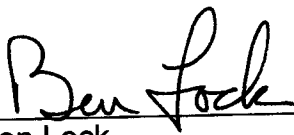


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I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby
certify that the above and foregoing is a true and correct copy of the Minutes of the
Texas Tech University System Board of Regents meeting on August 7, 2009.



Ben Lock
Secretary

SEAL

EXECUTIVE SUMMARY

Proposed revisions to the *Code of Professional and Academic Conduct* of the Student Handbook 2009-2010 are noted in the attached document.

Part II. Code of Professional and Academic Conduct

Section A: General Policy

No changes

Section B: Disciplinary Jurisdiction

No changes

Section C: Violation of Law and TTUHSC Discipline

1. Line 6, remove "off-campus" from sentence and replace "shall" with may" in the Note section.

Section D: Misconduct

4. Theft, Damage, or Unauthorized Use
 - 4.a. Remove "of other University" and "other" from line.
5. Actions Against Members of the University Community
 - 5.b. Add "campus visitors" to line.
7. Hazing
Remove "directed against a student" and "reasonable" from paragraph.
8. False Alarms or Terrorist Threats
Add "or reckless" to line 1.
11. Traffic and Parking
 - 11.b. Add "vehicle, pedestrian or other"
19. Academic Misconduct
 - 19.a. Remove "F" and Replace with "D" in paragraph.
 - 19.c.xii. "Add "written" to line.

Section E: Other Professional and Ethical School Standards

1. Add "and for the basis of a disciplinary action" to the paragraph.

Subsection: School of Pharmacy

- 3.a. Add "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 indentified 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.ttuhschool.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.ttuhschool.edu/studentservices>

Subsection: Add "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.”

Section F: Disciplinary Procedures

Remove “TTUHSC” and Replace with “University” throughout section.

Subsection: F.1. Nature of Proceedings

1. Remove “specifically” line 3.
2. Remove “for that purpose” from line 6.

Subsection: F.2. Procedural Deviations

1. Remove “minor” from paragraph.
2. Add “*Deviations that occurred before the student Conduct board” as a footnote.

Subsection: F.3. Filing A Complaint

1. 3.b. Remove “may” and Replace with “is required to”
2. Add “ within five (5) business days from the date of the letter” line 4.
3. Remove “must” and Replace with “shall” line 5.
4. 3.c. Remove “investigation” and Replace with “informal meeting” line 1.

Subsection: F.4. Student Conduct Board Hearings

1. 4.a. Closed Hearing.
Remove “Administrator” and Add “Chair of the Student Conduct Board” line 3.
2. 4.g. Recordings.
Add “its” to line 4.
3. 4.h. Hearing Attendance
Remove “entire” from line 2.
4. 4.i. Advisors.
Remove “and may not be an attorney” from line 1.
5. 4.j. Witnesses.
ii. Remove “Administrator” and Replace with “Chair of the Student Conduct Board” throughout the paragraph.
- 6.4.n. Findings and Recommendations.
Add “within five (5) business days” to paragraph.
- 7.4.o. Dean’s Review.
Add “within seven (7) business days from receipt” to paragraph.
- 8.4.p. Appeal.
Add “10 business” throughout paragraph.
Add “waived and the Dean’s decision is final.”

Section G: Sanctions

Remove "TTUHSC" and Replace with "the University"

1.b. Censure.

Remove "violating" and Replace with "in violation" to line 1.

1.f. Discretionary Sanctions.

Add "Assignments may be made at the discretion of the board, such as" to line 1.

Add "temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the students disciplinary file" to paragraph.

Section: H. Interpretation and Revision

No changes.

Section Part III. Withdrawal of Consent

Subsection: B. Concurrence by Dean

1. Remove "withdrawn" and Replace with "withdrawal"

Subsection: C. Confirmation by President

1. Add "or his/her designee" to line 1.
Add "the" and "or university" to line 3.
Remove "shall" and Replace with "may" to line 5.
2. Remove "expire" and Replace with "be deemed void and of no force or effect" line 3.

Subsection: D. Hearing

Remove "Student Conduct Board" and Replace with "Hearing Committee" throughout section.

1. Remove "with a copy to the Dean" from line 2.
2. Add "the" to line 1.
 - a. Hearing Notice.
Add "grant the request and immediately" to line 2.
Remove "by an ad hoc Student Conduct Board"
Add "not later than" to line 4.
Remove "business" from line 4.
 - b. Representation.
Remove "and should provide written notification to the President at least one (1) day prior to the hearing that the student will be represented by counsel. If the student is represented by counsel,"
 - c. Witnesses.
Remove "Questioning may be limited in the sole discretion of the Chair of the Student Conduct Board for such things as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning

- and/or providing for efficient administration of the Hearing.”
- d. Evidence.
 - Remove “business” from line 4.
 - Remove “Student Conduct Board” from line 5.
 - e. Procedural Questions.
 - Remove “of the Student Conduct Board.”
 - f. Recordings.
 - Remove “TTUHSC” and Replace with University”
 - Remove “Student Conduct Board” from line 2.
 - Remove “of the Student Conduct Board” from line 5.
 - g. Appeal to President.
 - Remove “Student Conduct Board’s” from line 1.
 - Remove “business” from line 2.
 - Remove “with a copy to the Dean and the Chair of the Student Conduct Board” from line 3.
 - Remove “The decision of the President is final” and Replace with “The President will review and render a decision within seven (7) days.” Lines 6-7.
 - h. Appeal to the Board of Regents.
 - Add “Chairman of the” to line 3.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

PART II. CODE OF PROFESSIONAL AND ACADEMIC 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 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

1. A disciplinary proceeding may be instituted against a student charged with conduct that allegedly violates both the criminal and/or civil law and 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 ~~off campus~~ 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.

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~~ may 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.

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. Use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by University policy; or,
- b. Being under the influence of alcohol and/or intoxication.

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 law; or,
- b. Being under the influence of narcotics or drugs, except as permitted by law.

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

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, ~~of other University students, of other members of the University community or off 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 off 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.

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 visitors, or volunteers;
- c. Behavior that disrupts the normal operation of the University, including its students, faculty and staff;
- 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 substantially increased risk of sexual injury;

e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of 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;

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,

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 the campus, by one person alone or acting with others, ~~directed against a student~~, 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 reasonable defense in a disciplinary proceeding. Hazing includes, but is not limited to:

- a. Any type of physical brutality, 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 educational institution, or that may reasonably be

expected to cause a student to leave the organization or the institution rather than submit to acts described above;

e. Any activity in which a person engages in hazing; 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 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

Intentional or reckless sounding of a false fire alarm; 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.

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.

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 publication 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 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

Failure to present student identification on request to any University official and identify himself/herself to any University official acting in the performance of his/her duties.

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 Misuse of Records

Knowingly furnishing false information 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.

NOTE: Also refer to TTUHSC OP 76.32, Traffic and Parking Regulations, Attachment A, Section V (K).

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.F. 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.F. 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 of 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. School of Nursing

a. All students entering into the TTUHSC SON are required to subscribe to the standards and codes of the profession.

b. TTUHSC 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;
- 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.ttuhschool.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.ttuhschool.edu/studentservices> .

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 specifically 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 for that purpose.

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 minor 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. If an Appellate Board has been appointed, the parties and the Chair of the Appellate Board may mutually agree to procedural deviations. *Such deviations are not then subject to appeal by the parties.

Other minor deviations are acceptable as long as such deviations are not found upon appeal to be unreasonably harmful to the student.

*Deviations that occurred before the student conduct board.

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 member of the University community 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 as soon as possible, but 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 Accused Student ~~may~~ 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 ~~must~~ shall meet with the Student Conduct Administrator.
- c. The Student Conduct Administrator may conduct an investigation informal meeting to determine if the Complaint can be disposed of administratively by mutual, written consent of the parties involved on a basis acceptable to the Student Conduct Administrator and the applicable Dean. 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 Administrator 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), 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.

Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator 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.

d. *Evidence Submission.* At least seven (7) 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, exhibits and written statements (including Impact or Position Statements);
- ii. 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,
- 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 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.* ~~TTUHSC~~ 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 entire portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

i. *Advisors.* The advisor must be a member of the University community. ~~and may not be an attorney.~~ 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 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 attend the Student Conduct Board Hearing on behalf of the University. The University will provide legal counsel for the Student Conduct Board if 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 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 Administrator Board. The Chair of the Student Conduct Administrator Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct Administrator Board 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 Administrator 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.5.4.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. (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 five (5) 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 seven (7) 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 the either party believes that the *due process* procedures have been violated, an appeal may be made, in writing, to the President of the ~~Health Sciences Center~~ 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. The following sanctions 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.

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 ~~violating~~ 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 TTUHSC 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 ~~TTUHSC~~ 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 ~~TTUHSC~~ 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.

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 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 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 shall 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 ~~expire~~, except that any arrest made during the period shall not for this reason be deemed 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, ~~with a copy to the Dean~~, 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 ~~by an ad hoc Student Conduct Board~~ not later than three (3) ~~business~~ days from the date that the President receives the request for hearing. The ~~Student Conduct Board~~ 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. ~~and should provide written notification to the President at least one (1) day prior to the hearing that the student will be represented by counsel. If the student is 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 ~~Student Conduct Board~~ may also question the witnesses. ~~Questioning may be limited in the sole discretion of the Chair of the Student Conduct Board for such things as~~

~~preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning and/or providing for efficient administration of the Hearing.~~ Witnesses are permitted to attend the ~~Student Conduct Board~~ Hearing only when they are providing information, unless the ~~Student Conduct Board~~, 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) ~~business day~~ prior the date scheduled for the ~~Student Conduct Board~~ Hearing, the parties must submit to the Chair of the Hearing Committee ~~Student Board~~ 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 of the ~~Student Conduct Board~~.

f. *Recordings.* ~~TTUHSC University~~ shall record, either digitally or through audiotape, or otherwise as deemed appropriate all ~~Student Conduct Board~~ Hearings until such time that the ~~Student Conduct Board~~ Hearing Committee begins discussion and deliberation and prepares Findings and Recommendations. ~~Deliberations of the Student Conduct Board shall not be recorded. The record is University property.~~

g. *Appeal to President.* The student may appeal the ~~Student Conduct Board's~~ decision within three (3) ~~business days~~ from the date of the decision by sending a written appeal to the President, ~~with a copy to the Dean and the Chair of the Student Conduct Board.~~ If the student does not appeal the decision by the hearing committee ~~Student Conduct Board~~, the decision is final. ~~The decision of the President 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.

(Proposed rewrite)

03.03 **Conflict of interest and the board.**

03.03.1 Introduction.

- a. The statement of policy in this section applies to each member of the board and shall serve as a guide for board members in fulfilling their position of significant responsibility. Members of the board serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this duty and the provisions of Chapter 572, *Texas Government Code*, and in particular with the standards of conduct set out in Section 572.051 of that chapter. All decisions of the board are to be made solely on the basis of the desire to promote the best interests of the TTU system and the public good. The integrity of the TTU system must be protected and advanced at all times.
- b. Men and women of substance, such as those who serve on the board, commonly have a wide range of professional and personal associations with interests and involvement in other entities, institutions, and organizations. To assure the TTU system's many constituents of the integrity of its endeavors, board members should avoid situations in which such associations, interests or involvement could compromise or reasonably appear to compromise important academic values or the business decisions of the TTU system. Accordingly, it is the policy of TTU system that board members shall act in a manner consistent with their responsibilities to the TTU system and avoid circumstances in which their financial or other ties to outside persons or entities

could present an actual, potential, or apparent conflict of interest or impair the reputation of the TTU system.

- c. No policy statement can specifically address every conceivable situation that might entail a conflict of interest. However, as a general principle, board members should avoid any actions or situations that might result in or create the appearance of using their association with the TTU system for private gain, according unwarranted preferential treatment to any outside individual or organization, losing independence or impartiality, or adversely affecting the reputation of or public confidence in the integrity of the TTU system. Toward this end, it is the responsibility of each board member to ensure that the board is made aware of situations that involve personal, familial, or business relationships that could jeopardize the reputation of or public confidence in the TTU system. The board requires each board member to annually:
 - (1) review this policy;
 - (2) disclose all business entities in which a board member, or a board member's family member, has a financial interest; and
 - (3) acknowledge by his or her signature that he or she is in compliance with the letter and spirit of this policy.

03.03.2 Conflict of Interest

A conflict of interest arises when the TTU System has or is considering a transaction or other business relationship with a board member or a

board member's family member (defined to include a spouse and the dependent relatives or household members). For this reason, any transaction or other business relationship between the System and a board member or board member's family member is prohibited.

03.03.3 Presumed Conflicts of Interest.

- a. A conflict of interest is presumed to arise when the TTU System has or is considering a transaction or other business relationship with an outside entity in which the board member or the board member's family member has a material financial interest. A financial interest is presumed to be material if it entails:
 - (1) Any ownership or investment interest in a business entity (including stock, options, a partnership interest, or any other ownership or investment interest) valued at more than \$10,000, except equity in a publicly traded company amounting to less than 10% ownership interest in the company;
 - (2) Receipt of non-dividend compensation (including salary, consulting fees, royalty payments, or other remuneration) of more than \$10,000 in any 12 month period in the past three years, or the expectation of such compensation in the future;
 - (3) Any ownership interest in real property, personal property, intellectual property or any other interest valued at \$10,000 or more;

(4) A position of real or apparent authority in an outside entity such as director, officer, trustee, partner, agent, controlling share holder, share holder with more than 10% voting interest, or a direct or indirect participating interest in any shares, stock or otherwise, regardless of whether voting rights are included, in more than 10% of the profits, proceeds or capital gains of the entity involved; or

(5) Any position as an employee of the entity involved.

b. A board member is not deemed to have a material financial interest in a publicly traded entity by reason of an investment in that entity by another publicly traded entity, such as through a mutual fund, of which the board member does not control investment decisions.

03.03.4 Restriction on parallel investments.

a. A conflict of interest may also arise when a board member or a family member of a board member has or is considering an investment in a business entity, including a fund or partnership, that may or may not be publicly traded and in which the TTU system has or is considering an investment. Because such parallel investments may create at least an appearance that the board member is benefiting from the TTU system's participation in the business entity, board members should promptly disclose to the board in the case of a publicly traded business entity any material financial interest or in the case of a privately held or traded business entity any financial interest in any such business entity in

which the board member otherwise knows the TTU system has or is considering an investment. The board member should not participate in any decision of the board or of any board committee regarding such investment by the TTU system.

- b. Publicly traded business entity. In order to avoid the perception of a conflict of interest between the TTU system and any board member, if a board member or his or her family member has a material financial interest in any publicly traded business entity as set forth in Section 03.03.3, *Regents' Rules*, the TTU system shall not invest in that business entity. Likewise, no board member or his or her family member shall invest in a publicly traded business entity in which the TTU system has a material financial interest as defined herein. Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.

- c. Privately held or traded business entity. In order to avoid the perception of a conflict of interest between the TTU system and any board member, if a board member or his or her family member has any financial interest in any privately held or traded business entity, the TTU system shall not invest in that business entity. Likewise, no board member or his or her family member shall invest in a privately held or traded business entity in which the TTU system has a financial interest. Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.

- a. A board member or a board member's family member who has a known material financial interest in a pending or a proposed transaction or business arrangement involving the TTU system shall promptly disclose to the board the existence of the interest and other material information that the board member may have regarding the transaction or arrangement.
- b. Each board member annually shall execute and submit to the chief financial officer a statement disclosing all business entities in which the board member has a financial interest. This disclosure will be achieved by the board member submitting to the Office of the Board of Regents, no later than June 1 of each year, a copy of the board member's Personal Financial Statement that is required to be submitted to the Texas Ethics Commission. This disclosure shall be updated throughout the year by board members if a board member acquires or divests a material financial interest in any entity.

03.03.6 Determination of the existence of a conflict of interest.

- a. If a board member is aware of a conflict of interest, the board member shall inform the board and abstain from any participation in the transaction or matter in which the conflict exists.
- b. The chief financial officer shall review board members' annual disclosure statements to determine whether a material financial interest has been disclosed in any business entity in which the TTU system is considering entering into a transaction or business

relationship. The chief financial officer also shall monitor the agendas of board meetings to determine if a conflict arises subsequent to the board members' annual disclosures and shall advise board members if a conflict develops. If a material financial interest has been disclosed in which a board member has not previously notified the board of a conflict of interest, the chief financial officer shall promptly submit to the Audit Committee chair, or if the interest involves the Audit Committee chair, another member of the Audit Committee, such disclosure forms together with any additional information about the current or proposed transaction or business relationship that may give rise to a conflict of interest that the chief financial officer, in consultation with the Audit Committee, believes may be informative.

- c. The Audit Committee shall review the matter and determine whether a conflict of interest exists. If the interests being reviewed involve a member of the Audit Committee, the member shall not participate in or be present during the committee's consideration of the matter, except as requested by the committee to answer questions or provide information. The Audit Committee may review such information as it deems pertinent, including posing questions to the board member involved. If the Audit Committee determines that a conflict of interest exists, the Audit Committee shall so advise the board member involved and the board, and the board member involved shall abstain from any discussion or participation on the matter in which there is a conflict.

When the board conducts a meeting in which a board member's financial interest in a matter is disclosed, a determination regarding an existence of a conflict of interest is made, or a transaction or arrangement with respect to a board member who has a conflict of interest is considered, the board's consideration of these issues shall be reflected in the minutes of the board meeting.

03.03.8 Gifts.

Board members shall not accept, solicit, or encourage gifts, favors, benefits, gratuities, services, or other items of value for themselves or family member which the board member knows or should know if offered with the intent to influence the board member's conduct or which might reasonably:

- a. affect the exercise of the board member's judgment on behalf of the TTU system;
- b. tend to influence the board member in the discharge of his or her official duties;
- c. tend to impair confidence in the TTU System; or
- d. create the appearance of impropriety.

03.03.9 Use of office for personal gain.

Board members shall not use the authority, title, prestige or other attribute of the office for personal benefit or gain for themselves or for any relative. Board members specifically are prohibited from procuring or being a party in any way to procuring the appointment

of a relative to a position of trust or profit connected with the TTU system.

03.03.10 Favored treatment.

Board members shall not use the authority, title, prestige or other attribute of the office to obtain consideration, treatment, or favor for any person beyond that which is generally available. This subsection applies, but is not limited to, efforts to influence administrative decisions with respect to an individual's admission, employment, discipline, and similar matters. However, this subsection does not prohibit letters of recommendation or requests for information about the status of an individual's admission, employment, discipline, and similar matters.

03.03.11 Appropriation of TTU system opportunities.

If a board member becomes aware of a business, investment, or other financially valuable opportunity that rightfully belongs to the TTU system and not to the board member individually or another entity with which the board member is affiliated, the board member shall bring the opportunity to the attention of the board.

03.03.12 Confidentiality.

Board members may not use confidential information acquired as a result of service to the TTU system for any purpose unrelated to TTU system business, or provide such information to any third party, without the consent of the board. Wrongful use of TTU system

information includes, but is not limited to, use or disclosure of information to engage, invest, or otherwise participate in any business, project, venture, or transaction other than through the TTU system.

03.03.13 Actions not void or voidable.

Except as otherwise provided by law, no transaction or action undertaken by the TTU system shall be void or voidable, or may be challenged as such by an outside party, by reason of having been undertaken in violation of Section 03.03, *Regents' Rules*, or the principles set forth therein.

Additional amendment approved to Chapter 03.03, Section 03.03.4.b

- Amend proposed new Section 03.03.4.b, as follows:

Publicly traded business entity. In order to avoid the perception of a conflict of interest between the TTU System and any board member, if a board member or a board member's family member has a material financial interest in any publicly traded business entity determined as set forth in clauses (1) and (4) of Section 03.03.3.a, *Regents' Rules*, the TTU system shall not invest in that business entity. ~~[Likewise, no board member or board member's family member shall invest in a publicly traded business entity in which the TTU system has a material financial interest as defined herein. Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.]~~



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System

Conflict of Interest

Jim Brunjes
Vice Chancellor and Chief Financial Officer

Board of Regents
August 7, 2009

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TEXAS TECH UNIVERSITY SYSTEM

Actions/Revisions Since May BOR Meeting on Conflict of Interest Policy

- Incorporated into BOR Rules – Chapter 3: Personnel
- Regents will file with the BOR Office the same personal financial statement which Regents file with the Texas Ethics Commission
- Regent's family member defined to include a spouse, ~~child or stepchild, parent, or household member~~ and dependent family or household members
- Presumed conflict of interest – at 10% or above level, versus 5%
- A position of real or apparent authority includes agent
- Restriction on any business transaction

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TEXAS TECH UNIVERSITY SYSTEM

Actions/Revisions Since May BOR Meeting on Conflict of Interest Policy

- Exclusion of any investment with a publicly traded business entity in which a Regent has a material financial interest
- Prohibition of any parallel investments in a privately traded business entity
- If the Regent is aware of a conflict of interest, he/she shall inform the BOR and abstain from participation in the transaction on the matter in which the conflict exists
- If the Chief Financial Officer believes a conflict of interest exists, he/she shall first advise the Regent
 - Regent may appeal to the Audit Committee, who will make the final determination
- Wording on gifts modified to conform with Government Code

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TEXAS TECH UNIVERSITY SYSTEM

Amendment to Proposed Rewrite of Chapter 03, *Regents' Rules*

- Amend proposed new Section 03.03.4.b, as follows:

Publicly traded business entity. In order to avoid the perception of a conflict of interest between the TTU System and any board member, if a board member or a board member's family member has a material financial interest in any publicly traded business entity determined as set forth in clauses (1) and (4) of Section 03.03.3.a, *Regents' Rules*, the TTU system shall not invest in that business entity. [~~Likewise, no board member or board member's family member shall invest in a publicly traded business entity in which the TTU system has a material financial interest as defined herein.~~ Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.]

