NOT use University vehicles for personal transportation or business;
- ii. DO NOT allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;
- iii. DO NOT pick up hitchhikers or transport family members;
- iv. DO NOT allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;
- v. DO observe all traffic rules and regulations;
- vi. DO drive carefully, safely, and courteously;
- vii. DO require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;
- viii. DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints; and,
- ix. DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle.

c. When a vehicle is damaged through operator misuse or operated by a person under the influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

d. Use common sense when driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

4. Accidents. The following procedures should be followed whenever a University vehicle is involved in an accident, regardless of the extent of damage.

a. Stop immediately and notify local police so that an official report can document the accident;

b. Take necessary steps to prevent another accident;

c. Use the motor pool card with instructions on the front and numbers to call on the back;

d. Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;

e. Get names and addresses of all witnesses;

f. Provide all required information to the police officer;

g. Notify the department head or supervisor (if you are unable to contact or reach someone, contact the Texas Tech Police Department); and,

h. Refer to TTUHSC OP 76.34, *Accidents Involving University Vehicles*, for the completion of required vehicle accident documentation.

### **C. Travel Using Personal Vehicles**

1. Transportation Generally. The University recognizes that students occasionally use personal vehicles while engaged in University-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their personal vehicles while conducting University business should be made aware of the possibility of personal liability related to such use. No University coverage for personal injuries is available to students if they drive their personal vehicles on university-related activities as defined hereinabove.

2. Reimbursement for Costs. Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. will not be reimbursed.

3. Use of Personal Vehicles Not Required. No individual shall be required to use a personal vehicle to perform University-related activities with the exception of clinical affiliation sites.

#### 4. Policy Concerning Use of Personal Vehicles by Students.

- a. Use of personal vehicles by students to drive to University-related activities is discouraged.
- b. If students use their personal vehicles, and/or transport other students as passengers, their personal insurance will be primarily responsible for any liability that may arise from such use.
- c. No University coverage for personal injuries is available to students if they drive their personal vehicles on University-related activities as defined here in above.

#### **D. Policy Concerning Student Releases and Medical Authorization**

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities, execute a copy of the Release and Indemnification Agreement and the Authorization for Emergency Medical Treatment.

#### **E. Guidelines Concerning Safe Travel Practices**

1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.
2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC, Texas Tech University or Texas Tech University System will assume no responsibility, financial or otherwise.
3. Faculty and staff sponsors and organization officers are urged to take all possible pre-cautions to ensure the safety and well-being of all persons participating in off-campus activities.
4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.

5. Please refer to the TTUHSC Office of International Affairs for information regarding travel abroad.

## **PART X. MISCELLANEOUS POLICIES**

A. Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

### **1. Absences**

Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

### **2. Academic Requirements**

Academic requirements vary with each TTUHSC School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog for specific details.

### **3. Admissions and Applicants**

The educational policies of the TTUHSC are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC is an upper-level, graduate, and professional study institution. The application and admissions policies for TTUHSC are outlined in the individual Schools' catalogs.

Most programs at TTUHSC have a deadline for receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are advised to contact the program to which they are seeking admission for specific deadline dates.

### **4. Adding and Dropping Courses**

Consult with your academic department for deadline dates for adding and/or dropping courses. Students should make an appointment with his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the School's program. Please refer to the individual Schools' catalogs and/or handbooks for more specific details relating to your program.



## 5. Affiliation

The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the student body.

## 6. Attendance

The faculty member responsible for the course determines attendance requirements for each course. A student who fails to attend any class for any reason is responsible for the material presented in class, assignments, examinations, announcements, etc. to the same extent as though the student had attended the class. Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

## 7. Bacterial Meningitis

a. *General.* Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitidis*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.

b. *Risks and Exposures.* The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.

c. *Symptoms and Diagnosis.* Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:

- i. High fever
- ii. Severe Headaches
- iii. Vomiting
- iv. Light sensitivity
- v. Stiff neck
- vi. Nausea
- vii. Lethargy
- viii. Seizures
- ix. Confusion and sleepiness
- x. Rash or purple patches on skin

d. *Possible Treatment and Consequences If NOT Treated.* Antibiotic treatment may be effective if exposure and disease is detected early. Possible consequences of the disease, include, but are not limited to:

- i. Permanent brain damage
- ii. Kidney failure
- iii. Learning disability
- iv. Gangrene
- v. Coma
- vi. Convulsions
- vii. Hearing loss
- viii. Blindness
- ix. Limb damage that may require amputation
- x. Death

e. *Prevention.* Vaccinations may be effective against 4 of the 5 most common bacterial types that cause 70% of the disease in the United States. Vaccinations typically take 7-10 days to become effective, with protection lasting 3-5 years. The vaccination is generally safe--most common side effects may include redness and minor pain at the injection site for up to two days.

f. *Information.* If you have more questions contact:

- i. Your healthcare provider
- ii. Your local or regional Texas Department of Health
- iii. TTUHSC Family Practice Clinic at 806-743-2757
- iv. Visit these web sites for more information -  
[www.cdc.gov/ncidod/dbmd/diseaseinfo](http://www.cdc.gov/ncidod/dbmd/diseaseinfo) or [www.acha.org](http://www.acha.org)

#### Medical and Religious Exemptions 2010-2011 Texas Vaccine Exemption Information

The state of Texas in law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some time so please don't wait until the last minute to get your papers in order.

For everyone claiming an exemption for the first time after 9/1/03, you must comply with the new law. If you've submitted an old religious exemption prior to 9/1/03, you are grandfathered under the old law (see notes below) and do not need a new form. The vaccine exemption forms for reasons of conscience including a religious belief are only

for students claiming a vaccine exemption for the first time after 9/1/03 when the new law went into effect. If you need to request forms from the state health department, you can do it by fax, mail, personal visit, or through an online submission form. If you send your request by mail, we suggest sending it registered mail with a receipt so you can keep track of your request. If you send it by fax, set your fax machine to print out a delivery receipt. We would like to keep track of the Health Department's processing time.

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <http://webds.dshs.state.tx.us/immco/affidavit.shtm>.

## 8. Required Immunizations

In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC requires **all entering students** to provide documentation of all immunizations as listed below. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation.

### I. Tuberculosis Surveillance

Tuberculosis surveillance for Covered Individuals is based on current U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) Recommendations and Reports (December 30, 2005, 54 (#RR-17):1-147), Guidelines for Preventing the Transmission of Mycobacterium tuberculosis in Health-Care Settings.

### II. Exposure Management

Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC).

## 9. Working with Affiliated Entities-Student Drug Screenings, HSC OP 77.15

### 1. Defined Terms

For purposes of this policy the term "Student" does not include residents in the Schools of Medicine (HSC and Paul L. Foster) or School of Pharmacy.

### 2. Background

TTUHSC enters into affiliation agreements with various health care clinical entities ("Affiliated Entities"), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in TTUHSC clinical education programs.

Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by TTUHSC as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.

Clinical rotations are an essential element in certain degree programs' curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program. TTUHSC schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.

### 3. Clinical Placement.

Placements at Affiliated Entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the Affiliated Entity. Any student placed with an Affiliated Entity that requires additional background checks and/or drug screens, who cannot meet these requirements, must discuss all available options with their School's Office of Student Affairs or their designee.

Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied externship placement, s/he shall be subject to disciplinary action in accordance with the TTUHSC policies.

### 4. Responsibility of the School

The student's School shall:

- a. Notify the student of the Affiliated Entity's requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated Entity, deadlines to meet the Affiliated Entity's requirements, a list of approved drug screen testing vendors, and a completed Authorization, Attachment "A," for signature by the student.
- b. Receive the student's drug screen test results, which shall be maintained in a confidential, locked file separate from the student's primary educational records.
- c. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.

### 5. Responsibility of the Student

- a. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by

TTUHSC provided articles *b, c, d*, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSC designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.

b. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.

c. The student shall use a drug screen vendor from the designated vendors provided to the student by his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.

d. The student will be required to sign a valid consent and authorization, Attachment "A," consenting to the drug screening and giving the vendor performing the test permission to provide the drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.

#### 6. Student Refusal to Consent to Drug Screen

Any student who fails or refuses to consent to a drug screen required by an Affiliated Entity to which the student has been assigned by his/her School shall be subject to disciplinary action in accordance with the TTUHSC Student Handbook/Code of Professional and Academic Conduct, the Schools' written policies, if any, and this policy.

#### 7. Period of Validity – Drug Screen Results

a. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program within the School unless there is a break in enrollment, defined as not enrolled for one full semester.

b. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.

#### 8. Drug Screen Results

a. Diluted Specimen. Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at his/her expense, will be required to complete and successfully pass a new drug screen test.

b. Negative Drug Screen Results. The School which receives the a student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, Attachment A.

c. Positive Drug Screen Results.

1) A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.

2) Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.

3) The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.

4) Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.

5) If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.

#### 9. Confidentiality of Records

Drug screening reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law.

#### 10. Readmission

a. Any student who is withdrawn due to a positive drug screen without medical validation will only be eligible for readmission to any TTUHSC program of study in accordance with the School's readmission policies.

b. If accepted for readmission after the required period of time, the student must, at his/her own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the School.

#### 11. Right to Change Policy.

TTUHSC reserves the right to change, modify, amend or rescind this policy in whole, or in part. at any time.

#### 10. Credit by Exam

Specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the School of Nursing does not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade-point averages. TTUHSC Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.

#### 11. Disabilities (Students)

TTUHSC OP 10.15 complies with the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified and competitive individual with a disability shall be denied access to or participation in services, programs and activities of TTUHSC solely on the basis of the disability.

Students with grievances related to discrimination on the basis of a disability should review the Student Handbook, Part IV Anti-Discrimination and Grievance Policy. The grievance process would include the ADA Compliance Officer for Students.. Any student seeking accommodations on the basis of disability must register as a disabled student with the ADA Compliance Officer for Students in the Office of Student Services and must provide all required documentation of disability. Students seeking accommodations must complete an application for disability services and provide supporting documentation. For more information, visit [www.ttuhschool.edu/HSC\\_OP10.15.pdf](http://www.ttuhschool.edu/HSC_OP10.15.pdf).

#### 12. Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. The individual Schools as noted in their Schools' catalogs should direct non-academic student matters to the Office of Student Services. For more information, visit [www.ttuhschool.edu/HSC\\_OP\\_51.01](http://www.ttuhschool.edu/HSC_OP_51.01), Equal Employment Opportunity Policy and Affirmative Action Plan.

#### 13. Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the TTUHSC OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

#### 14. Exams

Please refer to the individual School's catalogs for more specific exam details relating to your program. Any student seeking exam accommodations on the basis of disability must register as a disabled student with the ADA Compliance Office for Students in the Office of Student Services and must provide all required documentation of disability. Appropriate and reasonable accommodations, if any, will be determined by the ADA Compliance Office for Students in the Office of Student Services.

#### 15. Financial Policies

Students must meet all financial responsibilities due the University. The writing of checks on accounts with insufficient funds, the non-payment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University, are considered a lack of financial responsibility. Financial irresponsibility can subject the student to action by TTUHSC, including, but not limited to, denial of registration, withholding of grades and transcripts and possible adjudication under the Code of Professional and Academic Conduct. In addition, failure to meet financial obligations to the University will may result in:

Cancellations of the student's registration if tuition and registration fees are not paid by the 20<sup>th</sup> 12<sup>th</sup> class day and 20<sup>th</sup> class day (4<sup>th</sup> class day and 15<sup>th</sup> class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;

b. Loss of University check writing privileges and possible criminal prosecution for writing insufficient fund checks and for failure to pick up a returned check;

c. A flag placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of flags on their records by contacting the Office of the Registrar); and/or,

c. Reporting of financial problems to a credit agency or a collection agent.

#### 16. Grades/Grading

a. The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.



b. The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. A student must file a formal written appeal within 5 days of the beginning of the next semester in accordance with the individual Schools' policy regarding student grade appeals. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or division involved. After a degree has been posted, no further adjustments can be made on the record except under extraordinary circumstances as determined by the Dean of the School the student is enrolled under.

#### 17. Graduation Procedures

- a. Degree requirements are published in the individual School's catalogs.
- b. Prior to graduation, all candidates for TTUHSC degrees are required to:
  - i. Complete all graduation requirements set forth by the applicable School;
  - ii. Complete and return to the Office of Student Services the University's *Intent to Graduate* form in the semester before anticipated graduation (the student's "diploma name" as requested in the *Intent to Graduate* form is printed on her/his diploma, and information provided by the student is used in commencement programs);
  - iii. Be registered in the semester the certificate or degree is to be conferred unless the student is granted an exception by the dean of their school;
  - iv. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

#### 18. Health Services and Health Insurance Information

- a. The Texas Tech Physicians Family & Community Medicine clinic provides health services to TTUHSC students who are currently enrolled and have paid the Student Health Fees as part of tuition and fees. To receive health services, you must present a Student I.D. card at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement.

*The Student Health Fee covers only those services provided by the Family & Community Medicine clinic and specific laboratory and radiology service performed at cooperating locations. **All other charges incurred are your responsibility.***

b. Clinic Procedures

Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after clinic hours, call your campus's clinic phone number and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a TTUHSC student. If you come to the clinic without an appointment, it may be necessary for you to wait for a physician. Immunizations, paper work, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed for your campus under "Clinic Locations." *Visits to an emergency room that generate a charge from either TTUHSC or the hospital are your responsibility.*

c. If the student receives a bill from the Health Sciences Center for services covered by the medical service fees, please contact the Office of Student Services at (806) 743-2300.

**d. Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration.**

e. TTUHSC will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance plans. Insurance information can be found on the Office of Student Services, [www.ttuhscc.edu/studentsservices](http://www.ttuhscc.edu/studentsservices).

19. Interprofessional Education

All TTUHSC students, regardless of school affiliation, will be required to complete a non-credit, online course in interprofessional education. Implementation of this requirement will vary across schools and degree programs. Students should consult their academic/program advisor and/or school catalog for additional information.

20. Notification of Student Death

The Office of Student Services is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must notify the Assistant Vice President for Student Services immediately in the event of any student death.

## 21. Program of Assistance for Students

Personal counseling services are available to all TTUHSC students through the Program of Assistance for Students (PAS). Through the PAS, licensed counselors are available to assist students with all types of problems, including stress associated with academic, legal, or financial concerns; depression, anxiety, and/or other emotional problems; family and relationship issues; alcohol and drug abuse; and other mental health and wellness issues. For more information or to request assistance, please call 1-806- 743-1327 or 1-800-327-0328. In after-hours situations, these PAS phone numbers serve as a 24-hour crisis line. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, TTUHSC students and their dependents are eligible to receive five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services website at the following address:  
[http://www.ttuhsu.edu/student-services/documents/PAS\\_Document.pdf](http://www.ttuhsu.edu/student-services/documents/PAS_Document.pdf).

## 22. Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit [webraider.ttuhsu.edu](http://webraider.ttuhsu.edu) and sign in. Select the "MyTech (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

## 23. Student Publications

a. The Daily Toreador student newspaper and La Ventana yearbook are free of arbitrary and capricious censorship and advance-copy approval, when operated and published within the canons of responsible journalism as established by the University Committee on Student Publications.

b. All aspects of TTU\TTUHSC Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

## 24. Registration

a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools' Student Affairs or Coordinators office.

b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is

eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanction will be barred from registration. Students must provide all final transcripts to the Office of the Registrar by the end of the first semester in which they are enrolled or a hold will be place preventing registration in future semesters. \*See Student Record and Transcript Policy located at <http://www.ttuhsu.edu/registrar/documents/student.record.transcript.policy.pdf>

- d. *Late Registration.* Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration.

## 25. Religious Holy Days

- a. A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of his/her School. A student will be excused from attending class(es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.
- b. A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.
- c. Any disputes regarding this policy should be submitted in writing to the TTUHSC President or his/her designee. Any decision by the President or his/her designee regarding the dispute shall be final.
- d. This policy does not apply to any student absence for a Religious Holy Day which may interfere with patient responsibilities or patient care.

## 26. State Residency Classification

Students are responsible for registering under the proper residence classification and for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, prior to the time of enrollment, to ask for an official determination by the Office of the Registrar. Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar.

## 27. Sexual Harassment Policy

Harassment of students on the basis of sex is a violation of §106.31 of Title IX of the Education Amendments of 1972. The Deputy Title IX Coordinator for Students is the Assistant Vice President for Student Services, 2C400 Academic Classroom Building, (806) 743-2300. Student concerns about sexual harassment which include faculty, staff, or students should be directed to the individual School's Dean.

## 28. Tuition and Fees Installment Payment Options

a. Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees during the fall, spring, or long summer semesters in installments. TTUHSC offers the following payment alternatives:

- i. Full payment of tuition and fees in advance of the beginning of the semester; or
- ii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.

b. TTUHSC shall develop procedures which will provide that students may elect to pay tuition and fees using the payment alternative.

c. TTUHSC is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.

d. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The rates of the fee shall be approved by the Board of Regents.

e. If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.

f. TTUHSC shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

g. Annual Approval of Student Fees: The Board of Regents shall approve the assessment and collection of fees from Texas Tech University Health Sciences Center

(TTUHSC) and Texas Tech University (TTU) students. The amounts to be collected are presented in a Global Fee Document to the Board of Regents annually for approval.

## 29. Tuition and Fees Refund Policies

### Withdrawal / Refund Policies

#### Refund Policies (Institutional and Title IV Withdrawal / Refund Policies)

Detailed information about the impact of decreasing course load on:

- ✓ Institutional Refund Policy - All students who withdraw from TTUHSC or drop all courses during a term
- ✓ Additional considerations for students who received financial aid and withdraw from TTUHSC or drop all courses during a term

#### Institutional Refund Policy

Refund Policies for Tuition and Fees. Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	Percent of Refund of Charges
<b>Summer - More than 5 weeks but less than 10 weeks in duration</b>	1st class day through 4th class day	100%
	After the 4th day of class	None
<b>Fall, Spring or Summer - Duration of 10 weeks or longer</b>	1st class day through 12th class day	100%
	After the 12th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official withdrawal date:

Term	Class Day	Percent of Refund of Charges
<b>Summer - More than 5 weeks but less than 10 weeks in</b>	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%

<b>duration</b>	4th, 5th, or 6th class day	50%
	7th class day of later	None
<b>Fall, Spring or Summer - duration of 10 weeks or longer</b>	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

**Students who withdraw from TTUHSC or drop all courses during a term that receive(d) financial aid**

It's important for students who receive financial aid and withdraw or drop all courses during the term to be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations.

- a. The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/balances created by the returning of Title IV program funds that the school was required to return.
- b. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID(1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at [www.studentaid.ed.gov](http://www.studentaid.ed.gov).

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds

How the calculation works:

- 1) Number of days attended ÷ Days in semester = % of semester completed
- 2) Total \$ disbursed X % completed = Earned \$
- 3) Total \$ disbursed - Earned \$ = \$ to be returned

Once it is determined that you owe money back to any of the federal aid programs, you will be ineligible to receive further federal aid at TTUHSC or any other institution, until this debt is cleared.

To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of two categories: (1) grade point average on hours attempted (qualitative) and (2) hours successfully completed (quantitative) based on hours enrolled. As a general rule, a student must successfully pass 75% of the hours they attempt (hours as of the census date). You can find more information here:  
<http://www.ttuhsc.edu/financialaid/faqs.aspx/#section27>

## **PART XI. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES**

The following narrative summarizes TTUHSC's student complaint or grievance policies and procedures. Links to specific policies and procedures are provided on the Office of Student Services website: <http://www.ttuhsc.edu/studentservices/default.aspx>.

It is the policy of the Texas Tech University Health Sciences Center to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC students or by TTUHSC personnel toward students. Policies and procedures exist for the following areas of student complaints:

- Complaints regarding the general or academic misconduct of another student
- Complaints regarding discrimination
- Complaints regarding student records
- Complaints regarding employment at TTUHSC
- Complaints regarding grades or grading
- Complaints regarding other types of mistreatment
- Other institutional-level student complaint procedures

The ~~Office of the Ombudsman for Students~~ the Student Resolution Center, which is located on the Texas Tech University campus in Lubbock, serves as a neutral, objective third party to provide students in the Texas Tech University System including TTUHSC with informal assistance in resolving student-related problems, conflicts, and disputes. The Student Ombudsman Resolution Center is available by phone to assist all TTUHSC students in identifying appropriate complaint-resolution procedures and resources.



#### **A. Complaints regarding the general or academic misconduct of another student**

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (Student Code), which is published as Part II of this handbook. Students, faculty, and staff are all encouraged to report violations of the Student Code in accordance with the Disciplinary Procedures outlined in the Student Code.

#### **B. Complaints regarding discrimination**

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the TTUHSC Operating Policies and Procedures. The following list identifies key institutional policies governing complaints regarding discrimination:

- HSC OP 10.15, Americans with Disabilities Act
- HSC OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan

#### **C. Complaints regarding student records**

HSC OP 77.13, Student Education Records, provides detailed information about filing complaints relating to student records.

#### **D. Complaints regarding employment at TTUHSC**

Information about employment grievances for students who are employed at TTUHSC is provided in HSC OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

#### **E. Complaints regarding grades or grading**

The processing of formal grade appeal procedures is the responsibility of the school which administers the course. Relevant school policies are listed below:

- School of Allied Health Sciences: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals)
- School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Grading Policy, Promotions Policy, and policies and procedures for Challenging Student Records or Grades

- ~~Paul L. Foster School of Medicine at El Paso: Challenging Student Records or Grades~~
- TTUHSC School of Nursing, ~~Gayle Greve Hunt School of Nursing:~~ Academic Grade Challenges/Appeals
- School of Pharmacy: Grade Grievance Resolution
- Graduate School of Biomedical Sciences: Grade Appeals Policy

#### **F. Complaints regarding other types of mistreatment**

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school. Relevant school policies include the following:

- School of Allied Health Sciences: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals) and Academic Misconduct Policy (addresses academic complaints against a student)
- School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Student-Student Dispute Resolution Policy, ~~Sexual Harassment Policy~~ Part IV Anti-Discrimination and Title IX,
- ~~Paul L. Foster School of Medicine at El Paso: Appropriate Treatment of Medical Students~~
- School of Nursing: Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- ~~Gayle Greve Hunt School of Nursing Complaint or Grievance Resolution (non-Grade Related)~~
- School of Pharmacy: NonGrade Grievance Resolution
- Graduate School of Biomedical Sciences: Appeals Policy for Students and Grade Appeals Policy

Students should process their complaints or appeals through the appropriate channels. Procedures are delineated in the policies identified above. Students are encouraged required to bring their concerns to the designated student affairs officer of their school. The student affairs officer in each school is as follows:

- School of Allied Health Sciences: Associate Dean for Admissions and Student Affairs
- School of Medicine-Lubbock: Assistant Dean for Student Affairs
- ~~Paul L. Foster School of Medicine in El Paso: Associate Dean for Student Affairs~~
- TTUHSC School of Nursing: Assistant Academic Dean for Education Support and Student Affairs
- ~~Gayle Greve Hunt School of Nursing: Associate Dean~~
- School of Pharmacy: Assistant Dean for Student Services
- Graduate School of Biomedical Sciences: Assistant Dean

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC Office of Student Services in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services website.

### **G. Other Institutional-Level Student Complaint Procedures**

The procedures defined below apply to student complaints that fall outside the scope of other institutional and school-based policies and procedures governing specific types of student complaints (Student Complaint or Grievance Policies and Procedures), including, for example, student complaints against staff members employed at the institutional level or against TTUHSC administrators. The TTUHSC Office of Student Services will administer this institutional policy and will insure that due process is afforded to all concerned.

#### **1. Early Resolution**

- a. Prior to contacting the TTUHSC Office of Student Services, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant Vice President for Student Services. The student shall address the issue and initiate action under this policy within 30 days of the event giving rise to the complaint.
- b. The Assistant Vice President for Student Services may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the ~~Director~~ Assistant Vice President of Student Services will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services will provide a written statement of his or her recommendation to all parties within ten working days following the initial receipt of the student's report of the complaint. All involved parties will then have ten working days to respond. Every effort should be made to resolve the issue without going beyond this level. The ~~Director~~ Assistant Vice President of Student Services will attempt to facilitate a resolution before proceeding with a hearing, as described below.

(If the complaint is against the Assistant Vice President for Student Services, the student should meet with the Executive Senior Vice President for Academic Affairs, who will follow the procedures outlined here.)

## 2. Filing a Hearing Request

- a. If the student is not satisfied with the recommendation of the Assistant Vice President for Student Services, he/she may file a request for a hearing by submitting a written complaint to the Assistant Vice President for Student Services. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for Student Services' recommended resolution.
- b. If the student files a request for a hearing, a Student Hearing Committee as defined below must convene within 15 working days.

## 3. Hearing Procedure

Upon receipt of a written request for a hearing, the Assistant Vice President for Student Services will appoint a Hearing Committee according to the following procedure:

- a. Each party will propose in writing a list of four TTUHSC faculty, staff, and/or students to serve on the Hearing Committee. The Assistant Vice President for Student Services will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a TTUHSC faculty or staff member) and these individuals will comprise the Hearing Committee. This group will select a chair from among themselves.
- b. The Assistant Vice President for Student Services will provide technical assistance and support to this committee.
- c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
- d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for Student Services a list of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University ~~will be~~ may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.

e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.

f. The Hearing Committee chair ~~shall~~ may keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials).

#### 4. Committee Decision

a. After completion of the hearing, the Hearing Committee shall meet in closed session and prepare a written recommendation. Copies of the Hearing Committee chair's report shall be forwarded to the involved parties within five working days.

~~b. The student may request a reconsideration of the case in instances where he or she is dissatisfied with the decision of the Student Hearing Committee. The appeal must be made, in writing, within five three working days, to the Senior Executive Vice President for Academic Affairs.~~

c. The Executive Vice President for Academic Affairs will review the complaint resolution and render a decision within five working days. The decision of the Executive Vice President for Academic Affairs is final.

d. If the Executive Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five working days. The decision of the President is final.

#### **PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL**

Student Business Services	(806) 743-7867
Office of Student Services	(806) 743-2300
Office of Student Financial Aid	(806) 743-3025
Office of the Registrar	(806) 743-2300
Graduate School of Biomedical Sciences	(806) 743-2560
School of Allied Health Sciences Admissions and Student Affairs	(806) 743-9025
School of Medicine Student Affairs	(806) 743-3005

School of Nursing Student Affairs	(806) 743-2025
<del>Gayle Greve Hunt School of Nursing Student Affairs</del>	<del>(915) 545-9700</del>
School of Pharmacy Student Services	(806) 414-9393
<del>Paul L. Foster School of Medicine Student Affairs</del>	<del>(915) 215-4370</del>
<u>Deputy Title IX Coordinator for Students</u>	<u>(806) 743-6426</u>
<u>Title IX Coordinator for TTUHSC</u>	<u>(806) 743-2865</u>



# **TEXAS TECH UNIVERSITY**

## **HEALTH SCIENCES CENTER EL PASO**

# **Student Handbook**

~~CODE OF PROFESSIONAL~~  
~~CONDUCT~~ Student Code

~~2013-2014~~ 2015-2016

~~School of Medicine~~

**Paul L. Foster School of Medicine**

**Graduate School of Biomedical Sciences**

~~School of Nursing~~

**Gayle Greve Hunt School of Nursing**

~~School of Allied Health Sciences~~

~~School of Pharmacy~~

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## STATEMENT OF ACCREDITATION

The Texas Tech University Health Sciences Center is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters, doctoral, and professional degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the Texas Tech University Health Sciences Center. The Commission should be contacted only if there is evidence that appears to support the institution's significant non-compliance with a requirement or standard.

## PART I. FOREWORD

### A. General Policy

1. The mission of TTUHSC El Paso is to improve the lives of people in our community by focusing on the unique health care needs of socially and culturally diverse border populations through excellence in integrated education, research, and patient care.

~~1. The **mission** of the Texas Tech University Health Sciences Center at El Paso is to improve the health of people by providing educational opportunities to students and health care professionals, advancing knowledge through scholarship and research, and providing patient care and service.~~

The following institutional goals are broad, measurable priorities that will enable TTUHSCEP El Paso to fulfill its mission:

- Train competent health professionals and scientists
- Increase externally funded, peer-reviewed research, especially NIH-funded research, with a an emphasis focus on cancer, infectious disease, neuropsychiatric disorders and diabetes. and research focused on aging, cancer, and rural health[CJ2]
- Improve access to quality health care for TTUHSCEP El Paso's target populations
- Prepare health professions students for an increasingly diverse workforce and patient population
- Provide leadership in the development of partnerships and collaborations to improve community health
- Operate the TTUHSCEP El Paso as an efficient and effective institution

- ~~Train competent health professionals and scientists~~
- ~~Increase externally funded, peer-reviewed research, especially NIH-funded research, and research focused on aging, cancer, and rural health~~
- ~~Improve access to quality health care for the TTUHSCEP's target populations~~
- ~~Prepare health professions students for an increasingly diverse workforce and patient population~~
- ~~Provide leadership in the development of partnerships and collaborations to improve community health~~
- ~~Operate the TTUHSCEP as an efficient and effective institution~~

2. A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSCEP Operating Policies and Procedures, and the individual School's catalogs are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center at El Paso.

3. The University has a responsibility to maintain order within the University community  
TTUHSCEP Student Handbook

and to discipline those who violate its standards, rules and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the TTUHSCEP Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications. Registered student organizations are required to follow all of these standards, rules and policies.

4. ***The Texas Tech University Health Sciences Center at El Paso (TTUHSCEP or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, expressed or implied, between any student or faculty member and Texas Tech University System, TTUHSCEP, or the TTUHSC School of Medicine, Paul L. Foster School of Medicine, School of Allied Health Sciences, School of Pharmacy, School of Nursing, Gayle Greve Hunt School of Nursing or the Graduate School of Biomedical Sciences(See updates at [www.ttuhsc.edu/student-services](http://www.ttuhsc.edu/student-services) <http://elpaso.ttuhsc.edu/fostersom/studentaffairs/>)***

## **B. Tobacco-Free Environment**

1. According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk for a number of cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration (HSCEP OP 10.19).

2. As a health care institution, TTUHSCEP is committed to the establishment and enforcement of a healthier tobacco-free environment. TTUHSCEP OP 10.19, Tobacco- Free Environment Policy, includes regulation and assessment.

## **C. Authority**

1. The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.

2. All references to the Chancellor and/or President of the University, the Vice President of Academic Affairs or Senior Vice President Assistant Vice President for Student Services for Academic Affairs or designee shall be interpreted to include persons designated to act on behalf of these officials.

## **D. Policy on Non-Discrimination**

The University brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences. The University is committed to the principle that in

no aspect of its programs shall there be differences in the treatment of persons because of race, color, religion, national origin, age, sex, disability, genetic information, status as a protected veteran, or any other legally protected category class or characteristic, ~~creed, national origin, age, sex or disability~~ and that equal opportunity and access to facilities shall be available to all. Non-discrimination is observed in the admission, housing, and education of students and in policies governing discipline, extracurricular life and activities. For more information, visit [www.ttuhsce.edu/HSC OP 51.01](http://www.ttuhsce.edu/HSC_OP_51.01), Equal Employment Opportunity Policy and Affirmative Action Plan.

## **E. University Name, Documents, and Records**

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement or designee, or any unauthorized use of University documents, records or seal is prohibited. See TTUHSC OP 67.01, *Publication Guidelines*.

## **F. Definitions**

1. "Accused Student" means any student accused of violating the TTUHSCEP Code of Professional Conduct set forth in Part II of this Handbook. This term may also mean an accused registered student organization. If a registered student organization is alleged to have violated the Student Code, only one student from the organization may appear or act on behalf of the student organization (such as appearing before a Student Conduct Board or Student Conduct Administrator) for purposes of the Student Code.
2. "Business day" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the Student Code(s). The form for a Complaint of Misconduct is attached to this Handbook as Attachment A. An anonymous report or a report by a person who is not a member of the University community shall not constitute a Complaint of Misconduct. However, such report may initiate an investigation and/or filing of a Complaint of Misconduct by an appropriate University official.
5. Conduct Board reference F. Definitions, pg. 9, item # 22.
6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, expulsion or

conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.

7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.

8. "Flag" means the indicator placed on a student's official record which may prevent registration and/or the issuance of a transcript until the student meets the requirements of the University office placing the indicator, as described herein and in the Schools' catalogs.

9. "May" is used in the permissive sense.

10. "Member of the University community" means any person who is a volunteer including high school students, an enrolled student, faculty or staff member, University official, any other person employed by the University or campus visitors.

11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSCEP Student Handbook; ~~Texas Tech University Residence Hall Calendar and Handbook, if applicable; School of Nursing handbook and catalog; Gayle Greve Hunt School of Nursing handbook and catalog; School of Medicine catalog; School of Allied Health Sciences catalog; School of Pharmacy catalog; Paul L. Foster School of Medicine catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSCEP web page and computer use policies.~~

12. "Department Chair" means the Chair is charged primarily with mentoring and guiding faculty, overseeing Department administrative support, and serving as an interface between faculty and the administration of the School and Texas Tech University Health Sciences Center at El Paso (TTUHSCEP). Matters of student misconduct and academic deficiency that are addressed from faculty/program directors etc. are referred to the Department Chair, and if not resolved ~~refer~~referred to the appropriate student conduct administrator for each school.

13. "Registered student organization" means any number of students who have complied with the formal requirements for University registration.

14. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Vernon's Texas Codes Annotated, Tax Code. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Tex. Gov't Code § 62.112.

15. "Representative" means a University official authorized on a case-by-case basis by the Dean of each School to investigate and resolve alleged violations of the Code of Professional and Academic Conduct ~~and the Residence Halls Standards of Student Behavior, if applicable.~~



16. "School" means ~~School of Medicine, School of Nursing, Gayle Greve Hunt School of Nursing, School of Pharmacy, School of Allied Health Sciences, Paul L. Foster School of Medicine, or Graduate School of Biomedical Sciences.~~

17. "Shall" is used in the imperative sense.

18. "Sponsorship and/or co-sponsorship" is defined as minimally including, but not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.

19. "Student" means all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, specifically excluding

Paul L. Foster School of Medicine House staff (residents). In addition, for purposes of Part II of this Handbook, persons who withdraw or on a leave of absence after alleging violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance may be considered "students."

20. "Student Code" means the TTUHSCEP Code of Professional Conduct, which is set forth in Part II of this Handbook. Section D, Misconduct, applies to all students, while Section E, Other Professional and Ethical Standards, applies to students in certain TTUHSCEP Schools. A student must have applied for admission or be enrolled in the applicable School before a School's provisions in Section E apply to the student.

~~21.~~ 21. "Student Conduct Administrator" means a TTUHSCEP official authorized by the Dean of each School to receive complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board's deliberations. In any case in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School at TTUHSC El Paso, the Assistant Vice President for Student Services will serve as the Student Conduct Administrator. ~~, appointments are made as follows — or as otherwise determined by the Dean.~~

~~For the Graduate School of Biomedical Sciences, the Assistant Dean or designee.~~

~~For the School of Medicine, the Associate Dean for Academic Affairs.~~

~~For the School of Nursing, the Assistant Academic Dean for Student Affairs.~~

~~For the School of Allied Health Sciences, the Associate Dean for Admissions and Student Affairs.~~

~~For the School of Pharmacy, academic violations — the Assistant Dean for Student Services; professional violations — Associate Dean for Professional Affairs.~~

- a. ~~For the Paul L. Foster School of Medicine, the Associate Dean for Student Affairs.~~
- b. ~~For the Gayle Greve Hunt School of Nursing, the Associate Dean for Student Affairs.~~

~~22.—22.~~ “Student Conduct Board” or “Board” means any person or persons authorized by the Dean of each School to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed. All persons serving on the Student Conduct Board must acknowledge an ability to be able to serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with ~~either the Accused Student or the~~ either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. For each School, appointments are made as follows.

- a. For the Graduate School of Biomedical Sciences, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
  - i. One (1) Faculty member from the membership of the Graduate Council, who shall serve as Chair;
  - ii. Two (2) other faculty members from the membership of the Graduate Faculty; and,
  - iii. Two (2) graduate students from the School.
- b. ~~For the School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~
  - i. ~~Two (2) faculty members chosen by the Chair of the School Hearing Committee or designee;~~
  - ii. ~~One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,~~
  - iii. ~~Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.~~
  - iv. ~~The Board will elect one (1) of the faculty members as its Chair.~~
- c. ~~For the School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~
  - i. ~~One (1) tenured faculty member, who will serve as Chair;~~
  - ii. ~~Two (2) faculty members not directly involved with the Complainant or the Accused Student; and,~~
  - iii. ~~Two (2) students not directly involved with the Complaint or the Accused Student.~~

b. For the Gayle Greve Hunt School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- ~~i. One (1) tenured faculty member, who will serve as Chair;~~
- ~~ii.i. Three (3) Two (2) faculty members not directly involved with the Complainant or the Accused Student; and,~~
- ~~ii. Two (2) students not directly involved with the Complainant or the Accused Student.~~
- ~~iii. The Board will elect one (1) of the faculty members as its Chair~~

~~d. For the School of Allied Health Sciences, the Student Conduct Board shall be appointed by the Dean as follows:~~

- ~~i. The Associate Dean for Admissions and Student Affairs serves as the Student Conduct Administrator and he/she will appoint a Student Conduct Board comprised of the following:~~
- ~~ii. One (1) faculty member who will serve as Chair~~
- ~~iii. Two (2) faculty members not directly involved with the case~~
- ~~iv. Two (2) students not directly involved with the case~~

~~e. For the School of Pharmacy, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~

- ~~i. Three faculty members of the Student Affairs Committee;~~
- ~~ii. President of the Pharmacy School Student Government; and,~~
- ~~iii. Vice President of the Pharmacy School Student Government.~~
- ~~iv. The Board will elect a Chair from its membership, and that Chair will vote only in the case of a tie.~~

c. For the Paul L. Foster School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- ~~v.iv. Two (2) faculty members chosen by the Chair of the Grievance Committee School Hearing Committee or designee;~~
- ~~vi.v. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,~~
- ~~vii.vi. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.~~
- ~~viii.vii. The Board will elect one (1) of the faculty members as its Chair.~~

~~23.21.~~ "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code and/or sanctions resulting from an alleged violation(s) are based. At the hearing, information is presented to the Student Conduct Board in order to determine whether a student's responsibility related to the alleged violation of the Student Code is valid and appropriate sanctions, if any.

~~24-22.~~ "Student Handbook" or "Handbook" means the TTUHSCEP Student Handbook.

~~23.~~ "Student organization" means any number of students who have complied with the formal requirements for Texas Tech University Health Sciences Center at El Paso registration.

~~25.~~

~~G.~~

~~4-24.~~ "University" means Texas Tech University System or Texas Tech University Health Sciences Center at El Paso (inclusive of all regional sites and their components).

~~25.~~ "University official" means any person employed by Texas Tech University System, Texas Tech University or Texas Tech University Health Sciences Center at El Paso while performing their assigned administrative or professional responsibilities.

~~2.~~

~~3.~~

~~4-26.~~ "University premises" includes all land, buildings, facilities and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).

~~5-27.~~ "User" means any member of the University community who uses any University computing and/or networking resources.

~~6-28.~~ "Will" is used in the imperative sense.

## **PART II. CODE OF PROFESSIONAL CONDUCT ("STUDENT CODE")**

### **A. General Policy**

1. An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior pertaining to students and to student organizations.

2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.

3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' individual catalogs and student affairs handbooks. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.

4.4. Each student is responsible for his/her own integrity, and is likewise responsible for reporting possible violations of this Student Code by other students. Faculty and staff shall take all reasonable steps to prevent violations, and each faculty/staff member likewise is responsible for reporting violations.

## **B. Disciplinary Jurisdiction**

1. The Student Code shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University and/or pursuit of its objectives. On a case-by-case basis, the Dean and his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.

2. All students are expected to subscribe to an honor system which is implicit in accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

## **C. Violation of Law and TTUHSCEP Discipline**

A disciplinary proceeding may be instituted against a student ~~charged with conduct that regardless of whether conduct allegedly violates both the criminal and/or civil law and/or this Student Code~~ (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil and/or criminal proceedings at the discretion of the Dean of each School. Determinations made or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal and/or civil law defendant.

## **D. Misconduct**

Any student or student organization found to have committed the following misconduct is subject to disciplinary sanction(s), condition(s) and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to:

### **1. Alcoholic Beverages**

- a. The use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by University policy as allowed by law.
- b. Being under the influence of alcohol and/or intoxication except as allowed by law.

NOTE: *State law will be strictly enforced at all times on all property controlled by the University and is inclusive of all regional sites and its components.*

## 2. Narcotics or Drugs

- a. Use, possession, sale, delivery or distribution of any narcotic, drug or medicine prescribed to someone else, chemical compound or other controlled substance or drug-related paraphernalia, except as expressly permitted by the laws of the State of Texas; or,
- b. Being under the influence of narcotics or drugs, except as permitted by law.
- c. The failure of a drug test whether required by TTUHSCEP or any health care facility to which a student is assigned or has any type of patient care, contact or responsibility.

~~NOTE: The University respects the rights and responsibilities of students and shall consider each violation of the University's substance abuse policy and each violation of federal, state, and/or local law on a "case-by-case" situation and, if appropriate, may attempt to initially use educational options and subsequent intervention and/or prevention options to assist students. Violations of this substance abuse policy shall result in appropriate disciplinary action by the respective School, which may include, but is not limited to, required attendance and active participation in substance abuse education and/or intervention programs, and may result in notification to the parents/guardians of dependent students under twenty-one (21) years of age.~~

## 3. Firearms, Weapons, and Explosives

Use or possession of firearms, ammunition, explosive weapons, illegal knives and other deadly weapons are prohibited on university property except as specifically authorized by federal, state, or local laws.

NOTE: *Possession of weapons by licensed holders of concealed handguns is prohibited on University premises. The Texas Tech Police Department provides storage for weapons and firearms.*

## 4. Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University, students, of members of the University community or campus visitors;
- b. Possession of property known to be stolen or belonging to another person without the owner's permission;
- c. Attempted or actual damage to property of the University, University students, members of the University community or campus visitors; or,

6.

d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or misrepresentation of any form of identification including, but not limited to, a social security number or drivers license number.

## 5. Actions Against Members of the University Community

a. Physical harm or threat of harm to any person;

a.b. Intentional or reckless conduct which endangers the health or safety of any person, campus visitor, or volunteer;

b.c. Behavior that disrupts the normal operation of the University, including its students, faculty, staff or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a student or students academic pursuits or a faculty or staff's work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.

e.d. Sexual conduct that involves:

i. Deliberate touching of another's sexual parts without consent;

ii. Deliberate sexual invasion of another without consent; or,

iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.

iii-iv.

d.e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:

i. Academic pursuits;

ii. University employment;

iii. Participation in activities sponsored by the University or organizations or groups related to the University; or,

iv. Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.

iv.-

e.f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to retain or recruit a student for membership in an organization; or, recruit, initiate, retain or otherwise intimidate a student for membership in an organization. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to retain or recruit a student for membership in an organization; or,

g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.

## 6. Gambling, Wagering, or Bookmaking

Gambling, wagering, or bookmaking on University premises is prohibited.

## 7. Hazing

Hazing means any intentional, knowing or reckless act directed against a student, occurring on or off campus, by one or more individuals acting alone or collectively, that endangers the mental or physical health or safety of a student for the purpose of pledging or associating, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose members are, or include, students. Consent or acquiescence by a student or students subjected to hazing is not a defense in a disciplinary proceeding. Hazing includes, but is not limited to:

a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;

b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;

c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;

d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;

e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;

f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,



- g. Any act that is unlawful as designated by local, state, or federal government.

NOTE: *Texas Education Code, Sections 37.151-37.157 and Section 51.936*

#### 8. False Alarms or Terrorist Threats

~~Intentionally or- recklessly sounding a false fire alarm; alarm of any kind or character;~~  
making a false emergency call or terrorist threat; issuing a bomb threat; constructing mock explosive devices; improperly possessing, tampering with or destroying fire equipment, Automatic External

Defibrillators (AED) or emergency signs on University premises.

#### 9. Financial Irresponsibility

Failure to meet financial obligations owed to the University, including, but not limited to, the writing of checks on accounts with insufficient funds see also 4d above.

#### 10. Unauthorized Entry, Possession or Use

- a. Unauthorized entry into or use of University facilities;
- b. Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;
- c. Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,
- d. Use of the University's name to advertise or promote events or activities in a manner which suggests sponsorship by the University without prior written permission.

#### 11. Traffic and Parking

- a. Violation of University Traffic and Parking regulations; or,
- b. Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.

#### 12. ~~Housing and Dining Services Regulations~~

~~Violation of rules, which govern behavior in the campus residence and/or dining halls as stated in the Residence Hall Handbook and/or other notifications or publications provided by the University Department of Housing and Dining Services.~~

~~43.12.~~ Student Recreation and Aquatic Center Regulations

Violation of rules, which govern behavior in the student lounges or exercise areas.  
~~University Student Recreation Center and Aquatic Center.~~

~~44.13.~~ Failure to Comply with Reasonable Directions or Requests of University

Officials Failure to comply with the reasonable directions or requests of a University  
official  
acting in the performance of his or her duties.

~~45.14.~~ Failure to Present Student Identification

The failure to present their student identification to any University official upon request and identify himself/herself to any University official acting in the performance of his/her duties. The student identification card is the property of the university. Students shall neither allow their student identification card to be used by other persons, nor shall they alter their student identification in any way. A student must pay a replacement charge for lost, stolen or damaged student identification cards.

~~46.15.~~ Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment

- a. Unauthorized or non-academic-use of computing and/or networking resources;
- ~~b. Use of computing and/or networking resources for unauthorized or non-academic purposes;~~
- ~~c. Unauthorized accessing or copying, or removing of programs, records or data belonging to the University or another user or copyrighted software, without permission;~~
- ~~d.b.~~
- ~~e.c.~~ Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to University computing and/or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources;
- ~~f.d.~~ Attempted or actual use of the University's computing and/or networking resources for personal or financial gain;
- ~~g.e.~~ Attempted or actual transport of copies of University's programs, records or data to another person or computer without written authorization;
- ~~h.f.~~ Attempted or actual destruction or modification of programs, records or data belonging to the University or another user or destruction of the integrity of computer-based information;

i.g. Attempted or actual use of the computing and/or networking facilities to interfere with the normal operation of the University's computing and/or networking systems; or through such actions, causing a waste of such resources (people, capacity, computer); or,

j.h. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.

i. Attempted or actual addition/modification/removal/circumventing of Institutionally-approved computer security products/processes.

k. Participate in any computer-related activity that may cause TTUHSC to incur legal liability, or embarrassment.

l. Violate any policy defined in the TTUHSC IT Security Policies List (<http://www.depts.ttu.edu/infotech/security/docs/index.php?>).

~~47.16.~~ Providing False Information-False, Misleading or Untrue Statements or Misuse of Records

~~Knowingly furnishing false information~~ Knowingly providing to the University, or to a University official in the performance of his/her duties, either verbally, or through forgery, alteration or misuse of any University document, record or instrument of identification.

~~48.17.~~ Skateboard, Roller Blades, or Similar Devices

Use of skateboards, roller blades or other similar devices in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property or which disrupts the normal operation of the University.

*NOTE: Also refer to TTUHSCEP OP 76.32, Traffic and Parking Regulations, Attachment A, Section V (K).*

~~49.18.~~ Academic Misconduct

a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.

b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.

c. "Cheating" includes, but is not limited to:

- i. Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
- ii. Failing to comply with instructions given by the person administering the test;
- iii. Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
- iv. Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with other assignment (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
- v. Discussing the contents of an examination with another student who will take the examination;
- vi. Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
- vii. Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
- viii. Paying or offering money or other valuable thing to, or coercing another person to obtain an examination, test key, homework solution or computer program, or information about an examination, test key, homework solution or computer program;
- ix. Falsifying research data, laboratory reports and/or other academic work offered for credit;
- x. Taking, keeping, misplacing or damaging the property of the University, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;
- xi. Possession at any time of current or previous test materials without the instructor's permission;
- xii. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
- xiii. Alteration of grade records;
- xiv. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
- xv. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
- xvi. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific permission of the instructor of the course for which

the work is being submitted.

xvii. Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, etc.

d. "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work (such as words, ideas, expressions, illustrations, or product of another), in whole or in part, and the submission of it as one's own work offered for an academic credit or requirement. When a student presents the works of another (published or unpublished) in his/her academic work, the student shall fully acknowledge the sources—~~accordingsources~~ according to methods prescribed by his/her instructor.

e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms and reporting forms used by the Office of the Registrar.

f. "Misrepresenting facts" to the University or an agent of the University includes, but is not limited to, providing false grades or resumes, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual, or providing false or misleading information in an effort to injure another student academically or financially.

g. For additional information relating to the Paul L. Foster School of Medicine Academic Misconduct procedures, please refer to E.42.d.

#### 20-19. Violation of Published University Policies, Rules, or Regulations

Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, applicable publications for each TTUHSC School, such as student handbooks, catalogs, professional and ethical standards and course syllabus.

#### 21-20. Violation of Federal, State, and/or Local Law

Misconduct which constitutes a violation of any provisions of federal, state and/or local laws.

#### 22-21. Abuse of the Discipline System

a. Failure by an Accused Student to comply with or respond to a notification to appear before the Dean of his or her School, Dean's representative and/or an official of the University, including, but not limited to, the Student Conduct Administrator, during any stage of a disciplinary proceeding. Failure to comply

with or respond to a notice issued as part of a disciplinary procedure and/or failure to appear will not prevent the Dean or Dean's representative and/or an official of the University from proceeding with disciplinary action;

b. Falsification, distortion or misrepresentation of information in disciplinary proceedings;

c. Disruption or interference with the orderly conduct of a disciplinary proceeding;

d. Filing an allegation known to be without merit or cause;

e. Discouraging or attempting to discourage an individual's proper participation in, or use of, the discipline system;

f. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding;

g. Harm, threat of harm, or intimidation either verbally, physically or written of a member of a disciplinary body prior to, during and/or after disciplinary proceeding;

h. Failure to comply with the sanction(s), condition(s) and/or restriction(s) imposed under this Student Code;

i. Influencing or attempting to influence another person to commit an abuse of the discipline system; or,

i.j. Retaliation against any person or group who files a Complaint of Misconduct in accordance with the Student Code or files a grievance under the applicable School grievance policy.

## **E. Other Professional and Ethical School Standards**

In addition to the Misconduct identified in Part II.D, the following constitute professional and ethical standards for individual TTUHSCEP Schools and for the basis of a disciplinary action.

### **1. School of Medicine**

~~a. All students entering the TTUHSC School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the School of Medicine.~~

~~b. TTUHSC School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:~~

~~i. Altruism, whereby they subordinate their own interests to take care of~~

their patients;

ii. High ethical and moral standards;

iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;

iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,

v. Maintaining confidentiality concerning the patient and the patient's records.

*c. Medical Student Honor Code*

~~"In my capacity as a Texas Tech University Health Sciences Center School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."~~

~~d. In matters of Academic Misconduct, the student shall refer to the School of Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.~~

2.1. TTUHSCEP School of Nursing, Gayle Greve Hunt School of Nursing

a. All students entering into the TTUHSCEP SON Gayle Greve Hunt School of Nursing are required to subscribe to the standards and codes of the profession.

b. GGHSON TTUHSCEP SON students as nursing professionals, are expected, not only by patients, but also by society as a whole to adhere to:

i. American Nurses Association (ANA) Code of Ethics for Nurses, and the;  
<http://www.nursingworld.org/codeofethics>

i.ii. Texas Board of Nurse Practice/Unprofessional Conduct Rules;  
[https://www.bon.state.tx.us/practice\\_nursing\\_practice.asp](https://www.bon.state.tx.us/practice_nursing_practice.asp)

c. Students who fail to uphold and/or comply with the above codes and standards for safe and professional nursing practice will be considered in violation of the law and/or professional nursing standards.

3. School of Pharmacy

a. ~~The following principles of professional conduct are established to guide pharmacists in relationships with patients, fellow practitioners, other health~~

professionals, and the public. A Pharmacist should hold the health and safety of patients to be of first consideration and should tender to each patient the full measure of professional ability as an essential health practitioner. All candidates of the TTUHSC School of Pharmacy shall subscribe to the Student Code. Each candidate implicitly and personally subscribes to the following, as well as the Student Code, in accepting admission to the School of Pharmacy.

- i. A Pharmacist should never knowingly condone the dispensing, promoting or distributing of drugs or medical devices, or assist therein, that are not of good quality, that do not meet standards required by law, or that lack therapeutic value for the patient.
- ii. Pharmacist should always strive to perfect and enlarge professional knowledge. A pharmacist should utilize and make available this knowledge as may be required in accordance with the best professional judgment.
- iii. Pharmacist has the duty to observe the law, to uphold the dignity and honor of the profession, and to meet and maintain ethical principles. A pharmacist should not engage in any activity that will bring discredit to the profession and should expose, without fear or favor, illegal or unethical conduct in the profession.
- iv. Pharmacist should seek at all times only fair and reasonable remuneration for professional services. A pharmacist should never agree to, or participate in, transactions with practitioners of other health professions or any other person under which fees are divided or that may cause financial or other exploitation in connection with the rendering of professional services.
- v. A Pharmacist should respect the confidential and personal nature of professional records; except where the best interest of the patient requires or the law demands, a pharmacist should not disclose such information to anyone without proper patient authorization.
- vi. Pharmacist should not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill, that cause a deterioration of the quality of professional services, or that require consent to unethical conduct. A Pharmacist should strive to provide information to patients regarding professional services truthfully, accurately and fully and should avoid misleading patients regarding the nature, cost or value of those professional services.
- vii. Pharmacist should associate with organizations having as their object the betterment of the profession of pharmacy and should contribute time and funds to carry on the work of these organizations.
- viii. Acts of plagiarism or any other acts of academic dishonesty (as defined in Part II.D above) by students on any assignment, quiz or examination shall result in a course grade of zero (0) and may also result in the additional sanctions identified in Part II.G below.
- ix. Permanent dismissal of a pharmacy candidate from a professional clerkship or affiliated healthcare system for academic or professional misconduct shall constitute violation of the code and will be subject to further sanctions identified in Part II.G below in addition to a course



grade of zero (0) for the course clerkship.

x. ~~Violations of the School of Pharmacy Professional Conduct Code will constitute demonstration of professional misconduct and are subject to sanctions as identified in Part II G below. The student should refer to the School of Pharmacy Professional Conduct Code located at~~  
~~[http://student.ttuhsce.edu/pharmSG/files/Professionalism\\_code.pdf](http://student.ttuhsce.edu/pharmSG/files/Professionalism_code.pdf)~~

~~Incidences of academic or professional misconduct as well as violations of the Code, regardless of severity, shall result in a review of the student's disciplinary file by the Student Conduct Administrator and patterns of habitual misconduct, regardless of severity, shall result in escalation of the sanctions administered by the School of Pharmacy as outlined in the School of Pharmacy Procedures for Academic/Professional Misconduct.~~  
~~<http://www.ttuhsce.edu/studentservices>.~~

xi. ~~Course Failures Resulting from Sanctions Secondary to Academic or Professional Misconduct~~

~~A first course failure resulting from sanctions enforced due to academic or professional misconduct will result in the student being placed on academic probation. If the student is in good standing at the time, then the student will be placed on first probation. If the student is already on academic probation, then the failure will raise the student's probation by 1 level (ie 1<sup>st</sup> to 2<sup>nd</sup> or 2<sup>nd</sup> to Dismissal).~~

~~A second course failure resulting from sanctions due to academic or professional misconduct, regardless of semester, will result in student dismissal from the school.~~

#### ~~4. School of Allied Health Sciences~~

~~Students in the School of Allied Health Sciences will not lie, cheat, or steal or tolerate those who do.~~

#### ~~5.2. Paul L. Foster School of Medicine~~

a. All students entering the Paul L. Foster School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the Paul L. Foster School of Medicine.

b. Paul L. Foster School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:

- i. Altruism, whereby they subordinate their own interests to take care of their patients;
- ii. High ethical and moral standards;
- iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;
- iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,
- v. Maintaining confidentiality concerning the patient and the patient's

records.

c. *Medical Student Honor Code*

"In my capacity as a Paul L. Foster School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."

d. In matters of Academic Misconduct, the student shall refer to the Paul L. Foster School of Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.

**F. Disciplinary Procedures** *Academic issues, such as grading and promotion issues, should be addressed by each school's policies and procedures.*

1. Nature of Proceedings. These proceedings are part of an educational process whereby the University applies its values to establishing the best possible learning environment for its students. These proceedings are not intended to follow, or be restricted by, courtroom or judicial procedures, including the rules of evidence. In addition, these proceedings are not intended for grading and promotions issues, which should be addressed under individual School policies.

2. Procedural Deviations. If the Student Conduct Board has not yet been appointed, or in the absence of the Chair of the Student Conduct Board, the parties and the Student Conduct Administrator may agree in advance and in writing to deviations from procedure. If a Student Conduct Board has been appointed, the parties and the Chair of the Student Conduct Board may mutually agree to procedural deviations, such as deadlines for submission of evidence and hearing dates and times.

NOTE: Any notices that are sent by mail will be considered to have been received on the third calendar day after the date of mailing, excluding any intervening Saturday, Sunday or holiday.

3. Filing A Complaint

a. Any -faculty, staff, or student of TTUHSCEP may file a Complaint(s) against a student(s) or a student organization(s) for violation(s) of the Student Code. A preliminary investigation/discussion with a supervisor (program director, chair, etc.) must be done prior to filing a Complaint. If a basis for the Complaint exists, Attachment A shall be completed and delivered by the Complainant to the Student Conduct Administrator. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days

after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the Student Conduct Administrator.

b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint of Misconduct filed by the Complainant and ~~will request in writing~~ notify the that the Accused Student in writing that he or she shall is required to appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter. ~~(Attachment B).~~ The Accused Student shall meet with the Student Conduct Administrator.

c. The Student Conduct Administrator may conduct an informal meeting to determine if the complaint may be disposed prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties. Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.

d. If the Complaint is not disposed of administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Accused Student to determine if the Accused Student admits or denies violating institutional rules.

i. If the Accused Student admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board Hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.

ii. If the Accused Student denies violating University rules, the allegations shall be referred by the Student Conduct Administrator for a Hearing before the Student Conduct Board under Part II.F.4 below.

e. A Student Conduct Board Hearing shall be scheduled within thirty (30) business days after the Accused Student has met with the Student Conduct Administrator under Part II.F.3.d. above. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board Hearing date, such Hearing will be held during the first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

#### 4. Student Conduct Board Hearings

a. *Closed Hearing.* A Student Conduct Board Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Conduct Board, who shall render a final written decision.

b. *Hearing Notice.* At least fifteen (15) business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties (e.g., Sample Hearing Notice from Chair, Attachment

D) of the following:

- i. Date, time and place for the hearing,
- ii. Name of the members of the Student Conduct Board,
- iii. Summary statement of the charge(s), or a copy of the complaint and
- iv. Request in writing that at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below.

c. Challenge. An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator. The student shall specificity with and clarity detail each reason for such challenge.

Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator or his or her designee that the member can serve with fairness and objectivity. If the member cannot establish his or her fairness and objectivity to the satisfaction of the Student Conduct Board Administrator, the member in question shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed the Student Conduct Administrator, may in his or her sole discretion choose to reschedule the hearing.

e.d. Evidence Submission. At least ten (10) business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.

- i. All pertinent records and exhibits
- ii. Written statements must be notarized (including Impact or Position Statements);
- iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, ~~including a brief summary of the information to be given by each;~~ and,
- iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i below.

d.e. Evidence Exchange. At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.

e.f. Separate or Joint Hearings. A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused student may

request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.

f.g. Recordings. The University shall record, either digitally, through audiotape, or otherwise as deemed appropriate all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its' Findings and Recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent record of the proceedings.

g.h. Hearing Attendance. The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

h.i. Advisors. The advisor must be a faculty, staff, or student of ~~TTUHSCTTUHSCEP~~. However, if an Accused Student is also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances, he or she may be allowed to have an attorney serve as his or her advisor, at his or her own expense, to participate only in the same manner as any other advisor. —If an advisor for the Accused Student is an attorney, an attorney from the Office of General Counsel ~~shall~~ may attend the Student Conduct Board Hearing on behalf of the University. The University will provide legal counsel for the Student Conduct Board -as the Student Conduct Board Chair deems it necessary.

The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly or indirectly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Chair upon written request seven (7) business days in advance of the date scheduled for the Student Conduct Board Hearing.

i.j. Witnesses. Members of the Student Conduct Board may question all witnesses, followed by the parties. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student

Conduct Board Hearing only during the time they are providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in his/her sole discretion determines otherwise.

i. *Parties Witnesses.* The Complainant and the Accused Student may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused Student are responsible for arranging for the voluntary attendance of his or her own witnesses.

ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct . The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.

j-k. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.

k-l. *Deliberations.* If the Student Conduct Board concludes that all pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the Accused Student has violated any section of the Student Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) of the Student Code, the Student Conduct Board may also recommend all or any of the sanctions identified in Part II.G below.

l-m. *Failure to Appear.* The Accused Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice Section II.F..4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion

will be based on the evidence presented. No decision shall be based solely on the failure of the Accused Student to attend the hearing or answer the charges.

m.n. Findings and Recommendations. The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations in writing. (Sample Findings and Recommendations are attached as Attachment E). If the Findings and Recommendations are not unanimous, opinion(s) may be written by those who differ with the Majority's Findings and Recommendations. The Chair will forward the Findings and Recommendations, including differing opinion(s), within ten (10) business days to the Dean, the Student Conduct Administrator, the Accused Student and the Complainant.

n.o. Dean's Review. The Dean of the school will review the Findings and Recommendations of the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing within ten (10) business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's decision shall be final.

p. Appeal. Within ten (10) business days of receipt of the decision of the Dean, if either party believes that the due process procedures have been violated, an appeal may be made, in writing, to the President of the University. The President will review the case and notify all parties of his decision within ten (10) business days. If a written appeal is not submitted within ten (10) business days following receipt of the Dean's letter, the right to appeal is thereby waived and the Dean's decision is final. In the event that the same individual serves as both Dean of the School and President of the University, the Vice President for Academic Affairs is designated to hear any such appeal.

The Accused Student or Complainant may only raise, and the President shall only consider, the following:

- a. Whether a procedural deviation occurred that substantially affected the outcome of the case;
- b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.

The President will review the Findings and Recommendations and, at his or her sole discretion, the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing to the Accused Student, the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Dean. The President's decision shall be final.

If the Vice President for Academic Affairs reviews the appeal and finds no procedural deviation and no new information, then the Dean's determination is final. If there has been a procedural deviation or new information sufficient to alter findings, then the case will be referred back to the hearing committee for

further deliberation. That decision will be transmitted to the dean as described in "o" above and the Dean's decision is final.

## **G. Sanctions**

1. Sanctions which may be recommended by the Student Conduct Board, and imposed by the Dean of the School, upon any student found to have violated this Student Code. include but are not limited to the following:

a. *Failing Grade or Cancellation of Credit.* Failing grade for an examination or assignment or for a course, and/or cancellation of all, or any portion, of a prior course credit.

b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.

c. *Probation.* A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

d. *Loss of Privileges.* Denial of specified privileges for a designated period of time.

e. *Restitution.* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

f. *Discretionary Sanctions.* Assignments may be made at the discretion of the board, such as work assignments, essays, training, service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the students disciplinary file or other related discretionary assignments.

g. *Suspension.* Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.

h. *Dismissal With or Without Readmission.* Separation or dismissal of the student from their current program, with or without the option to apply for readmission to the University. The student's transcript will reflect the nature of the dismissal.

i. *Revocation of Admission and/or Degree.* Admission to or a degree awarded by the University may be revoked for fraud, misrepresentation or other violations of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.



j. *Withholding Degree.* The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Disciplinary Procedures.

k. *Multiple Sanctions.* More than one of the sanctions listed above may be imposed for any single violation.

l. Any other sanction(s) which may be appropriate under the particular circumstances of the violation.

2. Other than dismissal from the University or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the Office of the Dean or his designee for the applicable School.

3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim.

4. The following sanctions may be imposed upon registered student organizations and/or members thereof:

a. Those sanctions listed above in Part II.G.1 above.

b. Loss of selected rights and privileges for a specified period of time.

c. *Deactivation.* Loss of all privileges, including University recognition and/or registration, for a specified period of time.

## **H. Interpretation and Revision**

1. Any question of interpretation or application of this Student Code shall be referred to the Dean of the appropriate School or his or her designee for final determination.

2. The Student Code Review Committee (Review Committee) shall conduct an annual review of the Student Code and make recommendations to the President regarding omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Student Code. The Review Committee is composed of the Student Affairs representatives from each School. The President may invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members.

## **PART III. WITHDRAWAL OF CONSENT**

### **A. Recommendation to Withdraw Consent During Periods of Disruption**

1. The term "period of disruption" is any period in which it reasonably appears that there is any of the following (Texas Education Code § 51.231):

- a. Threat(s) of destruction to University premises;
- b. Physical or emotional injury to human life on University premises; or,
- c. Threat(s) of willful disruption of the orderly operation of the University.

2. During periods of disruption, the ~~Department Chair~~ Associate Dean for Student Affairs within the applicable School may recommend to the Dean that prior to a Student Conduct Board Hearing, and in accordance with Texas Education Code, Section 51.233, a student have his/her consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.

3. Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.

4. Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend, dismiss, or expel any student or employee at the University in accordance with the procedures set forth in Part II of this Handbook. If a person is alleged to have violated the Student Code, and Withdrawal of Consent also occurs, the procedures set forth in Parts II and III may occur concurrently.

## **B. Concurrence by Dean**

1. If the Dean concurs with the ~~Department Chair's~~ Associate Dean's recommendation, the student will have his/her consent to be in attendance at the University or on University premises withdrawn in writing by the Dean. Texas Education Code § 51.233(a) & 51.234.

2. The written notice by the Dean shall contain all of the following:

- a. That consent to remain on the campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed fourteen (14);
- b. Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
- c. Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
- d. Notification that the student is entitled to a hearing on the withdrawal not later

than three (3) days from the date of receipt by the Dean of a request for hearing from the person.

3. Whenever consent is withdrawn by the Dean, the Dean shall submit a written report to the President within twenty-four (24) hours, unless the Dean has reinstated consent for the student. The report shall contain all of the following:

- a. Description of the student, including, if available, the student's name, address, and phone number; and,
- b. Statement of the facts giving rise to the Withdrawal of Consent.

### **C. Confirmation by President**

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or University premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).

2. If the President or his/her designee does not confirm the action taken by the Dean within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall be deemed void and of no force or effect, except that any arrest made during the period shall not for this reason be deemed not ~~not~~ to have been made for probable cause.

### **D. Hearing**

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.

2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted not later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.

b. *Representation.* The student may be represented by counsel. The University will be represented by the Office of General Counsel.

c. *Witnesses.* The student, as well as the Department Chair who recommended consent be withdrawn, have the right to call and question witnesses and to cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. -Witnesses are permitted to attend the Hearing only when they are providing information, unless the Hearing Committee, in its sole discretion, allows otherwise. The student shall be advised of the content of the statements, and the names of the persons who made them, at the hearing.

d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.

- i. All pertinent records, exhibits and written statements (including Impact or Position Statements);
- ii. A list of witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, including a brief summary of the information to be given by each; and,
- iii. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i.

e. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair.

f. *Recordings.* University shall record, either digitally or through audiotape, or otherwise as deemed appropriate all Hearings until such time that the Hearing Committee begins discussion and deliberation and prepares Findings and Recommendations. Deliberations shall not be recorded. The record is University property.

g. *Appeal to President.* The student may appeal the decision within three (3) days from the date of the decision by sending a written appeal to the President. If the student does not appeal the decision by the hearing committee, the decision is final. The president will review and render a decision within seven (7) days.

h. Appeal to the Board of Regents. If the student is not satisfied with the decision by the President, the student may appeal to the Texas Tech Board of Regents by sending a written appeal to the Chairman of the Board of Regents, with a copy to the President, within three (3) days from the date of the President's decision. If the student does not appeal the President's decision, the President's decision is final. If the student appeals to the Texas Tech Board of Regents, the decision by the Board is final.

## **PART IV. Anti-Discrimination and Sexual Misconduct Procedures (Including Title IX)**

### **A. Introduction**

Texas Tech University Health Sciences Center (TTUHSC EL PASO) is an Equal Employment Opportunity employer and ensures compliance with federal and state employment laws and regulations. TTUHSC EL PASO provides a fair and equitable student conduct process, utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.

### **1. Anti-Discrimination Policy**

TTUHSC EL PASO does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, status as a covered veteran, or other protected categories, classes, or characteristics. While sexual orientation is not a protected category under state or federal law, it is TTUHSC EL PASO policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.

#### **a. Discriminatory Harassment**

- i. Discriminatory harassment is verbal or physical conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics and is so severe, persistent, or pervasive it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.
- ii. Examples of inappropriate behavior that may constitute discriminatory harassment include, but are not limited to:
  - Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
  - Display of explicit or offensive calendars, posters, pictures, drawings, screen savers, e-mails, or cartoons in any format that reflects disparagingly upon a class of persons or a particular person;
  - Derogatory remarks about a person's national origin, race or other ethnic characteristic;
  - Disparaging or disrespectful comments if such comments are made because of a person's protected status;
  - Loud or angry outbursts or obscenities in the academic environment directed toward another student, faculty, staff, or visitor; or
  - Disparate treatment without a legitimate business reason.

b. Sexual Harassment

- i. Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with the student's educational experience.
- ii. Examples of inappropriate behavior that may constitute unlawful sexual harassment include, but are not limited to:
  - Sexual teasing, jokes, remarks, questions;
  - Sexual looks and gestures;
  - Sexual innuendoes or stories;
  - Sexual favoritism;
  - Pressure for dates or sexual favors;
  - Gifts, letters, calls, e-mails, or materials of a sexual nature;
  - Sexually explicit visual material (calendars, posters, cards, software, internet materials);
  - Communicating in a demeaning manner with sexual overtones;
  - Inappropriate comments about dress or physical appearance; or
  - Non-consensual video or audio-taping of sexual activity;
  - Inappropriate discussion of private sexual behavior;
  - Exposing one's genitals or inducing another to expose their genitals;
  - Unwelcome physical contact (touching, patting, stroking, rubbing);
  - Non-consensual video or audio-taping of sexual activity;
  - Sexual assault; or
  - Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

Note: While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.

c. Reporting Concerns

Students complaining of discriminatory and sexual harassment should contact the Deputy Title IX Coordinator for Students, Assistant Vice President for Student Services, 5001 El Paso Dr. MEB 2140E El Paso, TX 79905 915-215-4786.

Students complaining of discriminatory and sexual harassment in their employment capacity should contact the Office of Equal Employment Opportunity, 212 Administration Building, (806) 742-3627. The Office of Student Services is available to assist with these processes.

d. Office of Civil Rights Complaints

Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office of Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100, Customer Service Hotline#: (800) 421-3481, <http://www.ed.gov/ocr>.

e. Non-retaliation

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or Hearing. Retaliatory harassments is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance

process.

f. Confidentiality

Confidentiality of both Complainant and accused will be honored to such extent as is possible without compromising the University's commitment to investigate allegations of discrimination and harassment and only in instances where there is no credible threat to the safety of the Complainant, Respondent, or others. The willful and unnecessary disclosure of confidential information by anyone, including the alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

g. Faculty/Staff and Student Relationships

TTUHSC EL PASO is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships, including affectionate liaisons or other intimate or close relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Faculty/staff with direct or indirect teaching, training, research oversight or direction, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the ethical and professional boundaries that must exist in such situations. If questions arise about situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean or the Assistant Vice President for Student Services.

h. Grievance or Complaint Processes

A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC EL PASO policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. This Part IV of the Student Handbook refers to processes and procedures pertaining to sexual misconduct. For all other types of misconduct, refer to Part II of the Student Handbook.

i. Grievances and Investigations – Complaints Involving Employees, Whether, Faculty, Staff, or Students

1. This grievance process is applicable to all students who choose to complain about unlawful discrimination, harassment, or other violations of the law that adversely affect their educational environment and the responding party is an employee, whether faculty, staff or student.
2. All grievance investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.
3. The filing of a grievance shall not affect the ability of TTUHSC EL PASO to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance.

4. A student may consult with the Assistant Vice President for Student Services to determine if he/she wishes to file a formal grievance. Students wishing to file a grievance should complete the grievance form located at <http://elpaso.ttuhsce.edu/fostersom/studentaffairs/>. However, even if a formal grievance is not filed, the Assistant Vice President for Student Services may notify key personnel at his or her discretion about the allegation, and other action may be taken by TTUHSC EL PASO as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing alleged offenders of TTUHSC EL PASO's policy and educating departments and supervisors as needed on this and other policies.
5. If the grievance involves the Assistant Vice President for Student Services, the grievance should be presented to the Equal Employment Opportunity Office.
6. Student complaints of discrimination or harassment by an employee will be investigated jointly by the Assistant Vice President for Student Services and the Office of Equal Opportunity.
7. The investigation may consist of the review of the grievance and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation and its procedures will be determined by and at the discretion of the Assistant Vice President for Student Services or the Equal Employment Opportunity Office or other administrators may be consulted to assist with the investigation.
8. After the investigation is complete, the Assistant Vice President for Student Services or Equal Employment Opportunity Office or designee will provide a written determination to the student who has filed the grievance, the accused parties, and the appropriate administrators.
9. The findings of the Assistant Vice President for Student Services or the Office of Equal Employment Opportunity is final and not appealable.
10. In the event a finding of a violation of this policy is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.
11. If either party disagrees with the imposed disciplinary action, or lack thereof, he or she may appeal within 10 business days through procedures established in OP 60.10 for faculty and OP 70.10 for staff.
12. Any disciplinary action taken in connection with a grievance filed pursuant to this policy shall be reported in writing to the Assistant Vice President for Students and the Office of Equal Employment Opportunity at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via copy of a counseling or other written disciplinary action, resignation, termination document, etc.
13. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Officer of Equal Employment Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance has taken place the student should contact the Vice President for Student Services or the Office of Equal Employment Opportunity, and/or file a grievance for retaliation.



14. In the event of a finding of a violation of this policy, the Office of Equal Employment Opportunity will follow up with the grievant within 60 days to ensure that the complained of behavior has ceased.
2. Grievances and Investigations – Complaints Involving Other Students  
Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC EL PASO policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part II and Part IV, B, as applicable. Section B of this Part IV of the Student Handbook contains the processes and procedures pertaining to sexual misconduct.

## **B. Sexual Misconduct Complaints Involving Other Students**

### 1. Jurisdiction.

- a. Part IV of the Student Handbook shall apply to conduct that occurs on TTUHSC EL PASO premises, at TTUHSC EL PASO sponsored activities, and to off-campus conduct that adversely affects TTUHSC EL PASO and/or pursuit of its objectives. On a case-by-case basis, the Deputy Title IX Coordinator for Students and/or his/her designee, in his or her sole discretion, shall determine whether this Part IV of the Student Handbook should be applied to conduct occurring off premises. Part IV may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials.
- b. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Part IV of the Student Handbook shall apply to persons who withdraw after alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with TTUHSC EL PASO, or who have been notified of their acceptance.

### **2. Timelines**

It is recommended that reports of alleged violations of Part IV of the Student Handbook should be received by the Deputy Title IX Coordinator for Students within ten (10) university working days of the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incidents.

Incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This timeline may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays

### **3. Standards of Evidence**

The proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. The standard of proof used in TTUHSC EL PASO proceedings in Part IV of the Student Handbook is the preponderance of evidence. The term "preponderance of evidence" is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

### **4. Reporting Allegations of Sexual Misconduct**

To file allegation(s) of sexual misconduct against student(s) or student organization(s), individuals must complete a *Complaint of Sexual Misconduct* form that can be found as Appendix A in the Student Handbook. The written allegation should describe the action or behavior in question. Individuals may also file a report in person at the Office of the Assistant Vice President for Student Services at 5001 El Paso Dr. MEB rm 2140. El Paso, TX 79905 915-215-4786

### **5. Confidentiality**

TTUHSC EL PASO is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support.