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TEXAS TECH UNIVERSITY SYSTEM

Clauses 1 and 4

- 1) Any ownership or investment interest in a business entity (including stock, options, a partnership interest, or any other ownership or investment interest) valued at more than \$10,000, except equity in a publicly traded company amounting to less than 10% ownership interest in the company;
- 4) A position of real or apparent authority in an outside entity such as director, officer, trustee, partner, agent, controlling share holder, share holder with more than 10% voting interest, or a direct or indirect participating interest in any shares, stock or otherwise, regardless of whether voting rights are included, in more than 10% of the profits, proceeds or capital gains of the entity involved



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System

Conflict of Interest

Jim Brunjes
Vice Chancellor and Chief Financial Officer



TEXAS TECH UNIVERSITY SYSTEM

Purpose of Conflict of Interest Statement

- Regents serve the public trust and have the clear obligation to fulfill their responsibilities in the manner consistent with this duty
- Decisions of the Board are to be made solely on the basis of the desire to promote the best interest of the System and the public good
- Guidance in carrying out their responsibilities of the Board of Regents

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TEXAS TECH UNIVERSITY SYSTEM

Responsibilities

- Regents should avoid any actions or situations that might:
 - create the appearance of using their association with the System for private gain
 - according unwanted preferential treatment to any outside individual or organization
 - losing independence or impartiality,
 - adversely affecting the System's reputation or public confidence in its integrity

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TEXAS TECH UNIVERSITY SYSTEM

Disclosure

- Each Regent must make the Board aware of situations that involve personal, familial, or business relationships that could jeopardize the System's reputation or public confidence in the System
- To ensure this, the Board requires each Regent to annually
 - Review the conflict of interest policy
 - File a copy of the Personal Financial Statement of the Texas Ethics Commission with the Texas Tech University System Office of the Board of Regents by June 1
 - Acknowledge compliance with the letter and spirit of the policy

Board of Regents
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TEXAS TECH UNIVERSITY SYSTEM

Presumed Conflicts of Interest

- A conflict of interest is presumed to arise when the System has or is considering a transaction with a Regent or a Regent's family member or with an outside entity in which the Regent or family member has a material financial interest

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TEXAS TECH UNIVERSITY SYSTEM

Material Financial Interest

- Any ownership or investment interest (including stock, options, a partnership interest, or any other ownership or investment interest)
- Receipt of non dividend compensation (including salary, consulting fees, royalty payments, or other remuneration)
- Real property, personal property, intellectual property or any other interest
- A position of real or apparent authority in an outside entity such as director, officer, trustee, partner, consultant, representative, agent, auditor, advisor, controlling share holder, share holder, or a direct or indirect participating interest any shares, stock or otherwise, regardless of whether voting rights are included,
- Any position as an employee of the entity involved
- A Regent is not deemed to have a material financial interest in a publicly traded entity by reason of an investment in that entity by another publicly traded entity, such as through a mutual fund, of which the Regent does not control investment decisions



TEXAS TECH UNIVERSITY SYSTEM

Determination of Conflict of Interest

- The determination of whether a conflict of interest exists will first reside with the Regent if the Regent is aware of the conflict of interest. If the Regent is aware of a conflict of interest, they shall simply inform the Board and abstain from the participation in the transaction on the matter on which the conflict exists.
- If after reviewing the Regent's personal statement and the Board's agenda, the Chief Financial Officer believes that a conflict of interest exists, the CFO shall first advise the Regent who, if is in agreement that a conflict of interest exists will simply recuse from the matter in which the conflict exist. If the Regent does not believe there is a conflict of interest, the matter shall be submitted to the Audit Committee which will determine whether a conflict of interest exists.

*Leading the Way*²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Presentation to the Board of Regents - August 7, 2009

*Leading the Way*²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Strategic Priorities

1. ***Increase Enrollment and Promote Student Success***...to improve higher education participation and supply a well-equipped, educated workforce for the state of Texas.
2. ***Strengthen Academic Quality and Reputation***...to attract and retain the best faculty, staff and students.
3. ***Expand and Enhance Research and Creative Scholarship***...to better the lives of all Americans, while improving the state's economy and global competitiveness.
4. ***Further Outreach and Engagement***...to improve our communities and enrich their quality of life.
5. ***Increase and Maximize Resources***...to ensure affordability for students and accountability to the State of Texas.

*Leading the Way*²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Key Questions

Q: Where are we going?

A: System Priorities & Goals

Q: How will we get there?

A: University Strategic Plans

*Leading the Way*²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

System Goals

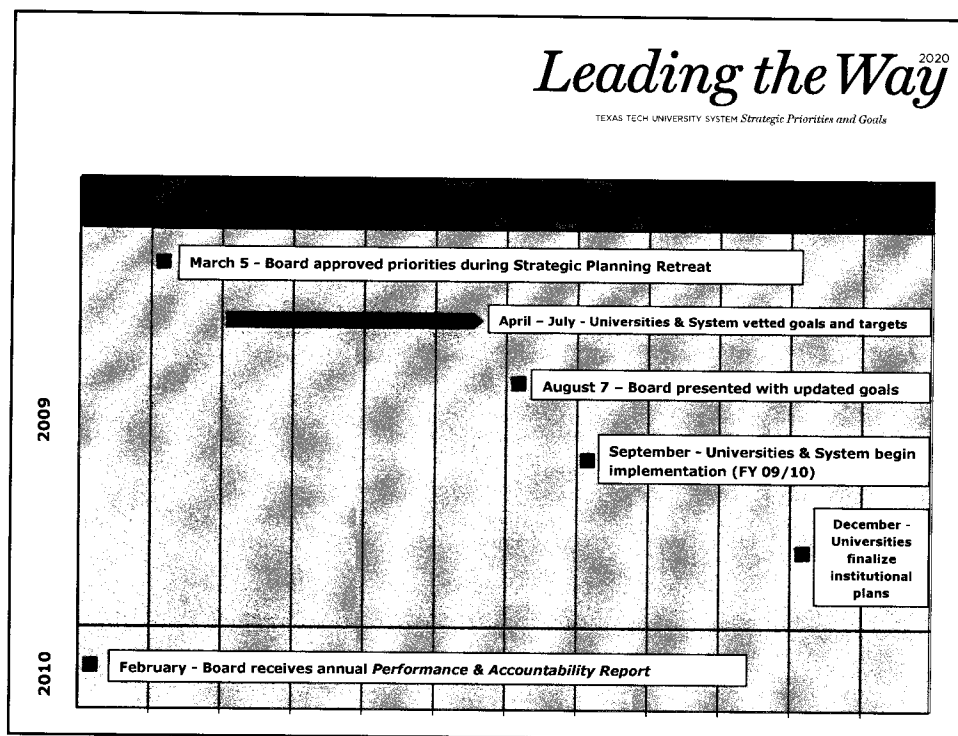
Goals and targets may change during the first year

Metrics differ across institutions

- **Priority 2 – *Strengthen Academic Quality and Reputation***
 - Endowed professorships and chairs (TTU, HSC, ASU)
 - Doctorates awarded (TTU, HSC)
 - Percentage of tenured-track faculty teaching lower division courses (ASU)

Placeholders (“TBD”) for undefined metrics or uncollected data

- **Priority 1 – *Increase Enrollment and Promote Student Success***
 - “High achieving freshman class” – HB 51 (TTU)
- **Priority 4 – *Further Outreach and Engagement***
 - Number of K-12 students participating in outreach and engagement activities (TTU, HSC, ASU)



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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Implementation & Execution

System Strategic Oversight Committee

- Jodey Arrington – *Enrollment and Student Success*
- John Opperman – *Academic Quality and Reputation*
- David L. Miller – *Research and Scholarship*
- Russell Thomasson – *Outreach and Engagement*
- Jim Brunjes – *Resources*

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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Implementation & Execution

Quarterly Management Meetings & Reports (System)

- Monitor progress
- Identify opportunities and challenges
- Provide support
- Share best practices

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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Implementation & Execution

Annual Performance & Accountability Report (Regents)

- Present results of previous fiscal year
- Provide analysis of success and challenges
- Compare our progress with peer and aspirant institutions
- Discuss key strategies going forward

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TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Mission

The mission of the Texas Tech University System is to provide leadership and support services for Texas Tech University, the Texas Tech University Health Sciences Center in the attainment of each component's individual mission.

New Proposed Vision Statement

The Texas Tech University System will be recognized nationally for its ability to effectively and efficiently provide leadership and support for each of its component institutions' missions to prepare students for leadership and success, address important societal needs, contribute to a stronger economy and better quality of life, and to serve the citizens of the State of Texas and the nation.

Leading the Way²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Leading the Way²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM *Strategic Priorities and Goals*

Priority 1: Increase Enrollment & Promote Student Success

Texas Tech University

Goal	2008	2010 Target	2015 Target	2020 Target
Fall enrollment	28,422	29,262	35,131	40,000
Graduate student enrollment as a % of total enrollment	18.70%	19.00%	21.00%	25.00%
4-year graduation rate	36.99%	40.00%	45.00%	50.00%
5-year graduation rate	54.20%	57.00%	62.00%	65.00%
6-year graduation rate	57.00%	60.00%	65.00%	70.00%
First year retention rate	80.10%	81.00%	83.00%	85.00%
Transfer student graduation rate				
(2-year college students completing at least 30 hrs)	52.60%	53.00%	66.00%	70.00%
Total degrees awarded (annual)	6,328	6,814	7,907	9,000
High achievement of freshmen class for 2 yrs. – determined by the Higher Education Coordinating Board (HCB-S1)	TBD	TBD	TBD	TBD

Angelo State University

Goal	2008	2010 Target	2015 Target	2020 Target
Fall enrollment	6,185	6,318	8,363	10,000
Graduate student enrollment as a % of total enrollment	6.11%	8.23%	9.85%	10.00%
4-year graduation rate	15.52%	17.50%	20.00%	22.00%
5-year graduation rate	26.22%	29.00%	34.00%	38.00%
6-year graduation rate	31.90%	33.00%	40.50%	50.50%
First year retention rate	55.90%	60.00%	70.00%	80.00%
Total degrees awarded (annual)	998	1018	1038	1059
Hispanic student enrollment as a % of total enrollment ¹	24.30%	24.80%	28.00%	30.00%

Texas Tech University Health Sciences Center

Goal	2008	2010 Target	2015 Target	2020 Target
Fall enrollment	2,904	3,254	4,129	5,000
First time pass rates on certification and licensure exams	92%	>95%	>95%	>95%
Total degrees awarded (annual)	1,010	1,154	1,514	1,875
Number of degree programs	41	43	48	53

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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Priority 2: Strengthen Academic Quality & Reputation

Texas Tech University

Goal	2008	2010 Target	2015 Target	2020 Target
Total doctorates awarded	221	246	283	320
Ph.D.s	184	200	250	300
Faculty receiving nationally recognized awards (HB-51) ²	4	6	11	15
Endowed professorships and chairs	122	132	153	175
"High quality graduate-level programs" – determined by the Higher Education Coordinating Board (HB-51)	TBD	TBD	TBD	TBD

Angelo State University

Goal	2008	2010 Target	2015 Target	2020 Target
Faculty salaries as % of average salaries at peer institutions	79.00%	80.00%	89.29%	92.97%
Endowed professorships and chairs	1	2	5	10
% of tenure-track faculty teaching lower-division courses	50.10%	51.00%	56.00%	61.00%
Faculty earning professional achievement awards ³	TBD	TBD	TBD	TBD
Pass rates on professional examinations				
Nursing	90.00%	92.00%	95.00%	99.00%
Teacher certification	83.60%	85.00%	90.00%	95.00%
Physical Therapy	93.75%	95.00%	95.00%	95.00%
Medical school acceptance rate	46.70%	46.00%	48.00%	50.00%
Nationally recognized academic programs – determined by the Higher Education Coordinating Board (HB-51)	TBD	TBD	TBD	TBD

Texas Tech University Health Sciences Center

Goal	2008	2010 Target	2015 Target	2020 Target
Total doctorates awarded	296	331	419	507
Endowed professorships and chairs	66	68	74	80
Nobel Prize Winners and National Academies ⁴	7	9	14	19
Faculty receiving nationally recognized awards	TBD	TBD	TBD	TBD
% of FTE Faculty who are tenured or tenure-track	29%	30%	33%	35%

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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Priority 3: Expand & Enhance Research & Creative Scholarship

Texas Tech University

Goal	2008	2010 Target	2015 Target	2020 Target
Total research expenditures	\$57,902,000	\$65,000,000	\$100,000,000	\$200,000,000
Federally financed R&D expenditures	\$19,698,000	\$22,000,000	\$70,000,000	\$150,000,000
Total restricted research expenditures ⁵	\$27,098,487	\$31,000,000	\$80,000,000	\$180,000,000
Post-doctoral appointments	67	73	87	100
Total research expenditure per FTE faculty	\$38,451	\$50,000	\$100,000	\$150,000

Angelo State University

Goal	2008	2010 Target	2015 Target	2020 Target
External project proposals submitted annually	31	35	45	60
Total external dollars expended annually	\$1,999,538	\$2,100,000	\$2,500,000	\$3,000,000

Texas Tech University Health Sciences Center

Goal	2008	2010 Target	2015 Target	2020 Target
Total research expenditures	\$26,163,325	\$40,000,000	\$65,000,000	\$100,000,000
Total external research ⁶	\$19,557,742	\$30,000,000	\$50,000,000	\$75,000,000
Total NIH expenditures ⁷	\$9,028,580	\$13,500,000	\$20,000,000	\$30,000,000
Hospital support for research and education	\$87,704,000	\$115,000,000	\$130,000,000	\$150,000,000
Research expenditures per FTE tenured and tenure-track faculty	\$109,915	\$160,642	\$149,425	\$216,450
External research per FTE tenured and tenure-track faculty	\$81,932	\$120,481	\$114,942	\$194,805
% FTE tenured and tenure-track faculty with external grants	32%	42%	58%	75%

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TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Priority 4: Further Outreach & Engagement

Texas Tech University

Goal	2008	2010 Target	2015 Target	2020 Target
Total documented attendees and participants in outreach and engagement activities	FY09 base year with OEMI ⁸ data	TBD	TBD	TBD
Number of documented K-12 students participating in outreach and engagement activities	FY09 base year with OEMI data	TBD	TBD	TBD
External funding based on outreach and engagement activities	FY09 base year with OEMI data	TBD	TBD	TBD
% of undergraduate majors with community college transfer plans	FY09 base year data	TBD	TBD	TBD
Economic development and impact	FY09 base year data	TBD	TBD	TBD

Angelo State University

Goal	2008	2010 Target	2015 Target	2020 Target
Total hours spent by faculty, staff and students in outreach and engagement activities	FY09 base year data	TBD	TBD	TBD
Number of documented K-12 students participating in outreach and engagement activities	FY09 base year data	TBD	TBD	TBD
External funding based on outreach and engagement activities	FY09 base year data	TBD	TBD	TBD
% of undergraduate majors with community college transfer plans	FY09 base year data	TBD	TBD	TBD
Nursing outreach hours	440	2,218	4,547	5,456

Texas Tech University Health Sciences Center

Goal	2008	2010 Target	2015 Target	2020 Target
Total number of outpatient visits	811,400	1,009,500	1,504,750	2,000,000
Patient satisfaction surveys (total avg. score)	90	>95	>95	>95
Total patient charges ⁹	\$214,408,678	\$223,070,789	\$246,288,175	\$271,922,047
Number of documented K-12 students participating in outreach and engagement activities	FY09 base year with OEMI data	TBD	TBD	TBD
External funding based on outreach and engagement activities	FY09 base year with OEMI data	TBD	TBD	TBD
Carnegie Service Recognition	N/A	TBD	TBD	TBD

Leading the Way²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Priority 5: Increase & Maximize Resources

Texas Tech University

Goal	2008	2010 Target	2015 Target	2020 Target
Total weighted student credit hours	1,781,216	1,913,143	2,209,978	2,506,814
Administrative cost as % of operating budget	6.40%	6.30%	6.10%	6.00%
Endowment	\$415,054,000	\$420,265,000	\$660,017,000	\$944,768,000
Total Budgeted Revenue	\$468,659,079	\$487,171,113	\$506,414,372	\$526,417,740
Classroom space usage efficiency score ¹⁰	75	79	89	100
Operating Expense per FTE	\$17,075	\$17,254	\$18,127	\$19,000

Angelo State University

Goal	2008	2010 Target	2015 Target	2020 Target
Total weighted student credit hours	163,943	165,000	210,000	325,000
Administrative cost as % of operating budget	10.60%	10.40%	10.00%	9.50%
Endowment	\$96,873,980	\$101,725,000	\$125,000,000	\$150,000,000
Total Budgeted Revenue	\$80,095,627	\$80,650,000	\$102,500,000	\$138,785,000
Classroom space usage efficiency score	50	66	74	91
Operating Expense per FTE	\$13,780	\$13,737	\$13,887	\$13,879

Texas Tech University Health Sciences Center

Goal	2008	2010 Target	2015 Target	2020 Target
Administrative cost as % of operating budget ¹¹	4.01%	4.50%	4.50%	4.50%
Endowment	\$274,805,186	\$298,884,820	\$515,855,384	\$773,548,351
Total Budgeted Institutional Revenues ¹²	\$597,943,757	\$647,273,724	\$750,367,647	\$869,881,759
% of budget appropriated	31.90%	27.00%	25.00%	25.00%

Leading the Way ²⁰²⁰

TEXAS TECH UNIVERSITY SYSTEM Strategic Priorities and Goals

Priority 5: Increase & Maximize Resources (Continued)

Technology Commercialization

Goal	2008	2010 Target	2015 Target	2020 Target
Total Invention Disclosures	48	60	90	125
Total License Agreements	11	13	19	24
Total Gross Revenue from Licensing	\$594,000	\$325,000	\$1,888,750	\$3,304,500
TTU				
Invention Disclosures	24	27	40	55
License Agreements	5	6	9	10
Total Gross Revenue	\$554,097		45% of total	
TTUHSC				
Invention Disclosures	19	27	40	55
License Agreements	6	6	9	10
Total Gross Revenue	\$39,903		45% of total	
External				
Invention Disclosures	5	6	10	15
License Agreements	0	1	1	4
Total Gross Revenue	0		10% of total	

Institutional Advancement

Goal	Campaign to Date Through 06-30-09	2013 Cumulative Target
Total Funds Raised During Campaign		
TTU	\$423 M	\$1 Billion
TTUHSC	\$274 M	\$620 M
ASU	\$136 M	\$350 M
ASU	\$8 M	\$20 M
TTUS	\$5 M	\$10 M
Funds Raised Annually		
Total Funds	2008	2013 Annual Target
TTU	\$119 M	\$150 M
TTUHSC	\$86 M	\$95 M
ASU	\$26 M	\$45 M
ASU	\$6 M	\$8 M
TTUS	\$1 M	\$2 M



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System

Summary Operating Budgets Fiscal Year 2010

Chief Financial Officers

August 6, 2009
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TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System Administration

FY 2010 Proposed Budget

August 6, 2009
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TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System Administration Major Changes

- Increase in State Appropriations, Additional \$1,584,953

- Reduction in Contribution From Components
 - Texas Tech University -\$1,689,692
 - Texas Tech University Health Sciences Center -\$558,452
 - Angelo State University \$101,538

August 6, 2009
Page 3

TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System Administration Major Changes

- Move Texas Tech University College Development Officers to Texas Tech University's Budget

- 3% Merit Policy for Staff

- Includes Angelo State University's Auditors and Adding Auditors for the Texas Tech University Health Sciences Center in El Paso

- Increase in Office of Investments to Prepare for an Eventual \$1 Billion Long Term Portfolio

- System Administration Budget Is \$4,608 Less Than FY 2009

August 6, 2009
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TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION SUMMARY OPERATING BUDGET FISCAL YEAR 2010		
	Estimated FY 2009	Estimated FY 2010
EDUCATIONAL AND GENERAL	\$ 5,511,235	\$ 5,638,213
DESIGNATED	11,337,945	11,206,359
TOTAL	\$ 16,849,180	\$ 16,844,572
		\$ (4,608)
		-0.03%



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University

FY 2010 Proposed Budget



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University

- FY 2010 Operating Budget Increased by \$20.9 Million, or 3.48% over FY 2009
- Student Tuition and Fees Were Increased 9.9% from FY 2009
- Funding for Additional Strategic Initiatives of \$3.7 Million Were Identified from Existing Funds and by Realigning Priorities, Including a Reduction in Vacant Positions
- **Education and General Funds Increased by \$1.84 Million or .85%**
- 3% Merit Policy for Faculty and Staff, \$4.32 Million Allocated

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TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University

- **Designated Funds Increased by \$11.70 million, or 6.2%**
- **Auxiliary Funds Increased by \$4.13 million, or 3.3%**
 - These Increases Are Primarily in Intercollegiate Athletics
- **Current Restricted Funds Increased by \$3.26 million, or 4.5%**
 - Increases Are from Federal and Private Grants, Contracts, and Gifts
 - Largest Increases Include Research in Engineering and Federal Financial Aid


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TTUS Board of Regents

 TEXAS TECH UNIVERSITY SYSTEM		
TEXAS TECH UNIVERSITY SUMMARY OPERATING BUDGET FISCAL YEAR 2010		
<div> <div>EDUCATIONAL AND GENERAL</div> <div>\$ 217,268,567</div> <div>\$ 219,109,129</div> </div>		
<div> <div>DESIGNATED</div> <div>187,336,061</div> <div>199,031,932</div> </div>		
<div> <div>AUXILIARY</div> <div>124,190,687</div> <div>128,317,780</div> </div>		
<div> <div>CURRENT RESTRICTED</div> <div>73,031,700</div> <div>76,294,012</div> </div>		
<div> <div>TOTAL</div> <div></div> <div>\$ 20,925,838</div> </div>		
<div> <div></div> <div></div> <div>3.48%</div> </div>		

August 6, 2009
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TTUS Board of Regents

 TEXAS TECH UNIVERSITY SYSTEM	
<p>Texas Tech University Health Sciences Center</p> <p>FY 2010 Proposed Budget</p>	
<p>August 6, 2009 Page 10</p>	<p>TTUS Board of Regents</p>



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University Health Sciences Center

- FY 2010 Operating Budget Increased by \$66.1 Million, or 10.84% over FY 2009
- 3% Merit Policy for Faculty and Staff
- **Education and General Funds Increased by \$24.5 Million**
 - Graduate Medical Education
 - Pharmacy School – Abilene
 - Nursing and Allied Health Enrollment Growth
 - Paul L. Foster School of Medicine – Increased Appropriations
 - Area Health Education Center – New Special Line Item
 - Physical Plant

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TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University Health Sciences Center

- **Designated Funds Increased by \$21.6 Million**
 - Faculty Practice Activities
 - Student Tuition and Fee Increases and Additional Student Enrollment
 - Decrease Interest Income
 - Increased Cost Recoveries of Federal Grants
 - Laura W. Bush Institute for Women's Health
 - Texas Public Education Grant (TPEG) Grants
- **Restricted Funds Increased by \$20 Million**
 - Increase in Federal Research Grant Awards
 - Increase in State Contracts
 - i.e. Texas Department of Criminal Justice Contract
 - Increase in Hospital Contracts
 - Increase in Private Gifts and Grants

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TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER		
SUMMARY OPERATING BUDGET		
FISCAL YEAR 2010		
EDUCATIONAL AND GENERAL	\$ 163,599,577	\$ 188,140,349
DESIGNATED	258,949,704	280,530,678
AUXILIARY	462,513	496,115
CURRENT RESTRICTED	187,000,000	207,000,000
TOTAL	610,011,794	675,167,142
		\$ 66,155,348
		10.84%



TEXAS TECH UNIVERSITY SYSTEM

Angelo State University

FY 2010 Proposed Budget



TEXAS TECH UNIVERSITY SYSTEM

Angelo State University

- \$97.9 million, an Increase of \$4.3 million, or 10.52% over FY 2009
- Student Tuition and Fees Were Increased 13.4% from FY 2009
- Funding for Additional Strategic Initiatives were identified: First Year Experience, Hispanic Serving Institution, Programs of Excellence, Leveraging Financial Aid, Enhancing Marketing/ Branding Efforts, and Enhancing Safety and Security
- **Education and General Funds Increased by \$1.9 Million or 4.7%**

August 6, 2009
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TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

Angelo State University

- **Higher Education Assistance Fund**
 - Includes \$250,000 for Classroom Renovation
 - Computer Refresh Program (Four years)
- **Designated Funds Increased by \$2.96 Million or 11.2%**
 - Net Designated Tuition Increased by \$942,251
 - Other Fees Increased by \$2,014,742
- **Auxiliary Funds Decreased by \$399,255 or -1.63%**
 - Prepared on an Actual Cost Basis
- **Current Restricted Funds Decreased by \$131,691 or -21.5%**
- **Fund Balance- Budgeting \$5 million, Increase of \$1 million**
 - E&G and Designated Tuition Fund Balance Increase of \$227,625
 - Auxiliary Increase of \$772,325

August 6, 2009
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TTUS Board of Regents



TEXAS TECH UNIVERSITY SYSTEM

ANGELO STATE UNIVERSITY		
SUMMARY OPERATING BUDGET		
FISCAL YEAR 2010		
2009		
2008		
EDUCATIONAL AND GENERAL	\$ 42,025,360	\$ 43,986,377
AUXILIARY	24,505,108	24,105,853
CURRENT RESTRICTED	613,633	481,942
DESIGNATED	26,467,393	29,424,386
TOTAL		
		\$ 4,387,064
		4.69%



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System

FY 2010 Proposed Budget



TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY SYSTEM BUDGET OVERVIEW ALL FUNDS FISCAL YEAR 2010			
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	\$	16,849,180	\$ 16,844,572
TEXAS TECH UNIVERSITY	\$	601,827,015	\$ 622,752,853
LESS SYSTEM FUNDING	\$	(5,343,999)	\$ (3,654,307)
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER	\$	610,011,794	\$ 676,167,142
LESS SYSTEM FUNDING	\$	(4,152,210)	\$ (3,593,758)
ANGELO STATE UNIVERSITY	\$	93,611,494	\$ 97,998,558
LESS SYSTEM FUNDING	\$	(281,370)	\$ (382,908)
	\$		\$ 93,610,248
			7.13%

**Texas Tech University Health Sciences Center
Requested Increase in FTE Limitation
FY 2010 - 2011**

Program	FTE's		Justification
	2010	2011	
FTE Cap			
FY 2008 Estimated FTE - Per LAR	1,755.8	1,755.8	
Paul L. Foster School of Medicine - Exceptional Item	10.5	31.8	
FTE Cap per General Appropriations Act	1,766.3	1,787.6	
Requested FTE Increase			
Area Health Education Center	6.5	6.5	Texas Tech University Health Sciences Center (TTUHSC) received additional funding for the Area Health Education Center in Article XII of the General Appropriations Act. An additional 6.5 FTE's are requested for this program.
Academic/Administrative Programs - Enrollment Growth			TTUHSC received an additional \$22.6 million of formula funding for the 2010 - 2011 biennium due to enrollment growth and program expansion. The TTUHSC enrollment increased from 2,458 in Fall 2006 to 2,904 in Fall 2008. TTUHSC is requesting additional FTE's to support this enrollment growth.
School of Medicine	15.0	15.0	
School of Nursing	26.0	26.0	
School of Allied Health Sciences	12.0	12.0	
School of Pharmacy	23.0	23.0	
Graduate Medical Education	16.0	16.0	
Infrastructure and Administrative Support	20.0	20.0	
Existing Special Items	152.0	152.0	The FTE cap included in the General Appropriations Act is based on FY 2008 estimated FTE's. TTUHSC requests the FTE's related to existing special items (including Tobacco Funds) be increased to the FY 2010/2011 level requested in the LAR.
Total Requested FTE Increase	270.5	270.5	
Requested FTE Limitation	2,036.8	2,058.1	



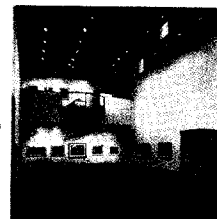
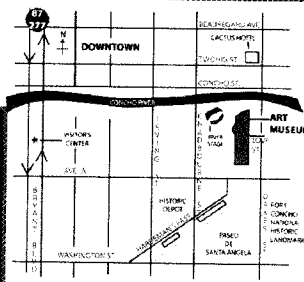
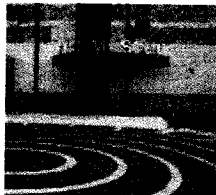
TEXAS TECH UNIVERSITY SYSTEM™

Facilities Committee

ASU Authorize Transfer of the San Angelo Museum of Fine Arts



San Angelo Museum of Fine Arts





Recommendation

- Authorize the Chairman of the Board of Regents to Execute a Deed Transferring the San Angelo Museum of Fine Arts to the San Angelo Museum of Fine Arts, a Texas Non-Profit Organization, in Accordance with SB 811, 81st Legislature, Regular Session, and
- Authorize Angelo State University to Enter into a Lease Agreement in Accordance with the Memorandum of Understanding Dated August 8, 2008





TEXAS TECH UNIVERSITY SYSTEM™

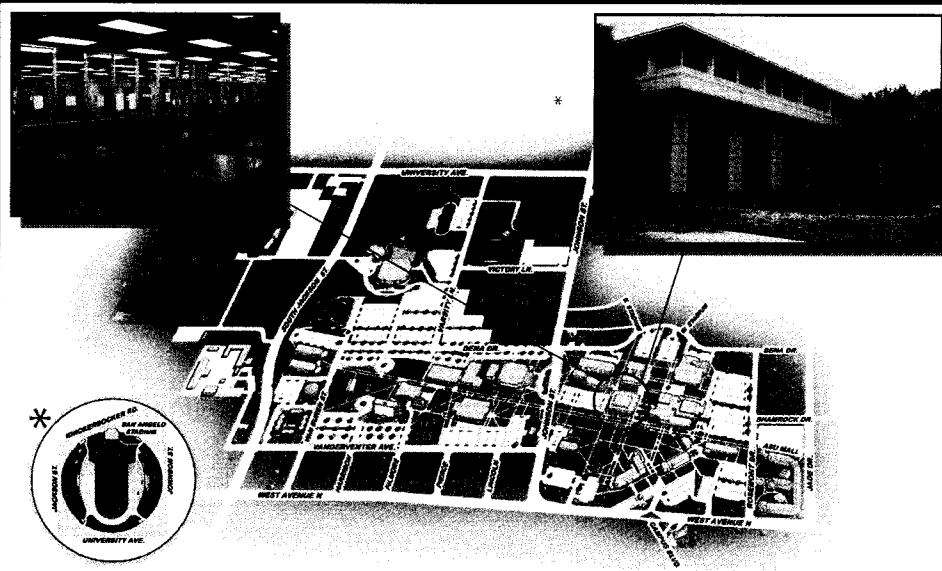
Facilities Committee

ASU

**Approve a Construction Project to
Renovate the Porter Henderson Library
to Create an Information Commons**



Porter Henderson Library



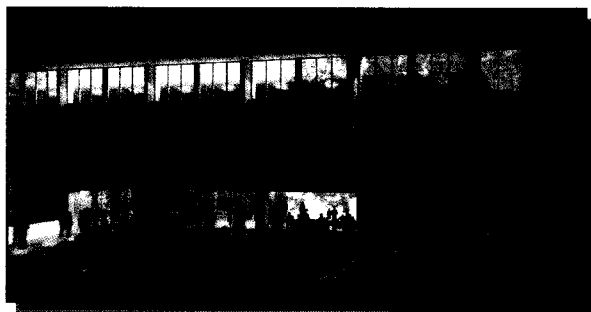


Scope of Work

- Renovate 24,800 SF to Create an Information Commons Area
- Built-In Projectors and Screens
- Internet Connections for Project Research
- Extended Hours of Operations
- Landscape Enhancements and Public Art
- Library Fees Increased Approximately \$4.00 Per Semester Credit Hour to Finance the Project
- Fees will be Charged Once Construction Is Complete and Facility is in Operation



Porter Henderson Library



Proposed
IT Commons





Budget

Project Budget	\$ 4,380,000
-----------------------	---------------------

Construction	\$ 2,565,800
Professional Services	\$ 548,500
FF&E	\$ 900,000
Administrative Costs	\$ 11,000
BOR Directed Fees	\$ 254,700
Contingency	\$ 100,000



Schedule

➤ Start Construction	December 2009
➤ Substantial Completion	May 2010
➤ Final Completion	June 2010





THECB Criteria

- | | |
|---|---------------|
| ➤ ASU MP1 Report FY 2009 | 4 of 15 |
| ➤ Space Need (8,000 SF Surplus) | Does Not Meet |
| ➤ Cost (\$101/SF) | Meets |
| ➤ Efficiency
(General Purpose – 60%) | Meets |
| | |
| ➤ Deferred Maintenance | Meets |
| ➤ Critical Deferred Maintenance | Meets |
| ➤ Classroom Utilization | Does Not Meet |
| ➤ Class Lab Utilization | Meets |



Recommendation

- Approve a Construction Project to Renovate the Porter Henderson Library to Create an Information Commons with a Project Budget of \$4,380,000 Funded Through the Revenue Finance System Repaid with Library Fees





TEXAS TECH UNIVERSITY SYSTEM™

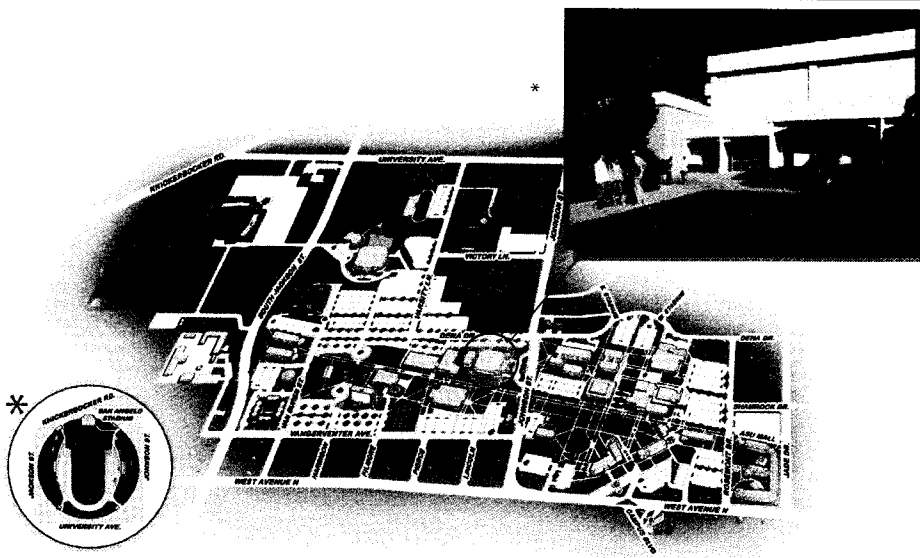
Facilities Committee

ASU

**Approve a Construction Project and
Expand the Center for Human
Performance Addition Project**



Center for Human Performance



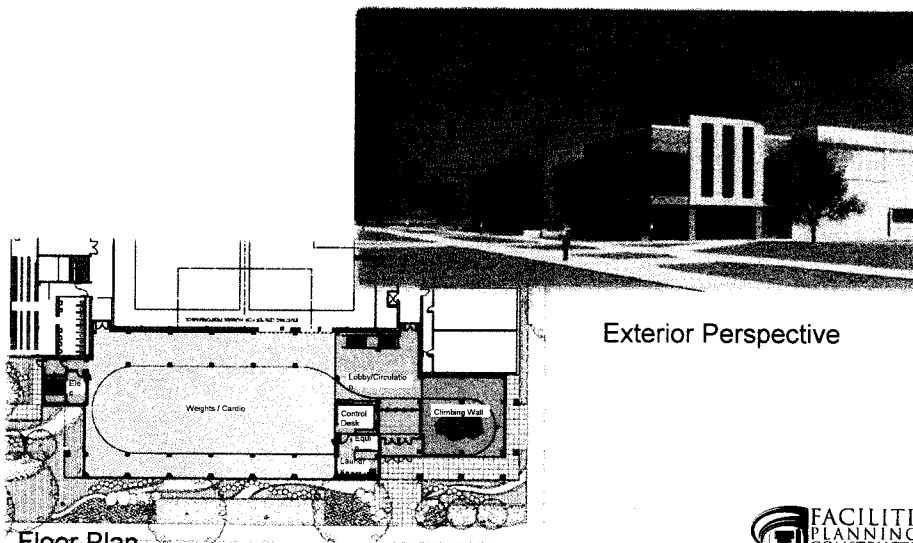


Scope of Work

- Construct an 22,086 GSF Two-Story Addition With Minor Renovation To The Existing Building
- Project to Include
 - Elevated Jogging Track
 - Climbing Wall
 - Cardio Fitness Center
 - Weight Room
- Support Physical Therapy Department Programs
- Student Referendum Approved Increase to the Recreational Fees



Center for Human Performance



Exterior Perspective

Floor Plan





Budget

Project Budget	\$ 7,000,000
-----------------------	---------------------

Construction	\$ 5,248,153
--------------	--------------

Professional Services	\$ 715,120
-----------------------	------------

FF&E	\$ 389,227
------	------------

Administrative Costs	\$ 81,000
----------------------	-----------

BOR Directed Fees	\$ 416,500
-------------------	------------

Contingency	\$ 150,000
-------------	------------



Schedule

➤ Start Construction	October 2009
----------------------	--------------

➤ Substantial Completion	November 2010
--------------------------	---------------

➤ Final Completion	January 2011
--------------------	--------------





THECB Criteria

- | | |
|---|---------------|
| ➤ ASU MP1 Report FY 2009 | 3 of 15 |
| ➤ Space Need (8,000 SF Surplus) | Does Not Meet |
| ➤ Cost (\$238/SF) | Meets |
| ➤ Efficiency
(General Purpose – 60%) | Meets |
| <hr/> | |
| ➤ Deferred Maintenance | Meets |
| ➤ Critical Deferred Maintenance | Meets |
| ➤ Classroom Utilization | Does Not Meet |
| ➤ Class Lab Utilization | Meets |



Recommendation

- Approve a Construction Project to Renovate and Expand the Center for Human Performance with a Project Budget of \$7,000,000 Funded Through the Revenue Finance System Repaid with Student Recreation Fees





TEXAS TECH UNIVERSITY SYSTEM™

Facilities Committee

TTU

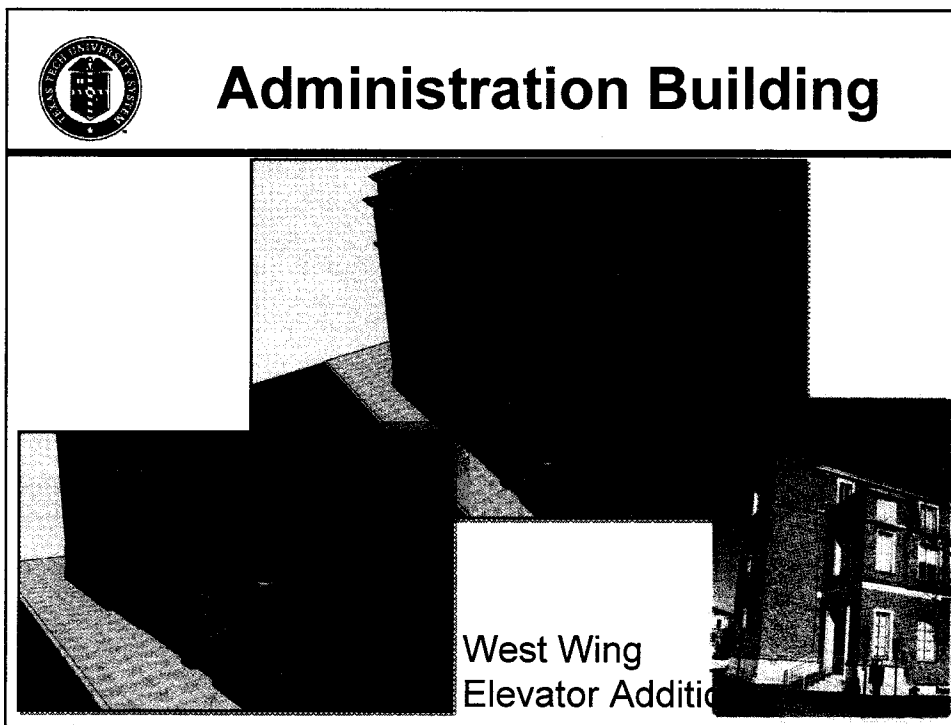
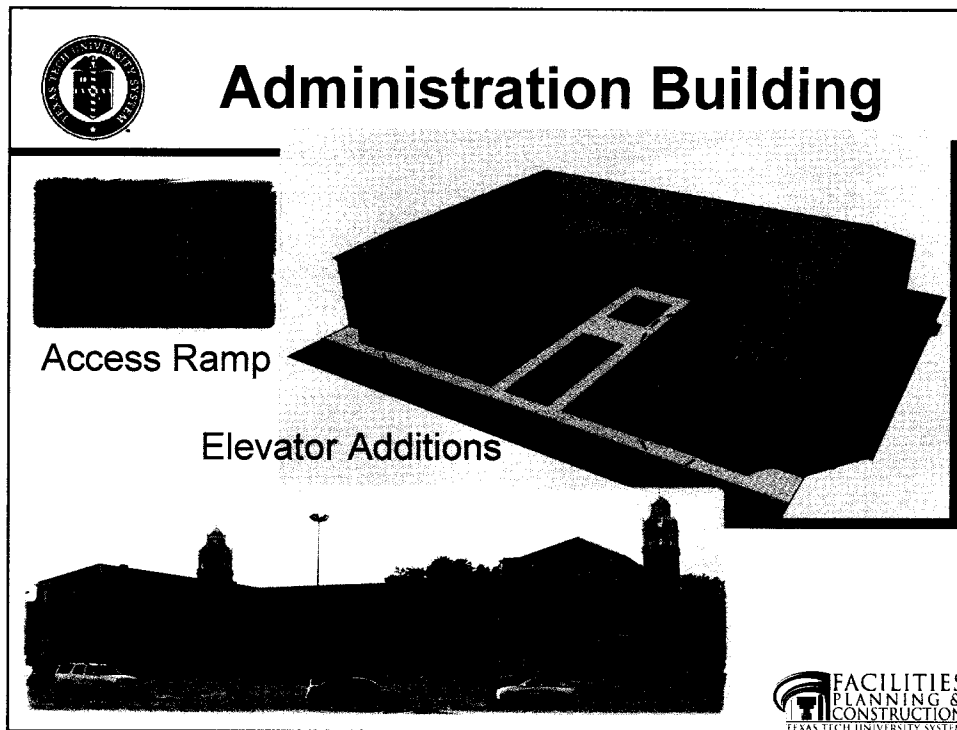
Approve a Construction Project for the Administration Building Abatement and ADA Compliance



Scope of Work

- Abatement of Hazardous Materials in the Attic and Third Floor of the Original Section of the Building
- Replacement of the HVAC System Within the Third Floor Attic Space
- Upgrade Building Fire Alarm System
- Improve Building Accessibility
 - Install Passenger Elevators
 - Renovate Restrooms







Budget

Project Budget	\$ 3,850,000
-----------------------	---------------------

Construction	\$ 2,413,500
Professional Services	\$ 816,180
FF&E	\$ 51,000
Administrative Costs	\$ 94,000
BOR Directed Fees	\$ 261,032
Contingency	\$ 214,288



Schedule

- | | |
|---|----------------|
| ➤ Start Elevator Abatement | September 2009 |
| ➤ Start Elevator Construction | December 2009 |
| ➤ Elevator Completion | May 2010 |
| ➤ Start Relocation of Depts. | June 2010 |
| ➤ Start Third Floor Abatement
and ADA Compliance | October 2010 |
| ➤ Substantial Completion | November 2011 |
| ➤ Final Completion | December 2011 |





THECB Criteria

- | | |
|--|---------------|
| ➤ TTU MP1 Report FY 2009 | 11 of 20 |
| ➤ Space Need | Meets |
| ➤ Cost (\$20/SF) | Meets |
| ➤ Efficiency
(Classrooms & General Purpose – 60%) | Meets |
| <hr/> | |
| ➤ Deferred Maintenance | Meets |
| ➤ Critical Deferred Maintenance | Meets |
| ➤ Classroom Utilization | Does Not Meet |
| ➤ Class Lab Utilization | Meets |



Recommendation

- Approve a Construction Project to Abate the Third Floor and Improve Accessibility of the Administration Building with a Project Budget of \$3,850,000 Funded with Higher Education Assistance Funds





TEXAS TECH UNIVERSITY SYSTEM™

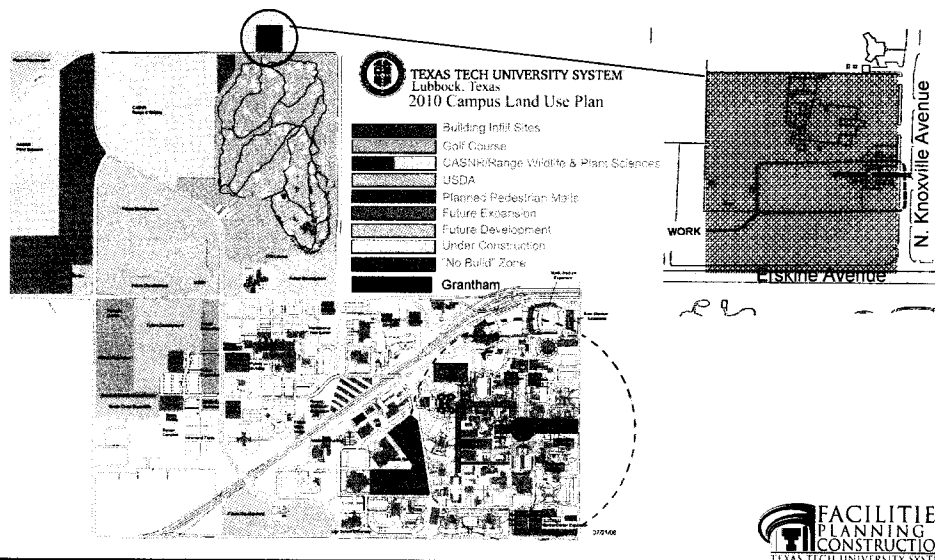
Facilities Committee

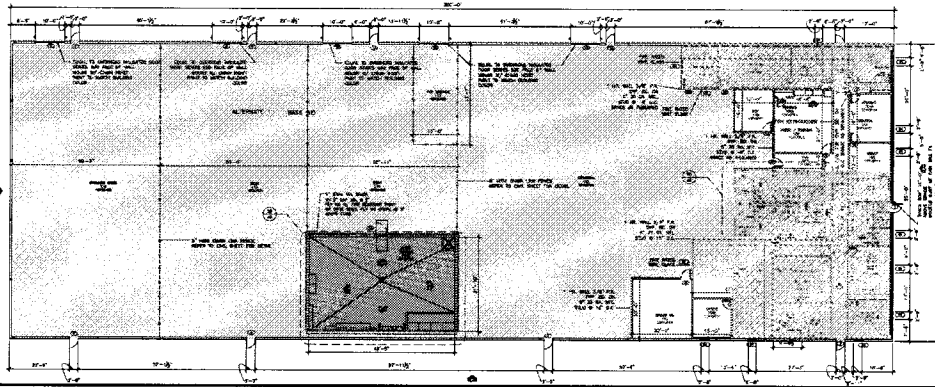
TTU

Approve a Construction Project For a New Warehouse



New Warehouse





- Construct a 30,000 GSF Warehouse on Texas Tech's Grantham Property
- 6,000 SF will be for the Custodial Services' Offices, Supplies, and Equipment
- Remaining 24,000 SF will be Storage Space for Grounds Maintenance, Building Maintenance, Environmental Health & Safety and the Department of Geosciences