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- Student Resolution Center (<http://www.depts.ttu.edu/studentresolutioncenter/>)
- Program for Assistance to Students 1-800-327-0328  
(<http://elpaso.ttuhsce.edu/fostersom/studentaffairs/documents/PAS.pdf>)

The University is committed to facilitating an environment that supports students reporting incidents of misconduct, and will always attempt to resolve a situation in accordance with a student's wishes. In most cases, the University will not initiate student conduct proceedings or take administrative action without consulting with the reporting student.

In some exceptional circumstances, where the incident in question presents a continuing threat to the campus community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of student misconduct, and may be required to issue a "timely warning" to the campus community, as required by the Clery Act. Timely warnings do not include personally identifiable information of involved parties.

All reports of misconduct will be maintained with the highest possible level of confidentiality. Information provided by the student will only be shared with essential staff members and only as is necessary for the effective investigation and adjudication of the case. Where reports of misconduct involve other students, either as

Respondents or witnesses in the case, some information may need to be shared with those involved parties in order to complete a thorough investigation.

## **6. Anonymity**

TTUHSC EL PASO understands the sensitive nature of incidents involving sexual misconduct. Further, the University is mindful of Complainants' desire, in some cases, to report an incident without disclosing their name or other identifying information. TTUHSC EL PASO will always attempt to protect a student's anonymity if that is the student's request. Doing so, however, can oftentimes make it more difficult to thoroughly and effectively investigate an incident. The University will work with each student on a case-by-case basis to find the approach that best fits the student's wants and needs.

## **7. Reporting Criminally**

Some instances of student misconduct may also constitute a violation of state, federal, or local law. Students have the option to report misconduct to the University, to local law enforcement, or to both. TTUHSC EL PASO administrators are happy to assist students in making a report to law enforcement, and will even accompany the student if he or she wishes.

## **8. Amnesty Provisions**

The University will provide educational options in lieu of conduct proceedings in certain situations. Victims of misconduct who were engaging in minor policy violations, such as underage drinking or drug use, at the time of the incident. Examples of the amnesty provision include, but are not limited to:

- Students who offer assistance to others by calling medical personnel or law enforcement.
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.

Abuse of amnesty provisions can result in a violation of the Code of Student Conduct. Amnesty does not preclude students from being charged with allegations of misconduct related to Actions against Members of the University Community and Others. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, or actions required to comply with professional ethic requirements. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling. The Deputy Title IX Coordinator for Students can assist with questions related to amnesty provisions.

## **9. Sexual Misconduct Defined**

## Sexual Misconduct

### a. Sexual Harassment

Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience or creates a hostile educational environment.

### b. Sexual Exploitation

Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- i. Photography or video recording of another person in a sexual, intimate, or private act without that person's full knowledge or consent;
- ii. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;
- iii. Sexual voyeurism;
- iv. Inducing another to expose one's genitals or private areas;
- v. Prostituting another student;
- vi. Engaging in sexual activity while knowingly infected with an STD.

### c. Public Indecency

Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to exposing one's genitals or private area(s), public urination, defecation, and/or public sex acts.

### d. Nonconsensual Sexual Contact

Intentional sexual touching, however slight and with any object or part of one's body, of another's private areas without consent. Private area includes butt, breasts, mouth, genitals, groin area, or other bodily orifice.

### e. Nonconsensual Sexual Intercourse

Sexual penetration or intercourse, however slight and with any object, without consent. Penetration can be oral, anal, or vaginal.

*Note: Consent is defined as mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for sexual activity.*

## **10. Conduct Procedures for Sexual Misconduct**

### a. Intake and Initial Inquiry

Upon notice of an alleged violation of Part IV of the Student Handbook, the Deputy Title IX Coordinator for Students will appoint a Title IX Investigator to review allegations of sexual misconduct. The Deputy Title IX Coordinator for Students, in his or her sole discretion, may appoint more than one Title IX Investigator or co-investigators to review an alleged violation of Part IV of the Student Handbook.

Reported allegations of misconduct have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. The Title IX Investigator will inquire, gather and review information about the reported student sexual misconduct and will evaluate the accuracy, credibility, and sufficiency of the information. Incidents will not be forwarded for to a hearing officer unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Complainant statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to any individual involved to clarify the policy that was in question. Unsupported allegation with no credible information will not be forwarded to a hearing. When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Title IX Investigator will investigate the reported incident to fullest extent of the information available. When a Complainant is identified but is reluctant and/or refuses to participate in the investigative process and/or the sexual misconduct process entirely, TTUHSC EL PASO will make every attempt to follow the wishes of the Complainant while weighing the interests of the university community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to TTUHSC EL PASO pursuing conduct action with respect to the named Respondent, TTUHSC EL PASO will proceed with the sexual misconduct process to the extent of the information available.

b. Remedies and Resources

i. Remedies

TTUHSC EL PASO will take immediate action to eliminate hostile environments, prevent reoccurrence and address any effects on the victim and community. This includes immediate steps to protect Complainants even before the final outcome of the investigations, including prohibiting the Respondent from having any contact with the Complainant. These steps will attempt to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, modifications to parking assignments, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

ii. No Contact Orders

When initial inquiry indicates persistent and potentially escalating conflict between two members of the university community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Deputy Title IX Coordinator via the student's official TTUHSC EL PASO email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the

Deputy Title IX Coordinator for Students. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the No Contact Order. Failure to comply with the No Contact Order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of No Contact Orders may also result in possible violation(s) under Part II of the Student Handbook, and/or a referral to the Texas Tech Police Department during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

iii. Resources

Sexual Violence. TTUHSC EL PASO has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or El Paso Police Department, counseling services, medical assistance, student legal services, academic support referrals, and other support services.

**c. Interim Actions**

Immediate Temporary Suspension – Students

A student may be temporarily suspended and/or referred to the Texas Tech Police Department pending completion of conduct procedures if, in the judgment of the Deputy Title IX Coordinator for Students, or on recommendation of a Title IX Investigator, the physical or emotional well-being of a student or other students or members of the university community could be endangered or if the presence of the student could significantly disrupt the normal operations of TTUSHC. The Deputy Title IX Coordinator for Students or designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) university working days from the date of temporary suspension. A student who receives an interim suspension may request a meeting with the Deputy Title IX Coordinator for Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. Upon immediate temporary suspension, the student may no longer attend classes, use TTUHSC EL PASO or TTU services and/or resources, and is not allowed to be on campus until the conduct proceedings under Part IV have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Deputy Title IX Coordinator for Students and the Texas Tech Police Department. Conduct, on or off campus that typically results in interim suspension under Part IV include but is not limited to:

- i. A significant and articulable threat to the health or safety of a student or other member(s) of the university community.
- ii. Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation.
- iii. Violation of a No Contact Order

iv. Retaliatory harm, discrimination or harassment

d. Notice of Involvement. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Title IX Investigator. In addition to other possible sanctions, conditions and/or restrictions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Title IX Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent the Deputy Title IX Coordinator for Students from proceeding with disciplinary process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply in Part II of the Student Handbook.

e.. Student Rights and Responsibilities

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview with the Title IX Investigator. The Student Rights and Responsibilities document informs the student of his or her rights to be exercised before and during the investigative process. Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student has a right to:

i. A prompt, fair, and equitable process;

ii. Be accompanied by an advisor to any meeting or Hearing. An "advisor" can be any one of the following: a member of the TTUHSC EL PASO Community (faculty, staff, or student), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the hearing on behalf of the TTUHSC EL PASO. The Complainant and/or the student accused of alleged misconduct is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing unless authorized by the Hearing Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Hearing Officer upon written request five (5) University working days in advance of the scheduled hearing date.

iii. Students are expected to cooperate with the University sexual misconduct process, but may elect not to participate in the investigation process, either in part or entirely. In other words, if a student chooses not to provide information

during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.

iv. NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.

v. The opportunity to provide information and evidence in support of his/her case;

vi. Know if they have been issued any allegations of misconduct;

vii. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;

viii. Know the TTUHSC EL PASO conduct policies and procedures, and where to find them;

ix. Know that any information provided by the student may be used in a conduct proceeding;

x. Know that if a student makes any false or misleading statement(s) during the investigation or Hearing the student will be subject to further disciplinary action under Part II of the Student Handbook.

It is the student's responsibility to:

1. Be responsive to all correspondence from the University;
2. Provide information relevant to the incident or situation;
3. Be honest and provide true and accurate information during the investigation;
4. Review the Code of Student Conduct in order to fully understand all aspects of the student conduct process.

f. Initial Inquiry/Formal Investigation

A trained Title IX Investigator will conduct a thorough, reliable, and impartial investigation of the reported incidents including meeting with the party bringing the Complaint to finalize the Complainant's statement, interview witnesses, collect evidence, create timelines, and receive information from the Respondent.

When initial inquiry indicates a concurrent police investigation is occurring, the Title IX Investigator will, where possible, collaborate with the Texas Tech Police Department during investigation. Elements of this collaborative investigation may include the Title IX Investigator coordinating with responding officers at the scene of the incident, joint



interviews with police detectives, and evidence sharing. The Title IX Investigator will never take physical custody of any physical or electronic evidence, but will work closely with the Texas Tech Police Department to inspect, analyze, and incorporate physical or electronic evidence into the Investigative report.

During the investigative process, Complainants and Respondents are responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the Title IX Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Title IX Investigator will document any physical or electronic evidence in a manner that is conducive and un-obstructive to concurrent or forthcoming police investigations.

A student will have access to the completed Investigation Report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, students are not given copies or Investigation Reports and/or investigative materials.

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the Code of Student Conduct outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Title IX Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal. The case will only be reopened if new material, previously unavailable is presented. The Informal Resolution, or any other form of mediation will not be utilized to resolve cases involving Title IX allegations, such as sexual harassment, sexual violence, or other forms of sexual misconduct.

g. Prehearing/Formal Allegations Assigned

Once the investigative process is complete, the student will be given notice of a Pre-Hearing Meeting scheduled outside of the student's academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and Hearing. During this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or University Discipline Committee Hearing. Other documents include notification of Respondent's allegations, Committee composition, and Hearing script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in in the Student Handbook of a date, time, and location of the Hearing.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Title IX Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student

discovers new, previously unavailable information during the time after the Pre-Hearing but before the Hearing, the student should inform the Title IX Investigator immediately. If the new information is pertinent to the consideration of the case, the Title IX Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Hearing.

Formal Allegations will be assigned during the Pre-Hearing per the information and evidence gathered during investigation. Allegations are assigned for deliberation in the Hearing by the Hearing Officer to determine the student's responsibility for misconduct. An Allegation Letter will be provided to the student in the Pre-Hearing Meeting or via other methods of notice. Title IX Investigator will schedule the Final Hearing no sooner than five (5) university working days from the date of the last Pre-Hearing. The five-day period can be waived by the Deputy Title IX Coordinator for Students upon consultation with the involved student(s).

#### h. Hearing

After proper notice has been given to the students, TTUHSC EL PASO may proceed to conduct a hearing and deliver a decision or recommendation respectively. The Deputy Title IX Coordinator for Students shall appoint a Hearing Officer to conduct a Hearing under Part IV of the Handbook. The Hearing may be held and a decision or recommendation made, regardless of whether the student responds, fails to respond, attends the hearing or fails to attend the hearing. Should the student fail to attend the Hearing, the Hearing Officer may consider the information and render a decision.

Hearings are closed to the public. Both the Complainant and Respondent have the right to be present at the Hearing; however, they do not have the right to be present during the deliberation. Arrangements can be made so that Complainant and Respondent do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, students should contact the Deputy Title IX Coordinator for Students not less than three (3) days prior to the scheduled hearing.

The Title IX Investigator presents the investigation report, evidence, witnesses, allegations, and questions for deliberation. The Hearing Officer may question the Title IX Investigator, Complainant, Respondent and any witnesses. The Complainant and Respondent do not have the right to question each other nor witnesses directly but may do so through the Title IX Investigator. The Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Hearing Officer may ask questions to all parties through the Title IX Investigator. Should new evidence be presented without prior discussion with the Title IX Investigator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officer removes a student due to misconduct (Complainant, Respondent, or witnesses) the alleged misconduct will be forwarded to the Deputy Title IX Coordinator for Students or his/her designee. In regard to removal of the student, the Deputy Title IX Coordinator for Students or his/her designee will forward the alleged misconduct to the appropriate

student conduct administrator, who will follow the conduct process in Part II of the Student Handbook in regard to adjudication of the alleged misconduct.

Following the hearing, the Hearing Officer will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. The Hearing Officer will inform the Deputy Title IX Coordinator for Students in writing within five (5) University working days of the decision(s).

Outcomes of the Hearing will be provided to the student(s) in writing within five (5) University working days of the conclusion of the Hearing.

Either the Complainant or Respondent may utilize Disciplinary Appeal Procedures outlined in sub-section j below.

i. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

The Hearing Officer may impose sanctions, including but not limited to those described in Part II of the Student Code, conditions and/or restrictions as a result of a Hearing where the student is found responsible.

If the allegation involves a student organization, the Hearing Officer may meet with a University staff member whose professional capacity involves the advising of the organization. This staff member may provide information relevant to potential sanctions, conditions, and restrictions for the Hearing Officer.

All records concerning a student or student organization related to the disciplinary process will remain on file with the Deputy Title IX Coordinator for Students for a minimum of seven (7) years from the date the case is completed through a Hearing and/or disciplinary appeal procedures.

j. Conduct Appeal Procedures

A student may appeal the decision or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officer by submitting a written appeal to the Vice President of Academic Affairs or his/her designee within five (5) University working days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- i. A procedural [or substantive error] occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- ii. The discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
- iii. The sanctions imposed substantially vary from the range of sanctions normally

imposed for similar infractions.

Either the Complainant or Respondent may appeal the decision of the Hearing Officer. The Deputy Title IX Coordinator for Students will provide the request for appeal to the other party and provide opportunity for response.

The Vice President of Academic Affairs will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. If an appeal is granted, the results of the appellate process as outlined below will be final. If the designated appeal officer determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officer to reconsider the new evidence, or may order a new Hearing. If new evidence is considered, the Hearing Officer may increase, decrease, or otherwise modify the sanctions, conditions, and/or restrictions. The Hearing Officer or designee will notify the student of the outcome using the written notice procedures within eight (8) University working days of the decision. The decision is final and may not be appealed. If a new Hearing is ordered, all hearing Conduct Procedures in Part IV will be followed. The Hearing Officer will notify the student of the outcome using the written notification procedures within five (5) University working days of the decision. The decision of the new Hearing Officer is final and may not be appealed.

If the Vice President of Academic Affairs or designee determines that a material procedural or substantive error has occurred, he/she may return the complaint to the original hearing officer with instructions for another hearing in light of the appellate findings. All hearing Conduct Procedures described in Part IV will be followed. The original Hearing Officer will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of the decision. This decision is final and may not be appealed. In those cases in which the error cannot be cured by the original Hearing Officer(i.e., some cases of bias), the Vice President of Academic Affairs or designee may order a new hearing with a new Hearing Officer. If a new Hearing is ordered, all hearing Conduct Procedures in Part IV will be followed. The new Hearing Officer or designee will notify the student in writing of the outcome within five (5) University working days of the decision. The decision of the new Hearing Officer is final and may not be appealed.

If the Vice President of Academic Affairs determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the Vice President of Academic Affairs or designee may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officer or convening anew Hearing. The Vice President of Academic Affairs will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of the decision. The decision of the Vice President of Academic Affairs is final and cannot be appealed.

The Deputy Title IX Coordinator for Students shall make all reasonable efforts to timely notify the student(s) of the status of the appeal throughout the appellate process, and shall make all reasonable efforts to notify the students as to the result of the appeal within five (5) University working days after the final decision is rendered. The appeals officer's

decision is final.

h.i. \_\_\_\_\_

#### **PART IV: Anti-Discrimination Policy**

~~Texas Tech University Health Sciences Center does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, status as a covered veteran, genetic information, or other protected categories, classes, or characteristics. While sexual orientation is not a protected category under state or federal law, it is Texas Tech University Health Sciences Center, El Paso policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.~~

~~Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.~~

#### **A. Definitions**

##### **1. Discriminatory Harassment**

~~Discriminatory harassment is verbal or physical conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, genetic information, or other protected categories, classes, or characteristics and is so severe, persistent, or pervasive it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment, or interferes with the victim's ability to realize the intended benefits of the university's resources and opportunities.~~

##### **2. Sexual Harassment**

~~Sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that are unwelcome and expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual's (i) academic pursuits, (ii) university employment, (iii) participation in activities sponsored by the university or organizations related to the university, or (iv) opportunities to benefit from other aspects of university life.~~

#### **B. Reporting Concerns**

~~Students complaining of discriminatory and sexual harassment should contact the Title IX Coordinator for Students, Assistant Vice President for Student Services, 2C400 Academic Classroom Building, (806) 743-2300, or Associate Dean of Student Affairs, Medical Education Building, Room 2140, (915) 215-4370. Students complaining of discriminatory and sexual harassment in their employment capacity should contact the Office of Equal Employment Opportunity, 212 Administration Building, (806) 742-3627, 200 N. Concepcion Rd, El Paso, Texas 79905, (915) 215-4145.~~

### ~~C. Office of Civil Rights Complaints~~

~~Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office of Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100, Customer Service Hotline#: (800) 421-3481, www.ed.gov/ocr.~~

### ~~D.<sub>1,2</sub> Non-retaliation~~

~~Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or hearing. Retaliatory harassments is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.~~

### ~~E.<sub>1,2</sub> Confidentiality~~

~~Confidentiality of both complainant and accused will be honored to such extent as is possible without compromising the university's commitment to investigate allegations of discrimination and harassment. The willful and unnecessary disclosure of confidential information by anyone, including the alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.~~

~~On campus, some resources can offer students confidentiality, sharing options and advice without any obligation to tell anyone unless the student wants it except should the resource fear for your safety, or the safety of others. If one desires that details of the incident be kept confidential, they should speak with the Student Counseling Center, Program of Assistance for Students (PAS), or an off-campus mental health or crisis resource. In addition, students may speak to on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential.~~

### ~~F.<sub>1,2</sub> Faculty/Staff and Student Relationships~~

~~Texas Tech University Health Sciences Center Texas Tech University Health Sciences Center El Paso is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Student relationships faculty/staff with direct teaching, training, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the ethical and professional boundaries that must exist in such situations. If questions arise about conflict of interest situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean or the Assistant Vice President for Students Associate Dean for Student Affairs.~~

### ~~G. Dissemination~~ G. Dissemination of Discriminatory and Sexual Harassment Information

~~Texas Tech University Health Sciences El Paso provides educational programs on discriminatory and sexual harassment via the Texas Tech University (TTU) Ombudsman Office. Victim resources and services are available in the Office of Student Services, TTU Ombudsman Office, TTU Student Housing, TTU Student Counseling Center and the PAS Program for Assistance to Students (PAS). Policies and resources related to discriminatory and sexual harassment are provided at orientation.~~

#### ~~H. Grievances~~

- ~~1. A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC TTUHSCEP policy. A violation of a university policy alone does not necessarily constitute a violation of law or an action prohibited by law. Grievance processes are outlined in Part XI of the Student Handbook.~~
- ~~2. This grievance process is applicable to all students who choose to complain about unlawful discrimination or other violations of the law that adversely affect their educational environment.~~
- ~~3. While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.~~
- ~~4. The filing of a grievance shall not affect the ability of TTUHSC TTUHSCEP to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance.~~

### **PART V. STUDENT RECORDS**

#### **A. General Policy**

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from disciplinary records. (During the time of disciplinary suspension or expulsion, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Texas Tech University Health Sciences Center at El Paso.

#### **B. Address of Record**

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official university requirements. Students should maintain a current local address and telephone number that is used by university officials, and/or student organizations and the campus community.

#### **C. Student Access to Educational Records**

All current and former students of the university have the right to access their educational records as provided by law.

Notification of Rights under FERPA for Postsecondary Institutions The Family Educational Rights and Privacy ACT (FERPA) afford eligible students certain rights with

respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center El Paso receives a request for access.

A student should submit to the Office of the Registrar a request by completing and submitting HSC OP 77.13 Attachment B 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.

a. Generally if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.

b. Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.

2. The right to provide written consent before the university 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 the [School] 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 trustees; 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 the [School] who performs an institutional service of 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 or a student volunteering to assist another school official in performing his or her tasks. 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 the [School].

[Optional] Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE TO POSTSECONDARY INSTITUTION: FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school states in its annual notification that it intends to forward records on request.]

3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office

TTUHSCEP Student Handbook



U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

~~All current and former students of the university have the right to access their educational records as provided by law.~~

4. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.

5. Personally identifiable information such as rank in class, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student

~~1. Students may obtain copies of records relating to themselves by completing and submitting HSC OP 77.13 Attachment B to the Office of the Registrar. The reproduction charge shall not exceed the actual cost to the university.~~

~~a. Generally, if the Education Record is covered under FERPA, the Student may inspect or review the Education Record at the office of the Records Custodian, but does not have the right to receive copies of the Education Record unless a Student is effectively prevented from onsite inspection or review of his/her Education Record. The Student may then have a right to receive copies of the Education Record at the Student's expense after evaluation of the circumstances by the Records Custodian.~~

~~b. Official copies of academic records or transcripts will not be released for Students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.~~

~~c. While TTUHSCTTUHSCEP is not required to give student access to treatment records under FERPA (see section 1(b)(4) above), a Student may request in writing that those records be released.~~

~~2. The university will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.~~

~~3. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.~~

~~4. Personally identifiable information such as rank in class, personal conduct, grade-point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student.~~

#### **D. Records Not Accessible to Students**

The following are records not accessible to students:

1. Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

2. Records of the Texas Tech Police Department, subject to the provisions of 34 C.F.R. 99.8;

3. Records relating solely to an employee of ~~TTUHSCTTUHSCEP~~ in his/her capacity as an employee that are not available for any other purpose, unless the Student is employed as a result of his/her status as a Student;
4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and
5. Alumni records or other records that contain information about an individual after he/she is no longer a Student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

#### **E. Disclosure of Education Records**

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within Texas Tech University Health Sciences Center whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31 (a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or-State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31 (a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4))

- To organizations conducting studies for, or on behalf of, the school, in order to:  
(a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a)(6))
- To accrediting organizations to carry out their accrediting functions.  
((§99.31 (a)(7))  
45
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- To comply with a judicial order or lawfully issued subpoena.  
(§99.31 (a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31 (a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31 (a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31

**A. (a)(15))**

~~Educational records (or personally identifiable information within a record) may be released without the written consent of the students to:~~

- ~~6. Officials, faculty and staff employed by the university if they have a legitimate educational interest.~~
- ~~7. Officials of other educational institutions in which the student intends to enroll or seeks to enroll if the student is notified of what is being released and given a copy if desired.~~
- ~~8. Authorized representatives of the Comptroller General of the United States, the Secretary of Education and administrative heads of educational agencies or state educational authorities.~~
- ~~9. Individuals needing this information in connection with a student application for, or~~  
TTUHSCEP Student Handbook

receipt of, financial aid.

~~10. Federal, state and local officials to whom laws (in effect on or before November 19, 1984) require information to be reported.~~

~~11. Organizations such as Educational Testing Service administering predictive tests, student aid programs, and improving instruction. The organizations must not show the personally identifiable information to outsiders and the information must be destroyed when no longer needed for audit, evaluation or compliance with federal requirements.~~

~~12. Accrediting organizations.~~

~~13. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ascertained by the university office concerned.~~

~~14. Appropriate persons, if necessary, to protect the health or safety of the student or other persons.~~

~~15. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena, on condition that the student may be notified by the university of all such orders and subpoenas in advance of compliance.~~

#### **F. Student's Request to Amend Records**

Students have the right to request an amendment of their educational records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student Handbooks for each School and the ~~TTUHSCTTUHSCEP~~ Student Handbook/Code of Professional Conduct. The request is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed to amend the records.

~~16.1.~~ Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Records CustodianOffice of the Registrar, who may or may not honor the request.

~~17.2.~~ If the result of the informal discussion with the Records CustodianOffice of the Registrar is not satisfactory to the Student, and the Student still wishes to have the record corrected, the Student should submit a Student Request to Amend Education Records form HSC OP 77.13 (Attachment C) to the Senior Vice PresidentAssistant Vice President for Student Services for Academic Affairs or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the Student believes the record is inaccurate, misleading or in violation of his/her privacy rights. **[Note: The substantive judgment of a faculty member regarding a Student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for Students**

**challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student handbooks for each School and the TTUHSCTTUHSCEP Student Handbook/ Code of Professional Conduct.]**

48.3. After receiving the written request from the Student for a change in his/her Education Records, the ~~Senior Vice President~~Assistant Vice President for Student Services for Academic Affairs ("SVPA") or designee shall request, and the ~~Records-Custodian~~Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the ~~Records-Custodian~~Office of the Registrar, the SVPA or designee will provide written notification to the Student whether or not ~~TTUHSCTTUHSCEP~~ will implement the change. If not, the SVPA or designee will notify the Student of the right to a hearing to challenge the information believed by the Student to be inaccurate, misleading, or in violation of the Student's rights.

49.4. Upon receiving a written request from the Student for a hearing, the ~~SVPA~~Assistant Vice President for Student Services or designee shall arrange for a hearing and provide written notice to the Student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:

a. The hearing shall be conducted by a hearing official or committee appointed by the President or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the Student or the ~~Records-Custodian~~Office of the Registrar.

b. At least five (5) days prior to the date scheduled for the hearing, the Student and the ~~Records-Custodian~~Office of the Registrar, shall submit to each other, as well as to the hearing official or committee, any and all pertinent documents and a list of witnesses and advisors who are to be involved in the hearing process. The Student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. If the Student has an advisor, the Office of General Counsel shall represent the University. The Student and the ~~Records-Custodian~~Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the Parties are not permitted to speak or participate directly in the hearing.

c. At the hearing, the Student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the Student.

d. Any additional information regarding the hearing procedures will be provided to the Student when notified of the right to a hearing.

e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in

writing to the Student, the ~~Records-Custodian~~ Office of the Registrar, and the ~~SVPA~~ Assistant VP for Student Services or designee. The decision must include a summary of the evidence and the reasons for the decision. If, as a result of the hearing, the hearing official or committee determines that the information in the Education Record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the Student, the Student will be notified of the right to place a statement in the record contesting the information in the record or stating why the Student disagrees with the decision of the agency or institution, or both. Any statement provided by the Student shall be maintained with the contested portion of the record for as long as the record is maintained. In the event the contested portion of the record is later requested, the statement shall be disclosed with the record to the extent it pertains to the contested portion.

### **G. Release of Student Directory Information**

The following student information is considered Texas Tech University Directory Information:

1. Student Name
2. Permanent and Local Addresses
3. Telephone Numbers
4. Classification
5. Major Field of Study
6. Dates of Attendance
7. Degrees, Awards, and Honors Received
8. Specific Enrollment Status
  - a. Full-time, Part-time, Half-time
  - b. Undergraduate, Graduate
9. Participation in Officially Recognized Sports and Activities
10. Previous Institution's Attended
11. Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld by submitting a completed HSC OP 77.13 Attachment A, Student Consent to Release Education Records, or by restricting personal directory information at WebRaider.ttuhsce.edu on the MyTech tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as "directory information". To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information **prior** to the 12th class day in the fall term. Restricted directory information will remain restricted until the students unrestricts the information.

### **H. Destruction of Records**

The university constantly reviews the "educational records" it maintains and periodically destroys certain records. The university will not destroy records if prohibited by state or federal law. The student's basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the ~~Student Judicial Programs office~~ Associate Dean for Student Affairs office. Student Disability Services records are maintained for three years after the last date of enrollment.

### **I. Letters of Recommendation**

1. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
2. Under the Family Educational Rights and Privacy Act 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.

### **J. Medical Records**

Medical records are maintained for students seen by a Texas Tech faculty at Texas Tech Physicians at Hague or other Texas Tech clinics. ~~Student Health Services provider.~~ Information contained in the medical record is completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by law. Students needing to request a copy of their medical records ~~may contact Student Health Services at (806) 743-2860~~ the office of Student Affairs at (915) 215-4370. ~~should contact the office where they received care.~~

## **PART VI. REGISTRATION OF STUDENT ORGANIZATIONS**

### **A. Conditions for Registration**

1. ~~Student organizations wishing to register with the Texas Tech University Health Sciences Center~~ Texas Tech University Health Sciences Center at El Paso must file an application with the Office of HSC-Student Services. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the ~~Texas Tech University Health Sciences Center~~ Texas Tech University Health Sciences Center at El Paso.
2. This application shall contain, but not be limited to, the following information:
  - a. A statement of the organization's purposes;
  - b. Any present or intended relation the organization may have to any other local, state, or national organization;
  - c. The organization's proposed activities;
  - d. A list of the organization's officers;



- e. A copy of the organization's constitution/bylaws;
- f. A copy of the constitution/bylaws of any related organization if any; and,
- g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
- g-h. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by TTUHSC at El Paso

2.

3. Membership in the organization shall be open only to students of ~~Texas Tech-University Health Sciences Center~~ Texas Tech University Health Sciences Center at El Paso without regard to race, religion, sex, handicap or national origin, except in cases of designated fraternal organizations which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.

4. The organization shall not duplicate the purposes and functions of a previously registered organization unless need for such duplication is substantiated.

5. All funds allocated to the organization from ~~TTUHSC~~ TTUHSCEP controlled sources must be maintained in a ~~TTUHSC~~ TTUHSCEP account.

6. The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization and be lawful and peaceful in its activities.

7. The organization shall not use the name of the ~~Texas Tech-University Health-Sciences Center~~ Texas Tech University Health Sciences Center El Paso, logotype, or symbols of ~~TTUHSC~~ TTUHSCEP as part of its name or in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by ~~TTUHSC~~ TTUHSCEP. The organization is permitted to use the word "TTUHSCEP Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSCEP." Requests to use logos or symbols protected by TTUHSCEP, Texas Tech University or the Texas Tech University System shall be submitted to Office of Communications and Marketing the ~~Vice Chancellor for Institutional Advancement.~~

8. Registration of an organization results from compliance with these regulations; it does not imply ~~TTUHSC~~ TTUHSCEP approval of the organization or its activities.

8.

9. The organization shall agree to adhere to the policies, rules, and regulations of the TTUHSC at El Paso

## **B. Faculty or Staff Advisor**

Each registered organization shall have a ~~TTUHSCT~~TTUHSCEP full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to attend organization meetings and functions as often as possible, to certify the expenditures of the organization by ~~co-signing checks or vouchers~~, to offer suggestions regarding the operations of the organization and to oversee adherence to ~~TTUHSCT~~TTUHSCEP regulations and the organization's constitution and bylaws.

### **C. Conditions for Maintaining Registration**

1. In order to maintain its registration, a student organization shall comply with the following requirements:

- a. The organization shall file a list of its current officers and advisor within one (1) month of the first day of classes of the fall semester each year. The current president of the organization, or his or her designated representative shall file notification of subsequent changes, when such changes occur.
- b. The organization shall submit to the TTUHSCEP Office of ~~TTUHSCT~~TTUHSCEP Student Services for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds or changes in membership requirements.
- c. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the ~~Texas Tech University Health Sciences Center~~Texas Tech University Health Sciences Center at El Paso.
- d. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the application.
- e. The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable ~~Texas Tech University Health Sciences Center~~Texas Tech University Health Sciences Center at El Paso regulations and state statutes.
- f. The organization shall be responsible for the observance of all applicable ~~TTUHSCT~~TTUHSCEP regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.
- g. The Office of ~~TTUHSCT~~TTUHSCEP Student Services may withdraw the registration of an organization for non-compliance with University policies and procedures.

### **D. Denial of Registration**

1. No student organization will be officially registered with the ~~Texas Tech University~~TTUHSCEP Student Handbook

~~Health Sciences Center~~ Texas Tech University Health Sciences Center El Paso if the Office of ~~TTUHSC~~ TTUHSCEP Student Services determines that the organization's actions or activities are detrimental to the educational purposes of the University or not in accordance to the Student Handbook.

2. If registration is denied, the designated president and advisor of the applying organization shall be notified of the decision by the Office of ~~TTUHSC~~ TTUHSCEP Student Services in writing. The applying organization may appeal in writing to the ~~Senior Vice President~~ Assistant Vice President for Student Services for Academic Affairs, ~~Associate Dean for Student Affairs~~ within five (5) business days from the date of the denial letter. The decision of the ~~Senior Vice President~~ Assistant Vice President for Student Services for Academic Affairs, ~~Associate Dean for Student Affairs~~ is final.

## **PART VII. USE OF UNIVERSITY SPACE, FACILITIES AND AMPLIFICATION EQUIPMENT**

### **1. Space and Facilities**

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is permitted and encouraged for activities which are intended to serve or benefit the entire University community.

~~b. TTUHSC buildings, grounds, or property may not be used by individuals or organizations not connected with TTUHSC.~~

~~e.b.~~ Outside individuals or groups who are not faculty, staff or a currently enrolled student may attend functions held on TTUHSC TTUHSCEP property, but to be eligible for use of campus facilities, the function must be sponsored or cosponsored by, and affiliated with, a recognized TTUHSC TTUHSCEP department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, participation in, planning, coordination, and implementation directly by members of the sponsoring organizations. Sponsors are directly responsible for ensuring that activities and events comply with TTUHSC TTUHSCEP requirements for liability insurance, hold-harmless agreements, financial responsibility for property damage, etc.

~~d.c.~~ Permission to use campus space facilities may be granted only by the offices designated by TTUHSC TTUHSCEP OP 61.07, *Use of TTUHSC* TTUHSCEP *Premises and Amplification Equipment*. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person.

~~e.d.~~ TTUHSC TTUHSCEP reserves the right to move the location of any assembly should it appear that the activity might interfere with the normal operations of TTUHSC TTUHSCEP or interfere with the rights of others. The use

of buildings, grounds or TTUHSCTTUHSCEP property must conform to these regulations and to local, state and federal law.

f.e. Although TTUHSCTTUHSCEP is generally an open campus for purposes of student, faculty and staff free expression activities, students, faculty and staff are encouraged, and person and groups not affiliated with TTUHSCTTUHSCEP are required, to use the Forum Areas of the campus for free expressions activities. Forum Areas for each campus are set forth in TTUHSCTTUHSCEP OP 61.07, *Use of TTUHSC TTUHSCEP Premises and Amplification Equipment*.

g.f. With the exception of free expression activities mentioned above, reservations must be made for the use of TTUHSCTTUHSCEP premises and must be in accordance with TTUHSCTTUHSCEP OP 61.07, *Use of TTUHSC TTUHSCEP Premises and Amplification Equipment*. The term "TTUHSCTTUHSCEP premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSCTTUHSCEP (including adjacent streets and sidewalks).

## **PART VIII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS**

Solicitation and sales and services on University premises or in University-owned or University- controlled buildings are prohibited without prior written approval from the Office of Student Services. This includes financial planners, mortgage vendors and other financial services. The distribution of advertising leaflets or handbills or the use of sound trucks and equipment to promote sales on University premises is also prohibited without prior approval from the Office of Student Services.

## **PART IX. STUDENT TRAVEL POLICY**

### **A. TTUHSCTTUHSCEP OP 77.08, Student Travel Policy**

1. TTUHSCTTUHSCEP OP 77.08 regulates any travel undertaken by one or more students presently enrolled at TTUHSCTTUHSCEP to an activity or event that is located more than 25 miles from the campus of TTUHSCTTUHSCEP. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSCTTUHSCEP, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSCTTUHSCEP.

2. Modes of travel by students to events or activities as defined above include:

- a. personally-owned vehicles;
- b. rental cars, vans, chartered buses;
- c. commercial airlines; and
- d. use of TTUHSCTTUHSCEP-owned vehicle.

3. The purpose of this policy is to help minimize the risks of liability connected with motor vehicle travel by University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization.

3.4.

## **B. Travel Using University-Owned Vehicles**

1. Appropriate Use. Only persons who are acting within the course and scope of University-related activities should use University vehicles.

2. Drivers. Because of the risks of personal injury, it is required that only those persons whose names appear on the approved driver's list be asked or allowed to use University-owned motor vehicles. If students will be using state-owned or rental vehicles, the following is required:

a. The requesting department or unit must place students who drive on behalf of the University on the approved driver's list.

b. Qualifications for drivers of all University or rental vehicles are as follows:

- i. Must possess a valid (Texas or other U.S. state) driver's license, be at least 18 years of age and have held a valid license for at least two years;
- ii. Must have available documentation of current personal insurance;
- iii. Must sign a disclosure statement;
- iv. Must not have any moving violations within the last 18 months,
- v. Are required to report any driving violations to their immediate supervisor as soon as possible. This includes violations that occur while driving a vehicle not owned by the University; and
- vi. Must not have had any violations for drunk driving, driving under the influence of drugs or reckless driving. Must not have had a reinstated license in effect for less than one year after a revocation.

vii. must be able to provide documentation of current personal automobile liability insurance  
~~vi.~~viii.

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

- i. Must be at least 21 years of age;
- ii. Must comply with Motor Vehicle check on an annual basis;
- iii. Must successfully complete a driver training course;
- iv. Must attend retraining annually; and
- v. Must not have any moving violation in the last 18 months.
- ~~v.~~vi. must successfully pass a drug test

3. Operator Conduct.

a. Operators of University vehicles must take a 15-minute break every 3 hours

and may drive no more than 10 hours in a 24-hour period. When the vehicle driven is a van with passengers, a second person must remain awake at all times and ride in the front passenger seat.

b. Those who operate a University vehicle represent the University to the general public. The image conveyed does affect the University; therefore:

- i. DO NOT use University vehicles for personal transportation or business;
- ii. DO NOT allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;
- iii. DO NOT pick up hitchhikers or transport family members;
- iv. DO NOT allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;
- v. DO observe all traffic rules and regulations;
- vi. DO drive carefully, safely, and courteously;
- vii. DO require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;
- viii. DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints; and,
- ix. DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle.