Budget

Project Budget	\$ 1,500,000
-----------------------	---------------------

Construction	\$ 1,241,500
--------------	--------------

Professional Services	\$ 136,000
-----------------------	------------

FF&E	\$ 50,000
------	-----------

Administrative Costs	\$ 17,500
----------------------	-----------

BOR Directed Fees	\$ 30,000
-------------------	-----------

Contingency	\$ 25,000
-------------	-----------



Schedule

➤ Start Construction	September 2009
----------------------	----------------

➤ Substantial Completion	May 2010
--------------------------	----------

➤ Final Completion	June 2010
--------------------	-----------





THECB Criteria

- | | |
|---|---------------|
| ➤ TTU MP1 Report FY 2008* | 9 of 18 |
| ➤ Space Need | Meets |
| ➤ Cost (\$41/SF) | Meets |
| ➤ Efficiency
(General Purpose – 60%) | Meets |
| | |
| ➤ Deferred Maintenance | Meets |
| ➤ Critical Deferred Maintenance | Meets |
| ➤ Classroom Utilization | Does Not Meet |
| ➤ Class Lab Utilization | Meets |

* This Project Will Not Require THECB Approval



Recommendation

- Approve a Construction Project to Build a New Warehouse with a Project Budget of \$1,500,000 Funded with Higher Education Assistance Funds, and
- Authorize the Physical Plant to Manage the Project as an Exception to Section 08.01.3.c. of the *Regents Rules*





TEXAS TECH UNIVERSITY SYSTEM™

Facilities Committee

TTU

Approve Change in the Source of Funds for the Rawls College of Business Administration Project



Change in Source of Funds

	<u>Source of Funds</u>	
	<u>Old</u>	<u>New</u>
Tuition Revenue Bonds (TRB)	\$25,000,000	\$25,000,000
Higher Education Assistance Funds (HEAF)	\$ 5,000,000	\$10,000,000
Gifts and Donations	\$ -0-	\$13,000,000
Revenue Finance System Repaid with Gifts and Donations	\$40,000,000	\$ 7,000,000
Revenue Finance System Repaid with Student Fees	\$ -0-	\$15,000,000
Total Project Budget	\$70,000,000	\$70,000,000





Recommendation

- Approve the Change in the Source of Funds for the \$70,000,000 Rawls College of Business Administration Project;
- Authorize Submission of the Change in the Source of Funds to the Texas Higher Education Coordinating Board

Colleges of Business

Comparison of Tuition and Fees for One Full-Time BA Semester

[Assume: Undergrads enroll in 15 hours with 12 hours in BA and Grads enroll in 12 hours of BA]

For 2008-09 Academic Year

	<u>Undergraduate Tuition & Fees (15 Hours)</u>		<u>Nature of Differential</u>		<u>Enhanced BA Tuition & Fee</u>		<u>Graduate (12 Hours)</u>		<u>Grad Differential Tuition</u>	
	Resident	Non-Resident	None		Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Texas Tech University	3,592	7,807	None		0	0	3,667	7,039	0	0
Texas A & M	4,982	9,197	Flat, Full-Time \$610		610	610	5,992	9,364	Flat, Full-Time, \$2052	2,052
University of Houston(1)	4,478	8,693	\$45 per SCH		540	540	5,617	8,989	Unknown	*
UT, Arlington	4,094	8,309	\$17 per SCH		204	204	4,790	8,162	\$45 per SCH	540
UT, Austin	4,677	15,385	Flat, Full-Time \$612		612	2,050	9,932	16,794	Per SCH MBA	6,009
UT, Dallas	4,705	9,560	\$40 per SCH		480	480	4,964	8,884	\$60 per SCH	720

(1) Houston BA has \$45 per SCH for undergraduate business and undergrad course fees are typically \$146.75 per class. Graduate course fees are typically \$378.75 per class.

**Texas A&M Graduate differential varies by program from \$600 to \$2050.

For 2009-10 Academic Year

	<u>Undergraduate Tuition & Fees (15 Hours)</u>		<u>Nature of Differential</u>		<u>Enhanced BA Tuition</u>		<u>Graduate (12 Hours)</u>		<u>Grad Differential Tuition</u>	
	Resident	Non-Resident	None		Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Texas Tech University	3,953	8,108	None		0	0	3,957	7,281	0	0
Building Fee Proposed beginning Fall 2011	4,169	8,324	\$18 per SCH		216	216	4,173	7,497	216	216
Texas A & M	4,999	11,853	Flat, Full-Time \$610		610	610	7,992	11,316	Flat, Full-Time, \$4000**	4,000
University of Houston*	4,799	8,954	\$45 per SCH		540	540	7,431	10,803	Unknown	*
UT, Arlington	4,297	8,452	\$17 per SCH		204	204	5,140	9,295	\$45 per SCH	540
UT, Austin	4,904	16,430	Not Stated this year		~650	~650	13,225	21,290	Per SCH MBA	9,086
UT, Dallas	4,875	10,105	\$40 per SCH		480	480	5,346	9,374	\$60 per SCH	720

*Houston BA has \$45 per SCH for undergraduate business and undergrad course fees are typically \$146.75 per class. Graduate course fees are typically \$378.75 per class.

**Texas A&M Graduate differential varies by program from \$700 to \$4000.



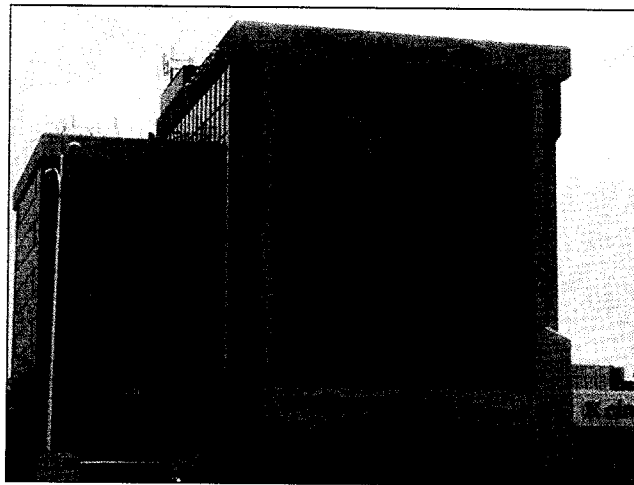
TEXAS TECH UNIVERSITY SYSTEM™

Facilities Committee

TTUSA Report System Offices Relocation Project

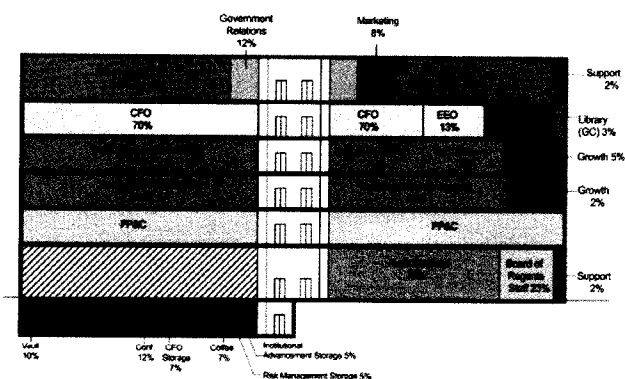


Tech Plaza





System Offices Relocation



Bank Remains; BOR Continues to Meet in SUB; Limited Growth



TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY
SYSTEM RELOCATION

Dekker Perich Sabatini
ARCHITECTURE • INTERIORS • LANDSCAPE • PLANNING • ENGINEERING



Renovation Schedule

- | | |
|---|----------------|
| ➤ Start Design of Complete Building | August 2009 |
| ➤ Start 2 nd Floor & Fire Suppression Renovations | October 2010 |
| ➤ Relocate TTU Offices Out of Building | December 2009 |
| ➤ Relocate FP&C | January 2010 |
| ➤ Start 3 rd & 4 th Floor Renovations
(Use 5 th Floor as Swing Space) | January 2010 |
| ➤ Complete 3 rd & 4 th Floor Renovations | September 2010 |
| ➤ Relocate Institutional Advancement | September 2010 |
| ➤ Start 5 th Floor Renovation | October 2010 |
| ➤ Relocate Skyviews Restaurant to East Stadium | December 2010 |
| ➤ Start 6 th Floor Renovation | January 2011 |
| ➤ Complete 5 th Floor Renovation | January 2011 |
| ➤ Start 1 st Floor – East Wing Renovation | June 2011 |
| ➤ Complete 6 th Floor Renovation | June 2011 |
| ➤ Complete 1 st Floor – East Wing Renovation | September 2011 |



Board Room

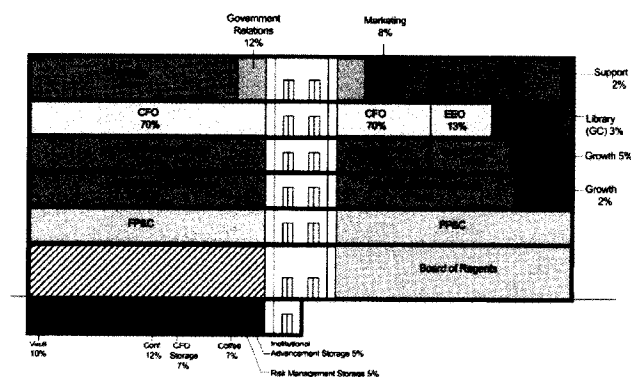
The Tech Plaza First Floor is the Best Location in terms of Access & Ceiling Height

Options

- Continue to Meet in the Matador Room
- Delay Moving One or More System Offices to Create a Board Room on the First Floor
- Encourage the Bank to Move Early
- Expand Tech Plaza



System Offices Relocation



Relocate Board Meeting Space; Delay Relocation of Selected System Offices



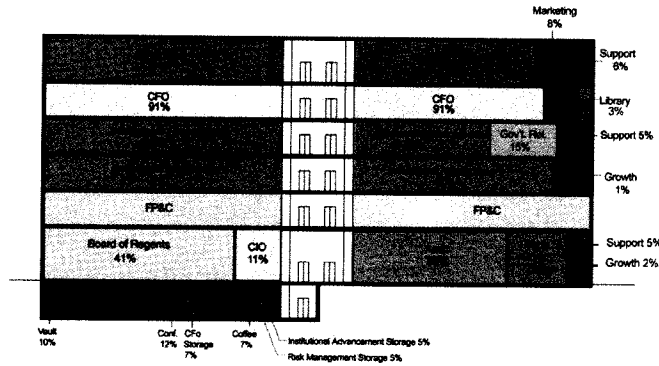
TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY
SYSTEM RELOCATION

Dokker Perich Sabatini
architects • interior • landscape • planning • engineering



System Offices Relocation



Encourage Bank to Move Earlier



TEXAS TECH UNIVERSITY SYSTEM

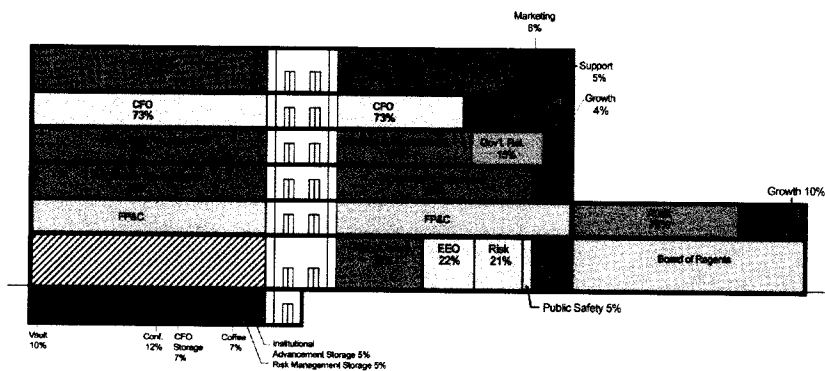
TEXAS TECH UNIVERSITY
SYSTEM RELOCATION



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System Offices Relocation



Expand Tech Plaza Including Projected Growth



TEXAS TECH UNIVERSITY SYSTEM

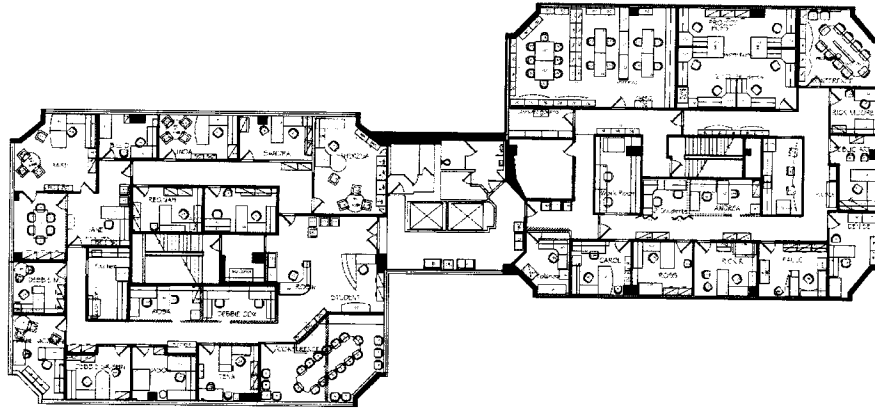
TEXAS TECH UNIVERSITY
SYSTEM RELOCATION



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FP&C Office Relocation



Second Floor Plan

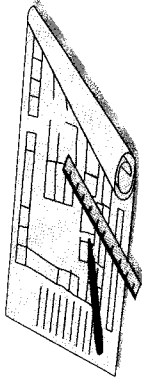


Renovation Budget

Initial Project Budget*	\$ 1,995,000
Construction	\$ 1,250,000
Professional Services	\$ 355,400
FF&E	\$ 105,000
Administrative Costs	\$ 49,000
BOR Directed Fees	\$ 135,600
Contingency	\$ 100,000

**Projected Total Project Budget \$6,500,000*





Project	Cost	Status	Completion Date
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TTU

Jones AT&T Stadium North End Zone Expansion	\$ 6,500,000	Under Construction	September 2009 / January 2010
Rawls College of Business Administration	\$ 67,800,000	Parking Under Construction	August 2011
Jones AT&T Stadium East Expansion	\$ 25,000,000	Under Construction	August 2009/December 2010
Softball Team Facility	\$ 3,000,000	Under Construction	January 2010
Soccer Team Facility	\$ 4,080,000	Field Improve. Complete / Team Facility Under Construction	September 2009
Student Leisure Pool	\$ 8,250,000	Substantially Complete	May 2009
Skyview's Relocation	\$ 1,500,000	Evaluating Bids	July 2010
Pulse Power Lab	\$ 1,500,000	Under Construction	August 2009
Memorial Circle Utility Tunnel Replacement	\$ 3,887,819	Under Construction	August 2009
Horn/Knapp Window Replacement	\$ 2,500,000	Under Construction	November 2009
Marsha Sharp Freeway (TxDOT Project)	TBD	Under Construction	2010+
TOTAL	\$ 124,017,819		

Project	Cost	Status	Completion Date
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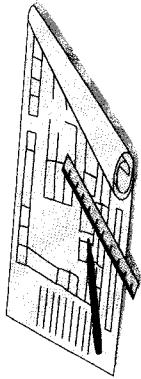
ASU

University Hall/Abatement Demolition	\$ 2,500,000	Being Demolished	TBD
TOTAL	\$ 2,500,000		

Project	Cost	Status	Completion Date
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HSC

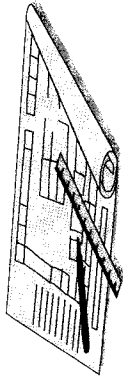
HSC Memorial Garden	\$ 181,000	Under Construction	TBD
Amarillo School of Pharmacy Expansion	\$ 8,010,000	Under Construction	August 2009/October 2009
Amarillo Family Medicine Relocation	\$ 7,026,925	Substantially Complete	July 2009
Amarillo HSC - Coulter Research Building	\$ 18,152,430	Substantially Complete	March 2009
Total	\$ 33,370,355		
GRAND TOTAL	\$ 159,888,174		



Project	Cost	Status	Completion Date
TTU			
CoBA Building Renovations	\$ 25,000,000	Design In Progress	TBD
Architecture Building LifeSafety Upgrade	\$ 2,716,164	Design In Progress	TBD
Biology Building LifeSafety Upgrade	\$ 3,021,321	Design In Progress	TBD
Experimental Science Lab Build Out	\$ 6,000,000	Evaluating Alternatives	TBD
Admin Bldg Improvements	\$ 4,000,000	Design In Progress	TBD
System Offices Relocation	\$ 6,500,000	Design In Progress	TBD
Campus Chapel	\$ 3,000,000	Design In Progress	TBD
Scholarship Walk	TBD	Contracted	TBD
TOTAL	\$ 50,237,485		

Project	Cost	Status	Completion Date
ASU			
Rec/Wellness/CHP Expansion	\$ 7,000,000	Design In Progress	TBD
Hardeman Hall Renovation	\$ 12,000,000	Design In Progress	TBD
Plaza Verde Residence Hall	\$ 30,000,000	Design In Progress	TBD
Library IT Commons Renovation	\$ 4,000,000	Design In Progress	TBD
TOTAL	\$ 53,000,000		

Project	Cost	Status	Completion Date
HSC			
Lubbock Simulation Center	\$ 6,500,000	Design In Progress	July 2010
Lubbock Cancer Research Labs	\$ 3,200,000	Design In Progress	July 2010
TOTAL	\$ 9,700,000		
GRAND TOTAL	\$ 112,937,485		

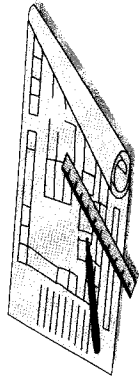


Project	Cost	Status	Completion Date
TTU			
Engineering Expansion/Renovation Phase II	\$ 110,000,000	Program In Progress	TBD
Plant & Soil Sciences Building	\$ 32,000,000	Proposed	TBD
Campus Building Modernization & Improvements	\$ 39,500,000	Proposed	TBD
Performing Arts Center	\$ 90,000,000	Proposed	TBD
Honors College	\$ 40,000,000	Program In Progress	TBD
The Rawls Course Clubhouse	\$ 2,500,000	Proposed	TBD
Dairy Barn Renovation	TBD	Proposed	TBD
Vietnam Center	\$ 35,000,000	Proposed	TBD
TOTAL	\$ 349,000,000		
ASU			
The College of Nursing and Allied Health	\$ 40,000,000	Proposed	TBD
Campus Modernization and Expansion	\$ 47,000,000	Proposed	TBD
Performing Arts Facility	\$ 62,640,000	Proposed	TBD
TOTAL	\$ 149,640,000		
HSC			
Lubbock Education, Research & Technology Renov	\$ 80,000,000	Proposed	TBD
El Paso Medical Science Building II	\$ 65,000,000	Proposed	TBD
El Paso Clinical Sciences Building	\$ 30,000,000	Proposed	TBD
Permian Basin Medical Education Facility	\$ 14,000,000	Proposed	TBD
Panhandle Clinical/Hospital Simulation Center	\$ 16,500,000	Proposed	TBD
Laura W. Bush Institute Renovations	\$ 12,800,000	Proposed	TBD
TOTAL	\$ 218,300,000		
GRAND TOTAL	\$ 716,940,000		

Bricks and Mortar Report

Projects Completed July 2009

www.fpc.ttu.edu



Project	Cost	TTU	Status	Completion Date
SPICE Chess Area	\$ 71,000		Complete	July 2009
Thompson Gaston Demolition	\$ 2,200,000		Abatement & Demo Complete	March 2009
Engineering Expansion/Renovation Phase I	\$ 10,000,000		Complete	March 2009
Track Renovation/Relocation	\$ 4,000,000		Complete	May 2009
Softball Field Improvements	\$ 1,000,000		Complete	March 2009
Art 3D Annex Ceramics/Kiln Yard	\$ 1,556,937		Complete	October 2008
High Performance Research Computer Facility	\$ 1,800,000		Complete	September 2008
Sneed/Bledsoe HVAC Upgrade	\$ 6,000,000		Complete	August 2008
Bledsoe Window Replacement	\$ 1,000,000		Complete	August 2008
4th Street Sewer Upgrade	\$ 560,000		Complete	October 2008
Mark & Becky Lanier Prof. Development Center	\$ 13,865,000		Complete	April 2008
NCAA Soccer Complex	\$ 1,998,000		Complete	August 2007
Art 3-D Annex	\$ 8,603,315		Complete	September 2007
Outreach & Extended Studies Building	\$ 8,000,000		Complete	October 2007
Softball Field Repairs	\$ 509,055		Complete	September 2007
Discovery Mail	\$ 1,167,698		Complete	July 2007
Student Wellness Center	\$ 9,229,767		Complete	March 2007
CDRC / CSAR	\$ 8,126,506		Complete	October 2006
Scholarship Donor Recognition Walk	\$ 225,000		Complete	November 2006
Sneed/Gordon/Bledsoe LifeSafety Upgrades	\$ 5,792,000		Complete	September 2006
Jones AT&T Stadium Field Improvements	\$ 2,860,000		Complete	August 2006
Student Union Building Phase II B	\$ 6,034,070		Complete	November 2006
Student Union Building Phase III	\$ 1,299,043		Complete	July 2006
NRHC - Christine DeVitt Wing	\$ 3,278,509		Complete	June 2006
Experimental Sciences Building	\$ 36,702,120		Complete	March 2006
Texas Tech Parkway	\$ 9,222,073		Complete	February 2006
Grover E. Murray Residence Hall	\$ 24,613,235		Complete	January 2006
Animal and Food Sciences Building	\$ 16,809,505		Complete	February 2006