X. Are restricted the use of a cell phone use while operating vehicle

c. When a vehicle is damaged through operator misuse or operated by a person under the influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

d. Use common sense when driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

4. Accidents. The following procedures should be followed whenever a University vehicle is involved in an accident, regardless of the extent of damage.

- a. Stop immediately and notify local police so that an official report can document the accident;
- b. Take necessary steps to prevent another accident;
- c. Use the motor pool card with instructions on the front and numbers to call on the back;
- d. Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;
- e. Get names and addresses of all witnesses;
- f. Provide all required information to the police officer;

g. Notify the department head or supervisor (if you are unable to contact or reach someone, contact the Texas Tech Police Department); and,

h. Refer to ~~TTUHSCTTUHSCEP~~ TTUHSCEP OP 76.34, *Accidents Involving University Vehicles*, for the completion of required vehicle accident documentation.

### **C. Travel Using Personal Vehicles**

1. Transportation Generally. The University recognizes that students occasionally use personal vehicles while engaged in University-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their personal vehicles while conducting University business should be made aware of the possibility of personal liability related to such use. No University coverage for personal injuries is available to students if they drive their personal vehicles on university-related activities as defined hereinabove.

2. Reimbursement for Costs. Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. will not be reimbursed.

3. Use of Personal Vehicles Not Required. No individual shall be required to use a personal vehicle to perform University-related activities with the exception of clinical affiliation sites.

#### **4. Policy Concerning Use of Personal Vehicles by Students.**

a. Use of personal vehicles by students to drive to University-related activities is discouraged.

b. If students use their personal vehicles, and/or transport other students as passengers, their personal insurance will be primarily responsible for any liability that may arise from such use.

c. No University coverage for personal injuries is available to students if they drive their personal vehicles on University-related activities as defined here in above.

### **D. Policy Concerning Student Releases and Medical Authorization**

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities, execute a copy of the Release and Indemnification Agreement and the Authorization for Emergency Medical Treatment.

### **E. Guidelines Concerning Safe Travel Practices**

1. Each administrative unit approving University-related travel, especially travel that TTUHSCEP Student Handbook

involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.

2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, ~~TTUHSC~~TTUHSCEP, Texas Tech University or Texas Tech University System will assume no responsibility, financial or otherwise.

3. Faculty and staff sponsors and organization officers are urged to take all possible pre-cautions to ensure the safety and well-being of all persons participating in off-campus activities.

4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.

5. Please refer to the ~~TTUHSC~~TTUHSCEP ~~Office of International Affairs~~ Travel Office and the Office of Global Health for information regarding travel abroad.

## **PART X. MISCELLANEOUS POLICIES**

A. Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

### **1. Absences**

Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

### **2. Academic Requirements**

Academic requirements vary with each ~~TTUHSC~~TTUHSCEP School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog for specific details.

### **3. Admissions and Applicants**

The educational policies of the ~~TTUHSC~~TTUHSCEP are founded upon the regulations TTUHSCEP Student Handbook



of the Board of Regents of the Texas Tech University System. ~~TTUHS~~TTUHSCEP is an upper-level, graduate, and professional study institution. The application and admissions policies for ~~TTUHS~~TTUHSCEP are outlined in the individual Schools' catalogs.

Most programs at ~~TTUHS~~TTUHSCEP have a deadline for receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are advised to contact the program to which they are seeking admission for specific deadline dates.

#### 4. Adding and Dropping Courses

Consult with your academic department for deadline dates for adding and/or dropping courses. Students should make an appointment with his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the School's program. Please refer to the individual Schools' catalogs and/or handbooks for more specific details relating to your program.

#### 5. Affiliation

The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the student body.

#### 6. Attendance

The faculty member responsible for the course determines attendance requirements for each course. A student who fails to attend any class for any reason is responsible for the material presented in class, assignments, examinations, announcements, etc. to the same extent as though the student had attended the class. Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

#### 7. Bacterial Meningitis

a. *General.* Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitidis*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.

b. *Risks and Exposures.* The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.

c. *Symptoms and Diagnosis.* Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:

- i. High fever
- ii. Severe Headaches
- iii. Vomiting
- iv. Light sensitivity
- v. Stiff neck
- vi. Nausea
- vii. Lethargy
- viii. Seizures
- ix. Confusion and sleepiness
- x. Rash or purple patches on skin

d. *Possible Treatment and Consequences If NOT Treated.* Antibiotic treatment may be effective if exposure and disease is detected early. Possible consequences of the disease, include, but are not limited to:

- i. Permanent brain damage
- ii. Kidney failure
- iii. Learning disability
- iv. Gangrene
- v. Coma
- vi. Convulsions
- vii. Hearing loss
- viii. Blindness
- ix. Limb damage that may require amputation
- x. Death

e. *Prevention.* Vaccinations may be effective against 4 of the 5 most common bacterial types that cause 70% of the disease in the United States. Vaccinations typically take 7-10 days to become effective, with protection lasting 3-5 years. The vaccination is generally safe--most common side effects may include redness and minor pain at the injection site for up to two days.

f. *Information.* If you have more questions contact:

- i. Your healthcare provider
- ii. Your local or regional Texas Department of Health
- iii. Texas Tech Physicians at Hague 915-215-5810
- ~~iii-iv.~~ TTUHSCEP Office of Occupational Health TTUHSCEP  
Family Practice Clinic at 806-743-2757 915-215-4429.
- ~~iv-v.~~ Visit these web sites for more information -  
[www.cdc.gov/ncidod/dbmd/diseaseinfo](http://www.cdc.gov/ncidod/dbmd/diseaseinfo) or [www.acha.org](http://www.acha.org)

## Medical and Religious Exemptions 2010-2011 Texas Vaccine Exemption Information

The State of Texas in-law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some time so please don't wait until the last minute to get your papers in order.

For everyone claiming an exemption for the first time after 9/1/03, you must comply with the new law. If you've submitted an old religious exemption prior to 9/1/03, you are grandfathered under the old law (see notes below) and do not need a new form. The vaccine exemption forms for reasons of conscience including a religious belief are only for students claiming a vaccine exemption for the first time after 9/1/03 when the new law went into effect. If you need to request forms from the state health department, you can do it by fax, mail, personal visit, or through an online submission form. If you send your request by mail, we suggest sending it registered mail with a receipt so you can keep track of your request. If you send it by fax, set your fax machine to print out a delivery receipt. We would like to keep track of the Health Department's processing time.

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <http://webds.dshs.state.tx.us/immco/affidavit.shtm>.

### **8. Required Immunizations**

In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC requires **all entering students** to provide documentation of all immunizations as listed below. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation

### **I. Tuberculosis Surveillance**

Tuberculosis surveillance for Covered Individuals is based on current U. S. Department of Health and Human Services, *Centers for Disease Control and Prevention (CDC) Recommendations and Reports (December 30, 2005, 54 (#RR-17):1-147*), *Guidelines for Preventing the Transmission of Mycobacterium tuberculosis in Health-Care Settings*.

### **II. Immunizations**

Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). See attached CDC *Healthcare Worker Vaccination Recommendations* (2011).

### **III. Exposure Management**

Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC)."

#### **9. Working with Affiliated Entities-Student Drug Screenings, HSC OP 77.15**

##### **1. Defined Terms**

For purposes of this policy the term "Student" does not include residents in the ~~Schools of Medicine (HSC and Paul L. Foster School of Medicine) or School of Pharmacy.~~

##### **2. Background**

~~TTUHSC~~TTUHSCEP enters into affiliation agreements with various health care clinical entities ("Affiliated Entities"), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in ~~TTUHSC~~TTUHSCEP clinical education programs.

Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by ~~TTUHSC~~TTUHSCEP as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.

Clinical rotations are an essential element in certain degree programs' curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program. ~~TTUHSC~~TTUHSCEP schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.

##### **3. Clinical Placement.**

Placements at Affiliated Entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the Affiliated Entity. Any student placed with an Affiliated Entity that requires additional background checks and/or drug screens, who cannot meet these requirements, must discuss all available options with their School's Office of Student Affairs or their designee.

Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied externship placement, s/he shall be subject to disciplinary action in accordance with the ~~TTUHSC~~TTUHSCEP policies.

##### **4. Responsibility of the School**

The student's School shall:

- a. Notify the student of the Affiliated Entity's requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated

Entity, deadlines to meet the Affiliated Entity's requirements, a list of approved drug screen testing vendors, and a completed Authorization, Attachment "A," for signature by the student.

b. Receive the student's drug screen test results, which shall be maintained in a confidential, locked file separate from the student's primary educational records.

c. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.

#### 5. Responsibility of the Student

a. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by TTUHSCTTUHSCEP provided articles *b, c, d*, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSCTTUHSCEP designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.

b. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.

c. The student shall use a drug screen vendor from the designated vendors provided to the student by his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.

d. The student will be required to sign a valid consent and authorization, Attachment "A," consenting to the drug screening and giving the vendor performing the test permission to provide the drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.

#### 6. Student Refusal to Consent to Drug Screen

Any student who fails or refuses to consent to a drug screen required by an Affiliated Entity to which the student has been assigned by his/her School shall be subject to disciplinary action in accordance with the TTUHSCTTUHSCEP Student Handbook/Code of Professional and Academic Conduct, the Schools' written policies, if any, and this policy.

#### 7. Period of Validity – Drug Screen Results

a. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program

within the School unless there is a break in enrollment, defined as not enrolled for one full semester.

b. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.

#### 8. Drug Screen Results

a. Diluted Specimen. Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at his/her expense, will be required to complete and successfully pass a new drug screen test.

b. Negative Drug Screen Results. The School which receives the a student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, Attachment A.

c. Positive Drug Screen Results.

1) A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.

2) Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.

3) The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.

4) Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.

5) If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.

#### 9. Confidentiality of Records

Drug screening reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law.

#### 10. Readmission

a. Any student who is withdrawn due to a positive drug screen without medical validation will only be eligible for readmission to any TTUHSGTTUHSCEP program of study in accordance with the School's readmission policies.

b. If accepted for readmission after the required period of time, the student must, at his/her own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the School.

11. Right to Change Policy.

TTUHSGTTUHSCEP reserves the right to change, modify, amend or rescind this policy in whole, or in part. at any time.

9..10. Credit by Exam

Specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the Gayle Greve Hunt School of Nursing does not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade-point averages. TTUHSGTTUHSCEP Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.

110. Disabilities (Students)

TTUHSGTTUHSCEP OP 10.15 complies with the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified and competitive individual with a disability shall be denied access to or participation in services, programs and activities of TTUHSGTTUHSCEP solely on the basis of the disability.

Students with grievances related to discrimination on the basis of a disability should review the Student Handbook, Part IV Anti-Discrimination and Grievance Policy. The grievance process would include the ADA Compliance Officer for Students.. Any student seeking accommodations on the basis of disability must register as a disabled student with the ADA Compliance Officer for Students in the Office of Student Services/ Student Affairs and must provide all required documentation of disability. Students seeking accommodations must complete an application for disability services and provide supporting documentation.——For more information, visit [www.ttuhsce.edu/HSC\\_OP10.15.pdf](http://www.ttuhsce.edu/HSC_OP10.15.pdf).

12. Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSGTTUHSCEP on any basis prohibited by applicable law, including but not limited to, race, color, national

origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. The individual Schools as noted in their Schools' catalogs should direct non-academic student matters to the Office of Student Services. For more information, visit [www.ttuhsce.edu/HSC OP 51.01](http://www.ttuhsce.edu/HSC OP 51.01), Equal Employment Opportunity Policy and Affirmative Action Plan.

### 13. Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the ~~TTUHSC~~ TTUHSCEP OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

### 14. Exams

Please refer to the individual School's catalogs for more specific exam details relating to your program. Any student seeking exam accommodations on the basis of disability must register as a disabled student with the ADA Compliance Office for Students in the Office of Student Services and must provide all required documentation of disability. Appropriate and reasonable accommodations, if any, will be determined by the ADA Compliance Office for Students in the Office of Student Services.

### 15. Financial Policies

Students must meet all financial responsibilities due the University. The writing of checks on accounts with insufficient funds, the non-payment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University, are considered a lack of financial responsibility. Financial irresponsibility can subject the student to action by ~~TTUHSC~~ TTUHSCEP, including, but not limited to, denial of registration, withholding of grades and transcripts and possible adjudication under the Code of Professional and Academic Conduct. In addition, failure to meet financial obligations to the University ~~will~~ may result in:

- a. Cancellations of the student's registration if tuition and registration fees are not paid by the ~~20<sup>th</sup>~~ 12<sup>th</sup> class day ~~and 20<sup>th</sup> class day~~ (4<sup>th</sup> class day and 15<sup>th</sup> class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
- b. Loss of University check writing privileges and possible criminal prosecution for writing insufficient fund checks and for failure to pick up a returned check;
- c. A flag placed on a student's academic records preventing future registration



(before registering or requesting a transcript, students may check on the presence of flags on their records by contacting the Office of the Registrar); and/or,

d. Reporting of financial problems to a credit agency or a collection agent.

## 16. Grades/Grading

e. The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.

f. The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. A student must file a formal written appeal within 5 days of the beginning of the next long-semester in accordance with the individual Schools' policy regarding student grade appeals. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or division involved. After a degree has been posted, no further adjustments can be made on the record except under extraordinary circumstances as determined by the Dean of the School the student is enrolled under.

~~g. Cheating and other forms of academic misconduct are addressed in the Code of Professional and Academic Conduct.~~

## 17. Graduation Procedures

~~h.g.~~ Degree requirements are published in the individual School's catalogs.

~~i.h.~~ Prior to graduation, all candidates for ~~TTUHS~~TTUHSCEP degrees are required to:

- i. Complete all graduation requirements set forth by the applicable School;
- ii. Complete and return to the Office of Student Services the University's *Intent to Graduate* form in the semester before anticipated graduation (the student's "diploma name" as requested in the *Intent to Graduate* form is printed on her/his diploma, and information provided by the student is used in commencement programs);
- iii. Be registered in the semester the certificate or degree is to be conferred unless the student is granted an exception by the dean of their school;
- iv. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

j.i. Information on invitations, academic regalia and class rings is available through the Office of Student Services website.

k.i. Individual photos of each graduate receiving her/his diploma or certificate will be taken at graduation ceremonies. Students will be mailed proofs from which they may order copies from the photography company.

## 18. Health Services and Health Insurance Information

~~l.k. The Texas Tech Physicians Family & Community Medicine at Hague clinic~~ provides health services to ~~TTUHSGTTUHSCEP~~ students who are currently enrolled and have paid the Student Health Fees as part of tuition and fees. To receive health services, you must present a Student I.D. card at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement.

*The Student Health Fee covers only those services provided by ~~the Texas Tech Physicians at Hague Family & Community Medicine clinic~~ and specific laboratory and radiology service performed at cooperating locations. **All other charges incurred are your responsibility.***

### m.l. Clinic Procedures

Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after ~~clinic~~ hours, call ~~your campus's clinic~~ the office at Hague phone number and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a ~~TTUHSGTTUHSCEP~~ student. If you come to the ~~clinic office~~ without an appointment, it may be necessary for you to wait for a physician. Immunizations, paper work, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed as a provider on your insurance. ~~for your campus under "Clinic Locations."~~ *Visits to an emergency room that generate a charge from either ~~TTUHSGTTUHSCEP~~ or the hospital are your responsibility.*

n.m. If the student receives a bill from the ~~Health Sciences Center Texas Tech Physicians at Hague~~ for services covered by the medical service fees, please contact the Office of Student Affairs Services at (806) 743-2300, (915) 215-4370.

o.n. **Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration.**

p.o. ~~TTUHSGTTUHSCEP~~ will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance plans. Insurance information can be found on the

Office of Student Services website at ~~www.ttuhsc.edu/student-services~~  
~~http://el Paso.ttuhsc.edu/fostersom/studentaffairs/~~

## 19. Interprofessional Education

All ~~TTUHSC~~TTUHSCEP students, regardless of school affiliation, will be required to complete a non-credit, online course in interprofessional education. Implementation of this requirement will vary across schools and degree programs. Students should consult their academic/program advisor and/or school catalog for additional information.

## 20. Notification of Student Death

The Office of Student Services is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must be notified by the Assistant Vice President for Student Services immediately in the event of any student death.

## 21. Program of Assistance for Students

Personal counseling services are available to all ~~TTUHSC~~TTUHSCEP students through the Program of Assistance for Students (PAS) or through the Employee Assistance Program (EAP). Through the PAS, licensed counselors are available to assist students with all types of problems, including stress associated with academic, legal, or financial concerns; depression, anxiety, and/or other emotional problems; family and relationship issues; alcohol and drug abuse; and other mental health and wellness issues. For more information or to request assistance, please call ~~1-806-743-1327~~ or 1-800-327-0328 or. ~~In after-hours situations, these PAS phone numbers serve as a~~ the 24-hour crisis line through the Emergency Health Network at (915) 779-1800. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, ~~TTUHSC~~TTUHSCEP students and their dependents are eligible to receive five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services Affairs website at the following address:

~~http://www.ttuhsc.edu/student-services/documents/PAS\_Document.pdf~~

~~http://el Paso.ttuhsc.edu/fostersom/studentaffairs/documents/PAS.pdf~~

## 22. Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit [webraider.ttuhsc.edu](http://webraider.ttuhsc.edu) and sign in. Select the "MyTech (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

## 23. Student Publications

~~q. The Daily Toreador student newspaper and La Ventana yearbook are free of arbitrary and capricious censorship and advance copy approval, when operated and published within the canons of responsible journalism as established by the University Committee on Student Publications.~~

All aspects of ~~TTU~~TTUHSC~~TTUHSCEP~~ Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

#### 24. Registration

a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools' Student Affairs or Coordinator's office.

b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanctions will be barred from registration. Students must provide all final transcripts to the Office of the Registrar by the end of the first semester in which they are enrolled or a hold will be place preventing registration in future semesters. \*See Student Record and Transcript Policy located at  
<http://www.ttuhs.edu/registrar/documents/student.record.transcript.policy.pdf>

c. Late Registration. Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration

#### 25. Religious Holy Days

a. A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of his/her School. A student will be excused from attending class(es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.

b. A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.

c. Any disputes regarding this policy should be submitted in writing to the ~~TTUHSC~~TTUHSC~~TTUHSCEP~~ President or his/her designee. Any decision by the President or his/her designee regarding the dispute shall be final.

d. This policy does not apply to any student absence for a Religious Holy Day which

may interfere with patient responsibilities or patient care.

## 26. State Residency Classification

Students are responsible for registering under the proper residence classification and for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, prior to the time of enrollment, to ask for an official determination by the Office of the Registrar. Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar.

## 27. Sexual Harassment Policy

Harassment of students on the basis of sex is a violation of §106.31 of Title IX of the Education Amendments of 1972. The Deputy Title IX Coordinator for Students is the Assistant Vice President for Student Services ~~Associate Dean for Student Affairs, 2C400 Academic Classroom Building, (806) 743-2300, Medical Education Building 2140, (915) 215-4786.~~ Student concerns about sexual harassment which include faculty, staff, or students should be directed to the individual School's Dean

## 28. Tuition and Fees Installment Payment Options

a. Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees during the fall, spring, or long summer semesters in installments. ~~TTUHSCTTUHSCEP~~ offers the following payment alternatives:

- i. Full payment of tuition and fees in advance of the beginning of the semester; or
- ii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.

b. ~~TTUHSCTTUHSCEP~~ shall develop procedures which will provide that students may elect to pay tuition and fees using the payment alternative.

c. ~~TTUHSCTTUHSCEP~~ is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.

d. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The rates of the fee shall be approved by the Board of Regents.

e. If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.

f. ~~TTUHSG~~TTUHSCEP shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

g. Annual Approval of Student Fees: The Board of Regents shall approve the assessment and collection of fees from ~~Texas Tech University Health Sciences Center~~Texas Tech University Health Sciences Center at El Paso (TTUHSGTTUHSCEP) and ~~Texas Tech University (TTU)~~ students. The amounts to be collected are presented in a Global Fee Document to the Board of Regents annually for approval.

## 29. Tuition and Fees Refund Policies

### **Withdrawal / Refund Policies**

#### **Refund Policies (Institutional and Title IV Withdrawal / Refund Policies)**

Detailed information about the impact of decreasing course load on:

- ✓ Institutional Refund Policy - All students who withdraw from ~~TTUHSG~~TTUHSCEP or drop all courses during a term
- ✓ Additional considerations for students who received financial aid and withdraw from ~~TTUHSG~~TTUHSCEP or drop all courses during a term

#### **Institutional Refund Policy**

Refund Policies for Tuition and Fees. Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	Percent of Refund of Charges
<b>Summer - More than 5 weeks but less than 10 weeks in duration</b>	1st class day through 4th class day	100%
	After the 4th day of class	None
<b>Fall, Spring or Summer - Duration of 10 weeks or longer</b>	1st class day through 12th class day	100%
	After the 12th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official

withdrawal date:

Term	Class Day	Percent of Refund of Charges
<b>Summer - More than 5 weeks but less than 10 weeks in duration</b>	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day of later	None
<b>Fall, Spring or Summer - duration of 10 weeks or longer</b>	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

**Students who withdraw from TTUHSCTTUHSCEP or drop all courses during a term that receive(d) financial aid**

It's important for students who receive financial aid and withdraw or drop all courses during the term to be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Any refund due to a student will be after calculation of the amount of tuition and fees due at the time of withdrawal. If the student has paid less than the amount due at the time of withdrawal, the student will be required to pay the percentage due.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations.

e.g. The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/balances created by the returning of Title IV program funds that the school was required to return.

s.g. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID(1-800-433-3243).

TTY users may call 1-800-730-8913. Information is also available on Student Aid

on the Web at [www.studentaid.ed.gov](http://www.studentaid.ed.gov).

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds

How the calculation works:

- 1) Number of days attended ÷ Days in semester = % of semester completed
- 2) Total \$ disbursed X % completed = Earned \$
- 3) Total \$ disbursed - Earned \$ = \$ to be returned

Once it is determined that you owe money back to any of the federal aid programs, you will be ineligible to receive further federal aid at ~~TTUHSGTTUHSCEP~~ or any other institution, until this debt is cleared.

Please note, your failure to complete a semester or term could impact your Satisfactory Academic Progress and your future eligibility for financial aid. To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of three categories: (1) grade point average on hours attempted (qualitative), (2) hours successfully completed (quantitative) based on hours enrolled and (3) time to degree. You must complete your program of study within 150% of the normal time required for the program.

You can find more detailed SAP information here: [www.ttuhsc.edu/financialaid](http://www.ttuhsc.edu/financialaid).

~~To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of two categories: (1) grade point average on hours attempted (qualitative) and (2) hours successfully completed (quantitative) based on hours enrolled. As a general rule, a student must successfully pass 75% of the hours they attempt (hours as of the census date). You can find more information here:~~

~~<http://www.ttuhsc.edu/financialaid/faqs.aspx/#section27>~~

~~<http://el Paso.ttuhsc.edu/fostersom/studentaffairs/finaid.aspx>~~

## **PART XI. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES**

The following narrative summarizes ~~TTUHSGTTUHSCEP~~'s student complaint or grievance policies and procedures. Links to specific policies and procedures are provided on the Office of Student Services website: Affairs Handbook:

~~<http://www.ttuhsc.edu/studentservices/default.aspx>~~

~~<http://el Paso.ttuhsc.edu/fostersom/studentaffairs/SAHandbook2014Revised.pdf>~~

It is the policy of the ~~Texas Tech University Health Sciences Center~~ Texas Tech University Health Sciences Center at El Paso to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other ~~TTUHSGTTUHSCEP~~ students or by ~~TTUHSGTTUHSCEP~~ personnel toward students. Policies and procedures exist for the following areas of student complaints:

- Complaints regarding the general or academic misconduct of another student
- Complaints regarding discrimination
- Complaints regarding student records



- Complaints regarding employment at ~~TTUHSC~~TTUHSCEP
- Complaints regarding grades or grading
- Complaints regarding other types of mistreatment
- Other institutional-level student complaint procedures

The ~~Office of the Ombudsman for Students, the Student Resolution Center~~, which is located on the Texas Tech University campus in Lubbock, serves as a neutral, objective third party to provide students in the Texas Tech University System including ~~TTUHSC~~TTUHSCEP with informal assistance in resolving student-related problems, conflicts, and disputes. The ~~Student Ombudsman Resolution Center~~ is available by phone to assist all ~~TTUHSC~~TTUHSCEP students in identifying appropriate complaint-resolution procedures and resources.

#### **A. Complaints regarding the general or academic misconduct of another student**

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (Student Code), which is published as Part II of this handbook. Students, faculty, and staff are all encouraged to report violations of the Student Code in accordance with the Disciplinary Procedures outlined in the Student Code.

#### **B. Complaints regarding discrimination**

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the ~~TTUHSC~~TTUHSCEP Operating Policies and Procedures. The following list identifies key institutional policies governing complaints regarding discrimination:

- HSC OP 10.15, Americans with Disabilities Act
- HSC OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan

#### **C. Complaints regarding student records**

HSC OP 77.13, Student Education Records, provides detailed information about filing complaints relating to student records.

#### **D. Complaints regarding employment at ~~TTUHSC~~TTUHSCEP**

Information about employment grievances for students who are employed at ~~TTUHSC~~TTUHSCEP is provided in HSC OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

#### **E. Complaints regarding grades or grading**

The processing of formal grade appeal procedures is the responsibility of the school which administers the course. Relevant school policies are listed below:

- ~~School of Allied Health Sciences: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals)~~
- ~~School of Medicine-Lubbock: Student-Faculty Dispute Resolution Policy, Grading Policy, Promotions Policy, and policies and procedures for Challenging Student Records or Grades~~
- Paul L. Foster School of Medicine at El Paso: Challenging Student Records or Grades
- ~~TTUHSC School of Nursing, Gayle Greve Hunt School of Nursing: Academic Grade Challenges/Appeals~~
- ~~School of Pharmacy: Grade Grievance Resolution~~
- Graduate School of Biomedical Sciences: Grade Appeals Policy Procedure

#### **F. Complaints regarding other types of mistreatment**

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school. Relevant school policies include the following:

- ~~School of Allied Health Sciences: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals) and Academic Misconduct Policy (addresses academic complaints against a student)~~
- ~~School of Medicine-Lubbock: Student-Faculty Dispute Resolution Policy, Student-Student Dispute Resolution Policy, Sexual Harassment Policy,~~
- Paul L. Foster School of Medicine at El Paso: Appropriate Treatment of Medical Students; Student – Faculty Dispute Resolution Policy; Student-Student Dispute Resolution Policy, Part IV Anti-Discrimination and Title IX
- GGHSON School of Nursing: Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- ~~School of Pharmacy: NonGrade Grievance Resolution~~
- ~~Graduate School of Biomedical Sciences: Student Complaint Procedure (Grade and Non Grade Complaints) Appeals Policy for Students and Grade Appeals Policy~~

[http://www.ttuhsce.edu/gsbs/documents/14\\_15Catalog\\_CourseList\\_FINALRev3.pdf](http://www.ttuhsce.edu/gsbs/documents/14_15Catalog_CourseList_FINALRev3.pdf)

Students should process their complaints or appeals through the appropriate channels. Procedures are delineated in the policies identified above. Students are encouraged required to bring their concerns to the designated student affairs officer of their school. The student affairs officer in each school is as follows:

- ~~School of Allied Health Sciences: Associate Dean for Admissions and~~

Student Affairs

- ~~School of Medicine-Lubbock: Assistant Dean for Student Affairs~~
- Paul L. Foster School of Medicine in El Paso: Associate Dean for Student Affairs
- ~~TTUHSC~~~~TTUHSCEP~~ School of Nursing: Assistant Academic Dean for Student Affairs
- Gayle Greve Hunt School of Nursing: Associate Dean for Academic Programs
- ~~School of Pharmacy: Assistant Dean for Student Services~~
- Graduate School of Biomedical Sciences: Assistant ~~Dean~~Associate Dean

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the ~~TTUHSC~~~~TTUHSCEP~~ Office of Student Services in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services website.

### G. Other Institutional-Level Student Complaint Procedures

The procedures defined below apply to student complaints that fall outside the scope of other institutional and school-based policies and procedures governing specific types of student complaints (Student Complaint or Grievance Policies and Procedures), including, for example, student complaints against staff members employed at the institutional level or against ~~TTUHSC~~~~TTUHSCEP~~ administrators. The ~~TTUHSC~~~~TTUHSCEP~~ Office of Student Services will administer this institutional policy and will insure that due process is afforded to all concerned.

#### 1. Early Resolution

- a. Prior to contacting the ~~TTUHSC~~~~TTUHSCEP~~ Office of Student Services, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant Vice President for Student Services. The student shall address the issue and initiate action under this policy within 30 days of the event giving rise to the complaint.
- b. The Assistant Vice President for Student Services may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President for Student Services~~Director of Student Services~~ will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services will provide a written statement of his or her

recommendation to all parties within ten working days following the initial receipt of the student's report of the complaint. All involved parties will then have ten working days to respond. Every effort should be made to resolve the issue without going beyond this level. The Director of Student Services will attempt to facilitate a resolution before proceeding with a hearing, as described below.

(If the complaint is against the Assistant Vice President for Student Services, the student should meet with the ~~Senior~~ Senior Vice President for Academic Affairs, who will follow the procedures outlined here.)

## 2. Filing a Hearing Request

a. If the student is not satisfied with the recommendation of the ~~Assistant Vice President for Student Services~~, he/she may file a request for a hearing by submitting a written complaint to the Assistant Vice President for Student Services (Attachment F). The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for Student Services' recommended resolution.

b. If the student files a request for a hearing, a Student Hearing Committee as defined below must convene within 15 working days.

## 3. Hearing Procedure

Upon receipt of a written request for a hearing, the Assistant Vice President for Student Services will appoint a Hearing Committee according to the following procedure:

a. Each party will propose in writing a list of four ~~TTUHSCTTUHSCEP~~ faculty, staff, and/or students to serve on the Hearing Committee. The Assistant Vice President for Student Services will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a ~~TTUHSCTTUHSCEP~~ faculty or staff member) and these individuals will comprise the Hearing Committee. This group will select a chair from among themselves.

b. The Assistant Vice President for Student Services will provide technical assistance and support to this committee.

c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.

d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for Student Services a list

of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University ~~will~~may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.

e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.

f. The Hearing Committee chair shall keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials).

#### 4. Committee Decision

a. After completion of the hearing, the Hearing Committee shall meet in closed session and prepare a written recommendation. Copies of the Hearing Committee chair's report shall be forwarded to the involved parties within five working days.

~~b. The student may request a reconsideration of the case in instances where he or she is dissatisfied with the decision of the Student Hearing Committee. The appeal must be made, in writing, within five working days, to the Senior Vice President for Academic Affairs .~~

~~c. The Senior Vice President for Academic Affairs will review the complaint resolution and render a decision within five working days. The decision of the Senior Vice President for Academic Affairs is final.~~

~~d. If the Senior Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five working days. The decision of the President is final.~~

### **PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL**

Deputy Title IX Coordinator for Students

(915)215-4786

Title IX Coordinator for TTUHSC (915)215-4140

Student Business Services

~~(806) 743-7867~~(915) 215-5723

Office of Student Services

~~(806) 743-2300~~(915) 215-4370

Office of Student Financial Aid	<del>(806) 743-3025</del> <u>(915) 215-4370</u>
Office of the Registrar	<del>(806) 743-2300</del> <u>(915) 215-4370</u>
Graduate School of Biomedical Sciences	<del>(806) 743-2556</del> <u>(915) 215-4157</u>
School of Allied Health Sciences- Admissions and Student Affairs	<del>(806) 743-3220</del>
School of Medicine Student Affairs	<del>(806) 743-3005</del>
School of Nursing Student Affairs	<del>(806) 743-1732</del>
Gayle Greve Hunt School of Nursing Student Affairs	<del>(915) 545-9700</del> <u>215-6124</u>
School of Pharmacy Student Services	<del>(806) 354-5463</del>
Paul L. Foster School of Medicine Student Affairs	<del>(915) 215-4370</del>

## **ATTACHMENTS**

- Attachment A: Complaint of Misconduct
- Attachment B: Sample Letter from Student Conduct Administrator
- Attachment C: Guidelines for Student Conduct Board Hearing
- Attachment D: Sample Hearing Notice
- Attachment E: Sample Findings and Recommendations
- Attachment F: Institutional Level Student Complaint Form

ATTACHMENT A

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER TEXAS**  
**TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO**  
**(TTUHSC TTUHSC EP)**

**Code of Professional and Academic Conduct**

**Complaint of Misconduct**

~~This form serves as an official charge against a TTUHSC TTUHSC EP student or student organization for alleged violations of the Code of Professional and Academic Conduct (referred to as the "Student Code") in the TTUHSC TTUHSC EP Student Handbook. This form is to be submitted to the Student Conduct Administrator for the applicable TTUHSC TTUHSC EP School. A separate Complaint of Misconduct must be completed for each student or student organization accused of violations of the Student Code.~~

Please complete the following:

Name of Accused Student/Registered Student Organization: \_\_\_\_\_

School, Department and Program of Accused Student (if known): \_\_\_\_\_

List the course name, number, and section (if applicable) in which the alleged misconduct occurred. \_\_\_\_\_

Please provide a clear and concise explanation of the circumstances of the alleged misconduct. Include all relevant information, including, but not limited to, the name of the person(s) who witnessed the incident(s) and where the incident(s) occurred. Use additional pages if necessary. Please attach relevant supporting documents, e.g., copy of assignment, source of plagiarism, etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of discovery of alleged violation (please report within 20 business days of discovery): \_\_\_\_\_

Date of alleged violation (if different from above): \_\_\_\_\_

Please cite the Student Code(s) and the provision(s) of such code(s) that the Accused Student allegedly violated. \_\_\_\_\_

What remedy are you seeking for your complaint (e.g., reduction of grade for particular work and/or class, warning, probation, suspension, dismissal, restitution, etc.)? \_\_\_\_\_

I certify that all information provided herein is accurate and complete.

Printed Name \_\_\_\_\_

Complainant Date \_\_\_\_\_



Complainant's Signature Contact Information

(Address/Email/Phone Number)

*Refer to the TTUHSGTTUHSCEP Student Handbook for more information regarding the Student Code, which is available through the TTUHSGTTUHSCEP Office of Student Services or at [http://www.ttuhsce.edu/studentservices/doc/student\\_handbook.pdf](http://www.ttuhsce.edu/studentservices/doc/student_handbook.pdf).*

*The following notice is provided in accordance with Texas Government Code § 559.003(a) of the Texas Government Code: (1) with few exceptions, you are entitled on your request to be informed about the information TTUHSGTTUHSCEP collects about you; (2) under Sections 552.021 and 552.023 of the Texas Government Code, you are entitled to receive and review the information; and (3) under Section 559.004 of the Texas Government Code, you are entitled to have TTUHSGTTUHSCEP correct information that is incorrect in accordance with TTUHSGTTUHSCEP policies and procedures.*

Form Approved by \_\_\_\_\_ *[Insert proper authority]*

*[Insert date]*

ATTACHMENT B

Sample Letter from Student Conduct Administrator

Date \_\_\_\_\_

Name of Accused Student \_\_\_\_\_ **PRIVILEGED & CONFIDENTIAL**  
Address \_\_\_\_\_ **CERTIFIED MAIL#** \_\_\_\_\_  
Anywhere, Texas XXXXX \_\_\_\_\_ **RETURN RECEIPT REQUESTED &**  
**REGULAR MAIL**

*[In the alternative, "HAND DELIVERY"]*

Re: ~~Complaint of Misconduct~~

Dear Accused Student:

~~The Texas Tech University Health Sciences Center~~Texas Tech University Health Sciences Center at El Paso (TTUHSC TTUHSCEP) School of \_\_\_\_\_ has initiated an investigation based upon allegations that you have violated the Code of Professional and Academic Conduct (Student Code) in the TTUHSC TTUHSCEP Student Handbook, as more fully described below. This investigation was initiated based on the Complaint of Misconduct, which is attached hereto.

~~On or about [Provide date; detailed circumstances & conduct; time(s); location(s); individual(s) involved].~~

~~Under Part II.F of the Student Code, you are required to meet with me within five (5) business days from the date of this letter. It is your responsibility to call my office to schedule an appointment at your earliest convenience. If you fail to meet with me within this time period, you will be in violation of the Student Code and disciplinary action may be taken against you on that basis.~~

~~A copy of the Student Code, which is annually published in the TTUHSC TTUHSCEP Student Handbook, is attached and is available at [Insert website] for your review. Until the Student Conduct Board has selected a Chair, I will be your contact for all matters concerning these proceedings. All information concerning this matter is regarded as confidential to the extent allowed by law.~~

~~I look forward to meeting with you about this matter.~~

Sincerely,

Student Conduct Administrator \_\_\_\_\_ School of \_\_\_\_\_

cc: ~~Complainant~~  
~~Department Chair~~  
~~Enclosures:~~

ATTACHMENT C

**GUIDELINES FOR STUDENT CONDUCT BOARD HEARING**

~~The following should be used as guidelines for conducting Student Conduct Board Hearings under the Code of Professional and Academic Conduct (Student Code) in the TTUHSCTTUHSCEP Student Handbook. These are not mandatory procedures. The Chair may develop other procedures that fit the particular situation, as long as the procedures do not contradict the provisions of the Code of Professional and Academic Conduct.~~

**A. INTRODUCTION BY CHAIR**

The Chair should do the following:

- ~~1. Begin recording.~~
- ~~2. Introduce himself/herself and identify his/her role (i.e., to oversee the Student Conduct Board Hearing).~~
- ~~3. Notify parties present that the Hearing is being recording and that the recording is the property of TTUHSCTTUHSCEP.~~
- ~~4. Ask Board members, the Accused Student (and advisor, present), and the Complainant (and advisor, if present) to identify themselves.~~
- ~~5. If the Complainant or the Accused Student has an advisor, read the following statement:~~
  - ~~a. The role of the advisor during this Student Conduct Board Hearing is limited. It reflects that this process is not a courtroom proceeding but is part of TTUHSCTTUHSCEP's program designed to provide a good learning environment for all members of our academic community.~~
  - ~~b. An advisor may not question witnesses or make statements before the Student Conduct Board. The only appropriate role for the advisor is to provide advice to the student who has requested his/her presence in a manner which does not disturb the proceedings of the Student Conduct Board.~~
  - ~~c. If an advisor fails to act in accordance with the procedures of the Student Conduct Board, he/she may be barred from these proceedings by the Chair.~~
- ~~6. Remind all persons participating in the Hearing that falsification, distortion, or misrepresentation before the Student Conduct Board is a violation of the Student Code and that any person who abuses the Student Code System in this way may face disciplinary charges for the violation.~~
- ~~7. Advise that witnesses, other than the Accused Student and the Complainant, are present in the Student Conduct Board Hearing only while offering their information. All witnesses, other than the Accused Student and the Complainant, shall be instructed to leave the Student Conduct Board Hearing room and wait outside. Witnesses may be asked to affirm that they are presenting the truth before information is provided.~~

- ~~8. Address whether the Accused Student or the Complainant challenged any member of the Student Conduct Board for reasons of bias at least 3 days prior to the hearing in accordance with Section F.2.d and whether any new member(s) has been appointed to replace the challenged member.~~
- ~~9. State the allegations that have been brought against the Accused Student and the provisions of the Student Code which have been violated.~~
- ~~10. Explain that the Board will receive information, interview the parties and any witnesses for the parties or the Board, and review documents. At the conclusion of the hearing, the Board will confer privately and issue Findings and Recommendations to the Dean.~~
- ~~11. Advise that the proceedings are not intended to follow courtroom or judicial procedures and are part of an educational process by which the University applies its values to establishing the best possible learning environment for its students. Rules of procedure and evidence applicable to trials will not apply in this hearing. Hearsay evidence may be admitted with consideration given to the source, its credibility, and the nature of the evidence.~~
- ~~12. Remind the parties that professional decorum will be maintained at all times by the participants. Any person may be requested to leave at the discretion of the Chair.~~

#### **B. COMPLAINANT'S AND ACCUSED STUDENT'S OPENING REMARKS**

The Chair should do the following:

- ~~1. Chair may allow questions before proceeding with introductory remarks.~~
- ~~2. Ask whether the Accused Student admits or denies the allegations.~~
- ~~3. Both Complainant and Accused Student shall have an opportunity to present opening remarks, not to exceed 5 minutes each. Further time may be allowed in the Chair's discretion. (Opening remarks are not required, and there shall not be a negative assumption should Accused Student and/or Complainant elect not to do so.) If either party has prepared a written Impact or Position Statement or wishes to make an oral statement, he/she may do so within the prescribed time frame.~~
- ~~4. Complainant makes opening remarks.~~
- ~~5. Accused Student makes opening remarks.~~

#### **C. COMPLAINANT'S CASE PRESENTATION**

The Chair should do the following:

- ~~1. Inform the Complainant of his/her responsibility to provide information regarding the allegations. Provide the Complainant an opportunity to present his/her case. The complainant may be questioned by the Student Conduct Board. The Accused Student will then be given the opportunity to question the Complainant. The Chair will then ascertain whether members~~

~~of the Student Conduct Board and the Accused Student have any final questions for the Complainant.~~

~~The Complainant may call his/her witnesses during the case presentation to provide relevant information. For each witness, the Complainant, and the Student Conduct Board will have opportunity to question the witness. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board to such things as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.~~

- ~~2. Before a witness is excused, the Chair will ascertain whether members of the Student Conduct Board, the Complainant and the Accused Student have any final questions of the witness.~~
- ~~3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.~~

#### **D. ACCUSED STUDENT'S WITNESSES**

The Chair should do the following:

- ~~1. Provide the Accused Student an opportunity to present his/her case regarding the allegations. Inform the Accused Student of his/her responsibility to provide information regarding the allegations. He or she may be questioned by the Student Conduct Board. The Complainant will then be given the opportunity question the Accused Student. The Chair will then ascertain whether members of the Student Conduct Board and the Complainant have any final questions for the Accused Student.~~

~~The Accused Student may call his/her witnesses during the case presentation to provide relevant information. For each witness, the Complainant and the Student Conduct Board will have an opportunity to question the witness. Questioning by the Accused Student and the Complainant may be limited in the sole discretion of the Chair of the Student Conduct Board to such things as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.~~

- ~~2. Before a witness is excused, the Chair will ascertain whether members of the Student Conduct Board, the Complainant and the Accused Student have any final questions of the witness.~~
- ~~3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.~~

#### **E. STUDENT CONDUCT BOARD'S WITNESSES (IF ANY)**

- ~~1. If the Student Conduct Board requires further witnesses, it may call them at this time. The witnesses initially will be questioned by the Student Conduct Board. The Complainant and the Accused Student will then be given the opportunity to question the witnesses. Questioning by the Complainant and the Accused Student may be limited at the sole discretion of the Chair of the Student Conduct Board for such things, as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.~~

- ~~2. Before a witness is excused, the Chair will ascertain whether members of the Student Conduct Board and the Complainant and the Accused Student have any final questions of the witness.~~
- ~~3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.~~
- ~~4. If the Board intends to visit a location where the alleged violation occurred, the Accused Student and Complainant shall accompany the Board to the location and be allowed to participate in discussion by the Board. All discussions regarding the matter made the subject of the Hearing will be "on hold" while traveling to and from a location. Members of the Board should not independently visit the location to investigate the allegations, without the Accused Student and Complainant present.~~

#### **F. CONCLUDING REMARKS**

The Chair should do the following:

- ~~1. Provide the Complainant an opportunity for concluding remarks.~~
- ~~2. Provide the Accused Student an opportunity for concluding remarks.~~
- ~~3. Concluding remarks are not required and there shall not be a negative assumption should the Accused Student and/or Complainant elect not to do so.~~

#### **G. DELIBERATIONS**

The Chair should do the following:

- ~~1. Inform the parties that the written Findings and Recommendations of the Student Conduct Board ("Findings") will be forwarded to the Dean, the Complainant, and the Accused Student.~~
- ~~2. Refer the parties to the Code of Professional and Academic Conduct in the TTUHSCTTUHSCEP Student Handbook if they have further questions regarding this proceeding or the appeal process. Questions should not be directed to any member of the Student Conduct Board.~~
- ~~3. Caution members of the Student Conduct Board not to discuss this matter with anyone in order to respect the privacy of all persons involved.~~
- ~~4. Excuse the Complainant, Accused Student, and their advisors (if any) from the Student Conduct Board Hearing room so that the members of the Student Conduct Board may determine if the Accused Student is responsible for any of the violations of the Student Code with which he/she has been charged.~~
- ~~5. Cease all recording of the proceeding.~~
- ~~6. After the parties have left the Hearing site, deliberate regarding appropriate sanctions, if any.~~

## ~~H. FINDINGS AND RECOMMENDATIONS~~

~~The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations. If the Findings and Recommendations are not unanimous, minority opinion(s) may be written by those who differ with the majority's Findings and Recommendations. The Chair will forward the written Findings and Recommendations, including minority opinion(s), to the Dean with copies to the Accused Student, the Complainant, and the Department Chair.~~

ATTACHMENT D

Sample Hearing Notice

Date \_\_\_\_\_

PRIVILEGED & CONFIDENTIAL

Name of Accused Student \_\_\_\_\_ CERTIFIED MAIL# \_\_\_\_\_  
Address RETURN RECEIPT REQUESTED  
Anywhere, Texas XXXXX

Name of Complainant \_\_\_\_\_  
Address CERTIFIED MAIL# \_\_\_\_\_  
Anywhere, Texas XXXXX RETURN RECEIPT REQUESTED

TTUHSCTTUHSCEP School of \_\_\_\_\_ Notice for Student Conduct Board Hearing

~~A Student Conduct Board Hearing will begin on [Insert date] at [Insert time] in room \_\_\_\_\_. The purpose of this Hearing is to review the Complaint of Misconduct filed against you. The Complaint alleges that on or about [provide date, time(s) and location(s); summarize circumstances & conduct].~~

~~In this connection, it is alleged that [Insert name of Accused Student] violated [Identify section of Student Code and quote section] of the Code of Professional and Academic Conduct (Student Code) in the TTUHSCTTUHSCEP Student Handbook, a copy of which was made available to you by the Student Conduct Administrator.~~

~~If the Hearing is not concluded by \_\_\_\_\_, the session may be adjourned and continued until a later date to be determined by the members of the Student Conduct Board.~~

~~The following individuals will serve on the Student Conduct Board and will make a finding on whether a violation has occurred and recommend appropriate sanctions, if any:~~

~~[List members of the Board.]~~

~~You may challenge the impartiality of any member of the Student Conduct Board up to three (3) days prior to the Hearing by providing in writing to the [Insert name] Student Conduct Administrator, \_\_\_\_\_ those reasons for the challenge.~~

~~At least (7) business days prior to the Student Conduct Board Hearing, you must submit the following information to me:~~

~~All pertinent records, exhibits and written statements (including Impact or Position Statements);~~



~~A list of all witnesses, if any, who will be speaking on your behalf, including a brief summary of the testimony to be given by each; and,~~

~~The name of your advisor, if any, who may be present only in an advisory capacity at the Hearing. The advisor must be a member of the TTUHSC/TTUHSCEP community and may not be an attorney, unless you are also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances.~~

~~After receiving the above information from each party, I will exchange the information with the respective parties prior to the Hearing. At the Student Conduct Board Hearing, you will be provided an opportunity to make opening remarks, call witnesses, question witnesses, be present when testimony/evidence is being presented, respond to questions of the committee and make closing remarks after all evidence is presented.~~

~~At the conclusion of the Student Conduct Board Hearing, I will notify you in writing regarding the Findings and Recommendations of the Student Conduct Board.~~

~~Please be advised that if you do not appear before the Student Conduct Board at the above referenced date and time, the information in support of the Complaint shall be presented and considered even if you are not present.~~

Sincerely,

Chair, Student Conduct Board

xc: \_\_\_\_\_ Members of the Student Conduct Board Dean  
Department Chair \_\_\_\_\_ Student Conduct Administrator

ATTACHMENT E

Sample Findings and Recommendations

Date \_\_\_\_\_

PRIVILEGED & CONFIDENTIAL

Dean of the School \_\_\_\_\_

Name of Accused Student \_\_\_\_\_ CERTIFIED MAIL# \_\_\_\_\_  
Address RETURN RECEIPT REQUESTED  
Anywhere, Texas XXXXX

Name of Complainant \_\_\_\_\_  
Address CERTIFIED MAIL# \_\_\_\_\_  
Anywhere, Texas XXXXX RETURN RECEIPT REQUESTED

TTUHSCTTUHSCEP School of \_\_\_\_\_ Findings and Recommendations

~~The Student Conduct Board met on [Insert date] at [Insert time] in room to review the Complaint of Misconduct filed against [Insert name of student]. The Complaint alleges that on or about [Provide date, time(s) and location(s); summarize circumstances & conduct]. It is further alleged that [Insert name of Accused Student] violated [Identify section of Student Code and quote section] of the Code of Professional and Academic Conduct (Student Code) in the TTUHSCTTUHSCEP Student Handbook.~~

~~[Identify names and titles of the Student Conduct Board members present at the meeting and whether or not they were challenged by any of the parties. Identify all other individuals present at the meeting.]~~

~~[Identify whether the hearing was recorded.. If so, indicate that the recording was delivered to the Office of the Dean.]~~

~~[Identify whether the parties submitted written evidence prior to the hearing and on what date. Attach written evidence.]~~

~~[Identify whether Accused Student admitted or denied the allegations.]~~

~~[Identify any witnesses and provide a brief summary substance of their testimony.] [Provide a brief summary of the evidence that supported and/or refuted the Complaint.]~~

~~[Identify findings of the Committee and the vote numbers.] [Identify recommended sanctions, if any.] [Identify whether there are any dissenting opinions and attach the opinions.]~~

Please direct any further questions that you may have to the Student Conduct Administrator. Sincerely,

Chair, Student Conduct Board

xc: ~~Members of the Student Conduct Board~~

~~Chair of the Student Promotions and Professional Conduct Board Student Conduct Administrator  
Department Chair~~

Enclosures: ~~Written evidence presented by the parties~~

ATTACHMENT F

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO  
(TTUHSC TTUHSC EP)

### **Institutional Level Student Complaint Form**

~~Use this form for filing an official complaint that fall outside the scope of other institutional and school-based policies, including, for example, student complaints against staff members employed at the institutional level or against TTUHSC TTUHSC EP administrators. The TTUHSC TTUHSC EP Office of Student Services will administer the institutional policy and will insure that due process is afforded to all concerned. This form is to be submitted to the Director of Student Services.~~

Please complete the following:

Name of Accused: \_\_\_\_\_

School, Department (if known): \_\_\_\_\_

List the course name, number, and section (if applicable) in which the alleged misconduct occurred. \_\_\_\_\_

~~Please provide a clear and concise explanation of the circumstances of the alleged incident. Include all relevant information, including, but not limited to, the name of the person(s) who witnessed the incident(s) and where the incident(s) occurred. Use additional pages if necessary. Please attach relevant supporting documents.~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date of alleged violation: \_\_\_\_\_

~~I certify that all information provided herein is accurate and complete.~~

Printed Name \_\_\_\_\_ Complainant Date \_\_\_\_\_

Complainant's Signature \_\_\_\_\_ (Email/Phone Number) \_\_\_\_\_

~~Refer to the TTUHSC TTUHSC EP Student Handbook for more information regarding the Student Code, which is available through the TTUHSC TTUHSC EP Office of Student Services or at [http://www.ttuhsce.edu/student-services/doc/student\\_handbook.pdf](http://www.ttuhsce.edu/student-services/doc/student_handbook.pdf). [https://elpaso.ttuhsce.edu/fostersom/studentaffairs/components/HSC\\_2013Institutional\\_Student\\_Handbook.pdf](https://elpaso.ttuhsce.edu/fostersom/studentaffairs/components/HSC_2013Institutional_Student_Handbook.pdf)~~

TEXAS TECH UNIVERSITY SYSTEM  
OFFICE OF AUDIT SERVICES  
PRIORITIZED AUDIT PLAN  
Fiscal Year 2015

Board Minutes  
May 14-15, 2015  
Attachment 13  
Page 1 of 2

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF MAY 4	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	19,200					
		REQUIRED AUDITS						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	400	300	In Progress	804	100	(204)
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects	25	(9)	In Progress			16
		TTU and HSC: SAO 2014 Statewide Federal Financial Audit		1	Complete	1		0
		ASU: THECB Texas Grant Compliance Desk Review		6	Complete	6		0
		HSC: THECB Formula Funding Desk Review		2	Complete			2
Required	ALL	CPRIT Grant Funds	50		In Progress	4	46	0
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120		Complete	85		35
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	50		Complete	40		10
Required	TTUS	Risk Management Assessment	100					100
Required	TTUS	Office of Audit Services Annual Report	30		Complete	27		3
Required	TTUS	Office of Audit Services Annual Plan	40		In Progress	13	27	0
Required	TTUS	Office of Audit Services Quality Assurance Activities Review	60					60
Required	TTUS	Office of Audit Services Self-Assessment	120		Complete	127		(7)
Required	TTUS	Office of Audit Services External Quality Assessment	80		In Progress	10	70	0
Required	TTUS	Multihazard Emergency Plan Safety and Security Audit	150		Complete	283		(133)
Required	TTU	SACS Financial Statement Review	600	(300)	Complete	233		67
Required	TTU	Athletics Financial Agreed-Upon Procedures	50	(45)	Complete	2		3
Required	TTU	Texas Tech Public Broadcasting Financial Statements	300		Complete	373		(73)
Required	TTU	Football Attendance Certification	10		Complete	15		(5)
New	TTU	Texas Higher Education Coordinating Board Facilities Audit		100	In Progress	3	97	0
Required	HSC	Correctional Managed Health Care Contract	150					150
Required	HSC	Lubbock Willed Body Program	240		Complete	264		(24)
New	HSC	Texas Higher Education Coordinating Board Residency Grants		40	Complete	20		20
Required	HSC-EP	El Paso Willed Body Program	240		Complete	327		(87)
Required	ASU	Carr Foundation Financial Statements	10		Complete			10
Required	ASU	Joint Admission Medical Program Grants	60		Complete	55		5
		TOTALS FOR REQUIRED AUDITS	2,885	95		2,692	340	(52)
		AUDITS IN PROGRESS AT AUGUST 1, 2014						
Prior Year	TTUS	Construction Project Expenses - West Village Housing	10		Complete			10
Prior Year	TTU	State Auditor's Office - TTU HUB and State Use Plan Requirements	5		Complete			5
Prior Year	TTU	Intercollegiate Athletics - Sports Medicine	115		Complete	260		(145)
Prior Year	TTU	Office of International Affairs	40		Complete	81		(41)
Prior Year	TTU	Faculty Review Processes	360		Complete	457		(97)
Prior Year	TTU	Office of Institutional Research	300		Complete	327		(27)
Prior Year	HSC	Lubbock Medical Practice Income Plan Business Office	250		Complete	484		(234)
Prior Year	HSC-EP	Department of Radiology	120		Complete	164		(44)
Prior Year	HSC-EP	Procurement Services	100		Complete	320		(220)
Prior Year	ASU	College of Graduate Studies	30		Complete	13		17
Prior Year	ALL	Wrap-up on Audits included in August BOR Report	20		Complete	18		2
		TOTALS FOR AUDITS IN PROGRESS	1,350	-		2,124	-	(774)
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	3,500	(1,393)				2,107
		IN PROGRESS AT AUGUST 1, 2014						
Special	ALL	Compliance with Benefits Proportional by Fund Requirements		191	Complete	191		0
Special	TTUS	Lubbock Power & Light Contract		65	In Progress	59	6	0
Special	TTUS	Office of Technology Commercialization Cash Controls		41	Complete	41		0
		BEGUN AFTER AUGUST 1, 2014						
Special	HSC-EP	Southwest Endocrine Consultants Cash Handling		28	Complete	28		0
Special	TTU	Athletics Procurement Card Special		264	Complete	264		0
Special	HSC-EP	Center of Excellence in Cancer Special		174	Complete	174		0
Special	HSC-EP	Medical Records Cash Handling		90	Complete	90		0
Special	HSC	Ophthalmology Cash Special		190	In Progress	177	13	0
Special	ALL	Miscellaneous Hotline Projects		350	In Progress	285	85	0
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	3,500	1,393		1,289	104	2,107
		HIGHEST PRIORITY						
	TTUS	Office of Investments	400					400
	TTUS	Chancellor's Office	400		On Hold	9	391	0
	TTU	Title IX Compliance	325		Complete	364		(39)
	TTU	The Institute for Environmental and Human Health	450		Complete	655		(205)
	TTU	Division of Undergraduate Education and Student Affairs	400		In Progress	373	27	0
	TTU	Accounts Receivable Balance Sheet Review	100		Complete	156		(56)
	HSC	Institutional Compliance Office	400		In Progress	126	274	0
	HSC	Accounts Receivable Balance Sheet Review	100		Complete	218		(118)
	HSC	School of Medicine ICD-10 Preparedness	350		Complete	306		44
	HSC	Controlled Substances	400		Complete	677		(277)
	HSC-EP	Centricity Business System Implementation	250		In Progress	17	233	0
	HSC-EP	Financial Reporting Controls	400		In Progress	219	181	0
	ASU	Title IX Compliance	225		Complete	719		(494)
	ASU	Accounts Receivable Balance Sheet Review	100		Complete	99		1
		HIGHEST PRIORITY TOTALS	4,300	-		3,938	1,106	(744)

TEXAS TECH UNIVERSITY SYSTEM  
OFFICE OF AUDIT SERVICES  
PRIORITIZED AUDIT PLAN  
Fiscal Year 2015

Board Minutes  
May 14-15, 2015  
Attachment 13  
Page 2 of 2

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF MAY 4	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
<b>MODERATE PRIORITY</b>								
2	TTUS	Construction Project Expenses	30	(30)				0
		TTU Research Building		10	In Progress		10	0
		TTU Bayer Crop Research Facility		10	In Progress		10	0
		TTU Human Sciences Life Safety		10			10	0
2	TTUS	Data Analysis	400		In Progress	166	234	0
2	TTU	Intercollegiate Athletics - Compliance	400		In Progress	39	361	0
2	TTU	Athletics Financial Analysis		400	In Progress	5	395	0
2	TTU	Vendor Contract Compliance	350		In Progress	488	40	(178)
2	TTU	Center in Seville	250					250
2	HSC	Title IX Compliance	325					325
2	HSC	RSAM Risk Assessment Processes	300					300
2	HSC	Information Technology Processes	450		In Progress	108	342	0
2	HSC-EP	Title IX Compliance	250					250
2	HSC-EP	Faculty Credentialing Process	300					300
2	HSC-EP	Medical Practice Income Plan Revenue Distribution Processes	300		Complete	362		(62)
2	ASU	University Health Clinic and Center for Counseling Services	250					250
2	ASU	Office of Development - Endowment Processes	300		Complete	414		(114)
2	ASU	Carr Foundation Royalty Payments	10		Complete			10
<b>MODERATE PRIORITY TOTALS</b>			<b>3,915</b>	<b>400</b>		<b>1,582</b>	<b>1,402</b>	<b>1,331</b>
<b>LOWER PRIORITY</b>								
3	TTU	Vehicle Fleet Management	350		In Progress	382	80	(112)
3	TTU	Vietnam Center and Archive	200		Complete	158		42
3	HSC	Permian Basin Medical Practice Income Plan Business Office	300	100	In Progress	109	291	0
3	HSC	Vendor Contract Compliance	350		In Progress	340	10	0
3	HSC-EP	President's Office	350		On Hold	17	333	0
3	HSC-EP	Collection Agency Processes	200		In Progress	375	30	(205)
3	ASU	Food Services Contract	225		Complete	320		(95)
3	ASU	Facilities Management	275		In Progress	2	273	0
<b>LOWER PRIORITY TOTALS</b>			<b>2,250</b>	<b>100</b>		<b>1,703</b>	<b>1,017</b>	<b>(370)</b>
<b>OTHER VALUE-ADDED WORK</b>								
<b>Total Hours Budgeted for Other Value-Added Work</b>			<b>1,000</b>	<b>(841)</b>				<b>159</b>
Other	ALL	Continuous Monitoring Data Analysis			Ongoing	145		
Other	ALL	Fraud Prevention Training			Ongoing	131		
Other	ALL	Cash Handling and Control Environment Training			Ongoing	41		
Other	ALL	New Employee Orientation			Ongoing	15		
Other	TTUS	Enterprise Application Steering Committee, Council, and Work Group			Ongoing	3		
Other	TTUS	Multiple PIDM Working Group			Ongoing	4		
Other	TTU	Institutional Compliance Committee			Ongoing			
Other	TTU	Ethics Center Advisory Board			Ongoing	2		
Other	HSC	Institutional Compliance Working Committee			Ongoing	4		
Other	HSC	Performance Improvement Committee			Ongoing	4		
Other	HSC	Risk Management Committee			Ongoing			
Other	HSC-EP	El Paso Transition Committee			Ongoing	19		
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA)			Ongoing	321		
Other	ALL	Other Miscellaneous Projects			Ongoing	146		
Other	N/A	University System of Georgia Peer Review			Ongoing	6		
<b>OTHER VALUE-ADDED WORK TOTALS</b>			<b>1,000</b>	<b>-</b>		<b>841</b>	<b>-</b>	<b>159</b>
<b>TOTAL ENGAGEMENT HOURS</b>			<b>19,200</b>	<b>595</b>		<b>14,169</b>	<b>3,969</b>	<b>1,657</b>
<b>KEY</b>								
	TTUS	Texas Tech University System and/or inclusive of multiple Texas Tech institutions						
	TTUSA	Texas Tech University System Administration						
	TTU	Texas Tech University						
	HSC	Texas Tech University Health Sciences Center						
	ASU	Angelo State University						
	HSC-EP	Texas Tech University Health Sciences Center at El Paso						
	N/A	Work that is not attributable to a particular institution or campus						
Required	Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.							
Prior Year	Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.							
Special	Unplanned special projects and investigations.							
1	Engagements that were deemed most critical per the risk assessment at August 1.							
2	Engagements that were deemed to be moderately critical per the risk assessment at August 1.							
3	Engagements that were deemed least critical per the risk assessment at August 1.							
4	Areas of exposure that need attention, but have not been included in the official plan because of resource constraints.							
Other	Other projects, including committee service, class development and instruction, professional organizations, etc.							

TOTALS	\$	45,923,000	\$	0	\$	0	\$	400	\$	0	\$	0	\$	61.86
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Item 1

Angelo State University

Approve the Five Year Capital Projects Plan  
and authorize submission of the MP1 Report

*Michael S. Molina*

Item 1

## ASU - Capital Projects Plan

1) Engineering Laboratories Addition (New)	\$ 4,000,000
2) College of Health and Human Services	\$ 27,141,000 ↑
3) Academic Building Renovation and Addition	\$ <u>24,788,000</u> ↑
TOTAL.....	\$ 55,929,000



Item 1

## Recommendation

- Approve the updated Angelo State University Five-Year Capital Projects Plan and authorize the submission of Angelo State University's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

[illegible]

**FIVE-YEAR CAPITAL PROJECTS PLAN**  
Texas Tech University  
May 14, 2015

GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION															
Priority	Bldg. No.	Project Description	Project Type				Square Footage		GIP Code	Total Project Cost	Funding Source (Millions)									Unfunded					
			New Construction	Major Repair & Renovation	Land Acquisitions	Infrastructure	Leased Space	Gross			Educational & General	Acres	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Local Funds	Gifts, Donations	Federal Grants		Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other
16	205	Library Life Safety Upgrade		X				75,000	75,000	0	827100	\$ 6,400,000												\$ 6.40	
17	125	KITZ Facility Renovation + Studio Addition		X	X			10,502	7,993	0	818000	\$ 6,000,000												\$ 6.00	
18	NEW	Research Building II in Research Park	X					41,000	24,600	0	818900	\$ 30,000,000												\$ 30.00	
19	IN	Utility Infrastructure Upgrade Phase III				X		0	0	0	831000	\$ 7,000,000												\$ 7.00	
20	445	Jones AT&T Stadium East Side Bldg Finish Out		X				42,631	0	0	720600	\$ 20,000,000												\$ 20.00	
21	418	Football Training Facility Renovations		X				50,398	0	0	720600	\$ 2,000,000												\$ 2.00	
22	NEW	Animal Biosafety Level 3 Facility in Research Park	X					7,292	5,469	0	818900	\$ 6,500,000												\$ 6.50	
23	NEW	New Data Center	X					24,000	17,000	0	827100	\$ 21,000,000												\$ 21.00	
24	NEW	Real Property Purchase			X			0	0	10	000000	\$ 6,000,000												\$ 6.00	
25	NEW	Research Building III in Research Park	X					41,000	24,600	0	818900	\$ 30,000,000												\$ 30.00	
26	231	College of Visual & Performing Arts - Phase II		X				40,100	40,100	0	500501	\$ 20,500,000												\$ 20.50	
27	NEW	New Music Building	X					125,000	125,000	0	500901	\$ 101,500,000												\$ 101.50	
TOTALS													\$ 672,507,000	\$ 10.71	\$ 7.30	\$ 6.75	\$ 37.55	\$ 14.25	\$	\$	\$	\$	\$	\$ 9.45	\$ 508.50

Item 2

## Texas Tech University

### Approve the Five Year Capital Projects Plan and authorize submission of the MP1 Report

*Michael S. Molina*

Item 2

## TTU - Capital Projects Plan

1) Research Building (ESB II)	\$ 97,700,000
2) College of Engineering Expansion/Renovation (Ph II)	\$ 67,600,000
3) Former Petroleum Engineering 2 <sup>nd</sup> Floor Renovation (New)	\$ 5,000,000
4) Utility Infrastructure Upgrade Phase II	\$ 6,750,000
5) Wiggins Fire/Kitchen Restoration (New)	\$ 2,500,000
6) Engineering and Materials Research Center Building Renovation (former Mass Communication Building)	\$ 29,207,030 ↓
7) New Residence Hall	\$ 30,000,000 ↓
8) Wall/Gates Window and Restroom Renovations	\$ 6,550,000
9) Museum Life Safety Upgrade & Air Management Replacement	\$ 6,000,000 ↑
10) Weeks Hall Abatement and Renovation	\$ 24,200,000

Item 2

## TTU - Capital Projects Plan (cont.)

11) Sports Performance Complex (2 combined projects) (within the Edward E. Whitacre Jr Athletic Complex)	\$ 45,000,000 ↓
12) Jones AT&T Stadium South End Zone Renovation	\$ 41,000,000 ↓
13) College of Visual & Performing Arts - Phase I Charles Maedgen Theatre (New)	\$ 24,700,000
14) Doak Hall Renovation and Life Safety Upgrade	\$ 19,400,000
15) Agriculture Sciences Renovation	\$ 10,000,000 ↑
16) Library Life Safety Upgrade	\$ 6,400,000
17) KTTZ Facility Renovation + Studio Addition* (New)	\$ 6,000,000
18) Research Building II in Research Park	\$ 30,000,000 ↑
19) Utility Infrastructure Upgrade Phase III	\$ 7,000,000

\*Not on 2014 Master Plan update

Item 2

## TTU - Capital Projects Plan (cont.)

20) Jones AT&T Stadium East Side Building Finish-Out	\$ 20,000,000 ↓
21) Football Training Facility Renovations	\$ 2,000,000 ↓
22) Animal Biosafety Level 3 Facility in Research Park	\$ 6,500,000
23) New Data Center	\$ 21,000,000
24) Real Property Purchase	\$ 6,000,000
25) Research Building III in Research Park	\$ 30,000,000
26) College of Visual & Performing Arts – Phase II (New)	\$ 20,500,000
27) New Music Building (New)	\$ 101,500,000
TOTAL.....	\$ 672,507,030

Item 2

## Recommendation

- Approve the updated Texas Tech University Five-Year Capital Projects Plan and authorize the submission of Texas Tech University's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

**FIVE-YEAR CAPITAL PROJECTS PLAN**  
Texas Tech University Health Sciences Center  
May 14, 2015

GENERAL PROJECT INFORMATION			FINANCIAL INFORMATION									
Priority	Project Name	Project Type	Square Footage	Project Budget	Funding Source (Millions)	Other Funding Source	Other Funding Source	Other Funding Source	Other Funding Source	Other Funding Source	Other Funding Source	Other Funding Source
1	Lubbock West Expansion	X	100,000	44,000	0	511201	\$ 38,700,000					\$ 38.70
2	Lubbock Education, Research & Technology Building	X	100,000	44,000	0	511201	\$ 45,000,000					\$ 45.00
3	Permian Basin Academic Facility	X	54,000	23,760	0	511201	\$ 19,800,000					\$ 19.80
4	Amerile Panhandle Clinical Simulation Center	X	21,000	13,200	0	511201	\$ 9,750,000	\$ 3.40				\$ 6.35
5	Various Facility Modernization and Renewal Renovations	X	25,000	11,000	0	511201	\$ 5,500,000	\$ 5.50				
6	Abilene Campus Expansion	X	40,000	24,000	0	513801	\$ 14,250,000			\$ 14.25		
7	Lubbock VA Clinic	X	120,000	52,800	0	511201	\$ 66,000,000					\$ 66.00
8	Clinical & Academic Expansion (HCC)	X	42,000	18,480	0	511201	\$ 23,000,000					\$ 23.00
9	Dental School Building	X	150,000	66,000	0	510504	\$ 79,700,000					\$ 79.70
10	Lubbock LARC Expansion & Upgrades	X	39,000	11,000	0	511201	\$ 13,500,000					\$ 13.50
11	Lubbock Thermal Energy Plant & Parking Garage	X	193,000	7,920	0	831000	\$ 47,000,000					\$ 47.00
12	Lubbock Infrastructure Improvements	X	0	0	0	838900	\$ 5,000,000					\$ 5.00
13	Lubbock Childcare Center	X	20,000	0	0	736958	\$ 7,700,000					\$ 7.70

**FIVE-YEAR CAPITAL PROJECTS PLAN**  
**Texas Tech University Health Sciences Center**  
**May 14, 2015**

GENERAL PROJECT INFORMATION				FINANCIAL INFORMATION									
Priority	Project Description	Project Type	Square Footage	Project Budget	Other Funds	Other Funds	Other Funds	Other Funds	Other Funds	Other Funds	Other Funds	Other Funds	Other Funds
14	1001 Lubbock Preston Smith Library Basement Build-Out	X	16,232	7,142	0	7,980,000	\$	7,000,000					\$ 7.00
15	0 Amarillo - Student Synergistic Center	X	10,000	2,000	0	511,201	\$	6,000,000					\$ 6.00
16	4001 Odessa Clinic Building 3rd Floor Expansion	X	6,100	5,490	0	511,201	\$	3,500,000					\$ 3.50
17	2002 Amarillo Renovate Women's Health & Research Institute	X	72,684	31,981	0	511,201	\$	21,400,000					\$ 21.40
18	0 SW SOP Dallas Renovation	X	4,115	1,810	0	512,001	\$	4,200,000					\$ 4.20
19	5002 Jenna Welch Expansion	X	7,800	3,430	0	511,201	\$	4,300,000					\$ 4.30
20	IN Real Property Purchase - Lubbock	X	0	0	5	000,000	\$	5,000,000					\$ 5.00
21	IN Real Property Purchase - Abilene	X	0	0	10	000,000	\$	5,000,000					\$ 5.00
22	IN Real Property Purchase - Dallas	X	0	0	2	000,000	\$	8,500,000					\$ 8.50
23	IN Real Property Purchase - Amarillo	X	0	0	5	000,000	\$	3,000,000					\$ 3.00
24	IN Real Property Purchase - Permian Basin	X	0	0	5	000,000	\$	3,000,000					\$ 3.00
25	0 Lubbock Institute on Aging	X	69,444	30,555	0	511,201	\$	40,250,000					\$ 40.25
TOTALS							\$ 40,250,000						



Item 3

## Texas Tech University Health Sciences Center

Approve the Five Year Capital Projects Plan  
and authorize submission of the MP1 Report

*Michael S. Molina*

Item 3

## TTUHSC - Capital Projects Plan

1) Lubbock West Expansion	\$ 38,700,000
2) Lubbock Education, Research & Technology Building	\$ 45,000,000
3) Permian Basin Academic Facility	\$ 19,800,000
4) Amarillo Panhandle Clinical Simulation Center	\$ 9,750,000
5) Various Facility Modernization and Renewal Renovations	\$ 5,500,000
6) Abilene Campus Expansion	\$ 14,250,000
7) Lubbock VA Clinic	\$ 66,000,000 ↑
8) Clinical & Academic Expansion (HCC)	\$ 23,000,000 ↑
9) Dental School Building	\$ 79,700,000 ↑

Item 3

## TTUHSC - Capital Projects Plan (cont.)

10) Lubbock LARC Expansion & Upgrades	\$ 13,500,000 ↓
11) Lubbock Thermal Energy Plant & Parking Garage	\$ 47,000,000 ↑
12) Lubbock Infrastructure Improvements	\$ 5,000,000
13) Lubbock Childcare Center	\$ 7,700,000
14) Lubbock Preston Smith Library Basement Build-Out	\$ 7,000,000 ↑
15) Amarillo – Student Synergistic Center	\$ 6,000,000
16) Odessa Clinic Building 3 <sup>rd</sup> Floor Expansion	\$ 3,500,000 ↑
17) Amarillo Renovate Women's Health & Research Institute	\$ 21,400,000 ↓
18) SW SOP Dallas Renovation	\$ 4,200,000
19) Jenna Welch Expansion	\$ 4,300,000 ↑
20) Real Property Purchase – Lubbock	\$ 5,000,000

Item 3

## TTUHSC - Capital Projects Plan (cont.)

21) Real Property Purchase– Abilene	\$ 5,000,000
22) Real Property Purchase – Dallas	\$ 8,500,000
23) Real Property Purchase – Amarillo	\$ 3,000,000
24) Real Property Purchase – Permian Basin	\$ 3,000,000
25) Lubbock Institute on Aging	\$ 40,250,000 ↓
TOTAL.....	\$ 486,050,000

Item 3

## Recommendation

- Approve the updated Texas Tech University Health Sciences Center Five-Year Capital Projects Plan and authorize the submission of Texas Tech University Health Sciences Center's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

**FIVE-YEAR CAPITAL PROJECTS PLAN**  
**Texas Tech University Health Sciences Center El Paso**  
**May 14, 2015**

GENERAL PROJECT INFORMATION			FINANCIAL INFORMATION									
Priority	Project No.	Project Description	Project Type	Square Footage	Project Budget	Other Revenue Funds	Capital Construction Funds	Other Revenue Funds	Capital Construction Funds	Other Revenue Funds	Capital Construction Funds	Funding Source (Millions)
1	0	El Paso Medical Science Building II	X	227,000	511,201	\$ 84,400,000						\$ 94.40
2	0	El Paso Clinical Sciences Building	X	87,500	511,201	\$ 37,000,000						\$ 37.00
3	0	El Paso Thermal Energy Plant & Parking Garage No. 1	X	450,000	831,000	\$ 66,500,000						\$ 66.50
4	0	El Paso Parking Garage No. 2	X	420,000	819,600	\$ 28,000,000						\$ 28.00
5	IN	Real Property Purchase - El Paso (Adjacent to Main Campus)	X	0	0	\$ 10,000,000						\$ 10.00
6	IN	Real Property Purchase - El Paso (Remote)	X	0	0	\$ 5,000,000						\$ 5.00
TOTALS					2,440,000	\$ 240,000,000						\$ 240.00

## Texas Tech University Health Sciences Center El Paso

Item 4

Approve the Five Year Capital Projects Plan  
and authorize submission of the MP1 Report

*Michael S. Molina*

## TTUHSC El Paso - Capital Projects Plan

Item 4

1) El Paso Medical Science Building II	\$ 94,400,000 ↑
2) El Paso Clinical Sciences Building	\$ 37,000,000 ↑
3) El Paso Thermal Energy Plant & Parking Garage No. 1	\$ 66,500,000 ↑
4) El Paso Parking Garage No. 2	\$ 28,000,000
5) Real Property Purchase – El Paso (Adjacent to Main Campus)	\$ 10,000,000
6) Real Property Purchase – El Paso (Remote)	\$ 5,000,000
TOTAL.....	\$ 240,900,000

Item 4

## Recommendation

- Approve the updated Texas Tech University Health Sciences Center El Paso Five-Year Capital Projects Plan and authorize the submission of Texas Tech University Health Sciences Center El Paso's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

[illegible]

Item 5

## Texas Tech University System Administration

Approve the Five Year Capital Projects Plan  
and authorize submission of the MP1 Report

*Michael S. Molina*

Item 5

## TTUSA - Capital Projects Plan

1) System Building	\$ 27,500,000
TOTAL.....	\$ 27,500,000



Item 5

## Recommendation

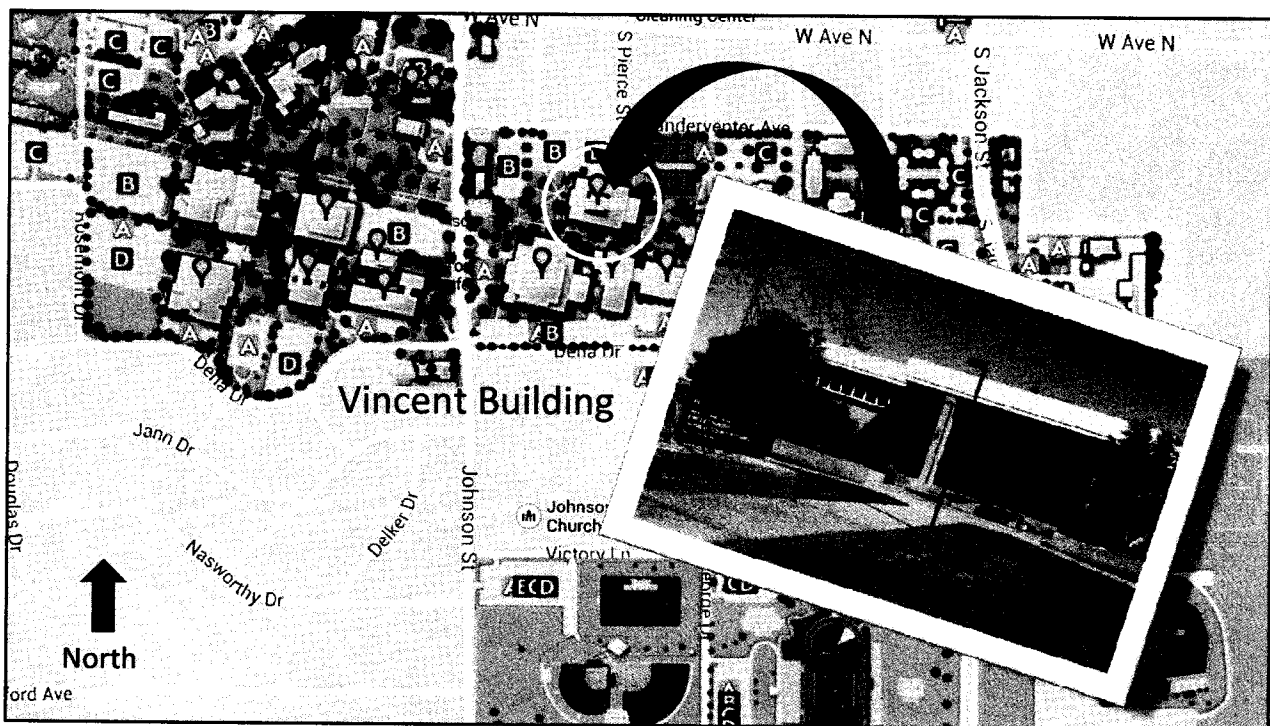
- Approve the updated Texas Tech University System Five-Year Capital Projects Plan and authorize the submission of Texas Tech University System's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

Item 6

## Angelo State University

### Approve a project to construct a new Engineering Laboratories addition to the Vincent Building

*Michael S. Molina*



## Scope of Work

Item 6

- Construct an approximate 11,000 GSF addition to the east side of the Vincent Building. Project to include:
  - 4 laboratories
  - 1 office
  - Restrooms, and
  - Support spaces
- Install service drive accessible to 2 labs on the north side.
- Include equipment provisions and installation.
- Provide site work, landscape enhancements, and public art.