Project	Cost	Status	Completion Date
Wall/Gates Life Safety Upgrade	\$ 3,094,012	Complete	January 2006
Student Parking Expansion	\$ 660,000	Complete	October 2005
Student Union Bldg. Expansion/Renovation	\$ 37,372,009	Complete	October 2003/February 2005
Museum NSRL Addition	\$ 3,555,259	Complete	August 2005
Admin Building Stone Repair	\$ 2,262,839	Complete	January 2005
Jones SBC Stadium Stage IIA /IIB	\$ 53,578,710	Complete	May 2004/Sept 2004
Hulen Clement Fire Protection	\$ 3,234,692	Complete	August 2004
Football Training Facility	\$ 10,974,030	Complete	May 2004
Marsha Sharp Center for Student Athletics	\$ 3,789,332	Complete	January 2004
The Rawls Course Support Facilities	\$ 1,692,000	Complete	November 2003
Admin Building Roof Repairs	\$ 827,901	Complete	November 2003
The Rawls Course	\$ 9,013,000	Complete	August 2003
Horn/Knapp Fire Suppression	\$ 3,026,015	Complete	December 2002
Campus Conference Bonfire Circle	\$ 400,000	Complete	September 2002
English-Philosophy & Education Complex	\$ 44,910,950	Complete	August 2002
Flint Avenue Parking Facility	\$ 10,670,916	Complete	August 2002
Dan Law Field	\$ 1,612,000	Complete	June 2002
Fuller Track Field House	\$ 480,000	Complete	June 2002
Pfluger Fountain	\$ 826,000	Complete	April 2002
Recreation Center Expansion/Renovation	\$ 12,070,277	Complete	November 2001
Jones SBC Stadium Stage I	\$ 22,000,000	Complete	September 2001
Frazier Plaza & Masked Rider Statue	\$ 515,000	Complete	September 2001
Tennis-Softball Complex	\$ 4,059,784	Complete	September 2001
Campus Fiber Optic Connection	\$ 1,667,000	Complete	September 2001
West Hall/Visitors Center	\$ 5,703,441	Complete	September 2001
Broadway Gatehouses	\$ 816,000	Complete	August 2001
Marquee	\$ 352,000	Complete	August 2001
Stangel/Murdough Fire Suppression	\$ 1,616,293	Complete	August 2001
Chitwood/Weymouth Fire Suppression	\$ 2,779,706	Complete	August 2001
TOTAL	\$ 429,881,999	Complete	August 2000
ASU			
Centennial Village Residence Hall	\$ 28,215,000	Complete	August 2008/March 2009
UC Dining Services Expansion	\$ 2,500,000	Complete	January 2009
TOTAL	\$ 30,715,000		

Project	Cost	HSC		Status	Completion Date
El Paso Vivarium Upgrade	\$ 737,479			Complete	December 2008
International Pain Center	\$ 7,000,000			Complete	November 2008
El Paso Strategic Space Study	TBD			Complete	TBD
El Paso - Archer Building Renovations	\$ 1,700,000			Complete	March 2008
Texas Tech Physicians Medical Pavilion	\$ 36,482,388			Complete	June 2006/Dec 2007
El Paso Medical Education Bldg.	\$ 45,000,000			Complete	November 2007
Abilene School of Pharmacy	\$ 9,087,743			Complete	July 2007
El Paso Medical Science Bldg. I Build Out	\$ 3,564,306			Complete	July 2006
Amarillo Campus Improvements	\$ 1,424,677			Complete	September 2006
HSC Roof Replacement	\$ 1,747,867			Complete	April 2006
The Larry Combest Health & Wellness Center	\$ 1,551,549			Complete	January 2006
El Paso Medical Science Bldg. I	\$ 36,977,869			Complete	February 2006
HSC Campus Infrastructure Improvement	\$ 5,028,277			Complete	January 2006
HSC El Paso Clinic Expansion/Renovation	\$ 9,638,830			Complete	February 2005
HSC El Paso Hydronic Pipe Replacement	\$ 1,552,209			Complete	February 2005
HSC Academic Classroom Bldg.	\$ 14,963,993			Complete	October 2003
HSC Synergistic Center	\$ 1,995,105			Complete	March 2003
Amarillo Academic/Clinic Facility	\$ 23,636,894			Complete	April 2002
Midland Physicians Assistant Building	\$ 6,000,000			Complete	August 2001
HSC Admin Relocation	\$ 1,862,000			Complete	March 2001
Odessa Clinic Renovation	\$ 1,200,000			Complete	September 2000
Communications Disorders Renovation	\$ 2,161,000			Complete	May 2000
TOTAL	\$ 213,292,186				
GRAND TOTAL COMPLETED	\$ 673,889,185				
PROGRAM TOTAL	\$ 1,663,654,844				

Executive Summary of Revisions for the *Student Handbook*

The proposed changes are a total revision of the entire Student Handbook to fully reflect the transition to the Texas Tech University System. Many components have been eliminated and incorporated into other campus publications. Policies from the previous System have been eliminated where appropriate to do so, policies from the Texas Tech University system have been added, and revisions have been made to existing Angelo State University policies to reflect recent administrative changes on the campus.

Proposed Revisions:

Removed the various sections that were merely an informational section about a campus service or department. These are areas that are now covered through web pages and other means.

Formatted the publication in a manner similar to that used by Texas Tech University.

The section on campus disciplinary procedures was rewritten to accommodate the new titles and positions in the Student Affairs area.

Policies mandated by the previous System were deleted unless we are continuing them as our own policies. Likewise, any policies mandated by TTUS were incorporated in the handbook.

The procedures for handling cases of alleged racial harassment and sexual harassment were combined into one section since they will be handled in a similar manner.

ANGELO STATE UNIVERSITY

INTRODUCTION

The university community, like any community, must have regulations or standards of conduct 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 Angelo State University.

Angelo State University has a responsibility to maintain order within the university community and to discipline those who violate its standards, rules, and/or policies. By enrolling in Angelo State University, each student becomes part of that university community and is expected to share in that responsibility. Students agree to abide by the standards, rules, and/or policies set forth in this Student Handbook, the Undergraduate Catalog, the Graduate Catalog, and other official university publications, as well as the Texas Education Code.

Mission of the University

Angelo State University, a member of the Texas Tech University System, delivers undergraduate and graduate programs in the liberal arts, sciences, and professional disciplines. In a learning-centered environment distinguished by its integration of teaching, research, creative endeavor, service, and co-curricular experiences, ASU prepares students to be responsible citizens and to have productive careers.

Adopted by the Texas Tech University System Board of Regents (March 6, 2009)
Adopted by the Texas Higher Education Coordinating Board (April 30, 2009)

Disciplinary Authority

The authority to enact and enforce regulations of Angelo State University is vested in the Board of Regents of the Texas Tech University System. The responsibility for enforcing the regulations and imposing penalties is delegated to the chancellor of the Texas Tech University System and/or the president of Angelo State University and any university officials the president may designate. The Office of the Provost and Vice President for Academic and Student Affairs is the principal office for the administration of student discipline, and the Office of Student Life shall implement the student discipline procedures. All references herein to the chancellor and/or president of Angelo State University, the provost and vice president for academic and student affairs, the executive director of student life, and the director of residential programs shall be interpreted to include persons designated to act on behalf of these individuals.

Nondiscrimination

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, creed, national origin, age, sex, disability and the equal opportunity and access to facilities shall be available to all. Nondiscrimination is observed in the admission, housing, and education of students and in policies governing discipline, extracurricular life, and activities.

Definitions

In this Student Handbook, the following definitions will apply:

1. The term "university" means Angelo State University.
2. The term "student" includes all persons taking courses at the university, either full or part time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the university are considered "students."

3. The term “university official” includes any person employed by Angelo State University while performing assigned administrative or professional responsibilities.
4. 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.
5. 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.)
6. The term “student organization” means any number of students who have complied with the formal requirements for university registration.
7. The term “representative” means a university official authorized on a case-by-case basis by the executive director of student life and/or the director of residential programs to investigate and resolve alleged violations of the Code of Student Conduct and/or residential living policies.
8. The term “discipline body” means any university official or group of officials authorized by the executive director of student life to determine whether a student has violated the Code of Student Conduct and to recommend imposition of sanctions, conditions and/or restrictions.
9. The terms “shall” and “will” are used in the imperative sense and the term “may” is used in the permissive sense.
10. The term “policy” is defined as the written regulations, standards and/or rules of the university as found in, but not limited to, the Student Handbook, Residence Hall Handbook, the Undergraduate Catalog, and the Graduate Catalog.
11. The term “hold” refers to the indicator placed on a student’s official record preventing registration and/or the issuance of a transcript until the student meets the requirements of the university office placing the indicator.
12. The term “in good standing” is defined as a student not currently on academic or disciplinary probation or any level of disciplinary suspension, dismissal, or expulsion from the university.
13. 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 organization(s).

GENERAL ACADEMIC POLICIES OF THE UNIVERSITY

Minimum Academic Requirements (Undergraduate Students)

An overall 2.00 grade point average (C average) on all college-level work and a 2.00 grade point average (C average) for studies at this institution are required for graduation from Angelo State University. All degree programs require an overall 2.00 grade point average in the student’s major field and a 2.00 grade point average in the major field in residence. All degree programs leading to teacher certification require a 2.50 overall grade point average. A 2.50 grade point average, with no grade lower than a C, is required in each of the following areas: teaching field (major), interdisciplinary major, and professional education. To meet certification requirements, students must also have a 2.50 grade point average in their major in residence. Official grade point averages are not rounded up.

Class Attendance

Students are expected to be present for all class meetings of the courses for which they are registered. An accurate record of attendance for each student must be maintained by the

instructor.

In those classes where grades are affected by attendance, information to this effect must be provided in writing at the beginning of each semester. Students have a responsibility of being aware of special attendance regulations where written policies have been distributed to the class by the instructor at the beginning of the semester.

There may be a valid reason for a student's absence from class, such as illness, family emergency, or participation in an authorized university activity, and the instructor should exercise good judgment in determining if there is justification for allowing a student to make up work missed. In classes where students are absent for good cause and the instructor administers a pop test or a daily class assignment, the instructor may choose to allow the student to drop that grade(s) rather than make up the pop test or daily class assignment.

However, by written notice, instructors may place reasonable limitations upon the number and types of assignments and examinations that may be made up or dropped by students for any cause. Also, the manner in which make-up work is administered is to be determined by the instructor.

If a dispute arises between an instructor and a student over absences which cannot be resolved, the student should discuss the problem with the instructor. If the issue cannot be satisfactorily resolved, the student may appeal to the instructor's department head, academic dean, the academic vice president, and ultimately, to the president of the university.

Class Absences and Emergency Notification

The Office of Student Life (Room 112 University Center, 325-942-2192) can assist in notifying the campus community of student illnesses, immediate family deaths and/or student death. Generally, in cases of student illness or immediate family deaths, the notification to the appropriate campus community members occurs when the student is absent or will be absent for three (3) or more consecutive days. It is always the student's responsibility for missed class assignments and/or course work during his/her absence. The student is encouraged to contact the faculty member immediately regarding absences and to provide verification afterwards. In regard to absences during the week of final exams, the Office of Student Life will assist with notification. However, due to the nature of schedules during final exams, the student should be aware that communication with the faculty members regarding absences may be limited.

All notification is provided as a courtesy. The notification from the Office of Student Life does not excuse a student from class, assignments, and/or any other course requirements. The faculty member has the final authority on excusing absences and/or allowing make-up work.

Academic Standing

Grade point averages are compiled at the end of the fall and spring semesters and the summer session. The undergraduate student whose cumulative grade point average in college-level course work is less than the standard listed in Column I of the GPA Requirement Table will be suspended from the university. The student whose cumulative grade point average falls in the range defined in Column II is placed on academic probation. First semester freshmen are normally allowed two semesters (one academic year) to meet the above GPA requirement provided their GPA on all college-level work attempted does not fall below 1.00.

Academic Probation

An undergraduate student is placed on academic probation at the end of either semester of the academic year or at the end of the summer session when the student's cumulative grade point average falls within the range defined in Column II in the GPA Requirement Table, and academic probation will continue as long as the student's grade point average continues within the probationary range. However, when classified as a junior or higher (sixty or more semester hours earned), the student is permitted only two consecutive registrations on probation and will be suspended if probationary status is not removed prior to the student's third registration.

Registration for one or both terms of the summer session is regarded as a single registration. Academic probation will continue until the student's cumulative grade point average reaches 2.0.

A student on academic probation who withdraws from the university within the calendar deadline for dropping courses with a W is eligible for re-enrollment on academic probation. The student who withdraws after the specified deadline is subject to academic suspension.

Academic Suspension

At the end of either semester of the academic year or at the end of the summer session, an undergraduate student whose cumulative grade point average falls below the standard defined in Column I of the GPA Requirement Table will be suspended and during the period of suspension will be ineligible to register for any course work at Angelo State University.

An undergraduate student's first academic suspension is for one semester of the academic year and any intervening summer session. The duration of a second academic suspension is one calendar year and a third academic suspension is generally considered to be permanent, but is subject to review by the appropriate academic dean.

A student who re-enters the university after a period of academic suspension will re-enter the university on academic probation. In this category, a student who has been readmitted to the university and who is classified as a junior or higher (sixty or more semester hours earned), must remove probationary status prior to a second registration or be suspended.

Exceptions to the suspension policy may be made in situations involving documented cases of serious illness or personal misfortune, when students are making discernible progress toward completion of a degree program, or in other cases at the discretion of the appropriate academic dean. Petitions for review of such cases must be made to the dean of the appropriate college prior to the first day of late registration for the fall and spring semesters and the summer session or as otherwise specified in writing by the provost and vice president for academic and student affairs.

Grade Point Average Requirement Table

<i>Total Semester Hours Earned In College-Level Course Work</i>	I	II
	<i>Academic Suspension</i>	<i>Academic Probation</i>
	<u>GPA Less Than</u>	<u>GPA Less Than</u>
0-29	1.35	2.00
30-59	1.60	2.00
60-89	1.80	2.00
90 or more	1.90	2.00

Bachelor's Degree Requirements

All bachelor degrees must meet general degree requirements including completion of a minimum of 120 semester credit hours, a minimum of 39 advanced (junior and senior level) semester credit hours, a minimum of 33 semester credit hours in residence (24 of which must be at the advanced level), core curriculum requirements, TSI requirements, and applicable GPA requirements.

Master's Degree Requirements

In partial fulfillment of the requirements for all master's degrees, the graduate student must complete the following general requirements:

1. The student must complete a minimum of 30 to 48 semester credit hours of graduate work (103 semester credit hours for the Master of Physical Therapy degree) depending upon the degree being sought. In each degree program, the student must earn a 3.00, or better, grade point average overall and in the major field and in all course work taken at ASU. In

programs requiring course work outside the major field, the student must earn a 3.00, or better, grade point average in each of these areas. Grades lower than C will not apply toward any degree. The student may apply toward the degree:

- a. A maximum of six – eight semester credit hours or two courses 5000-level work (except Physical Therapy),
 - b. A maximum of six semester credit hours of transfer work in a 30-hour program with no grade lower than a B, and a maximum of nine semester credit hours of transfer work in a program of more than 30 hours with no grade lower than a B;
 - c. No courses taken by correspondence or extension;
 - d. No more than nine semester credit hours taken while in non-degree status.
2. In addition to the general degree requirements, the graduate student must complete additional requirements for the designated degree program.

Schedule Changes

The process of adding and dropping a course is initiated in the Registrar's Office.

1. Adding Courses
Courses may be added during registration periods as specified in the university calendar.
2. Dropping Courses
 - a. Courses may be dropped during the registration period and no grade will be given. Such courses will not be listed on the student's permanent record.
 - b. A student withdrawing from a course after the registration period, but prior to the deadline published in the university's calendar, will receive a "W" grade in the course.
 - c. A student dropping a course after the specified deadline will receive a grade of "F." Ceasing to attend class does not constitute a formal course drop, and failure to drop a course properly will result in a failing grade in the course.

Withdrawal from the University

An application for withdrawal from the university must be initiated in the Registrar's Office.

1. A student is not officially withdrawn until:
 - a. The withdrawal form has been completed,
 - b. The approval of each of the appropriate university offices has been received,
 - c. All drop slips have been received, and
 - d. The form has been returned for approval to the Registrar's Office.
2. The student who fails to withdraw officially will receive a grade of "F" in all courses in progress.

Grade Grievances

The assignment of a grade in a course is the responsibility of the faculty member and is based on the professional judgment of the faculty member. Except for issues of computation, discrimination, equal treatment, or reasonable accommodation when a documented student need is present in accordance with the Americans with Disabilities Act of 1990 (ADA) guidelines, the faculty member's grade determination is final.

1. Initiating a Grievance with the Faculty Member
Students having a grievance concerning a grade in a course of study should make every attempt to resolve the issue with the faculty member who has assigned the grade. Faculty members should listen to the concerns of the student, discuss and, if appropriate, negotiate resolution of the grade assigned to the student.
2. Appeal to the Department Head

- a. Should a student be unable to resolve the grievance with the faculty member (either because no resolution was reached with the faculty member, or because the faculty member is on leave or not returning to the university), the student may appeal to the department head.
 - b. If the faculty member in question is the department head, the student should request that the dean of the college appoint a faculty committee to review the grievance.
 - c. If the faculty member in question is the dean of the college, the department head will still be the second level of appeal. If the dean is also the department head, the student may request the provost and vice president for academic and student affairs to appoint a faculty committee to review the grievance.
 - d. The student must present a written statement and provide compelling evidence (examinations, papers, etc.) that demonstrate why the grade should be changed. If evidence is not available, the student should explain that in the written statement.
 - e. This written grievance must be presented no later than 30 days from the beginning of the next semester following the semester or term when the grade was assigned as long as the faculty member assigning the grade is on campus that semester or summer term.
 - f. If the faculty member assigning the grade is not on campus that following semester or term, but will be teaching on campus within the next three months, the complaint may wait until 30 days into the first semester the faculty member returns to campus.
 - g. The department head (or a committee appointed by the department head or dean) will review the grievance and present a written decision to the student and the faculty member within 45 days of the beginning of the semester.
 - h. Either the faculty member or the student may appeal the decision rendered at this level.
3. Appeal To The College
- a. If the student or the faculty member wishes to pursue the grievance further, the student (or faculty member) must present the written request to the dean of the college in which the course is taught within 30 days of the departmental decision. This procedure is to be followed even if the dean of the college is the faculty member in question.
 - b. The dean will appoint an ad hoc grievance committee from the college to review the case. If the dean of the college is the faculty member in question, one of the deans from the other colleges of the university will appoint a faculty committee (consisting of tenured faculty) from the college in which the course is taught to serve as the ad hoc committee. One member of the ad hoc committee will be from the department where the disputed grade originated.
 - c. The committee will be provided the student's written statement and evidence as well as the written report of the department head and faculty member.
 - d. The committee may conduct a hearing where the student and the faculty member may present information about the grievance.
 - e. The committee will issue a written decision on the grievance to the dean of the college with copies to the student and faculty member.
 - f. The decision of the committee is final, and there is no further appeal through university channels.

STUDENT RECORDS

Notification of Rights under Federal Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 (20 U.S.C.A. Section 1232g) protects certain rights of students who are enrolled in a post-secondary institution relative to their educational records. The Act grants students:

1. The right to inspect and review their education records within 45 days of the day Angelo State University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The university 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 university official to whom the request was submitted,

that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask Angelo State University to amend a record that they believe is inaccurate or misleading. They should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If Angelo State University decides not to amend the record as requested by the student, Angelo State University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting 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 responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Angelo State University to comply with the requirements of FERPA.

Prior to the disclosure of any personally identifiable information other than directory information, except as allowed by the regulations, the university must obtain the written consent of the student and then must maintain a record of the disclosure. The categories included as directory information at Angelo State University which routinely will be made public upon request or published in appropriate university publications are:

The student's name, local and permanent mailing address, campus e-mail address, telephone listing, date and place of birth, photograph, marital status, major and minor fields of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, team photographs, dates of attendance, classification, enrollment status, degree candidate, degrees, awards, and honors received and type of award/honor, most recent previous educational agency or institutions attended, hometown, and parents' names and mailing addresses.

Students who desire that their directory information not be released must submit a written request to the Registrar's Office during the first twelve class days of the fall or spring semester or the first four class days of the summer terms. Forms for submitting the written request to withhold directory information are available in the Registrar's Office.

Access to Student Records

The Family Educational Rights and Privacy Act of 1974 provides that students be apprised of the location of their educational records and the administrator responsible for their maintenance. Angelo State University forwards educational records to other educational institutions in which a student seeks or intends to enroll without providing any further notice to the individual regarding the transfer of the records.

EDUCATIONAL RECORDS

The university will protect the confidentiality of student records by building in faculty and administrative offices the necessary safeguards against improper disclosure. The university

shall not release the educational records of a student to agencies or individuals except as authorized by state and federal statutes. The educational records of a student will be made available upon the request of authorized university personnel or the student involved.

Student records are filed in a variety of offices as indicated below. The administrative officers shown are responsible for the records under their control and for the appropriate release of information contained in these records. Letters of inquiry regarding educational records should be addressed to the appropriate administrative officer, ASU Station, San Angelo, Texas 76909.

Angelo State University forwards educational records on request to other educational institutions in which a student seeks or intends to enroll without providing any further notice to the individual regarding the transfer of the records.

LOCATION OF STUDENT RECORDS

Office of Academic and Student Affairs

Provost and Vice President for Academic and Student Affairs AD 107
Vice Provost for Academic and Student Affairs AD 107

College of Business

Dean of the College of Business RAS 262
Department of Accounting, Economics, and Finance RAS 258
Department of Aerospace Studies RAS 227
Department of Management and Marketing RAS 212

College of Liberal and Fine Arts

Dean of the College of Liberal and Fine Arts CARR 146
Department of Art and Music CARR 139
Department of Communication, Drama, and Journalism LIB B308
Department of English A 010
Department of Government RAS 213A
Department of History A 210
Department of Modern Languages A 110
Department of Psychology, Sociology and Social Work A 204B

College of Nursing and Allied Health

Dean of the College of Nursing and Allied Health VIN 164
Department of Nursing VIN 266
Department of Physical Therapy VIN 224

College of Sciences

Dean of the College of Sciences VIN 175
Department of Agriculture VIN 212
Department of Biology CAV 102R
Department of Chemistry and Biochemistry CAV 102B
Department of Computer Science MCS 205
Department of Mathematics MCS 220 A
Department of Physics VIN 115

College of Education

Dean of the College of Education CARR 104
Department of Curriculum and Instruction CARR 145
Department of Kinesiology CHP 106
Department of Teacher Education CARR 145

College of Graduate Studies HAR 100

Admissions Office

(Admissions Files and International Student Personnel Records) HAR 101

Registrar

(Permanent Academic Record Files and Veterans Administration Files) .HAR 101

Center for Academic Excellence

(Academic and Advising Records)..... Library A312

Extended Studies

Director, GAFB "On-Base" Academic ProgramHerrington House
GAFB Student Academic Records and Faculty and Student Files for
Non-Credit Continuing Education Courses

Administrative Staff

Athletic Director.....Junell Center 266
(Academic, Athletic, and Health Records of Student Athletes)
Chief of University Police Reidy Bldg.
(Incident reports, police investigations)
Clinic Director (Medical Records) University Clinic
Counseling Center (Counseling Records) University Clinic
Director of Career Development (Career Files) UC 114
Director of Financial Aid (Financial Aid and Scholarship Records) AD 204
Director of Residential Programs (Housing Records) HAR 200
Director of Student Involvement (Student Organization Records)..... UC 001
Executive Director of Student Life UC 112
(Discipline, Academic Integrity, and Disability Records)

UNIVERSITY POLICIES AND REGULATIONS

University policies, rules, and regulations relating to Angelo State University students are made with the view of protecting the best interests of the individual, the general welfare of the entire student body, and the educational objectives of the university.

Specific university policies, rules, and regulations governing student conduct adopted by the Board of Regents and the administration of Angelo State University are provided below. It is the responsibility of each student to become informed regarding these policies, rules, and regulations, and to abide by them at all times.

Alcoholic Beverage Regulation

This regulation applies to all individuals, including students, faculty, staff and visitors present on property owned, leased or otherwise under the control of Angelo State University. The possession or use of an alcoholic beverage, as that term is defined in the Texas Alcoholic Beverage Code, on property under the control of Angelo State University is prohibited except as expressly permitted by this regulation.

Areas in which the possession or use of alcoholic beverages is prohibited include but are not limited to, classrooms, laboratories, offices, lounges, stadiums and other athletic facilities, dining areas, meeting and party facilities, the Houston Harte University Center, the University Lake Facility and all residence halls and apartments except as specifically authorized in this regulation.

The possession or use of alcoholic beverages is permitted in the individual apartments of Vanderventer Apartments provided all of the student residents of the individual apartment are 21 years of age or older. The possession or use of alcoholic beverages is also permitted by individuals twenty-one years of age or older on university property leased or otherwise made available on a long-term basis to a firm or association. However, alcoholic beverages shall not be purchased for, provided or given to, or knowingly be made available to any person under 21 years of age in the facilities covered by this paragraph except as expressly authorized by the Texas Alcoholic Beverage Code. University-funded student organizations may not sponsor events and/or activities open to the general public where alcoholic beverages are consumed.

Students, faculty, and staff who violate the provisions of this regulation are subject to discipline under applicable university procedures. University officials also have the authority to remove from property under university control any individual who violates this regulation. Individuals violating this regulation may also be subject to prosecution for violation of a university regulation.

Hazing

Hazing is prohibited by state law and university policy. "Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution.

Students and the organizations to which they may belong commit a criminal offense if they are involved in any form of hazing. This includes engaging in, soliciting, encouraging, directing, aiding, or attempting to aid another in engaging in hazing; intentionally, knowingly or recklessly permitting hazing to occur; and having firsthand knowledge that hazing is going to occur or has occurred and knowingly failing to report this information in writing to the executive director of student life or other appropriate university official. Hazing is punishable by fines ranging from \$1,000 to \$10,000 and confinement in jail ranging from 90 days to two years, or both a fine and confinement in jail may be assessed. Organizations involved in hazing are subject to fines of not less than \$5,000 nor more than \$10,000 except when the offense causes personal injury, property damage or other loss, and then the organization may be punished by a fine of not less than \$5,000 nor more than double the amount lost or the expenses incurred because of such injury, damage or loss. In addition, individuals and organizations involved in any form of hazing subject themselves to university discipline.

The above statement is a brief, factual summary of the Hazing Act and is not intended as a substitute for or a legal interpretation of the Act. For a complete copy of this legislation, please see the Texas Education Code, Section 37.151– 37.155 and Section 51.936.

Student Dress on Campus

The university assumes that the ASU student is a professional person, cognizant of common standards of decency in the determination of acceptable wearing apparel. The student's mode of dress is considered to be a matter of personal taste as long as common standards of decency are followed.

Common standards of decency imply a recognition of the social obligation to the university community and the responsibility to dress in a manner which will not distract from the academic atmosphere of the library, classrooms, and other facilities. Dress standards require that students wear shoes and be appropriately clothed at all times in academic buildings, library, cafeterias, and all other public buildings.

Any additional ad hoc requirements for ASU functions are reserved for determination by the sponsoring organization.

Privacy of Student-Occupied Units

The privacy of student residential units in university housing shall be respected, and a unit will not be entered without knocking. In the absence of occupants, units may be entered by authorized university personnel for routine inventory, maintenance or repair, and health or safety inspections. Authorized university personnel may conduct a search of a student residential unit to determine compliance with university policies, or federal, state, and local law where there is reasonable probable cause to believe that a violation has occurred or is taking place.

As routine procedure, personal belongings of students will not be searched. However, in situations where there is reasonable cause to believe that a violation of university policies, or federal, state, or local law has occurred or is taking place, the student may be asked to open all drawers, luggage, or other personal possessions during a search. In situations involving a violation of state or federal law, if the student chooses not to assist in this manner, the University Police Department may be requested to obtain a search warrant for this purpose.

In an emergency, it may be neither safe nor possible to follow the above procedures regarding search of personal belongings. These exceptions will be rare and will include only situations where, in the judgment of the director of residential programs or his/her designated representative, an immediate danger to the safety of the building and/or its occupants exists.

Solicitation

Solicitation of students or groups for the purpose of selling merchandise or services or obtaining contributions on campus or off campus by registered university organizations is subject to written authorization by the executive director of student life.

All proceeds from sales must be used toward fulfilling the purposes of the soliciting organization. Requests for authorization to solicit must be made through the executive director of student life at least three days prior to the event.

Freedom of Expression Activities

The open exchange of information, opinions, and ideas between students is an essential element of the campus educational experience. These regulations are intended to protect the interests of all students as well as other members of the Angelo State University community. These regulations presume that students are generally free to engage in freedom of expression activities in those outdoor areas of the 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.

For the purposes of these regulations, the phrase "freedom of expression activities" means those activities which involve public orations, rallies, demonstrations, etc., where the speaker is seeking a public forum for the expression of opinions and ideas. These regulations are not intended to limit or govern private speech which occurs in a social setting among students in campus areas such as residence halls, food service facilities, student lounges and gathering areas, classrooms, etc. In addition, these regulations do not cover activities which are part of a university-sponsored event, such as persons brought to the campus by a university department or program for the expressed purpose of presenting their opinions and ideas.

The Angelo State University campus is an open campus for the purposes of student freedom of expression activities. Students are encouraged, and persons and groups not affiliated with the university are required, to use the free speech area(s) of the campus for such activities. Requests to use the free speech area must be submitted to the executive director of student life. Reservations are assigned on a first-come first-served basis.

The free speech area on the Angelo State University campus is the area located between the Porter Henderson Library and the Academic Building, bounded on the west by the sidewalk and on the south by the Library parking lot. Additional free speech areas may be designated at any time by the university.

In order to maintain an orderly flow of activity on the campus, the executive director of student life, or his/her designee, is charged with the responsibility of overseeing freedom of expression activities on the campus and for monitoring compliance with university regulations. A decision by the executive director of student life to require a student or group of students to relocate, curtail, or cease their activities may be appealed to the provost and vice president for academic and student affairs.

Non-university persons or groups who violate university regulations are subject to removal from university property, as determined by the executive director of student life or his/her designee.

A decision to remove a non-university person or group from university property may be appealed to the provost and vice president for academic and student affairs.

Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:

1. 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.).
2. The activity substantially interferes with either vehicular or pedestrian traffic.
3. The activity blocks the ingress to or the egress from buildings.
4. The space is not available due to a prior reservation.
5. The activity conflicts with a previously planned university activity.
6. The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the university.
7. The activity presents an unreasonable danger to the health or safety of the participant(s) or other individuals.
8. The activity is prohibited by local, state, or federal law; or
9. The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on the campus.

Students engaged in freedom of expression activities may be subject to disciplinary action under the Code of Student Conduct for the following actions:

1. Activities that are illegal;
2. Activities that deny the rights of other students, faculty and staff of Angelo State University;
3. 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;
4. Activities that deny the use of offices or other facilities by students, faculty, staff, or guests of Angelo State University;
5. Activities that threaten or endanger the health or safety of any person on the university campus;
6. Activities that include the use of obscenities, libelous statements, or "fighting words," as defined by law;
7. Activities that result in damage to or destruction of university property; and
8. Activities that attempt to prevent a university event or other lawful assembly by the threat or use of force or violence.

Distribution Policy

The distribution of literature, publications, books, flyers, handouts, and other written materials on the campus of Angelo State University by a group or person, whether or not a student or an employee, is subject to reasonable time, place, and manner restrictions, and is limited to the designated Free Expression Area between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, and 8:00 a.m. - 12:00 noon, Saturday.

No materials which include "fighting words" expressions, obscenities, vulgarities, libel, slander, expressions which are an incitement to imminent lawlessness, or impermissible solicitation can be distributed.

Placing of Banners or Signs on Buildings

No banners or signs are to be placed on vehicles or buildings or suspended between structures on the campus without the written approval of the executive director of student life (or the director of residential programs for on-campus residential facilities). Nothing may be painted on the sidewalks or on the walls of university buildings.

Billboards

No billboards or signs supported by posts may be erected on the campus except on occasions and in locations approved in writing by the executive director of student life (or the director of residential programs for on-campus residential facilities).

Erection of Structures

Structures may be erected on the campus only in areas designated for that purpose. Permission for the erection of structures in approved areas must be obtained in writing from the executive director of student life (or the director of residential programs for on-campus residential facilities).

Use of Advertising Media

Only official university academic and administrative departments and registered student organizations may represent themselves as associated with Angelo State University in any advertising, publicity or promotional purpose.

Electronic Communication Policy

Because of the ever-increasing need for faster and more effective communication to conduct official business more efficiently with students and other members of the ASU community, certain electronic communication standards must be set by the university.

As a result, the university designates RamPort, the ASU Portal, as the primary vehicle for disseminating information internally to the campus in general and collectively to persons with common roles or groups. The primary electronic vehicle for individual communication for both official and general business will be electronic mail (e-mail), which may be accessed through RamPort or other means using a standardized e-mail address determined by the university.

RamPort

RamPort is jointly managed by various departments contributing to their specific channels within the portal under the overall supervision of the Office of Communications and Marketing and the Office of Information Technology. Those offices have authority to supervise and modify all channels to ensure that they follow all applicable university policies and procedures and that they put forward a positive image of and for the university to various constituents including but not limited to students, faculty, staff, prospects, alumni and others.

Guidelines for the use, implementation and look of RamPort are maintained under the direction of the supervising departments which can make policy recommendations for ultimate approval by the university administration.

Electronic Mail (e-mail)

E-mail, like postal mail, is not a public forum but a mechanism for official university communication to students and selected ASU constituencies. An ASU e-mail address is assigned to current students as well as faculty and staff. That e-mail address is their required address for official electronic communication from the university. No other e-mail addresses may be substituted for the university's assigned e-mail address.

Summary

The electronic communications policy is adopted to ensure that all students and ASU constituencies have access to university-related information in a timely manner, utilizing a standardized methodology that serves the needs of both the university and its various constituencies.

Regulations Regarding the Distribution and Posting of Printed Material

1. 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.

2. 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 student identification upon request.
3. The distribution and posting of printed material in on-campus residential facilities is governed by policies adopted by the Department of Residential Programs.
4. Solicitation and advertising materials must conform with policies established by the university.
5. Student election campaign literature must confirm with the procedures outlined by the Student Election Committee of the Student Government Association.
6. Distribution activities that result 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.
7. Printed materials, such as handbills, leaflets, coupons, etc., may not be placed on vehicles parked in university parking lots or on vehicles in motion without permission of the vehicle owners.
8. Printed materials shall not violate any local, state, or federal law.
9. Printed materials shall not include the use of obscenities, libelous statements, or "fighting words" as defined by law.
10. Registered student organizations and university departments are allowed to hang banners within the Houston Harte University Center as permitted by the executive director of business services.
11. Posters, signs, and announcements may be displayed only on university announcement bulletin boards specifically designated for use by students and registered student organizations. The university announcement bulletin boards may be used only by students, registered student organizations, and university departments. Bulletin boards will be cleared periodically to remove outdated postings. A list of designated university announcement boards is maintained in the Center for Student Involvement.
 - a. Posters, signs, and announcements shall not exceed a maximum size of 18" x 24".
 - b. Posters, signs, and announcements shall not promote the use of alcoholic beverages, tobacco, or illegal drugs.
 - c. Posters, signs, and announcements shall not violate any local, state, or federal law.
 - d. Bulletin boards belonging to academic and administrative departments are for official university use only. Posters, signs, and announcements may not be displayed on these bulletin boards without the consent of the appropriate department.
 - e. 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.

UNIVERSITY HONOR CODE

Student Academic Honor Code Statement

Angelo State University students shall maintain complete honesty and integrity in their academic pursuits.

Academic Honor Code

The Academic Honor Code describes expected academic behavior of both faculty and students. It consists of an agreement between the student and the academic community to foster academic integrity, to value student educational goals, and to maintain the positive academic reputation of Angelo State University. The specific goals of the code are to understand clearly regulations involving academic integrity and the disciplinary consequences of failing to adhere to the Academic Honor Code and to maintain an environment in which students and faculty are free to express concerns related to the academic integrity of their work.

Student Responsibility

It is the responsibility of every student at Angelo State University to ensure that this code of

conduct is adhered to, and it is the student's responsibility to report violations of academic dishonesty to the appropriate faculty member. Therefore, students are expected to familiarize themselves with the Academic Honor Code as well as the individual academic requirements and stipulations for each course. This includes carefully reading the *Angelo State University Student Handbook*, reading the syllabus of each course and asking for clarification of any ambiguous aspect of the syllabus. In the event that a student has any question concerning academic integrity or the actions of another student, it is the student's obligation to bring the matter to the attention of the appropriate faculty member. If the student cannot resolve the issue at the level of the course instructor, then the student should bring the matter to the attention of the faculty member's department head.

Faculty Responsibility

The Academic Honor Code is a code of conduct for both students and faculty. Each faculty member should strive to create an environment in which academic honesty and personal ethics are held in the highest regard. In a case of suspected academic dishonesty, the faculty member must protect the student's privacy. Faculty should work to:

1. Develop a course syllabus that clearly outlines course expectations. At minimum, the syllabus should direct students to review the Academic Honor Code.
2. Clearly document any penalized violation of Academic Integrity, with the records kept at the Student Life Office separate from any other student records.

The faculty member may take any or all of the following actions in a case of academic dishonesty:

1. F on the work;
2. F in the course;
3. Report the student to the department head;
4. Refer the case to the Academic Integrity Committee.

Revisions to the Academic Honor Code

Suggested changes to the Academic Honor Code shall be forwarded to the Academic Integrity Committee for review. If the committee approves these changes, they will be made according to the approved procedure for revision of university academic policy.

Procedures

Academic Integrity

Angelo State University "expects all students to engage in all academic pursuits in a manner that is above reproach and to maintain complete honesty and integrity in the academic experiences both in and out of the classroom." Academic integrity means the student does his or her own academic work, unless the instructor explicitly permits collaboration. Academic work that was developed through collaboration or academic references must clearly indicate the location and author of the original source, and students may not fabricate or represent academic work involving data collection and analysis as original work if obtained from a secondary source. "The university may initiate disciplinary proceedings against a student accused of any form of academic dishonesty, including, but not limited to," the information listed below.

1. Plagiarism

Plagiarism means the appropriation and the unacknowledged incorporation of another's work or idea into one's own work offered for credit. Plagiarism includes, but is not limited to:

- a. Failing to acknowledge properly a statement, idea, or statistic made by another

- individual in the body of a work;
- b. Taking a whole section of somebody else's work and placing it in the body of your own work without properly acknowledging the contributor;
- c. Representing somebody else's work as that of your own.

2. Cheating

There are many different forms of cheating, but they all involve achieving an unfair advantage in academic work. Examples of cheating may include, but are not limited to, the following:

- a. Use, during an examination or quiz, of any electronic device programmed with formulas or course information the student is supposed to know;
- b. Copying answers from another individual's test, homework assignment or laboratory manual;
- c. Using notes or any other prohibited source of information not allowed to be used during an examination or quiz;
- d. Collaborating with others on an assignment that is not specified to be worked on either by collaboration or in a class group;
- e. Incorporating the ideas or criticisms of another individual into the body of a work that substantially changes the nature of the work without properly acknowledging the contributor. This may include asking somebody to help rewrite a paper that the student originally wrote;
- f. Having another individual take an examination for you;
- g. Changing an answer on a test that has already been graded and requesting a correction from the instructor;
- h. Participation in any activity or action that affords an unfair academic advantage to a student;
- i. Deliberate acts which limit the ability of a student to perform to the best of the student's ability in a course (destroying lecture notes, removing batteries from a calculator, removing an assignment that has been turned in to the instructor);
- j. Using all or part of any work developed or produced for credit in one course for credit in a different course without the instructor's approval;
- k. Assisting another student to be academically dishonest.

3. Fabrication

Fabrication involves, but is not limited to, the presentation of data that was never collected. This may also involve the manipulation of another individual's data to hide its original source.

4. Misrepresentation

Misrepresentation involves the deliberate act of presenting an idea with the intention of deceiving or being unfair. Examples of misrepresentation may include, but are not limited to:

- a. Manipulating figures or statistics to support an idea or hypothesis with the foreknowledge that what they are representing is incorrect;
- b. Lying to an instructor in order to achieve a higher grade or special consideration. This may include lying about an illness in the family or the time that an assignment was turned in for corrections;
- c. Lying about or distorting facts when confronted with or reporting allegations of academic dishonesty or when appealing a grade in a course.

5. Conspiracy

In the context of academic honesty, conspiracy involves a deliberate collaborative effort to change the evaluation process in a course. Examples of academic conspiracy may include, but are not limited to:

- a. Getting students to agree to not show up to a course on a particular day;
- b. Agreeing to do poorly on a test or test question in order to influence the curve distribution in a course;
- c. Limiting student access to electronic files placed in the library or on selected computers on campus through a coordinated effort;
- d. Manipulating the evaluation of an instructor or student in a course;
- e. Mutual cooperation that provides an unfair advantage or disadvantage to an individual or group;
- f. Offering bribes in exchange for a better grade in a course.

6. Misuse of Library Materials (in any format)

This primarily involves, but is not limited to, limiting other students' access to library material, such as deliberately misplacing library materials to prevent other students from locating them or removing materials from the library without authorization. This may also involve, but is not limited to, the destruction of library resource materials in order to make them unavailable for use by other students in a class. Students should adhere to the "Library Code of Conduct." (<http://www.angelo.edu/services/library/policies/ppm11.htm>)

7. Misuse of Technology

Deliberate misuse of technology to gain an academic advantage. Students should adhere to OP 44.00 **Information Technology Operating and Security Policy/Procedures** found at: <http://www.angelo.edu/opmanual/index.html#44>.

8. Disciplinary Procedures for Academic Dishonesty

- a. All academic dishonesty cases must be first considered and reviewed by the faculty member. If the faculty member believes that an academic penalty is necessary, he/she may assign a penalty but must notify the student of his/her right to appeal to the department head or the department head's designee; however, it is the student's ultimate responsibility to know his/her rights to appeal. The student must appeal the faculty member's decision within five business days. The department head or designee will review the appeal and make his/her ruling in writing. The department head will notify his or her academic dean and the department head will file a copy of the ruling with the executive director of student life. The student or faculty member then has the right to appeal to the Academic Integrity Committee. The appeal must be within five business days, and the appeal must be written. The Academic Integrity Committee will then have five business days to notify the student and faculty member of a hearing date. The hearing shall be conducted in accordance with the procedures adopted by the university that assure both parties the following minimal rights:
 - (1) Although all involved parties should be present for the hearing to proceed, the hearing may proceed notwithstanding any party's failure to appear, provided he or she has been given proper notice of the hearing.
 - (2) Each party shall have the right to present evidence and each party shall have the right to be assisted by counsel of choice; however, the parties directly involved

must present the evidence and ask questions.

- (3) The hearing will be recorded. If either party desires to appeal the finding, a copy of the recording will be produced at the expense of the party appealing the finding, and both parties will be furnished a copy.

b. Disciplinary Process

The Academic Integrity Committee shall review any allegations of academic dishonesty that cannot be resolved at the level of the appropriate department head, and the committee can make recommendations to the student, faculty, and administrators. The committee will have a standing meeting day and time. The Academic Integrity Committee shall render a decision within five business days of the hearing and shall, if necessary, make a recommendation to the provost and vice president for academic and student affairs. After reviewing the available information and recommendations, the provost and vice president for academic and student affairs will notify both parties of his/her decision. The decision of the provost and vice president for academic and student affairs will be final. The recommendation from the Academic Integrity Committee can include, but is not limited to:

- (1) Determine no violation occurred.
- (2) Upholding the department head's ruling.
- (3) Ineligibility for election to student office for a specified period of time.
- (4) Removal from student organization office for a specified period of time.
- (5) Loss of or ineligibility for a student grant, loan, or scholarship.
- (6) Denial or non-recognition of a degree.
- (7) Suspension from the university for a specified period of time. During suspension, a student shall not attend classes or participate in any university campus activities.
- (8) Dismissal for an indefinite period of time.
- (9) Expulsion without possibility of readmission.
- (10) Additional penalties are listed in the *Code of Student Conduct*.

c. Academic Integrity Committee

The Academic Integrity Committee shall be comprised of nine members, including four members appointed by the Faculty Senate and five members appointed by the Student Senate. All appointments will be for one-year terms and each body should strive to represent each college. Each year the committee will elect a chair from the student appointees and a vice chair from the faculty appointees. During an appeal to the Academic Integrity Committee, the hearing committee will consist of five members of the Academic Integrity Committee. This committee will consist of two faculty and three student members. This hearing committee should strive for equal representation of colleges and schools. The committee will vote by anonymous, written ballot, and the chair of the committee will only vote in order to break a tie. In addition, the executive director of student life or an appointed representative will serve as an advisory, non-voting, member of the Academic Integrity Committee, providing necessary advice and ensuring that the proper procedures are followed at all times. This representative will serve as a resource for any party involved in the appeal. The executive director of student life will be charged with proper training of committee members. Responsibilities of the Academic Integrity Committee include, but are not limited to:

- (1) Helping students and faculty resolve disputes or questions concerning academic integrity;
- (2) Maintaining confidentiality regarding issues discussed by the committee;
- (3) Providing information to the ASU community of the Honor Code and proper

- academic conduct;
- (4) Reviewing suggested changes to the Honor Code to reflect recent developments in technology or academic honesty.

CODE OF STUDENT CONDUCT

Acquaintance with Policies, Rules, and Regulations

Each student is expected to be fully acquainted and comply with all published policies, rules, and regulations of the university, copies of which shall be available to each student for review online and/or at various locations on the campus. Students are also expected to comply with all federal and state laws.

Student Misconduct

Each student is expected to act in a manner consistent with the university's functions as an educational institution, including off campus conduct that is likely to have an adverse effect on the university or on the educational process. No person or group of persons acting in concert may willfully violate the following rules. Specific examples of misconduct or attempted misconduct for which students may be subject to disciplinary action include, but are not limited to, the following:

1. Alcoholic Beverages

Possessing and/or using, without authorization according to the university policy, intoxicating beverages in a classroom building, laboratory, auditorium, library building, faculty or administrative office, residence hall or apartment, intercollegiate and intramural athletic facility, or any other public campus area, or being intoxicated in any public area of the campus.

2. Narcotics or Drugs

Illegal possession, use, sale, or distribution of any quantity, whether usable or not, of any drug, narcotic, or controlled substance.

3. Academic Dishonesty

See "University Honor Code" in this Student Handbook.