## Proposed Project Budget

Item 6

<u>Total Project Budget</u>	\$	<u>4,000,000</u>
Construction	\$	2,908,500
Professional Services	\$	314,366
FF&E / Other Items	\$	462,500
Administrative Cost	\$	19,650
<i>Regents' Rules</i>	\$	80,000
(1% Public Art / 1% Landscape Enhancements)		
Contingency	\$	214,984
<b>SCHEDULE - TBD</b>		

Item 6

## Recommendation

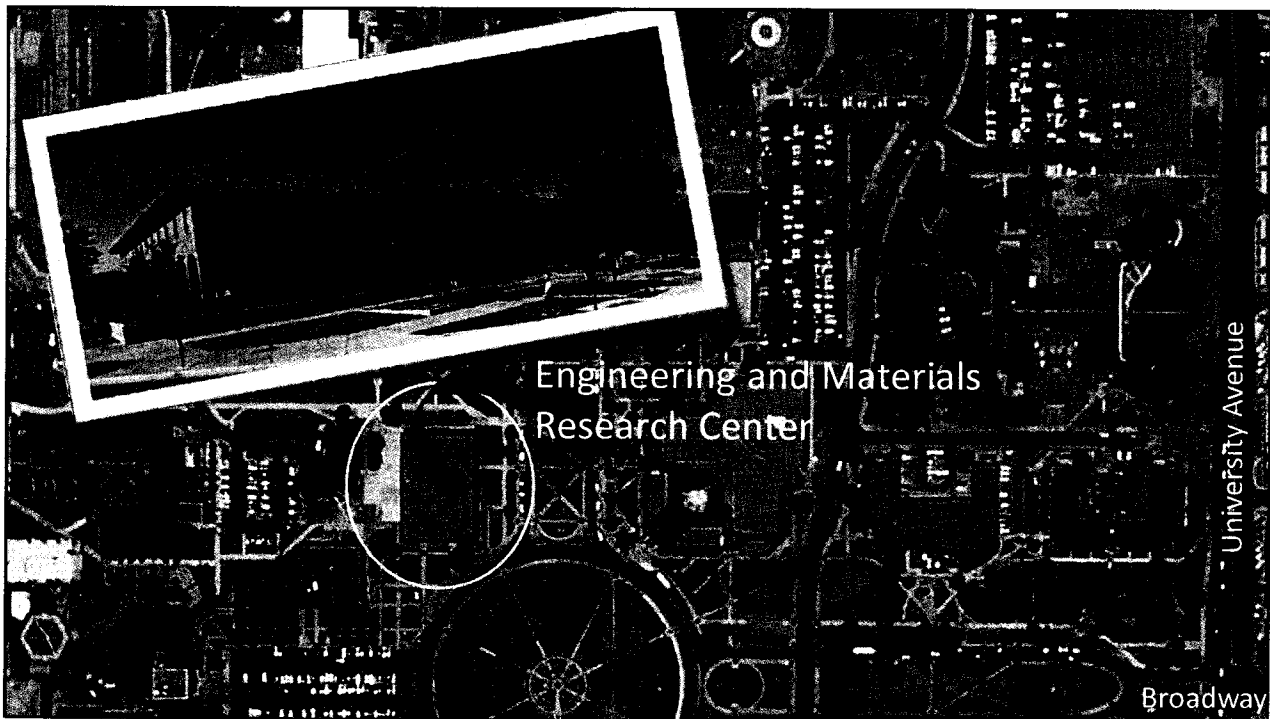
- Authorize to proceed with a project to plan, design, and construct an addition to the Vincent Building with a total project budget of \$4,000,000 in order to support the Bachelor of Science with a major in Civil Engineering (BSCE) degree; report project to the Texas Higher Education Coordinating Board; complete the contract documents; and award a construction contract.
- The project will be funded with cash-in-hand from gifts.

Texas Tech University

Item 8

## Approve budget increase for Phase II of the renovation of the Engineering and Materials Research Center building

*Michael S. Molina*



Item 8

## Scope of Work

- Phase II - renovation of the Engineering and Materials Research Center building will:
  - Renovate the basement for the Joint User Materials Synthesis and Characterization Lab.
  - Program the first & second floors as flexible research space along with associated offices for faculty and grad students, several meeting/conference rooms, one 50-seat lecture hall for distance education, as well as, upgraded classroom spaces.
  - Provide accessible elevators and restrooms.
  - Install new fire alarm & suppression systems.
  - Improve energy efficiency through replacement of the roofing system and exterior windows.
  - Include landscape enhancements, and
  - Public art

Item 8

## Phase I & Phase II Project Budget

Total Project Budget	\$ 29,207,030
Stage I Demo & Abatement*	\$ 2,905,000
Construction	\$ 20,251,012
Professional Services	\$ 854,168
FF&E / Other Items	\$ 3,157,222
Administrative Cost	\$ 362,453
Regents' Rules	\$ 1,214,683
(1% Public Art / 1% Landscape Enhancements / 2.4% FP&C)	
Contingency	\$ 462,492

\*Previously Approved

Item 8

## Schedule

- Start Construction June 2015
- Substantial Completion July 2016
- Final Completion August 2016

Item 8

## Recommendation

- Authorize to proceed with Phase II to renovate the Engineering and Materials Research Center building; increase the project budget by \$26,302,030 for a total project budget of \$29,207,030; waive the use of a Construction Manager Agent; report project to the Texas Higher Education Coordinating Board; complete the contract documents; and amend the Design-Build contract.
- The project will be funded with \$4.0M Higher Education Assistance Funds ("HEAF") cash, \$7.5M cash Gifts, with the balance financed through the Revenue Finance System ("RFS") repaid with \$7,302,030 HEAF, and \$7.5M from Texas Research Incentive Program ("TRIP").
- The total project budget includes the previously approved budget of \$2,905,000 (\$486,160 cash and \$2,418,840 HEAF cash).

Item 9

## Texas Tech University

### Approve acceptance of gift for and naming of the Engineering and Materials Research Center building

*Lisa Calvert*

Item 9

## Gift and Naming

- Accept charitable gift for the use and benefit of the University for the purpose of enhancing the research activities of the Jack Maddox and Donovan Maddox Distinguished Engineering Chairs ("Maddox Chairs") as set forth in Gift Agreement.
  - Irrevocable pledge of \$7.5 M paid to the University in one payment on or before July 15, 2015.
  - First & second floors are dedicated to and used exclusively by the Maddox Chairs for research purposes.
- The University acknowledges the Gift by naming the building the "*Maddox Engineering Research Center*".



Item 9

## Recommendation

- Accept a gift for the benefit of the Engineering and Materials Research Center building in the Edward E. Whitacre, Jr. College of Engineering: \$7,500,000 total gift from the J. F Maddox Foundation for the purpose of enhancing the research activities of the Jack Maddox and Donovan Maddox Distinguished Engineering Chairs and used by Texas Tech University in conjunction with the Edward E. Whitacre, Jr. College of Engineering to renovate the Engineering and Materials Research Center building for research purposes.
- Approve the naming of the Engineering and Materials Research Center building as the "*Maddox Engineering Research Center*" in recognition of J. F Maddox Foundation's significant gifts. The donor concurs with the naming of this facility.

Item 10

Texas Tech University

Approve establishment of a Stage I design  
budget for a new Residence Hall

*Michael S. Molina*



Item 10

## Scope of Work

- Provide conceptual site analysis on two separate sites for a new Residence Hall project.
- Project to create modern traditional style dormitory (two beds per room with common restroom facilities).
- Sites under consideration are:
  - Land north and west of West Village
  - Land adjacent to Murray Hall
- Site analysis will determine the development capacity of each site so the program can be further defined in terms of density, open space, and environmental quality.
- Previously listed on the MP1 as a \$50M project, TTU is interested in exploring a \$25-30M project.

Item 10

## Stage I – Design Budget

<u>Budget</u>	\$	<u>350,000</u>
Construction	\$	0
Professional Services	\$	350,000
FF&E / Other Items	\$	0
Administrative Cost	\$	0
<i>Regents' Rules</i>	\$	0
(1% Public Art / 1% Landscape Enhancements)		
Contingency	\$	0

Item 10

## Recommendation

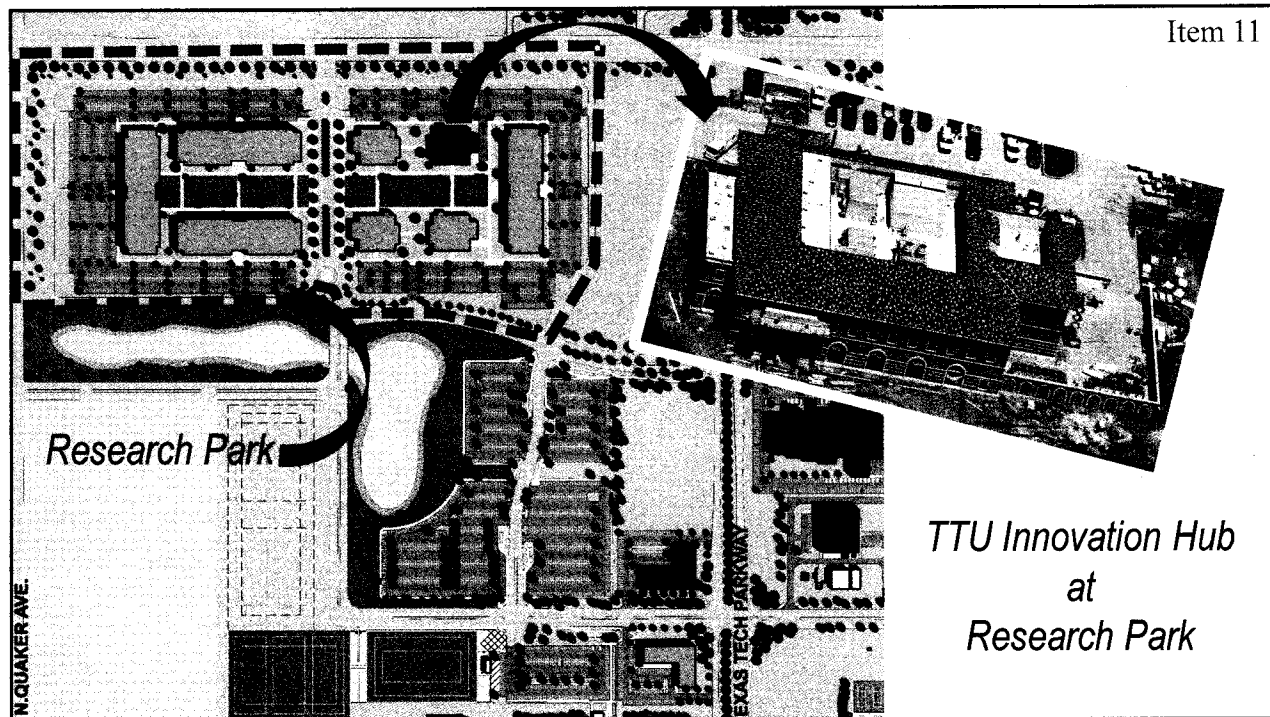
- Authorize to establish a Stage I design budget of \$350,000 to provide conceptual site analysis for a new Residence Hall; and award a Design-Build contract.
- The design budget will be funded with University Student Housing funds (cash).

Item 11

Texas Tech University

## Approve naming of the TTU Research & Technology Park and the first building

*Michael S. Molina*



Item 11

## Recommendation

- Approve naming the master planned TTU Research & Technology Park the "*Research Park*" and that the first building, currently under construction, be named "*TTU Innovation Hub*."
- Therefore, reference to this building would be "*TTU Innovation Hub at Research Park*."

# *Texas Tech University*

## *Transit Master Plan Report*

Noel Sloan  
Vice President for Administration and Finance,  
Chief Financial Officer

Eric Crouch  
Managing Director,  
Transportation & Parking Services

May 14, 2015



## **Background**



- On March 6, 2015, Board of Regents approved entering an agreement with SRF Consulting Group, Inc. to provide transit planning consultation services for Texas Tech University.
- Prior work addressing transit plans:
  - ✓ 2001 Transit Study – looked at routes as part of Texas Tech Parkway and larger parking study.
  - ✓ 2007 Transit Study – identified efficiency improvements of routes.
  - ✓ 2013 City of Lubbock Fixed Route Study – did not include a Texas Tech component.
  - ✓ 2014 TTU/TTUHSC Lubbock Campus Master Plan: Land Use Vision & Plan – includes planning principles for transit system.

## Existing Conditions



- Overall ridership has increased 30% since 2010 with 2,951,504 rides provided last year.
- 54% of students come to campus by a means other than single-occupancy vehicle.
- Total operating costs for FY15 TTU transit contract is \$3.7M.

3

## Existing Conditions



- **Fleet Status:**

Transit System	# of Vehicles	Average Age	Useful Life	Vehicles Beyond Useful Life	% of Fleet Beyond Useful Life
Texas Tech University	46	14.5	12	44	96%
Citibus	34	10.1	12	15	44%
Paratransit	32	7.5	6	32	100%

- 80% Federal match for capital costs is no longer available for communities Lubbock's size due to changes in allocation patterns of federal funding and the shift from bus to rail project funding.

4



## Stakeholder Input



- Interviews, meetings, and focus groups with members of TTU administration, auxiliary services, and student government.
- Open house-style town hall meeting.
- Web-based survey distributed to TTU community members.

5

## Stakeholder Input



- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• <b>Strengths</b><ul style="list-style-type: none"><li>• Efficient operations.</li><li>• Safety.</li><li>• Good alternative to requiring a car on campus.</li><li>• Walkable, transit-friendly neighborhoods near campus.</li><li>• On-time performance.</li><li>• Frequency of service.</li></ul></li><li>• <b>Opportunities</b><ul style="list-style-type: none"><li>• Enrollment growth.</li><li>• Master plan supports transit, limits parking on core of campus.</li><li>• Market for late night services.</li><li>• Transit partnerships (housing, athletics).</li><li>• Turnover of student body.</li></ul></li></ul> | <ul style="list-style-type: none"><li>• <b>Weaknesses</b><ul style="list-style-type: none"><li>• Surface parking in core of campus.</li><li>• Technology – customer and transit operator.</li><li>• Awareness and understanding of transit services.</li><li>• Transit facilities.</li><li>• Night service ridership.</li></ul></li><li>• <b>Threats</b><ul style="list-style-type: none"><li>• Lubbock is a very automobile oriented community.</li><li>• Facilities and infrastructure must support campus growth.</li><li>• Funding.</li><li>• Turnover of student body.</li></ul></li></ul> |
|---|---|

6

## Peer Analysis



	Transit Operator	Oversight of Operations	Annual Ridership	Enrollment	Trips Per Student	University Revenue	Primary Source of Capital Funding
Texas Tech University	Cities, under agreement with City of Lubbock	Student Government Association w/ Technical Assistance from Transportation and Parking Services and Cities	3 million	35,500	85	Student Fee: \$52/year	City of Lubbock; PTA Grants
University of Kansas	KU oversees KU Transportation (contractor)	University Transportation Commission (majority student gov. makes recommendations to Provost. Students oversee late-night services.	2.9 million	30,000	97	Student Fees: \$51/year - General Operations \$24/year - Late Night Service	Student fees: \$23.50/year
Texas A&M University	Texas A&M oversees SSC (contractor)	University staff	8 million	82,000	97	Student Fee: \$154/year Parking Fees: \$250,000/year	Student Fee, capital set-aside
Penn State University	CATA	Penn State staff and CATA Board	7.2 million	45,500	156	Tuition and parking revenue: ~ \$5 million/year (\$110/student)	State of PA Grants
University of Iowa	University of Iowa	Parking and Transportation Advisory Committee	4 million	31,500	127	Student Fee: \$58/year Parking Fees w/50 Street Transit	University of Iowa
University of Georgia	University of Georgia	University staff, student government allocates funding.	9.5 million	36,000	271	Student Fee: \$110/year	PTA Section 5307 Funding/Capital Set-aside

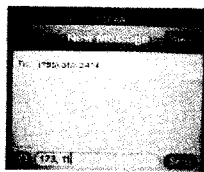
7

## Peer Analysis

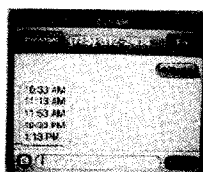


### • Technology

- All peers deploy a variety of technology applications.
- Web-based trip planners that integrate with smart phones.
- Real time bus schedules.
- Wayfinding at stops.



Sending message...



and the reply.

Find your way around UGA!



via RouteShout  
Available FREE in the app stores!  
Alternatively, click here for mobile site



8

## Contract Service Analysis



- TTU operated service requires initial capital investment to buyout existing old buses from Citibus and construct maintenance facility (\$4.8M - \$9M) .
- Annual operating costs could range from 2.4% lower to 18.7% higher than Citibus costs.
- Revenues from advertising may be different based on university policy.
- Federal funds that are available may not transfer TTU.

	TTU Low Estimate	TTU High Estimate	Estimate of Citibus Costs
Labor	\$1,645,300	\$2,001,000	\$1,685,400
Insurance	\$300,000	\$300,000	\$128,691
Facility	\$4,000,000	\$8,000,000	
Fleet	\$763,400	\$1,000,800	
TOTAL	\$6,708,700	\$11,301,800	\$1,814,091

9

## Recommendations



- **Governance Plan**
  - TTU service in transition following several years of deficit spending on transit.
  - Student leadership should focus on determining desired campus service levels, decisions on off-campus service levels and revision of the safety transit programs.
  - Transportation & Parking Services (TPS) should focus on data analysis, cost and revenue models, budget monitoring, technology development for the system, prioritization of service development, marketing, and coordination with other transportation modes. TPS should also serve as the communication bridge between those entities involved in making the system successful.
  - A review of the Citibus board should be conducted to include TTU representation.

10

## Recommendations – Near Term (2015-2016)



### Service Elements

- Standardize bus frequencies
- Add fixed route evening service
- Improve timetables, media, and website
- Collect reliability and ridership data
- Add buses to fleet

### Infrastructure Elements

- Improve route signage at bus stops and shelters
- Update bus stops to reflect past and future route changes
- Develop financial model for capital investment

### Planning Elements

- Analyze need and conduct outreach focused on evening off-campus service
- Study effectiveness and efficiency of S-Bus, Nite Owl, and Safe Ride service
- Explore opportunities and impacts of transportation network companies

11

## Recommendations – Mid Term (2016-2019)



### Service Elements

- Route changes
- Additional coordinated service with Citibus

### Infrastructure Elements

- Establish source of capital funding
- Begin to purchase dedicated fleet of TTU Transit Vehicles
- Bus stops
- Technology improvements

### Planning Elements

- Analyze effectiveness of off-campus evening service
- Review Citibus connections to TTU
- Study feasibility of pedestrian facility at University Avenue

12

## Recommendations – Long Term (2020+)



### Administrative Elements

- Improve relationship and explore further partnerships with the City of Lubbock
- Evaluate Citibus board structure

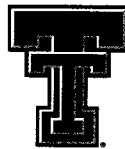
### Infrastructure Elements

- Encourage transit supportive development in neighborhoods near TTU
- Explore feasibility of sustainable transportation elements

### Planning Elements

- Involvement with City of Lubbock's downtown redevelopment and other off campus development

13



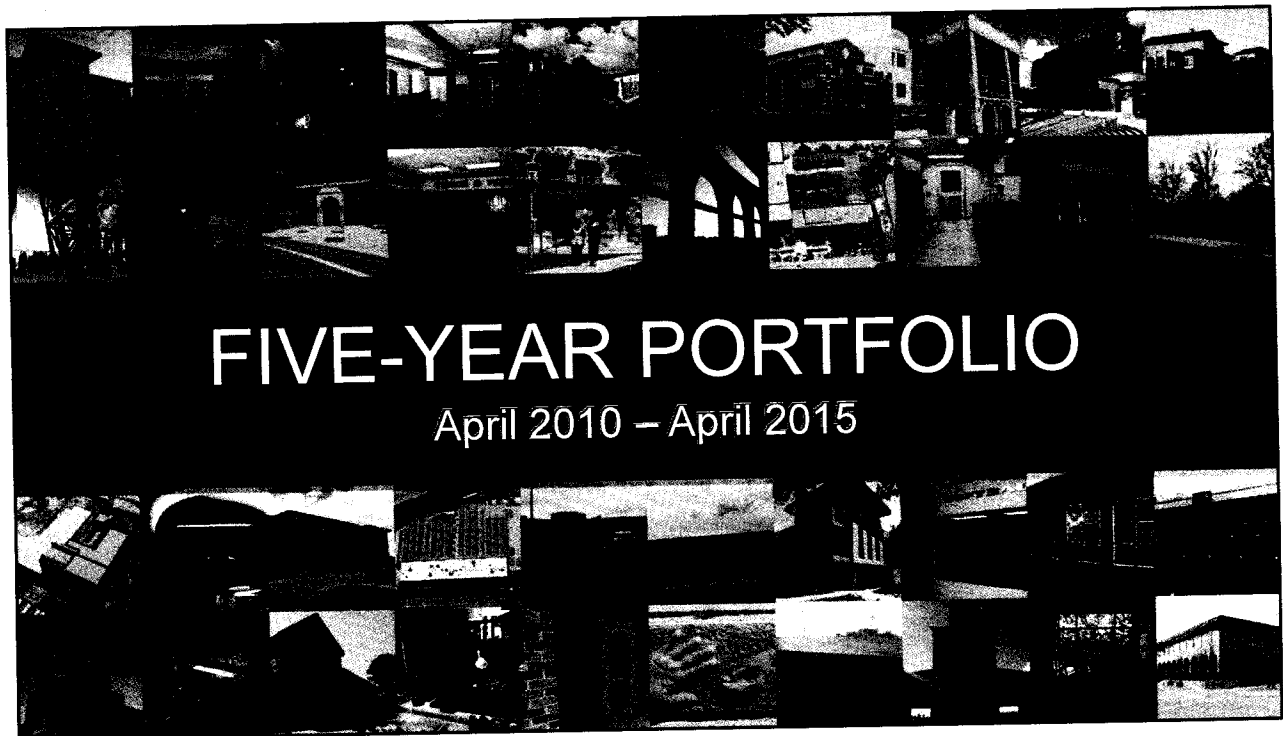
TEXAS TECH  
UNIVERSITY.

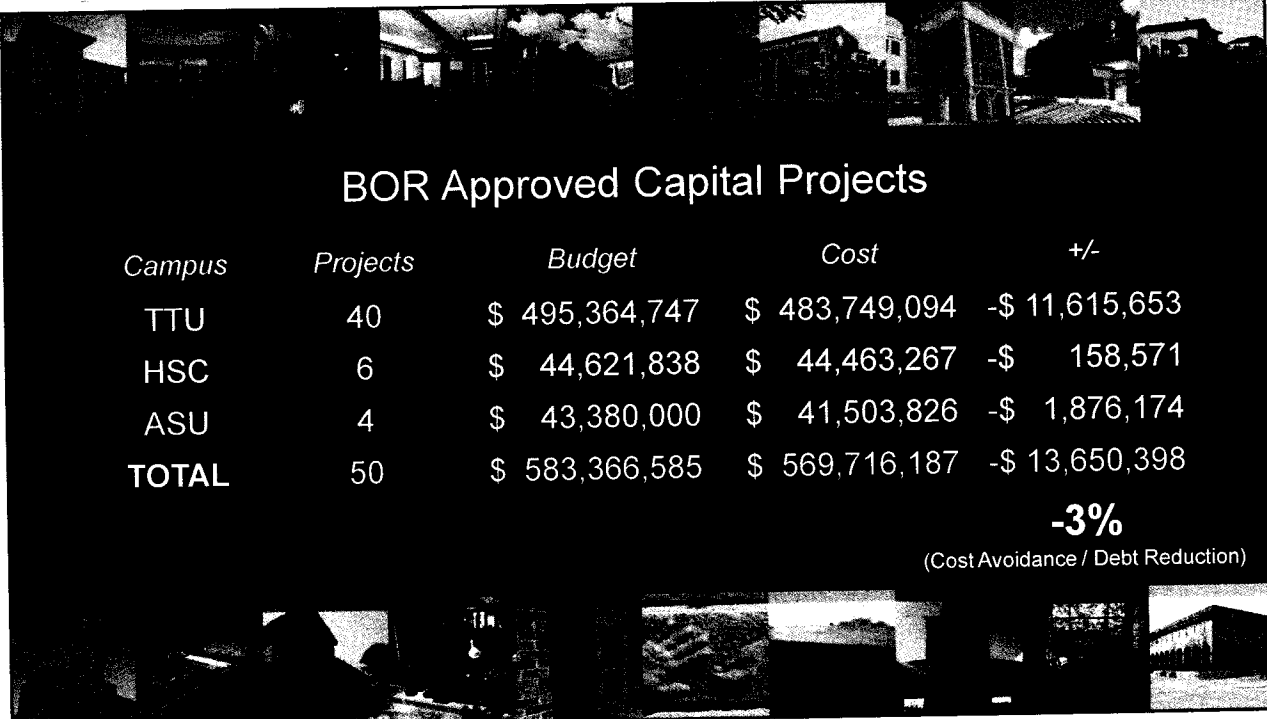
Item 13

# Texas Tech University System

## Report on Facilities Planning and Construction projects

*Michael S. Molina*





### BOR Approved Capital Projects

<i>Campus</i>	<i>Projects</i>	<i>Budget</i>	<i>Cost</i>	<i>+/-</i>
TTU	40	\$ 495,364,747	\$ 483,749,094	-\$ 11,615,653
HSC	6	\$ 44,621,838	\$ 44,463,267	-\$ 158,571
ASU	4	\$ 43,380,000	\$ 41,503,826	-\$ 1,876,174
<b>TOTAL</b>	<b>50</b>	<b>\$ 583,366,585</b>	<b>\$ 569,716,187</b>	<b>-\$ 13,650,398</b>


**-3%**  
(Cost Avoidance / Debt Reduction)

Item 13

## Jones AT&T Stadium SE 1<sup>st</sup> Floor-Ticket Office

➤ Project Budget - \$1,650,000 / 6,691 GSF

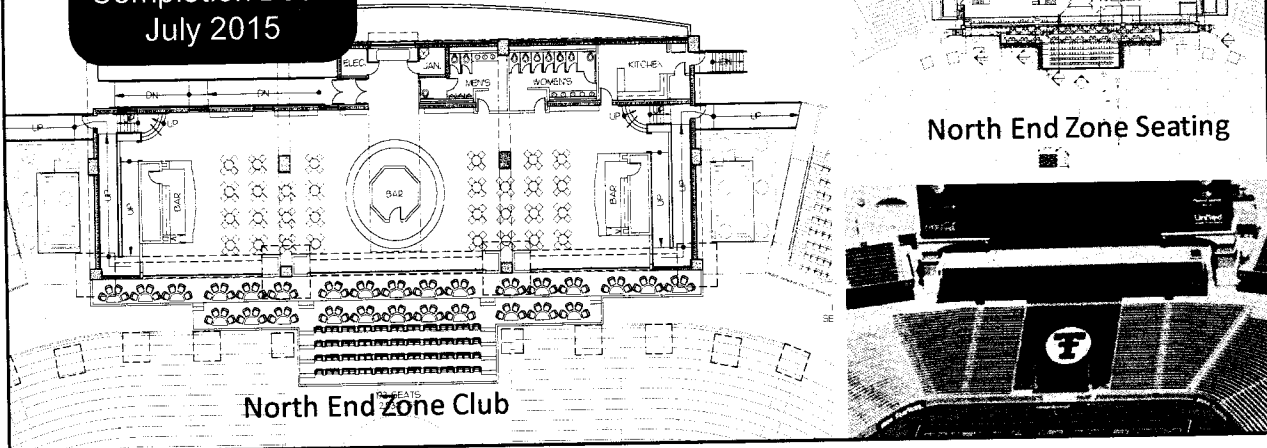
Completion Date:  
July 2015



## Jones AT&T Stadium North End Zone Building Renovations Item 13

➤ Project Budget - \$3,750,000 / 10,505 GSF

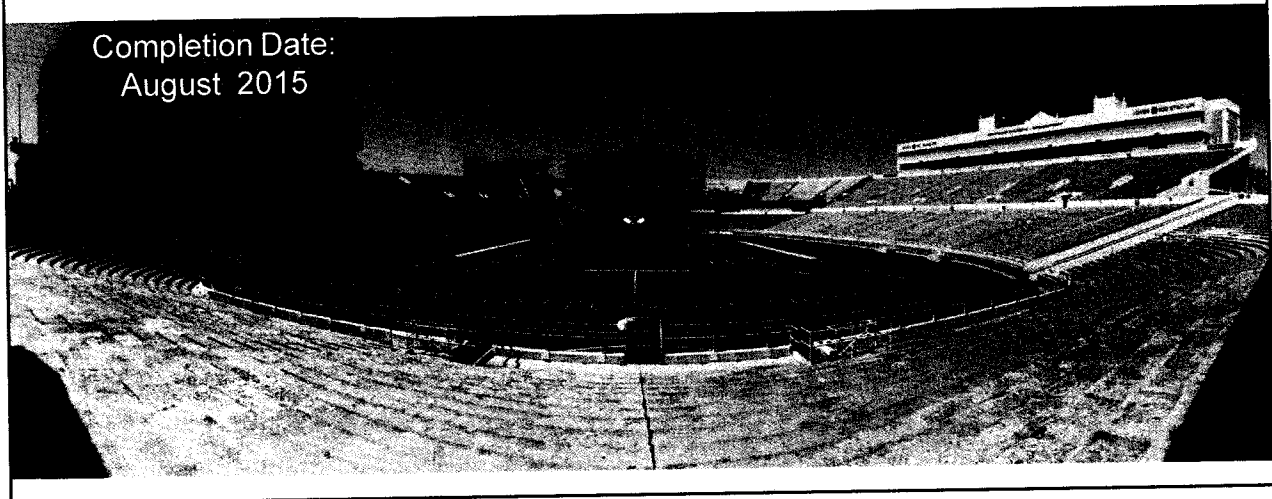
Completion Date:  
July 2015



## Jones AT&T Stadium Seating Replacement & Concrete Repairs Item 13

➤ Project Budget - \$3,800,000

Completion Date:  
August 2015

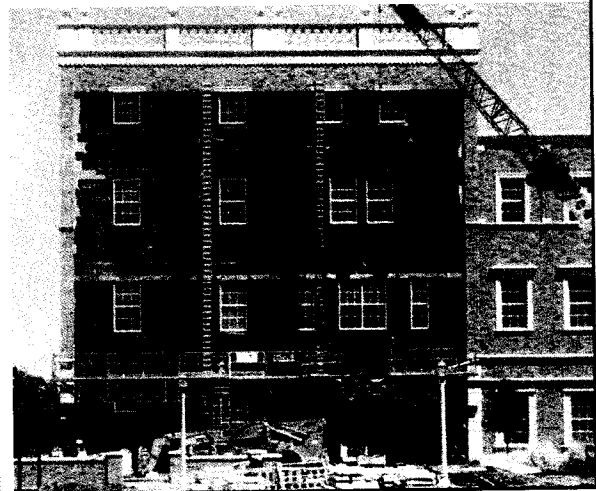




## Rawls College of Business Administration Addition

Item 13

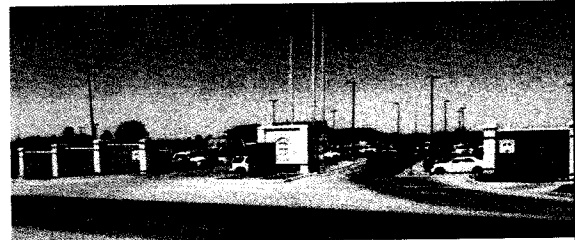
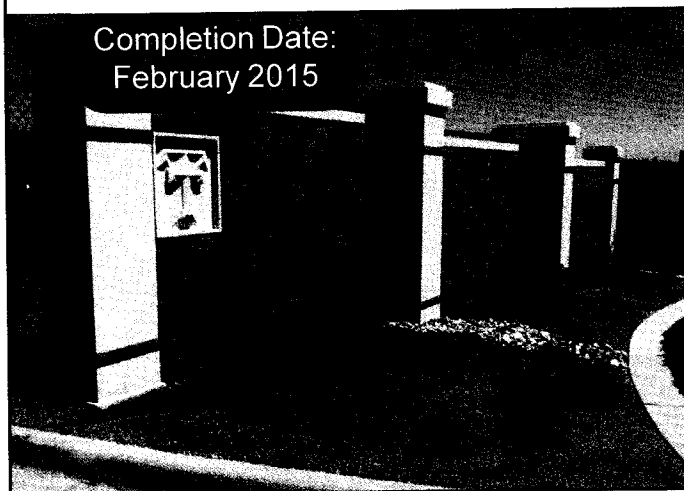
- Project Budget - \$15,000,000 / 38,000 GSF