4. Firearms, Weapons, and Explosives

- a. Unauthorized use or possession of ammunition, firearms, illegal knives (knives with blades longer than five and one-half inches, hand instruments designed to cut or stab another by being thrown, stilettos, poniards, Bowie knives, swords, and/or spears), or other illegal weapons on university property.
- b. Unauthorized possession, ignition, or detonation, on university property, of any explosive device, fireworks, liquid, or object that is flammable or capable of causing damage by fire or explosion to persons or property.

5. Theft, Damage, or Unauthorized Use

Stealing, destroying, defacing, damaging, or misusing university property (including misuse

of fire or life-safety equipment or property belonging to another.

6. Actions Against Members of the University Community

- a. Conduct that significantly endangers the health or safety of other persons, including members of the university community or visitors on the campus, including, by way of example, unauthorized throwing of any objects in or from university facilities.
- b. Campus disruptive activities or disorderly conduct on university-owned or controlled property or at a university-sponsored or supervised function that inhibit or interfere with the educational responsibility of the university community or the university's social-educational activities shall include but not be limited to: using abusive, indecent, profane or vulgar language; making offensive gestures or displays that tend to incite a breach of the peace; perpetrating fights, assaults, acts of sexual violence, abuse, or threats; or evincing some obviously offensive manner or committing an act that causes a person to feel threatened. Such prohibition includes classroom conduct that obstructs, interferes with, inhibits and/or disrupts teaching and/or related classroom activities.
- c. Pursuant to Education Code, Subsection 51.935 (Disruptive Activities), the university shall adhere to the following rules and regulations: No person or group of persons acting in concert may intentionally engage in disruptive activity or disrupt a lawful assembly on the university campus. Disruptive activity means:
 - (1) Obstructing or restraining the passage of persons to the campus or an area of the campus or to an exit, entrance, or hallway of any building without the authorization of the administration of the university
 - (2) Seizing control of an area of a campus or any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity; or
 - (3) Disrupting and/or preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the university administration. A lawful assembly is disrupted when a person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or a reasonable fear of force or violence.

Any person who is convicted the third time of violating this statute shall not thereafter be eligible to attend any school, college, or university receiving funds from the State of Texas for a period of two years from such third conviction.

Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitution of the United States or the State of Texas.

7. Gambling

Gambling in any form on university property.

8. Hazing

Engaging in hazing or voluntarily submitting to hazing including an initiation by an organization that involves any dangerous, harmful, or degrading act to a student. Violation of this policy renders the student(s) involved and the organization subject to discipline.

9. False Alarms for Terroristic Threats

- a. Making false alarms or reports where the person knowingly initiates, communicates, or

circulates a report of a present, past, or future bombing, fire, offense, or other emergency that is known as false or baseless and that would ordinarily cause action by an official or volunteer agency organized to deal with emergencies; place a person in fear of imminent serious bodily injury; or prevent or interrupt the occupation of a building, room, aircraft, automobile, or other mode of conveyance.

- b. Harassment where the individual intentionally threatens, in person, by telephone, electronically, in writing, or by other means, to take unlawful action against any person and by this action intentionally, knowingly, or recklessly annoys or alarms the recipient or intends to annoy or alarm the recipient.

10. Financial Irresponsibility

Failure to meet financial obligations to the university.

11. Unauthorized Entry, Possession or Use

Unauthorized entry into or use of university buildings, facilities, equipment, or resources, or possession or use of university keys or electronic unlocking devices for unauthorized purposes.

12. Failure to Comply

Failure to comply with the direction of a university official acting in the performance of his or her duties; or failure to heed an official summons to the office of a university official within the designated time.

13. University Parking Services

- a. Violation of university traffic and parking regulations.
- b. Obstruction of the free flow of vehicular and/or pedestrian traffic on university premises.

14. Computer Network

Violation of any policies, procedures, or regulations pertaining to the use of the electronic communication network of the university.

15. Providing False Information

Giving false testimony or other evidence at a campus disciplinary or other administrative proceeding or investigation.

CAMPUS DISCIPLINARY PROCEDURES

Statement of Student Rights

In any disciplinary proceeding, the student has the right to:

- 1. Notification of the alleged misconduct.
- 2. Know the source of the allegation(s).
- 3. Know the specific alleged violation(s).
- 4. Know the sanctions, conditions, and/or restrictions that may be imposed because of the alleged misconduct.

5. Be accompanied by an advisor at any student judicial proceeding (for advisory purposes only, not for representation).
6. Refrain from making any statement relevant to the allegation(s).
7. Know that any statements made by the student can be used during the proceeding.

Initial Investigation

The executive director of student life, hereinafter referred to as the judicial officer, shall have primary authority and responsibility for the administration of student discipline at Angelo State University and for investigating allegations that a student has violated university policies. The executive director of student life may designate other university personnel to conduct investigations and to assess sanctions in compliance with established university procedures. During the investigation of such allegations, the Judicial Officer or the designated representative will give the student an opportunity to explain the incident, if the student is available and chooses to participate in the investigation. If the judicial officer (or representative) concludes that the student has violated a university policy, the judicial officer (or representative) will then determine (but not yet assess) an appropriate disciplinary sanction.

1. The judicial officer will discuss his/her findings with the student and whether or not the student is found to be responsible for the violation, if the student is available, and will give the student an opportunity to either accept or reject the decision. If the student accepts the decision, the student will so indicate in writing and, thereby, waive his/her right to appeal the decision to the University Judicial Committee.
2. If the student accepts the judicial officer's decision under (1) above, the judicial officer will then inform the student of the disciplinary sanction that will be assessed. If the student accepts the judicial officer's decision, the student will so indicate in writing and, thereby, waive his/her right to appeal the sanction decision to the University Judicial Committee.
3. If the student does not accept the judicial officer's decision concerning either the violation or the sanction assessed, the judicial officer will convene the University Judicial Committee to adjudicate the case. Any proposed sanctions are set aside pending the resolution of the case through the University Judicial Committee.

Student Disciplinary Hearings

In those cases in which the student disputes the facts upon which the charges are based, the conclusion of the judicial officer concerning the responsibility of the student for the violation, or the disciplinary sanction to be assessed, such cases shall be heard and determined by a fair and impartial person or committee, hereinafter referred to as the hearing officer or hearing committee, selected in accordance with procedures adopted by the university. Except in those cases where immediate interim suspension has been taken, the student shall be given at least five (5) class days written notice by the judicial officer of the date, time, and place for the hearing and the name or names of the hearing officer or hearing committee.

Hearings held subsequent to immediate interim suspension will be held under the same procedures set forth below, but will be held as soon as practicable within twelve (12) class days after the disciplinary action has been taken unless otherwise agreed to by the student.

If the hearing officer or hearing committee determines that the accused student is responsible for the violation of university policies, the hearing officer or hearing committee will then consider what disciplinary sanction to recommend. The hearing officer or hearing committee may uphold, modify, or reject the original disciplinary sanction proposed by the judicial officer. Both

parties will be permitted to make statements and introduce additional evidence in support of or opposing the sanctions.

The judicial officer or university representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence and/or for presenting information in support of a recommended sanction. The hearing will be conducted in accordance with procedures adopted by the university that assure both parties (the judicial officer and the student) the following minimal rights:

1. At least five (5) days prior to the hearing, both parties will exchange lists of witnesses to be called to testify, brief summary of the expected testimony, copies of documents to be introduced, and notice of intent to use legal counsel.
2. Each party shall have the right to appear and present evidence in person and to be advised during the hearing by a designated representative or counsel of choice. Each party shall limit its presentation to relevant evidence. The student must attend the hearing if the student desires to present evidence. The hearing may proceed notwithstanding the student's failure to appear.
3. Both parties shall have the right to question witnesses. The accused student may question witnesses with the advice of a designated representative or counsel. Such representatives or counsel are not permitted to speak or to participate directly in the hearing unless authorized by the chair of the hearing committee. All questions shall be limited to relevant evidence.
4. The hearing will be recorded. If either party desires to appeal the finding, a copy of the recording will be produced at the expense of the party appealing the finding and both parties will be furnished a copy for appeals purposes only.

Student's Right to Challenge Impartiality

The accused student may challenge the impartiality of the hearing officer or a member of the Hearing Committee at any time prior to the introduction of any evidence. The Hearing Officer or member of the Hearing Committee shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the challenged Hearing Officer or member of the Hearing Committee chooses not to serve for a particular case, a substitute will be chosen in accordance with procedures adopted by the university.

Determination of Hearing

The Hearing Officer or Hearing Committee shall render a decision to both parties as soon as practicable as to the responsibility of the accused student and shall, if necessary, assess a penalty or penalties including, but not necessarily limited to:

1. Verbal or written warning or reprimand.
2. Requirement that the student complete a special project that may be, but is not limited to, writing an essay, attending a special class or lecture, or attending counseling sessions. The special project may be imposed only for a definite term.
3. Cancellation of residence hall or apartment contract.

4. Disciplinary probation imposed for a definite period of time which stipulates that future violations may result in disciplinary suspension, dismissal, or expulsion.
5. Ineligibility for election to student office for a specified period of time.
6. Removal from student or organization office for a specified period of time.
7. Prohibition from representing the university in any special honorary role.
8. Withholding of official transcript or degree.
9. Bar against readmission.
10. Restitution whether monetary or by specific duties or reimbursement for damage to or misappropriation of university, student, or employee property.
11. Denial or non-recognition of a degree.
12. Suspension of rights and privileges for a specific period of time, including access to electronic network facilities and participation in athletic, extracurricular, or other student activities.
13. Withdrawing from a course with a grade of *W* or *F*.
14. Failing or reduction of a grade in test or course, and/or retaking of test or course, and/or performing additional academic work not required of other students in the course.
15. Loss of or ineligibility for student grant or loan.
16. Suspension from the university for a specified period of time. During suspension, a student shall not attend classes nor participate in any university campus activities.
17. Dismissal from the university. A student who is dismissed from the university is not eligible for readmission to the university for an indefinite period of time.
18. Expulsion from the university. A student who is expelled from the university is not eligible for readmission to the university.

Disciplinary Appeals Procedures

Any student who has received any form of disciplinary sanction above the level of a written reprimand or warning, may appeal the disciplinary decision made by the judicial officer or Hearing Committee. Students may also appeal a decision denying readmission to the university or re-registration of a student organization. Failure to file a written request for an appeal within five (5) class days from the date of the decision will render the original decision final and conclusive.

An appeal is not simply a rehearing of the original case. An appeal must be based on:

1. Issues of substantive or procedural errors which were prejudicial and which were committed during the disciplinary process, and/or
2. Newly discovered relevant information that was not available previously during the disciplinary process.

The specific questions to be addressed on appeal are:

1. Were the procedures of the *Code of Student Conduct* followed?
2. If a procedural error were committed, were the rights of the student or student organization materially violated so as to effectively deny the student or student organization a fair hearing?
3. Was the hearing conducted in a way that permitted the student or student organization's representative adequate notice and the opportunity to present information?
4. Would the newly discovered information presented at the hearing be sufficient to change the decision?

The provost and vice president for academic and student affairs serves as the campus Disciplinary Appeals Officer. The appeal must be made in writing in sufficient detail to inform the Disciplinary Appeals Officer of the grounds for the appeal. The appeal is not intended to afford a rehearing of the case, but serves as a format to review the written content and validity of the appeal submitted by the student, the record of the case, and the decision-making procedures.

The party desiring to appeal an administrative or committee hearing decision has five (5) class days from the date of the decision letter to prepare and submit a written appeal to the Disciplinary Appeals Officer. The Disciplinary Appeals Officer will review materials relevant to the case in the written appeal and may solicit additional information as may be deemed necessary to make a decision. The Disciplinary Appeals Officer may:

1. Find that the written appeal submitted was not sufficient to establish grounds for appeal and, thereby, affirm the previous decision.
2. Find that no substantive and/or procedural error has occurred and, thereby, affirm the decision.
3. Find that the new relevant materials and written appeal submitted were sufficient to establish that, based on the greater weight of the credible evidence, the alleged misconduct has not occurred. The decision may be amended by the Disciplinary Appeals Officer or the case may be referred for a new hearing.
4. Find that substantive and/or procedural errors effectively denied the student or student organization due process. In this event, the decision may be amended by the Disciplinary Appeals Officer or the case may be referred for a new hearing.
5. In cases where a student is seeking re-admittance or a student organization is seeking re-registration, the Disciplinary Appeals Officer may affirm the decision or recommend that the student be readmitted or the organization re-registered.

The decision of the Disciplinary Appeals Officer will be final.

Interim Disciplinary Action

The executive director of student life, the provost and vice president for academic and student affairs, and/or the president of the university may take immediate interim disciplinary action, including suspension, pending a hearing against a student for violation of a rule and/or regulation of the Texas Tech University System or of Angelo State University when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process.

Civil Proceedings

Every student is expected to obey all federal, state, and local laws and is expected to be familiar

with the requirements of such laws. Any student who violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation.

STUDENT ORGANIZATIONS

As part of the educational mission of the university, students are encouraged to participate in the student organization program at Angelo State University. By participating in these organizations, students will have the opportunity to learn and practice skills which will last throughout their lifetime. Moreover, lifelong bonds of friendship may be formed and students will have the opportunity to have a more meaningful, productive, and enjoyable college experience.

Categories and Definitions

1. Registered Student Organizations

A registered student organization is a group (president, treasurer and a minimum of eight members, excluding officers) comprised of at least ten students enrolled at Angelo State 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, and regulations and standards of the university and/or federal, state, and/or local statutes. Generally, student groups fall under one of the following categories: Academic/Professional, Boards and Councils, Greek (IFC, NPC, NPHC, NALFO), Honor Societies, Multicultural/International, Recreation, Religious, Service, and Special Interest.

2. Sports Clubs

The Angelo State University Sports Club program is administered by the Department of University Recreation and Intramurals and is designed to provide opportunities for students to participate in a variety of sports activities. This program exists to promote and develop interest in sports. Sports club members learn new skills, engage in competition and enjoy the recreational and social fellowship of sport. A group seeking sports club status must first be a registered student organization, subject to the rules and regulations of Angelo State University. Following the organization registration process, a group should meet with the Director of the Department of University Recreation and Intramurals to initiate the application for sports club affiliation. After obtaining sports club status, groups must also comply with any guidelines of the Club Sports program.

3. Greek Organizations (IFC, NPC, NPHC, NALFO)

The Angelo State University Greek Life program is administered by the Center for Student Involvement. A group seeking fraternity or sorority status should first contact the Center for Student Involvement to discuss their interest and the specific (if any) national organization with which they wish to affiliate. Students should understand that the decision to bring a new sorority or fraternity to the campus is a joint decision made by the students, the university, and the national organization. All sides must work in concert in order for the relationship to be a successful one.

Conditions for Registration

1. Membership in the organization shall be open only to students enrolled at Angelo State University without regard to race, religion, sex, disability or national origin, except in cases of designated fraternal organizations which are exempt by federal law from Title IX regulations

concerning discrimination on the basis of sex. All organizations registering as a fraternity or sorority must show proof of the Title IX exemption by attaching to their registration application a letter from their national affiliate with the IRS 501 (C) number.

2. Faculty and staff may hold associate membership in student organizations to the extent allowed by the organization's constitution.
3. The organization shall not duplicate the purposes and functions of a currently registered organization unless the need for duplication is substantiated with the Center for Student Involvement.
4. Monies raised by the organization through the payment of dues or through fund-raising activities should be deposited in an organizational account at a financial institution.
5. The organization shall show initiative in effectively meeting its stated goals and be lawful and peaceful in its activities. The Center for Student Involvement is available to assist in organizational guidance and leadership development.
6. The 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 Angelo State University.
7. Only organizations which are an official part of the university and receive direct funding by the university or organizations which are an extension of an academic department may use the name, logo or symbols of the university as part of its name or in its publications. Registered student organizations may use the complete statement "a registered student organization at Angelo State University." Approval for the use of logos, symbols, and names protected by Angelo State University is handled through the oversight of the Office of Communications and Marketing. In addition, the organization shall not advertise or promote events or activities in a manner that suggests sponsorship by the university, unless specifically authorized to do so.
8. Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials in the Center for Student Involvement. Any organization wishing to solicit on campus must follow the policies and procedures listed in the current Student Handbook.
9. All registered student organizations must keep a current copy of their constitution on file in the Center for Student Involvement.
10. All registered student organization resources must be used to advance and support the organization's purpose, identified goals, and/or mission.
11. All registered student organizations must comply with university policies and procedures and adhere to the standards expected of all students.
12. Organization registration does not imply university approval of either the organization or its activities.

Registration of New and Reforming Groups

1. New and/or reforming student groups that desire to become a registered student organization should contact the Center for Student Involvement to discuss the process of forming or reforming an organization.
2. A student group seeking to form a new organization may file the "Student Organization Registration/Renewal Form" and a student organization constitution with the coordinator for student organizations. Once filed, a pending student organization is permitted to use university facilities and post notices and flyers in accordance with established university posting regulations. A proposed group may apply for registration only once per semester.
3. Following the receipt of the required information, the materials will be sent to the ASU Student Senate for their review and recommendation. After receiving the recommendation of the Student Senate, the director of student involvement will make the final decision on registering the new organization.
4. A group which has been a registered student organization in the past and which became inactive may apply to reinstate the organization by submitting a Student Organization Registration/Renewal form along with a memo explaining why the organization should be reinstated. A group seeking to reinstate should carefully review the prior constitution and make any updates necessary to comply with current university policies and regulations or changes brought by the organization itself.

Annual Registration Process

1. A complete Student Organization Registration/Renewal form must be received by the Center for Student Involvement by the deadline each April. The form will include the names and contact information for the organization officers and the president of the organization must certify that the organization still has at least ten full-time students who are in good standing with the university.
2. The organization must also submit an updated copy of the local constitution and by-laws (or certify that the constitution and by-laws on file in the Center for Student involvement is still current) and the constitution and by-laws of any other local, state or national affiliate organization, if applicable.
3. The organization shall also furnish the signature, title, campus address, telephone number, and e-mail address of a full-time Angelo State University faculty or unclassified staff member indicating their willingness to serve as the organization's advisor.
4. The organization must also agree to comply with all university standards, rules and/or policies as well as all federal, state, and/or local laws.

Benefits of Registration

1. Registered Student Organizations

Benefits include: Meeting room reservations on campus, free mailbox in the Center for Student Involvement, organization information published on-line, posting on campus, leadership training, ready references and access to training materials and resources in the Center for Student Involvement, and free web link. Registered student organizations may apply for funding through the Student Organization Leadership Fund administered through

the Center for Student Involvement.

2. Sports Clubs

Sports clubs are entitled to all of the benefits of a registered student organization. In addition, each club may receive administrative support and guidance from the Department of University Recreation and Intramurals.

Faculty or Staff Advisor

1. Each registered student organization shall have a full-time faculty or unclassified 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 and vouchers. Most importantly, the advisor must oversee adherence to university standards, rules and/or policies as well as the organization's constitution and by-laws.
2. Registered student organizations have ten (10) university business days to notify formally the Center for Student Involvement with the name, address, telephone number, and e-mail of any new or replacement full-time university faculty or staff member appointed as their advisor. Failure to do so may result in suspension of privileges.
3. 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 serve as the advisor of a student organization with the approval of the Center for Student Involvement.

Prerequisites for Maintaining Registration

To maintain its active status throughout the academic year, a registered student organization must meet or submit the following criteria to the Center for Student Involvement.

1. File a list of its current officers within ten (10) university business days from the day of elections and file notification of the subsequent changes when such occur.
2. File a list of its current advisor(s) within ten (10) university business days of the acceptance of the full-time faculty or staff advisor to the position. Notification of advisor changes should also be made within ten (10) university business days.
3. Submit all changes in documents on file relating to the organization (i.e., revisions to the constitution, changes in statement of purpose, procedures for handling organization funds or membership requirements). Registered student organizations shall be responsible for updates and revisions to their local and affiliate constitutions. These changes must be registered with the Center for Student Involvement within (10) business days of any changes. Should an organizational dispute occur that involves university intervention, registered student organizations are bound by their constitution and by-laws on file with the Center for Student Involvement.
4. 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.
5. Registered student organizations are required to meet all financial obligations incurred by

the organization.

6. 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.
7. The Center for Student Involvement and/or the executive director of student life may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the current Student Handbook.

Denial of Registration, Temporary Suspension, Revocation

1. A student organization will not be officially registered with the university if it is determined that the organization's actions or activities are detrimental to the educational purposes of the university or not in accordance with university policies. The president and advisor of the proposed student organization shall be notified of a decision to deny registration in writing by the executive director of student life. The president of the applying organization may schedule a meeting with the executive director of student life to discuss the denial. If, following the meeting, the group wishes to file an appeal, the president of the proposed organization must do so in writing to the provost and vice president for academic and student affairs within ten (10) university business days from the date of the "denial" notification letter or meeting with the executive director of student life. The decision of the provost and vice president for academic and student affairs will be final.
2. The registration of a student organization may be temporarily suspended by the director of student involvement while an investigation is pending involving an alleged violation of registered student organization policies and procedures as outlined in the current Student Handbook. The registered student organization will be afforded all due process guidelines as described in the current Student Handbook. The president of the organization may file an appeal in writing to the executive director of student life within five university business days from the date of the "temporary suspension" notification letter. If the executive director of student life upholds the decision, the president of the organization may appeal, in writing, within five (5) university business days to the provost and vice president for academic and student affairs. The decision of the provost and vice president for academic and student affairs will be final.
3. A student organization may be subject to disciplinary action by the university if it is determined that the organization engaged in activity in violation of the policies of the university and/or local, state, and federal laws. Such disciplinary action could include a probationary status for a period of time during which the organization would be restricted from certain activities and/or privileges afforded other student organizations. The action could also result in the revocation of the organization's registration status and the dissolution of the group. The officers of the organization may also be individually subject to university disciplinary action for any role they may have played in the alleged violation. All parties to such action, whether the individual officers or the organization itself, will be afforded all of the due process rights specified in the current Student Handbook.

PROCEDURES REGARDING SEXUAL OR RACIAL HARASSMENT

Definitions

"Racial Harassment" is defined as extreme or outrageous acts or communications that are

intended to harass, intimidate, or humiliate students, faculty, staff, or visitors on account of race, color, or national origin and that reasonably cause them to suffer severe emotional distress. No student, faculty, or staff employee shall engage in racial harassment of any person on the campuses of the university or in connection with a university-sponsored activity.

“Sexual Harassment” is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic career;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual;
3. such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive employment or academic environment.

In determining whether alleged conduct constitutes racial or sexual harassment, the university shall construe any act or omission with the totality of the circumstances, such as the nature of the act(s) and the context in which the incidents occurred. Each determination shall be made from the facts on a case-by-case basis. To the fullest extent practicable, the university shall keep complaints of racial or sexual harassment and the terms of their resolution confidential.