## Rawls Golf Course Entry

Item 13

- Project Budget - \$130,000



Item 13

## College of Human Sciences Life Safety Upgrade

➤ Project Budget - \$9,650,000 / 166,674 GSF

Completion Date:  
August 2015

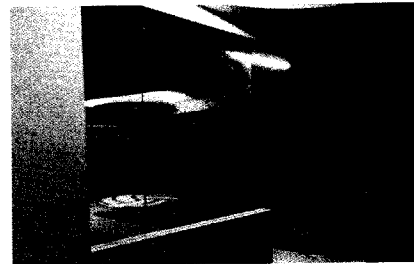


Item 13

## United Supermarkets Arena Renovation

➤ Project Budget - \$5,050,000 / 25,451 GSF

Completion Date:  
November 2015



Item 13

## Campus Beautification – Phase I

➤ Project Budget - \$2,500,000

Completion Date:  
February 2015

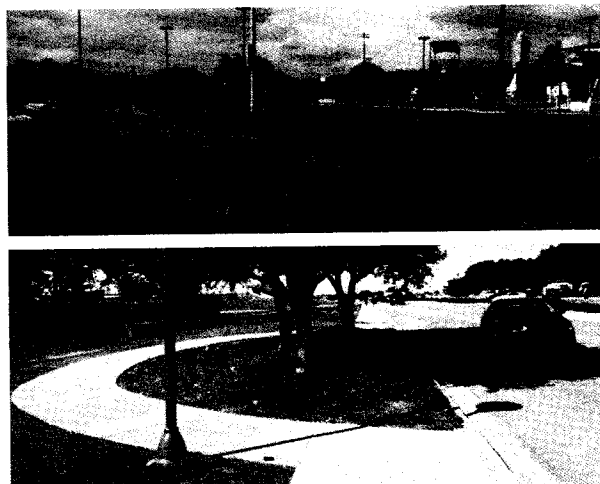


Item 13

## Campus Beautification – Phase II

➤ Project Budget - \$2,450,000

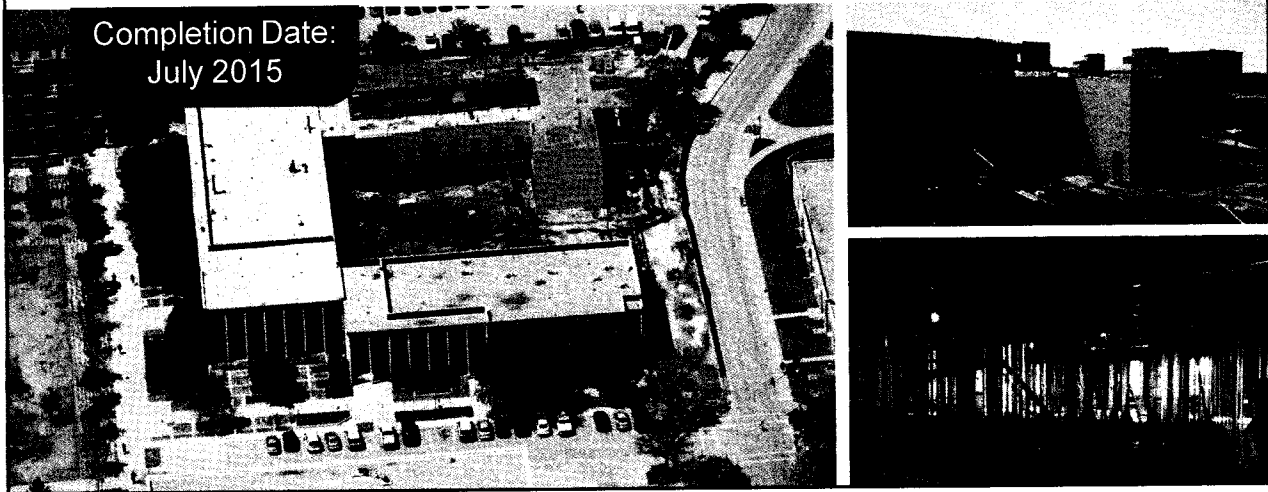
Completion Date:  
Spring 2015



Item 13

## Bayer Plant Science Building

➤ Project Budget - \$14,340,000 / 21,122 GSF



Item 13

## Research & Technology Park – Phase I

➤ Project Budget - \$29,045,000 / 41,000 GSF

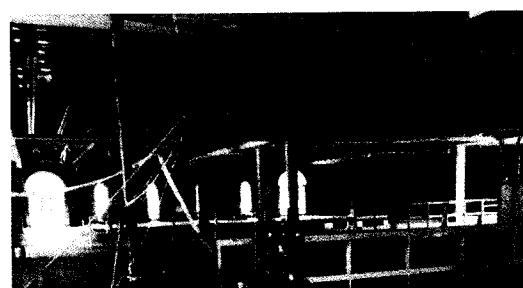
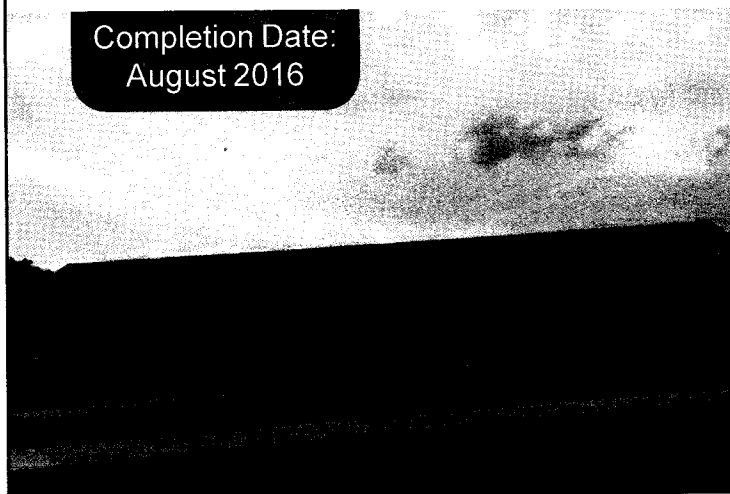


## Engineering & Materials Research Center Renovation

Item 13

➤ Project Budget - \$29,207,030 / 73,649 GSF

Completion Date:  
August 2016

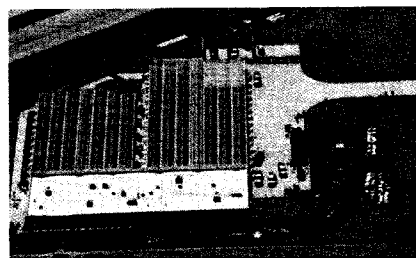


## Bayer CropScience – Seeds Innovation Center Research & Development / Trait Development

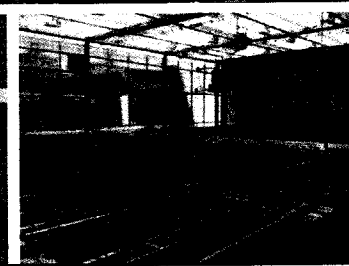
Item 13

➤ Project Budget - \$19,316,135 / 74,990 GSF

Completion Date:  
December 2014



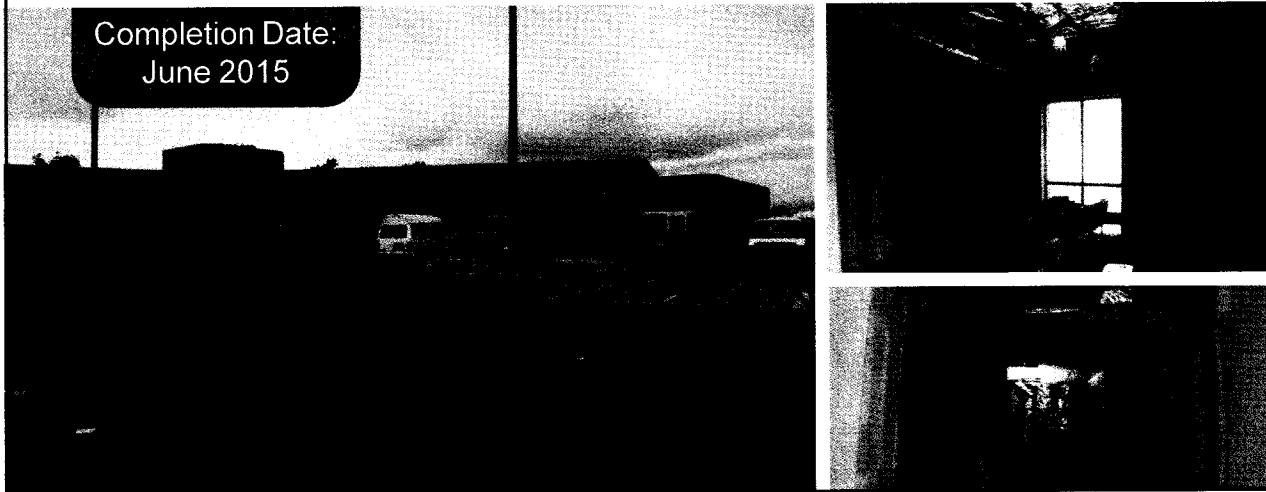
Completion Date:  
May 2015



## The Larry Combest Community Health and Wellness Center Expansion

Item 13

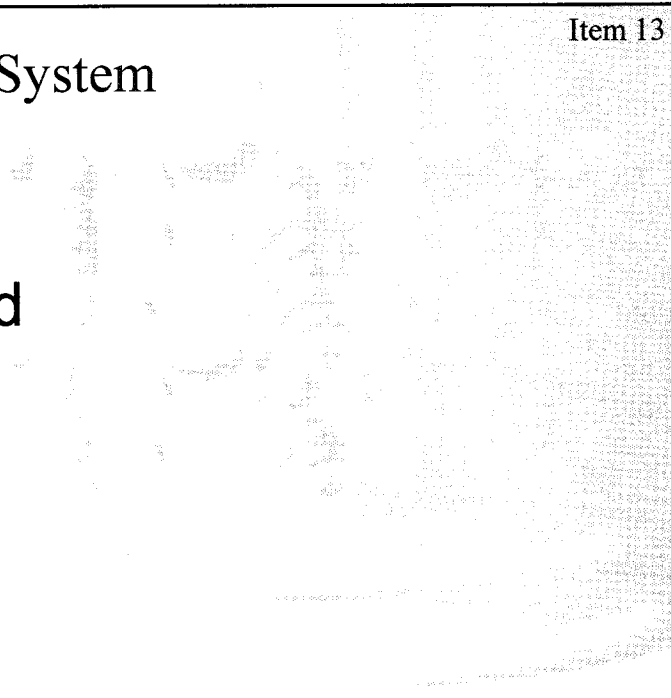
➤ Project Budget - \$5,108,500 / 10,861 GSF



## Texas Tech University System

Item 13

Public Art – Installed

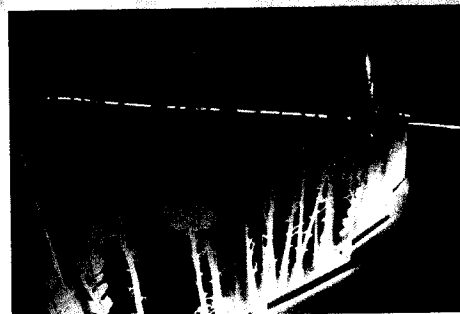
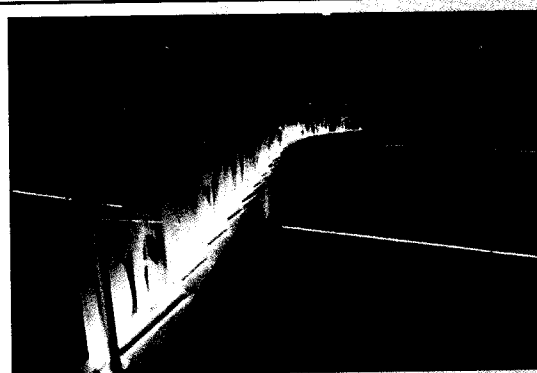
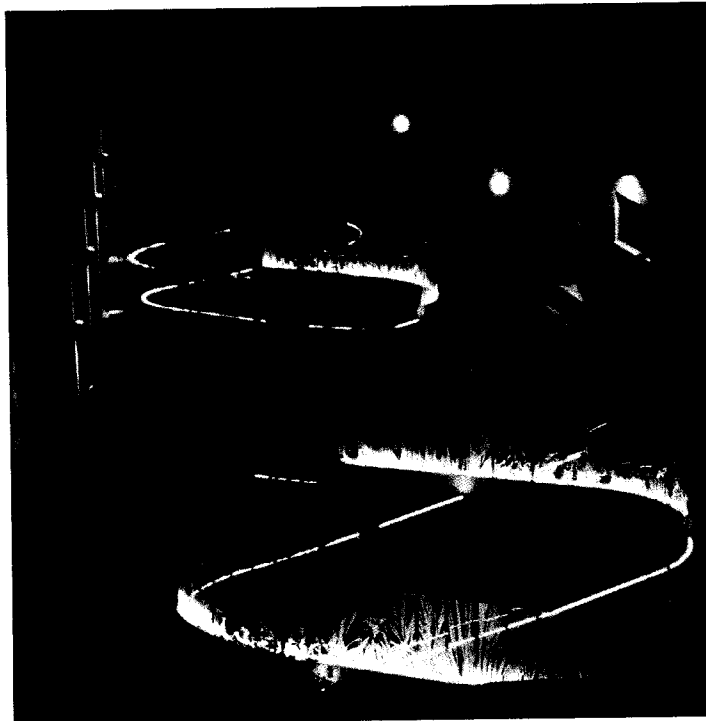
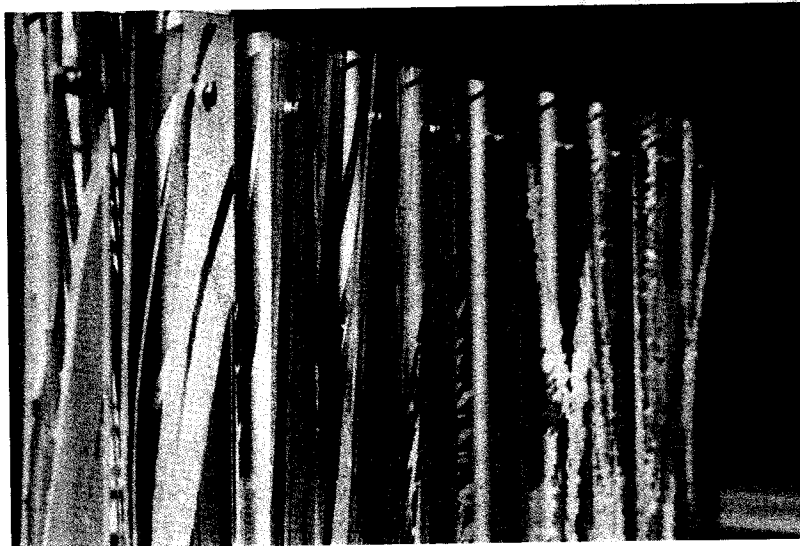


Item 13

TTUHSC El Paso – Gayle Greve Hunt School of Nursing

*Andrea Wasserman & Elizabeth Billings (Vershire, VT)*

\$145,000



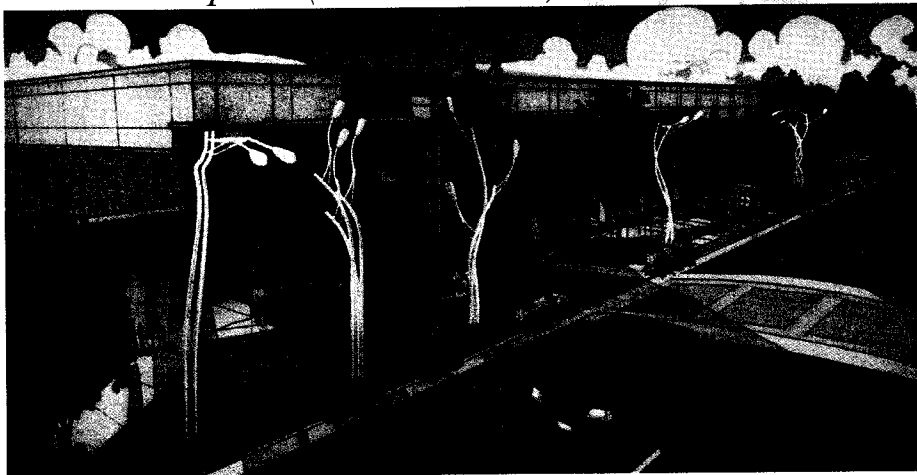
Item 13

## Texas Tech University System

### Public Art – In Progress

Item 13

Bayer CropScience – Seeds Innovation Center  
Research & Development / Trait Development  
*Aaron Stephan (Portland, ME)*



“Lubbock Lights”

\$170,000

Late May 2015  
installation

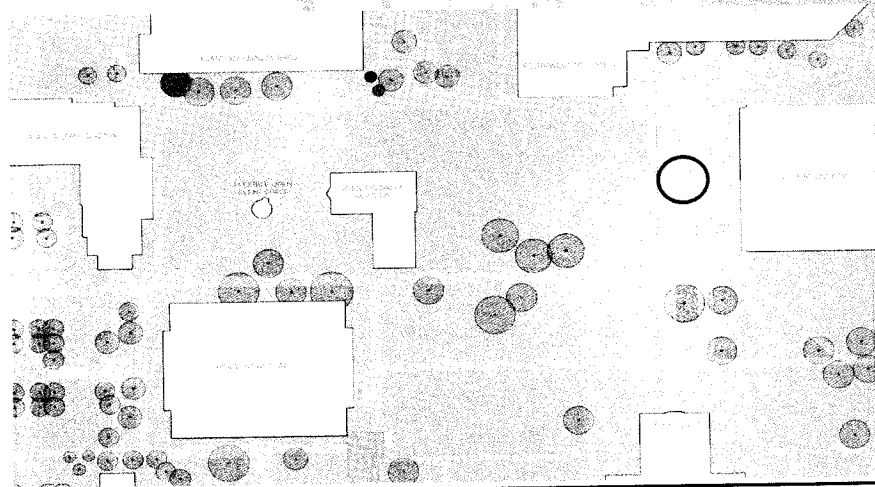
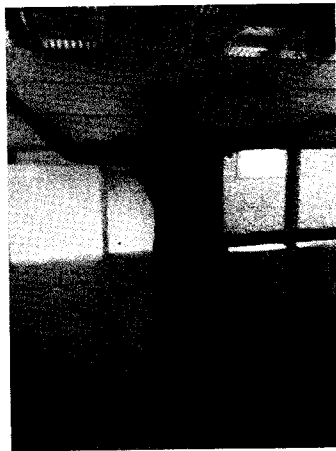


Item 13

Campus Beautification, *donated Zeus sculpture*

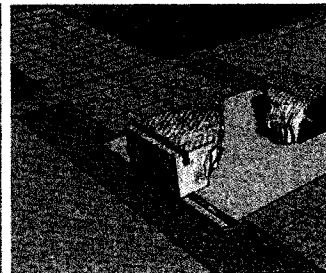
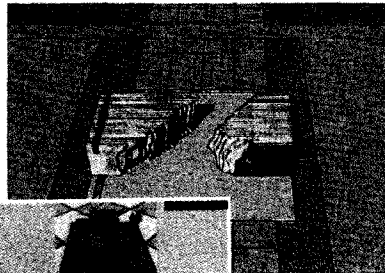
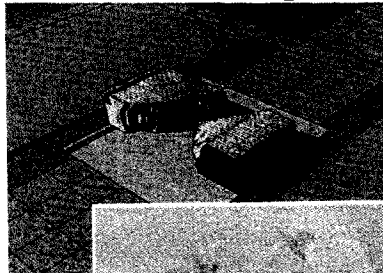
\$25,000

## May 2015 installation



Item 13

Bayer Plant Science Building  
Rebecca Thompson (Los Angeles, CA)



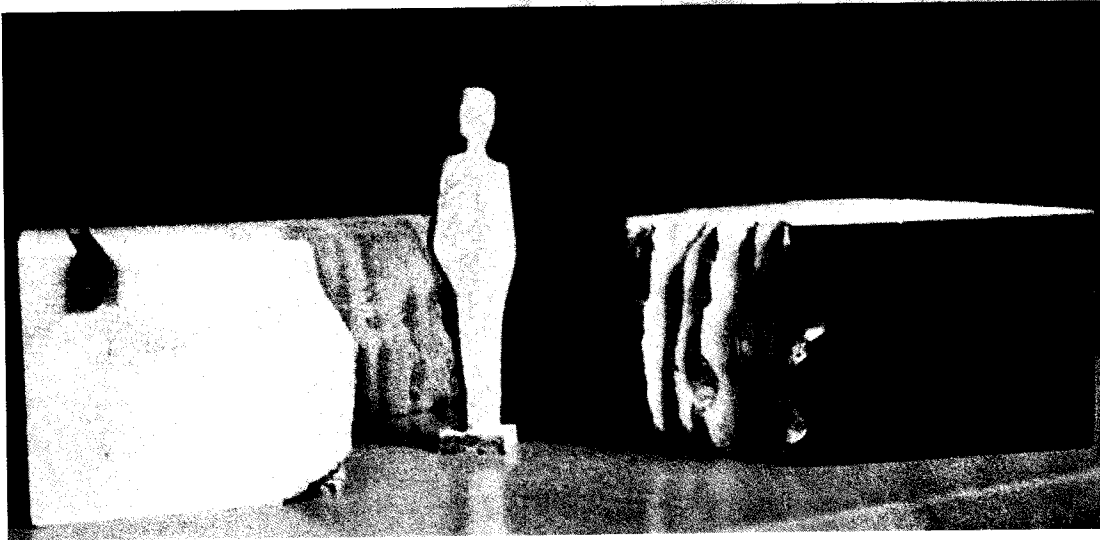
Cut sandstone quarried from Texas; bronze rainwater channel feeds water to plant counter.

\$136,000

## July 2015 installation

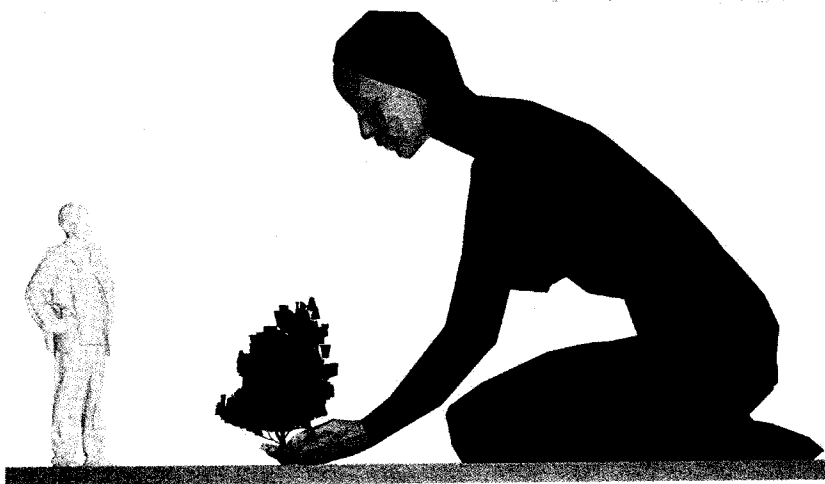
Item 13

Bayer Plant Science Building  
*Rebecca Thompson (Los Angeles, CA)*



Item 13

Biology Building  
*Julian Voss-Andreae (Portland, OR)*



\$77,000

July 2015  
installation

Item 13

## Biology Building

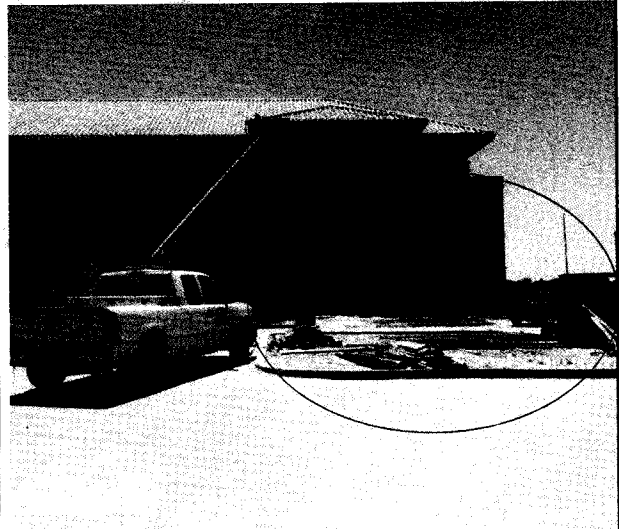
*Julian Voss-Andreae (Portland, OR)*



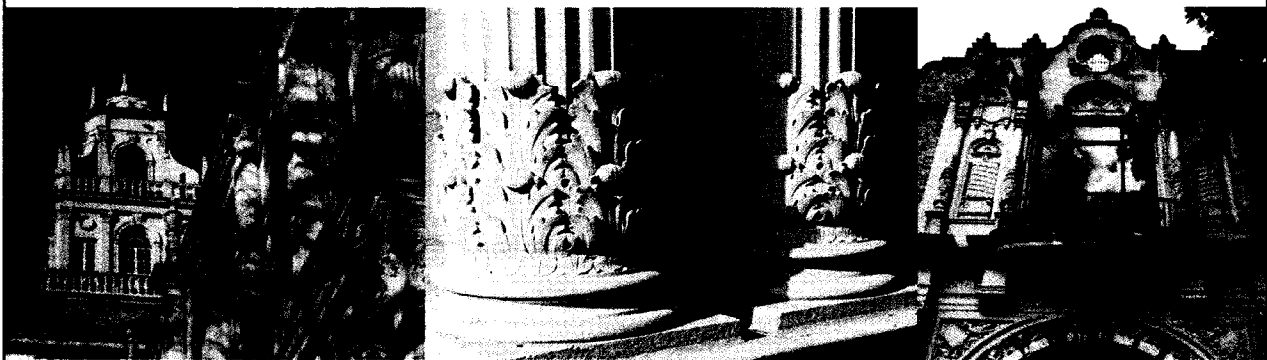
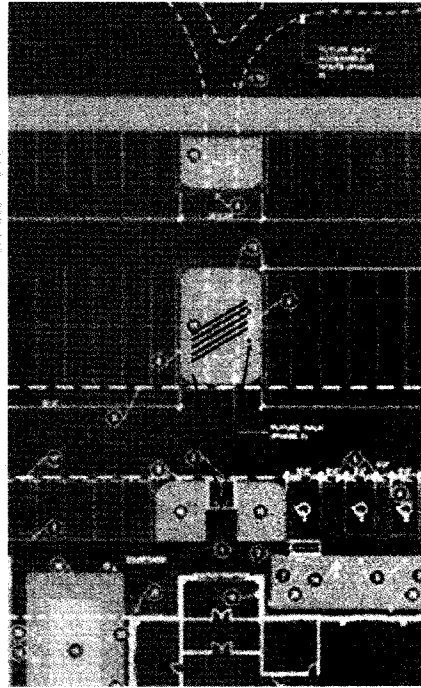
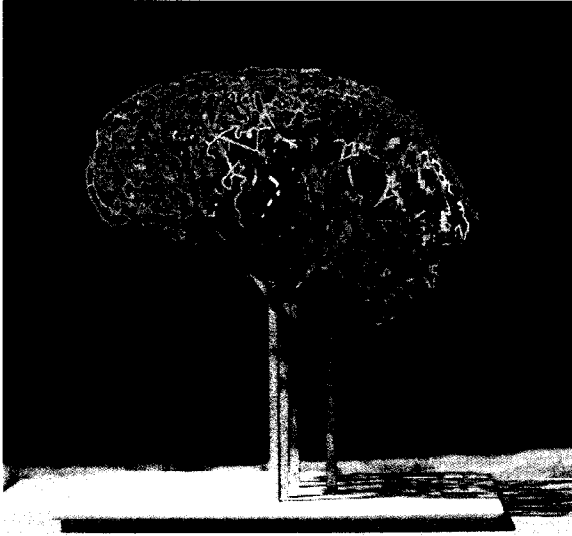
Item 13

## Research Park

*Marco Cianfanelli (Melville, South Africa)*



Item 13



TEXAS TECH UNIVERSITY SYSTEM



# TTUS Design & Construction Review

## Under Construction

### May 2015

www.fpc.ttu.edu

	<u>Project</u>	<u>Cost</u>	<u>Status</u>	<u>Completion Date</u>
TTU	College of Human Sciences Life Safety Upgrade	\$ 9,650,000	Under Construction	August 2015
	Campus Beautification Phase I & Phase II	\$ 4,950,000	Under Construction	February/Spring 2015
	Bayer Plant Science Building	\$ 14,340,000	Under Construction	July 2015
	Synthetic Turf Intramural Recreation Fields	\$ 5,785,000	Substantially Complete	February 2015
	Engineering & Materials Research Center Renovation	\$ 29,207,030	Under Construction	August 2016
	United Supermarkets Arena Renovation	\$ 5,050,000	Under Construction	November 2015
	Research & Technology Park - Phase I	\$ 29,045,000	Under Construction	May 2015
	Rawls College of Business Administration Addition	\$ 15,000,000	Under Construction	July 2016
	Jones AT&T Stadium Renovation SE 1st Floor	\$ 1,650,000	Under Construction	July 2015
	Jones AT&T Stadium North End Zone Building Renovations	\$ 3,750,000	Under Construction	July 2015
	Bayer CropScience-Seeds Innovation Center	\$ 19,316,135	Under Construction	December 2014/ May 2015
	Research & Development / Trait Development			
	<b>TTU Total</b>	<b>\$ 137,743,165</b>		
ASU		\$ -		
	<b>ASU Total</b>			
HSC	The Larry Combest Community Health and Wellness Center Expansion	\$ 5,108,500	Substantially Complete / Under Construction	June 2015
	<b>HSC Total</b>	<b>\$ 5,108,500</b>		
EP	El Paso School of Nursing	\$ 14,500,000	Complete	November 2014
	<b>EP Total</b>	<b>\$ 14,500,000</b>		
	<b>Under Construction Grand Total</b>	<b>\$ 157,351,665</b>		



	<u>Project</u>	<u>Cost</u>	<u>Status</u>	<u>Completion Date</u>
TTU	College of Visual and Performing Arts - Phase I & II	\$ 45,200,000	Program Complete	TBD
	System Office Building	\$ 27,500,000	In Design	Spring 2016
	Petroleum Engineering Building Renovation	\$ 5,000,000	In Design	TBD
	New Residence Hall	\$ 30,000,000	In Design	TBD
	TTU Total	\$ 107,700,000		
ASU	College of Health & Human Services	\$ 27,141,000	On Hold	TBD
	ASU Total	\$ 27,141,000		
HSC	Amarillo Panhandle Clinical Simulation Center	\$ 9,750,000	On Hold	TBD
	Abilene Public Health Facility	\$ 14,250,000	In Design	TBD
	Amarillo Student Synergistic Center	\$ 6,000,000	On Hold	TBD
	HSC Total	\$ 30,000,000		
EP	EP Total	\$ -		
	In Design Grand Total	\$ 164,841,000		



<u>Project</u>		<u>Cost</u>	<u>Status</u>	<u>Completion Date</u>
TTU	Research Building (ESB II)	\$ 97,700,000	Proposed	TBD
	College of Engineering Expansion/Renovation Phase II	\$ 67,600,000	Proposed	TBD
	Weeks Hall Abatement and Renovation	\$ 24,200,000	Proposed	TBD
	University Data Center	\$ 21,000,000	Proposed	TBD
	South End Zone Renovation	\$ 41,000,000	Proposed	TBD
	Football Training Center Renovation	\$ 2,000,000	Proposed	TBD
	Jones AT&T Stadium East Building Finish-Out	\$ 20,000,000	Proposed	TBD
	<b>TTU Total</b>	<b>\$ 273,500,000</b>		
ASU	Engineering Laboratories Addition	\$ 4,000,000	Proposed	TBD
	Academic Building Renovation & Addition	\$ 24,788,000	Proposed	TBD
	<b>ASU Total</b>	<b>\$ 28,788,000</b>		
HSC	Lubbock Education, Research & Technology Renovation	\$ 45,000,000	Proposed	TBD
	Lubbock West Expansion	\$ 38,700,000	Proposed	TBD
	Permian Basin Academic Facility	\$ 19,800,000	Proposed	TBD
	Amarillo Women's Health & Research Institute Renovation	\$ 21,400,000	Proposed	TBD
	<b>HSC Total</b>	<b>\$ 124,900,000</b>		
EP	El Paso Medical Science Building II	\$ 94,400,000	Proposed	TBD
	El Paso Clinical Sciences Building	\$ 37,000,000	Proposed	TBD
	<b>EP Total</b>	<b>\$ 131,400,000</b>		
	<b>Prospective Grand Total</b>	<b>\$ 558,588,000</b>		

# BOARD OF REGENTS: NCAA COMPLIANCE EDUCATION

Kirby Hocutt, Athletic Director

Jennifer Brashear, Associate AD Compliance

Brian Shannon, Faculty Athletic Representative

## NATIONAL AND CONFERENCE UPDATES

- Cost of Attendance (COA)
- Multi-Year Scholarship Agreements (Big 12 Conference)
- Concussion Management



## NCAA RULES COMPLIANCE

### Components of an Effective Compliance Program

- Education
- Monitoring
- Enforcement

## NO PREFERENTIAL TREATMENT OF PROSPECTIVE STUDENT-ATHLETES (PSAs)

- Admissions
- Scholarships
- Housing
- Recruiting Inducements

## RECENT DIVISION I MAJOR INFRACTION PREFERENTIAL TREATMENT OF PSAs

### Impermissible Recruiting Inducements:

1. Housing, Meals and Transportation
2. Travel Expenses
3. Recruiting Inducements
4. Practice Sessions with PSA

### Penalties

## RECRUITING PSAs

- Board of Regents
- Boosters
- Telephone Calls
- Visits to Campus

## NO SPECIAL ARRANGEMENTS FOR STUDENT-ATHLETES (SAs)

- Academic Extra Credit
- Special Seating
- Employment
- Money, Gifts or Services

## RECENT DIVISION I MAJOR INFRACTION EXTRA BENEFITS

- SAs received preferential housing prices
  - Rooms in an off-campus hotel for less than \$15/day
- SAs received more than \$51,000 in impermissible extra benefits from living arrangements
- Boosters also provided impermissible benefits (cash, gift cards, etc.) to PSAs during unofficial visits

## HIGH PROFILE CURRENT ISSUES

- O'Bannon Case (Name, Image, Likeness)
- Significant Academic Fraud Cases
- Campus Education

Chancellor's Report  
Texas Tech University System  
Board of Regents Meeting  
May 15, 2015

Chancellor Duncan presented his report to the Board: "Thank you Mr. Chairman and members of the Board. It has been about a year since I started in this job and it's really been a great pleasure to work with the many different people who I have had a chance to meet in the System. I think Ron Hammonds, who has only been here for his first meeting captured a lot of what we see around the System and I really appreciated Dr. Farmer's comments as well. What you hear is that people are really working and striving to improve quality—to be more productive, and to take care of our main goal and that is to educate students. I am happy to report that System-wide, all of our presidents are doing an excellent job of forwarding those concepts and making this a better place. I appreciate and enjoy the opportunity to work with them.

"Things matter and certain things really matter a lot. We talked about one thing in our last meeting but I want to emphasize it again and that is in regards to our CFO Jim Brunjes and the work of his team as the System recently received a superior financial rating from Moody's and Standards and Poor's. If you want to read more about that go to the System website because we think that is a real hallmark of what we are about. We are good stewards of the dollars that we have in order to provide a higher and better education for our students. Our financial acumen and reputation for good stewardship has resulted in our being included in the equivalent of the higher education financial top 25 in the country. We should be proud of this. You should be proud of what you have done as well. Moody's gave the Tech System an AA1 rating. Standard and Poor's gave the System a AA rating. And Fitch upgraded the System to a AA+ four years ago. That is sound financial management and all of you are to be congratulated along with our chief financial officers from all of our institutions.

"I am very proud of the fact that we have a civil engineering program at Angelo State University. What a great pipeline and it starts fulfilling the dreams and visions that we had when Angelo State joined the System of these pipelines and synergies that these two—Texas Tech University and Angelo State University can create. I am very proud of what Dr. Brian May and his team have done on that.

"Today we will have the Timothy Cole presentation of an honorary degree. I appreciate the faculty and Dr. Nellis' initiation on this. I think it is at a very appropriate time to do that and also another symbol of the special role of our job in educating students and honoring students who have significant accomplishments.

"A philanthropy update—as you know, the good news is that we have been very successful in philanthropy since 1996. I have said it many times. Chancellor Montford started us off and made us believe in ourselves. Hance took it to another level. We are at another level and I think that what you heard in Mr. Maddox's comments today are very appropriate. We are looking at sustained philanthropy and making sure that philanthropy grows this institution in the right way. I am very proud of the work we are

doing. Lisa Calvert, our new VC for Institutional Advancement is doing a philanthropic impact study which we have talked with you about. That will be completed this summer and we will continue to work for sustained philanthropy for our System. Year-to-date, our System giving stands at just a little over \$100 million. The exact number is about \$1,491,000. We are projecting that by the end of the year, we will have over \$1,600,000. So, sustained philanthropy is happening here and we want to improve that. We want to increase those target numbers as time goes on but we want to increase them for the specific purposes of enhancing the quality of the University's product. You will see a real emphasis on that as we go forward.

"I am real proud to be a part of this and I appreciate the opportunities that you have given us to be excel the Texas Tech University System."

President's Report  
Angelo State University  
Board of Regents Meeting  
May 15, 2015

Dr. May presented his report to the Board: "I have a brief report. First of all I want to echo what the chancellor said. I can tell you that we would have never gotten a civil engineering degree had it not been for the Texas Tech University System. The assistance by the chancellor as well as the emissaries that he has in Austin are phenomenal. Negotiating with the Coordinating Board as Regent Huckabee can tell, they can put up more road blocks that you can blow apart for a long time, but it really was a joint effort. I appreciate Regent Huckabee as well.

"I'd also like to echo what was said about the rating of bonds. Since Angelo State University has joined the Texas Tech System, we have saved hundreds of thousands of dollars if not millions because of the bond rating and the excellent work of Jim Brunjes. Reducing debt interest payments is just one of the many facets that we benefit from by being in the Texas Tech System. That is one of those things that goes unseen but it has a dramatic impact on our institution and debt service that we have. We thank you Mr. Brunjes for that. It's ongoing and ever-moving.

"Our enrollment this year was up slightly this spring but it's up for the summer by 5 percent and up this fall by 15 percent. That is the first full year that we have had enrollment going up at Angelo State University. A lot of it this fall is due to the dual credit strategies that we pointed out but we had already started making the turn. I appreciate the regents working with us to get through that and having a "leap of faith" so to speak of allowing us to change our admissions standards so we could increase retention knowing that it was going to hurt us in enrollment and allowing us to expand our graduate programs and be more aggressive in that area. I certainly appreciate everyone, especially Mickey Long who has given me a lot of personal counsel and let me know that we are going to be able to have that time to ride the ship and certainly it's born out.

"Angelo State University has also received a community engagement classification from the Carnegie Foundation for the advancement of teaching and recognizing the University's commitment to the local community. ASU is 1 of 83 institutions out of 241 first-time applicants to receive that classification.

"Dr. Joseph Satterfield, an ASU geosciences faculty member has been selected to receive the American Association of Petroleum Geologists Foundation 2015 Professorial Award. This is the second time that Dr. Satterfield has been awarded this.

"Jacob Spiller, a cadet at Angelo State University's Air Force ROTC detachment 847 has been selected as Cadet of the Year for the southwest region. Jacob is a junior business management major from Hamilton, Texas. He was chosen for the award from over 3,500 cadets in the southwest region of 11 states and 36 institutions.

"For the second straight year, ASU's College of Business has been named one of the nation's 75 best schools for veterans by the Military Times Organization, Best for Vets Business Schools.

"Two ASU Honors Program students—another project of the Board of Regents was to revitalize our Honors program—have received prestigious appointments. Holly Miles, a senior from California, has received the Thomas R. Pickering Undergraduate Foreign Affairs Fellowship which will provide her \$40,000 per year for graduate studies and a guaranteed appointment as a foreign service officer on the completion of her master's degree. Also, Zachary Wimpee from San Angelo was selected for the 2015 University of Michigan Research Semester at the CERN Program in Geneva, Switzerland. He will spend the upcoming fall semester at the European Laboratory for particle physics which is the home of the world's largest particle accelerator.

"Throughout the spring semester, several ASU programs received national recognition from a variety of agencies and websites that rank the nation's top programs in individual academic disciplines ranging from US News and World Report and Graduateprograms.com. Recognized programs include Animal Science, which is a phenomenal program, graduate education degrees, nursing, psychology and several overall rankings in the graduate studies. Angelo State University has received a \$116,000 gift from Shell Oil Corporation to fund range land reclamation programs through joint efforts of the ASU Department of Agriculture and the Department of Physics and Geosciences.

"Dr. William Taylor from the ASU Securities faculty was awarded the Crader Family Book Prize Honorable Mention for his book *Every Citizen a Soldier* and has also received the University of North Texas Libraries Special Collections Research Fellowship and a Harry S. Truman library research grant for his forthcoming book *In Defense of Democracy, American Military Service from World War II to the Operation Enduring Freedom*.

"This highlights some of things that have happened recently at ASU. I want to thank Regent Hammonds for telling the story of what happened in Houston. We have a photograph of that event in Houston where we presented the young lady her diploma. One thing I will add to this, Regent Hammonds made a comment during this ceremony. I asked him to talk. One thing that he said which I have found amongst all of the regents—he told her, 'you're going to beat this. I've beat it; my family's beat it and you're going to beat it too. This entire System of Texas Tech is behind you and we love you.' That had more prominence of the words said at this ceremony than anything else we had. I too share in the joy of being a part of the Texas Tech University System and president of Angelo State University.

"Thank you."





SGA President's Report  
Angelo State University  
Board of Regents Meeting  
May 15, 2015

Jarett Lujan presented his report to the Board: "Good morning to all. A little background about myself—I am from Marfa, Texas, a small town so I know about the top ten percent and the top three—I got that. I was a part of that. I am a biology major—premed. So, Dr. Mitchell and Dr. Lange, keep that in mind."

President Lange added, "Don't say Dr. Mitchell, just say Dr. Lange."

Mr. Lujan continued. "I was born in El Paso. All of my family is in El Paso.

"I am going to be senior. I was recently elected the student body president. I am honored to be representing Angelo State University's student body as the newly elected student body president. My dream after graduating from ASU is to be accepted into a medical school within the Texas Tech University System and to one day be an emergency room physician.

"I would like to introduce some ASU student government students who are in attendance today. Miss Haley Rhodes is the vice president of ASU's student body. Jared Goecker is the outgoing student body president. Peyton LaBauve is the president pro tempore of our student senate. Aldredo "Freddy" Filipe is a physics major sitting on our senate. Margaret "Maggie" Smith is a political science major and is on the senate as well. Our senate clerk is Matthew Low, a computer science major. We have some really good support and we are really proud of them. All of these are returning members to the SGA who have done exceptional work in the senate. I'll talk about that more in a bit.

"Angelo State University had many accomplishments last year which included the expansion of a discount program with the addition of childcare discounts for ASU students at participating child daycare centers.

"The launch of the Ram Tram transportation system has enhanced the life of students beyond expectations. At discussed yesterday, on the Texas Tech campus, 54 percent of students come to college without transportation. This is very similar to Angelo State life, especially when you begin discussing the lives of the international students.

"The start of a new Christmas tradition was another initiative which included the lighting of the memorial oak grove and a Christmas celebration enjoyed by all students and community members.

"We have several initiatives coming up for this year. We plan to improve Wifi connectivity throughout campus in order to alleviate disturbances while taking online tests and assignments. We are going to promote students and school spirit by fostering a relationship between the community and the university by initiating the "Paint the town

blue” spirit day at participating businesses and encouraging combined spirit efforts amongst student organizations. We plan to strengthen academic involvement in and outside of the classroom by promoting a close working relationship between the students and faculty senate to discuss academic issues and find solutions to these issues. We want to promote student organization involvement which develops student leadership skills and creates a sense of belonging to the students. We want to add to the Ram Tram initiative to include covered bus stops for ASU students and create an online website specifically for ASU students which will provide a centralized location for students to advertise or communicate with other students regarding a ride-share program, book swap, school materials and personal items. The additional of on campus amenities such as Red Box and Coinstar will be placed on campus. My priority upon taking office was to fill vacant senate seats and of the 46 positions on our senate, as of today, 35 have been filled which leaves 11 spots to fill as we go into the summer. This achievement will promote a diversified voice of the student representatives working together for the betterment of every student’s education as well as a college experience. I want to ensure you that under my leadership each student’s educational experience, safety and well-being is in the forefront of my decision and I don’t take this responsibility lightly. I am committed to promoting not only Angelo State University but also the Texas Tech University System. I look forward to building working relationships with fellow student government members and regents to advocate for this exceptional educational system. I would like to thank Chancellor Duncan and all of the regents for their support of our System and the education of all students. Thank you Dr. May, university presidents and vice presidents for your daily commitment to the entire student body of each campus represented here today.

“Go Rams and Wreck ‘Em Tech.”

President May added, “I also want you to know that he runs the 800 meters for the Angelo State University track team.”

Mr. Lujan replied, “Yes, I am going into my fourth year.”

Chairman Long asked him what his time was for that run.

Mr. Lujan replied, “My personal record this year is 154 flat.

“One of the things that I really didn’t touch on was the Ram Tram initiative. I can’t begin to tell you how important that was. I commend Jarod on that initiative. Bringing transportation to students on campus—that was discussed yesterday in regards to the Texas Tech campus but this is something new to Angelo State. There is a very big need for that and so, building upon that initiative is going to be amazing to the student life. We will keep you updated on that.

“Thank you.”

President's Report  
Texas Tech University  
Board of Regents Meeting  
May 15, 2015

Dr. Nellis presented his report to the Board. "Thank you Mr. Chairman and regents. I wanted to follow up on one of the topics that came out of the retreat related to Hispanic Serving Institution ("HSI") status and the progress that we are making and also the continued progress that we are investing to move us forward rapidly towards that distinction.

"I want to be sure you know that being a HSI doesn't automatically mean that grants will start flowing in. It is competitive process. There is actually only one major program through the U.S. Department of Education that you can receive grants from once you are eligible as an HSI institution and that is the Title V program. Once you are designated with the HSI status other agencies offer special programs, including the National Science Foundation, NASA, the U.S. Department of Agriculture, etc. that allow us to compete for additional funding in that area. The Department of Education defines HSI status as the enrollment of undergraduates, full-time equivalent of at least 25 percent Hispanic and they calculate that at the end of each federal fiscal year, September 30. Texas Tech University has been very aggressive with our growth. We are up by 52.8 percent in our Hispanic numbers in the last five years. The percent of Hispanics is now at about 22 percent. The road to being a Title V program, HSI status institution, and being a Title V eligible program, includes not only being at 25 percent but there are additional criteria that must be met as well. One criteria specifies that we have at least 50 percent of the Hispanic undergraduates in the low income group. They have to qualify in that way. We are actually close to 75 and 80 percent of our Hispanic students being in that category and we easily qualify in that context. In addition, there are other criteria, for example the percent of Pell grant eligible students. These are grants that are provided by the federal government based on income and other criteria. We are currently at 31 percent based on this criteria. Again, 45 percent is the minimum but they allow waivers in this category. So, we have some potential to still qualify even once we reach that 25 percent. Again, the data for the Title V program award is based on the fall FTE reporting. So, the fall of 2016 will be a critical time when we get that official count for 2016. Hopefully we will be at that 25 percent level. I also want you to be aware that a lot of HSI institutions nationally, of the 409, many of them are community colleges—two year schools. There are actually 81 four-year public institutions that are HSI qualified. The average awards that they received in the FY 2014 was a little over half a million per year. So, it's not like all of a sudden this is going to be a huge flood of tens and millions of dollars. Again this is a competitive process to receive those funds. As far as the timeline for us, we are looking at—again for the fall of 2016, once we get that official count, we hope to be at the 25 percent. That would be verified by the U.S. Department of Education. That would allow us to then apply for the Title V grant. That is a competitive process. The number of awards they made this past year is a relatively small percent of the total number of HSI institutions. All successful grants would be awarded beginning in October 1 of the following fiscal year. So, in October of 2017, we would actually have the first dollars assuming that we compete at

that highest level. I also wanted you to have a sense of how we compare with other AAU schools in the state of Texas. Remember, there are only three AAU schools. Texas Tech University is ahead of the other three AAU schools. In looking at the change of growth since 2010, we are actually accelerating at a faster rate than any of the other three schools we are competing with. One of the key populations that we want to be able to recruit from are transfer students from community colleges. We want to make sure that we have strong relationships with the community colleges in these key population areas. In the fall of 2014, 28.2 percent of our transfer class were Hispanic students. That is a higher percent than our normal freshmen class coming in to the institution. If you put the transfers and freshmen together, the new class as of fall 2014 is 24.2 percent at Texas Tech University. That transfer class strategically with community colleges is very important. We have a number of current Hispanic recruitment initiatives including bilingual admission counselors, pro-active outreach campaigns to admitted Hispanic students. The ones who are admitted, we make sure they get additional attention and recruitment. We have Spanish language admission websites and campus tours, communication services in all dimensions of recruitment which are very important not only to the students but to the families. With some of these families, the parents may not speak English or communicate very well in English but the children are very fluent in English. So, recruitment partnerships with school districts where they have a high percentage of Hispanic students is very important. These are the regions of strategic focus. I'll explain why these are important in a moment. We have Dallas-Fort Worth, Houston, El Paso and then further into the Valley area in South Texas.

"Additional recruitment initiatives—we participate in all of these events. We have a strong recruitment with the National Hispanic College Fairs in Texas and Colorado. The National Hispanic Institute Collegiate World Series—these are top Hispanic students. We are trying to raise the profile of our institution as far as our overall academic quality. We are very aggressive there. We participate in the Hispanic College Scholarship Fund recruitment events as well. Even in community outreach, we interface closely with the South Texas Academic Rising Stars Scholarship fund and the Greater Dallas Hispanic Chamber of Commerce Scholarship program. I just spoke at the Region XVII P20 Council with South Plains area schools. These students are generally from low income families and about 95 percent are first generation college students. We are trying to get them to go on. It is important that they have our support as well.

"The projected Hispanic high school graduates by region over the next ten years is cited. We talked a little bit about El Paso during the last Board meeting. We have about 800 students from the El Paso area at Texas Tech University. In looking at the Dallas-Fort Worth, Houston, San Antonio and Valley areas in relation to the number of students potentially there for recruitment at Texas Tech University, strategically with our investments we want to be cognizant of these distributions. Already, we have a lot of students coming from Dallas, Houston, and San Antonio, so these are opportunities for us if we can more closely align from a recruiting perspective. We have 20 recruiters who are outside of Lubbock, Texas in these strategic locations. In the Austin-San Antonio recruitment areas, some of those recruiters also help out in the Valley area as well.

"One of the proposals that we have is to be much more aggressive with our community colleges in these top population areas, as well as having special recruiting fairs in the South Texas Valley. We are already in El Paso, Dallas, Austin and San Antonio, but for whatever reason a few years ago, they stopped doing the Valley area recruitment events. We are going to re-implement and reintroduce major recruitment events in those areas. We are also going to add transfer counselors in the DFW region as well as community college and transfer relation people in the Dallas market. Just to give you a sense, this is the distribution of enrollment at these key community colleges in the DFW area. We already have that special relationship with Collin College, just north of Dallas. We are developing a close relationship with Dallas Community College and with Tarrant County we have a revolving relationship there that is very positive—that is the Arlington area. We have tremendous opportunities there. We have great percentages of Hispanics enrolled there. And that is not only area. We are also developing a close relationship with Houston Community College.

"We also don't want to forget beyond recruiting these students that once we get them here we want to make sure they are successful. We want to make sure they have a support program. Again, many of them are first generation students who come from low-income homes. They don't have the parents to necessarily mentor them. One of the things we have developed is the Lauro Cavazos/Ophelia Powell Mentor Tech Program. This is where we assign students with a mentor who is a current existing student on campus who knows the ropes and can help these new students with the questions as they transition to Texas Tech University. This has been a very successful program.

"The Pegasus Program has received national recognition. It is for first generation college students. It provides additional support and advising. They have organizations around Pegasus that are very supportive. Our Cross-Cultural Academic Advancement Center provides coordination nexus for Hispanic faculty, staff and student organizations. The Hispanic Scholarship Fund is very active here. Our Hispanic sororities and fraternities are under the umbrella of the multicultural Greek council. We are trying to make sure we have the appropriate support from role models—the Latino faculty and staff programs with speakers and events and activities that create that nexus of support at the University.

"Some of the new retention initiatives really relate to building on our existing programs by adding additional staff. With Mentor Tech, by adding one staff member we could add an additional 300 students as far as support. With Pegasus, another staff member could provide services for 200 more students. The CCAAC has increased program funding to allow participation in the Red Raider Road shows. We want to make sure that those people are more actively present. We took the mariachi band to El Paso and to San Antonio and that was a great hit to have that mariachi band at those two locations as part of the recruiting events. Regent Montford was at the San Antonio event and we appreciated her being there. It created a different atmosphere and dynamic. It was very exciting. We have a mariachi professor for our mariachi band in the School of Music here at Texas Tech University. Dr. Salazar came from UCLA and she is doing an outstanding job at building our program in that area.

"Developing curriculum anchors in Hispanic and Mexican-American studies. We need a center in that area. We need certificate programs and minors in that area and we are building on that.

"The Raiders Rojos Alumni group could be more actively involved—even recruiting more of a president's select members who are Hispanic to be role models for our current students.

"Additionally, we need to look at where the programs are that these students are targeting. When they come into the institutions, what type of programs are they more likely to major in. These are the areas of distribution where we find the greatest numbers of Hispanic students—engineering, exercise and sports science, business, psychology and biology. We are working to really analyze these appropriate risk markers in these programs and timely interventions so we can make sure that we are following up with these students so they are not at-risk if they don't make it in engineering or they don't make it in business that they have an appropriate place to land.

"In summary, our goal, as you have challenged us is to get to HSI status by the fall of 2016. We will immediately then apply for a Title V eligibility which we can't submit for eligibility until we are HSI status. So, we would submit that in December 2016 with our grant application going in the spring or summer of 2017 and we would be notified early in the fall as to whether we have received grant notification. We can build on that as we move forward into the future. This is something I wanted to highlight in building off of the retreat. This is an important part of Texas Tech University's emergence as an AAU school and an important part of enriching our diversity on campus and will be a tremendous opportunity for us as we move forward.

"With that, I'll be glad to respond to any questions."

Regent Anders asked, "Dr. Nellis does undergraduate only count or do graduate students count as well?"

President Nellis responded, "Just undergraduate for HSI status."

Regent Hammonds commented, "I think that what you just presented is probably the single most important thing that we have heard. For us to ignore the demographics that are taking place in the state of Texas—you take the fourth graders who are alive today and allow them to be high school graduates, that becomes 65 percent of the population. For us to ignore that and not to be reaching out to them and educating them and turning them into the future leaders of America would be a horrible mistake. For Texas Tech, based on its location and its heritage to be in the forefront of making this happen—it's as good it comes and I applaud you for the effort."

Regent Anders asked, "Dr. Nellis are we making any outreach into New Mexico with student recruitment activity from Texas Tech or are you covering that from here in Lubbock?"

President Nellis responded, "We do have a recruiter who is assigned to mainly Eastern New Mexico and also parts of Colorado. They are specifically assigned to that region. We do get a lot of students, including Hispanic students from Eastern New Mexico particularly. Remember because we have a reciprocal relationship with New Mexico, they can come here with limited financial support using the in-state rates. That makes us very attractive to them as well."

Regent Francis commented, "Dr. Nellis I would also like to compliment you. This was a very comprehensive report and update for us. I learned a lot in it. If we don't get in the game, we can't score a goal and it's important for us to get that designation so we can begin to look. I agree with Ron, this is the future. We need to acknowledge that and get ahead of that power curve. I look forward to the fall of 2016 when we hear your report. It looks like you have a plan and you're on it."

Regent Montford, "This is all about recruiting students to come here. One of the other strategies which I don't know if we have really talked about is planting our flags in other parts of the state. I'll give San Antonio as an example. The University of Texas San Antonio is one of the fastest growing campuses in the United States. A&M looked at that and said, 'hmm, I think that we'll be looking at that as well' and came in with some small programming and then built a huge campus and the demand there is unbelievable. I know while we want to recruit out here, I think we also need to start looking at planning our brand in the right places for the right reasons but not always does it have to come here. We've got to be looking at other places just like we have for architecture in El Paso and starting to look at the expansion of our branding other places."

President Nellis replied, "Regent Montford, that is an excellent point. Again, our relationship with Collin College with whom we signed an agreement with a few months ago is an excellent example of that—where students can actually stay in there selected areas and get all four years of their degree program. We are also looking in the Tarrant County area well in forming a similar type of relationship. We have been in discussions—architecture is an excellent example of partnering with the El Paso community college. Students can do all of their degree work right there in El Paso with architecture. I totally agree with your comments and we need to think of ways strategically where it makes sense to have that extended network. I appreciate that."

Regent Francis added, "I think we'd be remiss without recognizing Dr. Muñoz for all of his hard work and his efforts. He's done a great job. Thank you."

President Nellis thanked the Board for their time.



SGA President's Report  
Texas Tech University  
Board of Regents Meeting  
May 15, 2015

Holton Westbook presented his report to the Board: "Thank you very much Mr. Chairman and President Nellis for the opportunity to speak today. I know you have an agenda ahead so I'll be brief. I do want to give you a little bit of background about myself. I graduated from Stephenville, Texas. I'm an agriculture economics major. That's a little exciting to hear, I know. With that being said, that's my background in terms of degree and hometown but for me throughout high school, I served in FFA and as an FFA state officer. I served as a representative of over 100,000 students across the state of Texas. That was a tremendous opportunity and it taught me a lot about personal skills and leadership skills and service-driven leadership. Throughout college, I have had the opportunity and have been blessed to serve as a student assistant in the President's Office on various committees. I served on 15 to 20 different organizations on campus from the Agricultural College to SGA and the campus in general. I am really looking forward to utilizing that and serving the students and giving back to a group who has done so much for me and giving back to the mentors and the students and this University. I am definitely blessed with this opportunity and I will say that throughout the last few months I did start to get a receding hairline started due to elections and such but with that being said, it's been a great opportunity. I am excited to see where we will be able to go this next year. I introduced you to our vice presidents and I look forward to working with them and am excited to see what they will be able to do for this University in the near future.

"Some things that we have recently worked on—we are on the Nepal effort due to the huge earthquake that happened there. We began an initiative at [www.ttu.edu/aidNepal/](http://www.ttu.edu/aidNepal/) to raise funds for to aid Nepal. Saba Nafees just came from Washington, DC. She created that and worked with the administration to make that happen in about 24 hours. It was really cool to see that website come up. We will be able to use that in the future for different relief efforts and fundraisers. It was good to see that established.

"Other than that, we have been working on the transit system. That is something that we have been looking forward to working on and improving in the next year. Caleb Fisher, our external vice president, is working very hard to ensure that happens and that is improved.

"Raider Cash—that is something that President Hatch in this past year worked heavily on and is something that we want to continue and finish up. About two or three years ago I came in as a senator. I have worked in the senate for about three years now. I came in with this awesome idea. I thought about taking Raider Bucks which is cash used by students on campus, off campus to the community. I was told that was a great idea but was already in the works. It is really cool to see how we brought that to fruition. With that being said—that is something big for us; for the Student Government to see that happen and to see how administrations worked effectively to make that happen for

us and that the Board of Regents and everyone involved really likes to hear what the students have to say. I thank you for that.

"In the future, some main initiatives that the executive vice presidents and I look forward to working on is scholarships—that is something major that we need to continue to grow on as a student body and the student body can give back to that as a Student Government Association. We would like to be able to do that and expand scholarships within the SGA in general. Beyond that we would like to provide more service to the Lubbock community. We want to give back to a community who has done so much for us. Tech the Town is an initiative that we would like to start. We want to go out to the Lubbock community and serve them in whatever means possible, whether it be landscaping on campus or going out into the community and working with the Big Brother/Big Sister Club. We want to have a day set aside as a student body to assist that organization.

"School spirit—that is something large that we always have here in West Texas and at Texas Tech University. I know the administration wants to know that the students are expanding their interests and that is one that the administration has as well—expanding diversity and expanding the connections that we feel across this University. As we do grow our diversity, we want to make sure that the student body feels united in that aspect. In doing that, we want to be able to create events and continue to build on our school spirit here and Tech the Town is one great way. We are working across campus with the administration to continue to grow that aspect and look forward to doing it in the future.

"Beyond that safety is a big initiative that has been going on and has been a huge topic of discussion. That is something we want to expand on and be able to reinforce as a student government and be able to do from the student body perspective.

"With our internal structure in general—we have an ambassador group much like the President's Select as you have probably heard about many times over the last few years. We want to continue to grow that and grow student government awareness. We want to be able to have our voice out there and to be able to understand and hear the voice of the students.

"With that being said, that sums it up. I know you have many of topics to discuss in your future. Please understand and know that we, as a student government here in Texas Tech and Lubbock, are looking forward to the opportunities that we have and we hope to serve with service-driven leadership in all aspects of this association and of this University and we look to leave that Double T better than we found it today.

"Thank you very much for the opportunity to speak. If you have any questions, please let me know."

President's Report  
Texas Tech University Health Sciences Center  
Board of Regents Meeting  
May 15, 2015

Dr. Mitchell presented his report to the Board. "I have a report for you of the summation of things that have been going on since the March Board meeting. I hope you will have a chance to look at that report. Some of these things I will be talking about at future board meetings are metrics and such that we have set for ourselves.

"The second handout: what we have been doing for the last year as we have grown—we've grown to the point not just as a system but as a university—we are now the largest provider of healthcare professionals of any university in the state of Texas. Accordingly, we are trying to do things where as our alumni database is growing—we have 21,000 alumni—we are doing things to get more engaged with them specifically, independent of just being part of Texas Tech but helping to identify with the Health Sciences Center, what we do singularly—what we do differently. We have spent the last year, primarily in the Lubbock community but we have had a marketing campaign across the state at airports and other things to talk about what we do at the Health Sciences Center specifically. It's called the "Your life our purpose campaign." At the end of this year, rather than dropping things for the next phase of this, what Kendra and Mary's group have been working on is turning this to our employees. We want to make sure that our own employees understand who we are and what we do and to make them proud of the things that we are also very proud of. I am going to use the remainder of my report time to show a five-minute video that we made for our employees; I would like for you all to see it as well."

[Video was shown to Board.]

President Mitchell resumed his remarks to the Board. "So, as we move forward with this, the next phase of this for us is directed towards our own employees, not just on the Lubbock campus but all of them.

"Are there any questions?"

Regent Francis commented, "You gave us a fascinating statistic to begin your presentation. You said that we educate the most health professionals for the state of Texas?"

President Mitchell responded, "Than any other university by far. Even without El Paso, we graduated this past May 1,758 folks. The second number of graduates was from UT Health Sciences Center in Houston and they graduated 1,350."

SGA President's Report  
Texas Tech University Health Sciences Center  
Board of Regents Meeting  
May 15, 2015

Michael Russell presented his report to the Board: "So, I know we have a lot going on and I am actually only 21 days and 20 hours from my STEP 1 exam—not that I'm counting. So, this is going to be very brief as the books are calling my name.

"I am actually from Tunkhannock, Pennsylvania. I received my undergraduate degree from Michigan. I am a second year enrolled student. We now have a Yankee as the SGA president of the HSC."

President Mitchell added, "How about you get it right by saying y'all."

Michael continued, "I tried to embrace that. I wore my boots today. I am trying to bridge both grounds. It actually says "howdy" on my written speech. I didn't want to go there and set those jokes upon myself.

"I attended Ketchum University in Flint, Michigan where I studied chemical engineering and worked simultaneously for General Motors. Texas Tech was kind enough to give me a one-year deferral so I taught in the Middle East for a year in a small school in Bethlehem—fourth and sixth grade English language arts before coming to medical school. I am currently a second-year medical student and also concurrently pursuing my MBA and my M.Ph. as well with my long-term intentions of working full-time overseas in a medical missions type of capacity, probably in the surgical realm. I'll talk with Colby about that after he is a couple of years into his residency. So in addition to my time served in the last two weeks as the president of the SGA at the HSC, I also served last year as the VP for operations for the SGA. I'll continue by giving you a quick update on what we have accomplished during the last quarter and then give you some of our goals for next year.

"Our largest and perhaps most impressive involvement during the last quarter was the future healthcare professional experience where we hosted over 270 students from across West Texas—some came from as far away as San Antonio and Dallas just to find out what a healthcare related profession look like. All of our programs were showcased at that event. I think it was a really great chance for answering questions for high school students, college students and non-traditional students. The following weekend we hosted a barbeque just to encourage—a lot of our students don't come to campus with the remote learning technologies that we have. They stay in the confines of their room in their pajamas all day and never see the light. We are trying to break that trend and get our students to enjoy some of the amenities that we have here on the Texas Tech main campus and also at the HSC. That is something that we really strive for. We have had a lot of our students get involved with the YLOP campaign—Your Life Our Purpose—especially the student initiative. That was launched this past year and a lot of our senators got involved with that. Most recently, we hosted an end-of-the year

banquet where we recognized some of the outstanding faculty and students that we have. That was very well-received.

"In terms of my goals for next year, first and foremost, I want to work to increase the visibility for all of the programs at the HSC to all of the incredible students that we have; as I mentioned, I'm from out of state so I wasn't familiar with any of the schools. I couldn't have pointed Lubbock out on a map until I interviewed here. I love it here—fell in love with it so that's the number one objective for me. I want to increase the visibility of the school. We have a lot of great of things going on and I want to continue that.

"Secondly, I want to work on increasing interactions between our regional campuses. As was mentioned, we are spread out across the state. We have lots of HSC campuses—Dallas, El Paso, Midland-Odessa, Amarillo—a lot of my friends are splitting off for third and fourth year med school who go to those campuses. We want them to still feel connected to the HSC in Lubbock and what we have going on here even though they may be a few hours removed. That is something we are looking to accomplish for next year.

"Finally and perhaps most importantly, depending on your perspective, I want to work on increasing the pride and commitment that the students take in their university. I know that goes hand-in-hand with the Your Life Our Purpose campaign for the faculty, staff and the students. We have a lot of students at the HSC whose background isn't in the Texas Tech System. They are coming, unfortunately some of them are Aggies, Dr. Mitchell—I know that is rough—from all across the state of Texas and all across the U.S. coming to our System and making sure that even though their allegiance might not lie with the Red Raider football team they still take great pride in their graduate degree. Some of our students aren't obviously graduate students who are taking pride in our University System. Finding ways to get our students connected is something that we are going to work towards quite heavily this year.

"Thank you very much for your time. I look forward to interacting with you over the course of the next year."

President's Report  
Texas Tech University Health Sciences Center El Paso  
Board of Regents Meeting  
May 15, 2015

Dr. Lange presented his report to the Board. "For the next couple of minutes, I'll tell you about some of the happenings going on at El Paso. First, I'd like to let you know about a new recruitment—that is for the chair of psychiatry. In July, I will have been in El Paso for a year. This will give me the opportunity to assess what the strengths and needs are of the University and to begin to assemble the team—a team that is committed to the same thing as I am and that is excellence in everything we do. Dr. Vivek Singh is currently the vice chairman of psychology at the University of Texas Health Sciences Center in San Antonio. He'll be joining us in mid-June. He is highly sought after on a national basis, having been rated among the best doctors in America. You can see him at the top. This is what he looked like when he entered San Antonio at the bottom—it's the same person believe it or not. I have no idea what he's going to look like after 10 years in El Paso.

"I am pleased to report that the Gayle Greve Hunt School of Nursing—you'll see that Woody Hunt and Gayle Greve Hunt for whom the school is named and Jean Novotny, our dean, Michael Scott, the associate dean, are listed as well. What I am really pleased with is that they inherited a School of Nursing where the pass rate was about 60 percent. For us to be accredited, the pass rate needed to be above 65 percent. In a short period of time, they devised a terrific plan with the current students—not enrolling different students but with the current students to get the pass rate up to 88 percent in about six months. That is phenomenal. They deserve a tremendous amount of credit for that. The Board of Nursing is very proud of that as well.

"On May 28, we'll have the unveiling of the Helix Garden. I want to thank Regent Montford for what she has done to increase public art at all of our universities. This is a beautiful art project and you should have all received an invitation to this unveiling. This unveiling will be at dusk because it is a lighted sculpture. The artist will be there from Vermont. It is really quite beautiful and extends the beauty of the campus.

"We went through the Match. We are very pleased. Our students matched at terrific universities. Most of the graduates ended up in Texas which we are particularly pleased about. We know if you train in Texas, particularly, if you do your residency in Texas, about 50 percent of those individuals actually remain in Texas to practice. However, many did match throughout the entire United States just as Tedd's students did as well. About 47 percent of our students went into primary care. There is a huge need for those doctors in the United States, particularly in the state of Texas where we only have about 60 to 70 percent of the primary care physicians that are needed and in my particularly county, we have about 40 percent—so this is a huge need.

"In our entering class, we have 100 medical students. Their average GPA is 3.7 and their MCAT scores are 29, that is above the national average. We are very proud that

we are also meeting the needs of under-represented minorities entering our school as well, so about 30 percent of our students are either African-American or Hispanic. That is indicative of our culture as well. About 25 of these students are from El Paso. Think about that. One-fourth of the class admitted are El Paso students, 28 are from border counties and we have about a 50/50 percent male and female. In looking at the schools that these students came from, I am pleased that we were able to attract many from the United States. We have quite a few from Texas, some from Duke, Emory, Virginia, Boston, Lehigh, Overland, Purdue, Chicago, Notre Dame, USC, Washington, Utah, Yale but I didn't see Texas Tech or ASU. It made me wonder...I really couldn't figure out why this might be. I thought, is there someone recruiting those students to a different university? Tedd, you are on notice buddy.

"We have had several faculty accomplishments. We continue to add to our research portfolio as well. Tedd is doing the same thing here. We are one of six institutions who have received a Hogg Foundation Grant for Mental Health. Behavioral health is a huge issue in that part of the state. We were also awarded an additional NIH grant and Manny de la Rosa received the top TMA Academic Award, the Platinum award, which is an award given for academic excellence. This is from a pool of who are considered to be the gold recipients. This is the top award given by the TMA for being an excellent role model and educator as well. I am proud of Manny who is now the provost and vice president of academic affairs.

"Our students held a very touching ceremony for individuals who have contributed to the medical school by becoming a part of the Willard Body program. This contributes immensely to education of our students. Following the completion of the course, the students invited the family of the individuals who had contributed to the Willard donor and held a really touching ceremony, thanking the family, friends and relatives of these individuals. I was very proud to be a part of that ceremony. It was the first ceremony completely initiated by the students.

"We are establishing new residencies. We have increased the number of medical students across the state but what lacks is the addition of GME, or residency slots—our plans in El Paso are to increase that to between 80 to 90 over the next five years. We started that by adding the neurology program and we are excited about doing that.

"Our students, faculty and staff have embraced the importance of diversity and cultural competence. We have monthly seminars centered around of this. We have been invited to present at the Association of Academic Medical Colleges to talk about our group on diversity and the conference that we hold which has received national attention. We are very proud of that.

"We contribute as Tedd does; our faculty and staff have a community focus. We want to be known throughout our community as providing excellent care and being everywhere in the community, not only providing healthcare within our walls but contributing throughout the community at-large.

"We had a team who were involved with Race for the Cure. We were the largest team under the university category. There were 265 participants. I have a faculty-staff at about 2,000. This represents over 10 percent of the university contributing in just one event. By the way, this is not the only event. Every weekend, you can walk around and see what is going on around El Paso and you will see Texas Tech El Paso T-shirts. When I talk about communications and marketing—I can't tell how many hundreds and thousands of T-shirts I have bought and it is the best marketing campaign. It lets El Paso people know when they attend this or the American Health Association or the Komen Foundation, or taking care of kids who are underprivileged who we are; when you see the Texas Tech T-shirt, you know we are everywhere in El Paso.

"An event held by the entire university is called Spring Into Wellness. We shut down the university for half a day. We assemble and have various booths from nutritional, screening, information, games and a dunking booth. I sat in the dunking booth and got drenched. There was a long line and they made a lot of money with that. I also played volleyball. And, I also participated on the climbing wall.

"One last thing for our two new regents—Regent Huckabee it is great to have you on board. You were using abbreviations yesterday that Tedd and I had no idea what they represented. Tedd and I have our own abbreviations. Regent Hammonds, I just want to let you know that Tedd and I are also willing to share our rankings. Tedd was in the top 100 percent of his class and I was in the top three thirds of everywhere I was.

"We are proud to be a part of the university and we are proud to be a distinctive part of university as well. Thank you."



Student Representative Report  
Texas Tech University Health Sciences Center El Paso  
Board of Regents Meeting  
May 15, 2015

Jeremy Stewart presented his report to the Board: "I appreciate you all having me here today. To get started, we had an event this year—I talked about it the last time I was here. We call it Corazon de Oro. That is Spanish for Heart of Gold. This was an event in which we took a break for a day from studying and stepped out into the community. This took place on April 11 and it was spearheaded by the students. I want recognize these students because they did a great job with it—Catherine Howard, Rahul Chhana and Maricarmen Stout. Basically, we went to all of these places to volunteer including the El Paso Zoo, Habitat for Humanity, the Humane Societies, Center Against Family Violence, Special Olympics and many more. We took a day to volunteer and it was great because, as we have talked about with marketing, it was a great way to spread our name. This was a good opportunity to wear the Double T and show everyone that we are committed to the community. I'd like to highlight that we just got our numbers in for the number of hours volunteered this year. Just for the first and second year students, we logged in 5,800 hours. That is nearly 6,000 hours from just half the school. That is very impressive. We are really dedicated to giving back to the community and showing what Texas Tech is all about. A group went to the ceremony and fair afterwards where we had food and games. We actually got to play a game where we pumped air into a water balloon and doused Dr. Lange in water. It was just a little payback for all of the hours we've had to study. Dr. Lange and the four class presidents were able to get their picture taken. It is rare to have all of the classes together at one time. We are really proud of our students for what they did at this ceremony. It was completely student run. What I didn't know until afterwards was that there were several music compositions that were sung by students—they played the guitar and keyboard. They were actually composed by students. I don't have a very high knowledge of classical music, but I thought they were very famous pieces but they were actually composed solely by the students. We were very proud of them. We were also very appreciative of the individuals who volunteered their time to this program. The Anatomy Lab and the technicians here and the medical students who are in this room can attest to this—there is no better way to learn anatomy. You can study a book for hours and try to memorize every little piece but until you actually experience the anatomy lab—there is nothing like it. You will remember it forever. I remember every single detail about my anatomy sessions.

"Dr. Lange talked about our Match results. We did very well on that. I don't want to highlight any particular individual but if you want to go and check out the list, it is on the website. There are some very impressive places that our students are going. So, our students are doing great things. This year they decided—so they find out their match results all at the same time—to put their match results in balloons. They popped their balloons to find out their match results. What they didn't expect was that once they popped their balloons that all of their match results would fly everywhere. It was fun watching everyone. They were already nervous because they have no idea where they are going to spend the rest of their lives, but then they had to go a chase this little piece

of paper. It was pretty funny. It was the cap to the whole week. They have a match week where they have events each day celebrate their fours. As a second year, my step-one is actually 24 days and 20 hours away. It gives us something to look forward to. This is the cap to the four years in medical school. We have already talked about what we might do for our match ceremony. We have talked about doing piñatas in light of our culture out in El Paso. That would be a lot more interesting than the balloons, I think. We are looking forward to that.

"Right now, one of things we are trying to do is as the Graduate School and the Gayle Greve Hunt School of Nursing integrate with the Paul L. Foster School of Medicine, we've started to create a constitution for an overarching SGA that covers all three schools. Right now, we are drafting a constitution which we are basing off the current Texas Tech SGA in Lubbock and other schools. We have had several meetings. The draft is currently finished. We are waiting on final revisions of this.

"I would like to congratulate Dr. Lange on a successful first year in El Paso. One time while we were here, he bought my wife and me Texas Tech T-shirts. It shows his leadership abilities that he was able to get my wife, a UT cheerleader, to wear the Double T.

"I would like to thank each and every one of you for all that you do for Texas Tech. I felt that I was welcomed with opened arms. You have done a lot for me, my peers, my colleagues and I am really proud to represent the Double T now. For those of you who don't know, I went to UT Austin. I was brainwashed very early to be a Longhorn and this is hard for me, but I'd like to thank you and I'd like to put my Guns Up and say Wreck 'Em."