If the alleged victim is:	Then the initial contact should be to:
A member of the ASU student body at the time of the incident	Mr. Nolen Mears, Executive Director of Student Life Room 112 University Center (325) 942-2191
A member of the ASU faculty or staff at the time of the incident	Mr. Jesse Gomez, Director of Human Resources Room 102 Mayer Administration Bldg. (325) 942-2168
A visitor to the campus at the time of the incident	Mr. Nolen Mears, Executive Director of Student Life Room 112 University Center (325) 942-2191

PROCEDURES FOR CONDUCTING AN INVESTIGATION

To initiate an investigation based on alleged racial or sexual harassment, the complainant must submit a written detailed account of the alleged incident(s) to the appropriate university official. In conducting the investigation, the official may involve other university personnel as needed to assist in gathering all pertinent information in a timely manner. The official will organize and record the information in a manner so that a conclusion can be drawn and appropriate action taken. The investigation may include, but will not be limited to, the following steps:

1. Reduction of the complainant's allegations to specific and relevant issues.
2. Formation of a strategy for conducting the investigation,
3. Informing the alleged offender of the complaint and allowing him or her any applicable due process or other rights, including an opportunity for a written response to the allegations.
4. Gathering and examining relevant evidence and information, including interviews with other witnesses, if any.

5. Preparation of a report containing the findings and the resolution

If it is determined by the university that harassment occurred, then appropriate action will be taken. The range of possible sanctions that could be imposed include such actions as an apology, a promise to refrain from the offending behavior, a reassignment of either or both parties, a formal reprimand, termination from the university, or other appropriate sanctions as determined by the investigating official within the particular facts of the individual case. The findings of the investigation may also fully exonerate the alleged offender. If it is determined that the complainant intentionally filed a dishonest or malicious report, appropriate university disciplinary action may be taken against the complainant.

PROTECTION AGAINST RETALIATION

Angelo State University will take reasonable action to assure that the complainant, the alleged offender, and those testifying on behalf of either party or supporting either party in other ways, are protected from retaliation. Persons who retaliate against anyone because of their involvement in a harassment investigation may be subject to disciplinary action in accordance with established university procedures.

STUDENT GRIEVANCE AND APPEAL PROCEDURES

1. POLICY

- 1.1 It is the policy of Angelo State University to receive, process, and resolve student grievances, including allegations of discrimination, in a fair and prompt manner.
- 1.2 In all interpretations, constructions, and applications of the provisions of this grievance procedure, the cardinal principles shall be equity and justice for students in their association with the university.

2. APPLICABILITY

This policy and these procedures are established for students in cases not otherwise covered by the published policies, rules, and regulations of the university. Applicants for admission are also covered by this grievance process.

3. GENERAL PROVISIONS

- 3.1 Grievances shall consist of matters of disagreement or dissatisfaction arising out of circumstances wherein the student believes that there has been discrimination or an infraction, breach, or misinterpretation of applicable university policies, rules, and regulations. Only one subject matter shall be covered in any one grievance.
- 3.2 All grievances not resolved at the appropriate grass roots level (admission, classroom, housing, extracurricular, etc.) shall be presented in writing and shall contain a clear and concise statement of the grievance by indicating reference to the applicable policy, rule, or regulation that is alleged to have been violated, the date the incident took place, the issue involved, and the relief sought.
- 3.3 The grievant may present his or her grievance individually or through a representative. However, representation by legal counsel shall be limited to appeals made under Section 4.5 of this document. If the student desires, he or she may be assisted by the executive director of student life where the grievance procedure will be explained.

- 3.4 No student shall be disciplined, penalized, restrained, coerced, or otherwise prejudiced for exercising the rights provided for in this grievance procedure.
- 3.5 Where discrimination is alleged, the grievant may contact the Office of the Assistant Secretary for Civil Rights, U. S. Department of Education, for advice and consultation if the matter is not satisfactorily resolved under these grievance procedures.

4. THE GRIEVANCE PROCEDURE

- 4.1 **Step One:** The student shall first discuss the grievance with the university employee involved within five days from the date of the action or condition giving rise to the grievance. Within three days thereafter, the university employee shall verbally inform the student of the decision.
- 4.2 **Step Two:** Grievances not satisfactorily resolved in Step One will entitle the student to appeal by requesting a discussion with the executive director of student life or appropriate academic department head. This request must be made within three days following the date of the decision in Step One. The executive director of student life or academic department head will arrange for a discussion with the student at the earliest mutually agreeable time. If the grievance is not satisfactorily resolved at this level, the student will be verbally notified of the decision. A written report will then be submitted executive director of student life or academic department head to the appropriate dean within five days on the Grievance Presentation Form, and a copy of the report will be sent to the appropriate vice president.
- 4.3 **Step Three:** Grievances not satisfactorily resolved in Step Two may be appealed by requesting, in writing, review and action by the appropriate dean. This request must be made within ten days following the written report resulting from Step Two. The dean will meet promptly with the student and the student's representative, if any, and other parties to the grievance. The purpose of this meeting will be to review the grievance with all parties in an effort to obtain all of the relevant facts on the case and arrive at a decision consistent with Section 1 of this document. A written decision will be made by the dean within five days following the final meeting with the parties involved in the grievance, and a copy of the decision will be sent to the student and the appropriate vice president.
- 4.4 **Step Four:** Grievances not satisfactorily resolved in Step Three may be appealed by requesting, in writing, review and action by the appropriate vice president. This request must be made within ten days following the decision in Step Three. The vice president will meet promptly with the student and the student's representative, if any, and the dean. The vice president may request assistance and additional information from any appropriate parties in the review of the case. A written decision will be made by the vice president within five days following the final meeting with the parties involved in the grievance, and a copy of the decision will be sent to the student.
- 4.5 **Step Five:** Grievances not satisfactorily resolved in Step Four may be appealed by requesting, in writing, final review and action by the president of the university. This request must be made within ten days following the decision in Step Four. The grievant must include a statement in the request if he or she intends to be represented by legal counsel or a representative.

If the grievant is to be represented by legal counsel or a representative, the department may be represented by the General Counsel for the Texas Tech University System, a member of the Attorney General's staff, and/or other legal counsel or representative.

The final determination by the president, in writing, will be furnished to the grievant with a copy to the appropriate vice president. The decision of the president will be provided within five days of the hearing conducted by the president except in case of extraordinary or compelling reasons.

5. DECISION ON GRIEVANCES

- 5.1 The decision of the president on a grievance shall be final and binding on all parties.
- 5.2 Nothing in this procedure shall be construed to limit, terminate, or waive any right of a student to seek relief in a court of proper jurisdiction for any student grievance for which a remedy is provided under the laws of the State of Texas or the United States of America.

6. SPECIAL PROVISIONS

- 6.1 Time limits shall not include Saturdays, Sundays, or holidays.
- 6.2 There can be an extension of time in any step, if mutually agreeable.
- 6.3 Failure of a student to process his or her grievance to the next step within the specified time limit shall constitute abandonment of the grievance.
- 6.4 Failure of university personnel to give an answer within the prescribed time limit authorizes the student to process his or her grievance to the next step.
- 6.5 A copy of the Grievance Presentation Form for the processing of grievances shall be initiated and used by the executive director of student life or academic department head identified in Section 4.2 of this document in cases when the grievance is not satisfactorily resolved at the grass roots level. The form shall be completed to show the nature of the grievance and the response of the individual hearing the grievance. This form will be processed through the succeeding steps with the specified information being provided at each level until the grievance is satisfactorily resolved or until a final decision is made on the appeal by the president.

7. STUDENT COMMUNICATION

The existence of the "Grievance and Appeal Procedures for Students at Angelo State University" will be made known through publication to establish a mutual understanding of encouragement to resolve problems with objectivity, freedom from fear or retaliatory consequences or reprisals, and within a reasonable amount of time.

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Chapter 03 -- Personnel

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03.01 **Ethics policy.** It is important that the people of Texas have complete confidence in the integrity of public servants. This need is especially critical in the area of state-supported higher education. The responsibility for educating and training the future leaders of the state and nation carries with it the duty to adhere to the highest ethical standards and principles. The principles and guidelines contained in this policy shall apply to officers and employees of the TTU system regardless of rank or position. Each component institution's operating manuals should be referenced for further information and/or greater specifics not in conflict with the *Regents' Rules*.

03.01.1 Conduct. Officers and employees should not:

- a. accept or solicit any gift, favor, or service that might reasonably tend to influence officers or employees in the discharge of official duties or that officers or employees know, or should know, is being offered with the intent to influence the officers' or employees' official conduct;
- b. accept other employment or engage in a business or professional activity that officers or employees might reasonably expect would require or induce them to disclose confidential information acquired by reason of the official position;
- c. accept other appointments or any employment or compensation that could reasonably be expected to impair officers' or employees' ~~independence of~~ independent judgment in the performance of official duties;
- d. make personal investments that could reasonably be expected to create a substantial conflict between the officers' or employees' private interest and the public interest; or
- e. intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised their official powers or performed official duties in favor of another.

03.01.2 Ethical behavior. TTU system officers and employees shall:

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- a. put forth honest effort in the performance of their duties;
- b. not make unauthorized commitments or promises of any kind purporting to bind the TTU system or any of its components;
- c. not use their public offices for private gain;
- d. act impartially and not give preferential treatment to any private or public organization or individual;
- e. protect and conserve public property and shall not use it for anything other than authorized activities;
- f. promptly disclose waste, fraud, abuse, and corruption to appropriate authorities;
- g. adhere to all laws, regulations, and policies that provide equal opportunity for all persons regardless of race, color, religion, sex, national origin, age, physical or mental disability, Vietnam era or special disabled veteran status; and
- h. endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the TTU system.

03.01.3 Conflict of interest – generally. It is state policy that state officers and employees may not have direct or indirect interests, including financial and other interests, engage in business transactions or professional activities, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the officers' or employees' duties in the public interest. (See also Section 03.03, Regents' Rules, regarding a specific conflict of interest policy that applies to the board.)

03.01.4 Benefits, gifts, and honoraria. A "benefit" is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare a TTU system employee has an interest as under state laws.

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- a. Bribery. No TTU system officers or employees may solicit, offer, or accept any benefit in exchange for their decisions, opinions, recommendations, votes, or other exercises of official power or discretion. A benefit that is otherwise allowed by TTU system policy is nevertheless prohibited if it is offered in exchange for official action.
- b. Prohibited benefits. Public servants who exercise discretion in connection with contracts, purchases, payments, claims, and other pecuniary transactions of government, commit an offense if they solicit, accept, or agree to accept any benefit from any person the public servants know is interested in or is likely to become interested in any contract, purchase, payment, claim, or transaction involving TTU system officers' or employees' discretion. The prohibition does not apply to the following:
 - (1) gifts or other benefits conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;
 - (2) a fee prescribed by law to be received by public servants or any other benefit to which they are lawfully entitled or for which they give legitimate consideration in a capacity other than as public servants;
 - (3) a gift, award, or memento that is received from a lobbyist who is required to make reports under Chapter 305, *Texas Government Code*; and
 - (4) items having a value of less than \$50, not including cash or negotiable instruments.

TTU system officers or employees who receive an unsolicited benefit that they are prohibited from accepting by law may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recog-

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nized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

- c. Food, lodging, transportation, and entertainment received as a guest. Public servants may accept food, lodging, transportation, or entertainment from persons or entities they know or reasonably should know, are interested in or likely to become interested in a contract, purchase, payment, claim, decision, or transaction involving the exercise of the public servants' discretion only if the public servants are "guests" as defined by the state laws. Public servants are "guests" if the person or a representative of the entity providing the food, lodging, transportation, or entertainment is present at the time the food, lodging, transportation, or entertainment is received or enjoyed by the public servants.

Public servants are required to report any such benefits valued at over \$250 on their annual disclosure statements filed with the Texas Ethics Commission.

- d. Benefits from friends, relatives, and associates. Public servants may accept benefits from personal friends, relatives, or business associates with whom they have a relationship independent of their official status, so long as the benefit is not offered in exchange for official action or decision.
- e. Awards. Public servants may accept plaques and similar recognition.
- f. Honoraria. Public servants may not solicit, accept, or agree to accept an honorarium in consideration for services they would not have been asked to provide, but for their official position or duties. This prohibition includes a request for or acceptance of a payment made to a third party if made in exchange for such services. However, they may accept the direct provision of or reimbursement for expenses for transportation and lodging incurred in connection with a speaking engagement at a conference or similar event. Meals provided as a part of the event or reimbursement for actual expenses for meals may al-

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so be accepted. Participation by a public servant must be more than merely perfunctory.

03.01.5 Political activities

- a. Use of TTU system funds or property. No public servant shall expend or authorize the expenditure of any TTU system funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure.
- b. Political contributions. Unless prohibited by state law, public servants may make personal contributions to political organizations and candidates for political office.

03.01.6 Authority

- a. Misapplication of property. It is a violation of state law for public servants, acting with the intent to obtain a benefit or with intent to harm another, to intentionally or knowingly misapply any thing of value belonging to the government that comes into their custody or possession by virtue of their office as stated in state law.
- b. Misuse of official information. It is a violation of state law for public servants if, in reliance on information that they have access to in an official capacity and that has not been made public, they:
 - (1) acquire or aid another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information; or
 - (2) speculate or aid another to speculate on the basis of the information as stated in state laws.

03.01.7 Sexual harassment

- a. Public servants should maintain a workplace environment that is free of sexual harassment and intimidation.

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- b. It is a violation of Title VII of the Civil Rights Act of 1964 to engage in sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - (2) submission to or rejection of such conduct is used as the basis for employment decisions; or
 - (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

03.01.8 Nepotism

- a. Whenever an appointment is made, either on a full or part-time basis, it shall be made on the basis of the qualifications and suitability of the appointee, subject to applicable statutes and subject to the provisions of this policy.
- b. Prohibition applicable to TTU system and system component officials. No person related to any member of the board, to any component institution's president, or to the chancellor within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) shall be eligible for appointment to any position in the TTU system when the compensation of such appointee is to be paid, either directly or indirectly, from public funds or fees.
 - (1) The above does not apply to any employee who has been continuously employed for thirty or more days prior to the appointment of a member to the board, a president, or the chancellor who is related to the employee within a prohibited degree, and it does not apply to honorary or non-remunerative positions.

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- (2) Any employee who has been continuously employed for less than thirty days prior to the appointment of a member to the board, a president, or the chancellor who is related within a prohibited degree will be removed from the individual's position.
- c. Prohibition applicable to administrators, supervisors, and others. No person related to an administrator within a prohibited degree shall be eligible for initial appointment to a position in an area of responsibility over which an administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Exceptions to this restriction on the initial appointment of an individual may be made only by the board upon recommendations of the president and the chancellor and then only when the administrator in question does not directly supervise the person to be appointed.
- d. No employee may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary, or supervision of an individual related to the employee within a prohibited degree.
- e. If the appointment, reappointment, reclassification, or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the employee shall become the responsibility of the next higher administrative supervisor.
- f. If the appointment, reappointment, reclassification, or promotion of an employee makes the employee an administrative supervisor over an employee who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the subordinate employee shall become the responsibility of the next higher administrative supervisor.

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- g. The provisions of subsections e. and f. shall apply to situations where two employees marry and one spouse is the administrative supervisor of the other.
- h. All instances where an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree will be reported to the board as an information item.
- i. Exception. The provisions of the policy do not apply to the appointment or employment of a personal attendant by any member of the board, a president, the chancellor, or an employee for attendance on the officer or employee who, because of physical infirmities, is required to have a personal attendant.
- j. Enforcement. An individual who is appointed in violation of this policy will be removed from the individual's position.
- k. Persons related within the prohibited degrees are indicated in the Affinity Kinship/Consanguinity Kinship Chart displayed below.

AFFINITY KINSHIP / CONSANGUINITY KINSHIP CHART

Affinity Kinship

The following persons are relatives of the official/employee within the second degree by affinity (marriage):

1 st Degree	Spouse, spouse's child, spouse's mother or father, child's spouse, parent's spouse
2 nd Degree	Spouse's brother or sister, spouse's grandparent, spouse's grandchild, brother or sister's spouse, grandparent's spouse, grandchild's spouse

Consanguinity Kinship

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The following persons are relatives of the official/employee within the third degree by consanguinity (blood):

1 st Degree	Mother, father, daughter, son
2 nd Degree	Brother, sister, grandparent, grandchild
3 rd Degree	Great-grandparent, great-grandchild, uncle (brother of parent), aunt (sister of parent), nephew (son of brother or sister), niece (daughter of brother or sister)

03.01.9 Affirmative action and equal employment opportunity. TTU system officers and employees will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, physical or mental disability, Vietnam era or special disabled veteran status. TTU system personnel will take affirmative action to provide a nondiscriminatory application process. Such action shall include, but not be limited to the following employment transactions: upgrading, demotion, or transfer; recruitment or recruitment advertising; lay-off or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship.

03.02 TTU system community conduct.

03.02.1 Breach of trust. Colleges and universities that are tax supported must function in accordance with the public trust and the actions by faculty, staff and students within them must be consistent with the execution of that trust. A breach of trust includes, but is not limited to, the following:

- a. academic dishonesty such as giving or receiving aid on a test, examination, quiz, or other academic assignment;
- b. plagiarism;
- c. forgery, alteration or unauthorized use of TTU system documents, records, or identification materials;
- d. knowingly furnishing false information to the TTU system;

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- e. the use of force or violence or other methods of obstructing the functions of the TTU system, which include teaching, research, administration, public service, presentations by guest lecturers and speakers, and other authorized activities;
- f. physical abuse of any person on TTU system-owned or controlled property or at TTU system-sponsored or supervised functions or conduct which threatens or endangers the health or safety of any such person;
- g. theft of or damage to the tangible property of the TTU system or of a member of the TTU system community or campus visitor;
- h. unauthorized entry to or use of TTU system facilities;
- i. unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, or any substance the possession or distribution of which is regulated by federal or Texas law, except where the manufacture, distribution, dispensing, possession or use are in accordance with the laws of each;
- j. lewd, indecent, or obscene conduct on TTU system-owned or controlled property or at a TTU system-sponsored or supervised function;
- k. failure to comply with the lawful directions of TTU system officials where such directions are issued in the performance of their duties;
- l. violation of other laws or promulgated TTU system policies or rules;
- m. unauthorized release or removal of any information from university records, including but not limited to patient, student, financial and personnel records;
- n. behavior or activity, on or off campus, that is of such a nature to cause discredit or embarrassment to the university;

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- o. commission of an act of moral turpitude, on or off campus, including, but not limited to, sexual harassment, sexual assault, fraud or theft;
- p. criminal or unethical conduct, on or off campus, (including a change in driving status when driving is an essential job function), or employee's failure to report his or her criminal or unethical conduct, that the university could reasonably construe as having an adverse impact on the employee's work performance or work environment, or that would cause discredit or embarrassment to the university; and/or
- q. conviction of a felony or conviction of a misdemeanor involving a crime of violence or moral turpitude in this or any other state or country.

03.02.2 Conviction notification. Each faculty, staff and/or student employee is required to notify the TTU system of any felony conviction, conviction of a Class A misdemeanor, or any drug, assault or theft conviction no later than five days after such conviction.

03.02.3 Adjudication. Adjudication of a violation of the standards established in this policy will result in the assessment of a penalty ranging from an oral reprimand to separation from the TTU system.

03.03 Conflict of interest and the board.

03.03.1 Introduction.

- a. The statement of policy in this section applies to each member of the board and shall serve as a guide for board members in fulfilling their position of significant responsibility. Members of the board serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this

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duty and the provisions of Chapter 572, Texas Government Code, and in particular with the standards of conduct set out in Section 572.051 of that chapter. All decisions of the board are to be made solely on the basis of the desire to promote the best interests of the TTU system and the public good. The integrity of the TTU system must be protected and advanced at all times.

- b. Men and women of substance, such as those who serve on the board, commonly have a wide range of professional and personal associations with interests and involvement in other entities, institutions, and organizations. To assure the TTU system's many constituents of the integrity of its endeavors, board members should avoid situations in which such associations, interests or involvement could compromise or reasonably appear to compromise important academic values or the business decisions of the TTU system. Accordingly, it is the policy of TTU system that board members shall act in a manner consistent with their responsibilities to the TTU system and avoid circumstances in which their financial or other ties to outside persons or entities could present an actual, potential, or apparent conflict of interest or impair the reputation of the TTU system.
- c. No policy statement can specifically address every conceivable situation that might entail a conflict of interest. However, as a

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general principle, board members should avoid any actions or situations that might result in or create the appearance of using their association with the TTU system for private gain, according unwarranted preferential treatment to any outside individual or organization, losing independence or impartiality, or adversely affecting the reputation of or public confidence in the integrity of the TTU system. Toward this end, it is the responsibility of each board member to ensure that the board is made aware of situations that involve personal, familial, or business relationships that could jeopardize the reputation of or public confidence in the TTU system. The board requires each board member to annually:

- (1) review this policy;
- (2) disclose all business entities in which a board member, or a board member's family member, has a financial interest; and
- (3) acknowledge by his or her signature that he or she is in compliance with the letter and spirit of this policy.

03.03.2 Presumed conflicts of interest.

- a. For purposes of this policy, a conflict of interest is presumed to arise when the TTU system has or is considering a transaction

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or other business relationship with a board member or a board member's family member (defined to include a spouse and dependent relatives or household members) or with an outside entity in which the board member or family member has a material financial interest. A financial interest is presumed to be material if it entails:

- (1) Any ownership or investment interest in a business entity (including stock, options, a partnership interest, or any other ownership or investment interest) valued at more than \$10,000, except equity in a publicly traded company amounting to less than 10% ownership interest in the company;
- (2) Receipt of non-dividend compensation (including salary, consulting fees, royalty payments, or other remuneration) of more than \$10,000 in any 12 month period in the past three years, or the expectation of such compensation in the future;
- (3) Any ownership interest in real property, personal property, intellectual property or any other interest valued at \$10,000 or more;
- (4) A position of real or apparent authority in an outside entity such as director, officer, trustee, partner, consultant,

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representative, agent, auditor, advisor, controlling share holder, share holder with more than 10% voting interest, or a direct or indirect participating interest in any shares, stock or otherwise, regardless of whether voting rights are included, in more than 10% of the profits, proceeds or capital gains of the entity involved; or

(5) Any position as an employee of the entity involved.

b. A board member is not deemed to have a material financial interest in a publicly traded entity by reason of an investment in that entity by another publicly traded entity, such as through a mutual fund, of which the board member does not control investment decisions.

03.03.3 Conflict of interest and restriction on investments.

a. A conflict of interest may also arise when a board member or a family member of a board member has or is considering an investment in an entity, such as a fund or partnership, that may or may not be publicly traded and in which the TTU system has or is considering an investment. Because such parallel investments may create at least an appearance that the board member is benefiting from the TTU system's participation in the entity, board members should promptly disclose to the board any material financial interest in any such entity in

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which the board member otherwise knows the TTU system has or is considering an investment. The board member should not participate in any decision of the board or of any board committee regarding such investment by the TTU system.

- b. In order to avoid the perception of a conflict of interest between the TTU system and any board member, if a board member has a material financial interest in any entity as set forth in Section 03.03.2, *Regents' Rules*, the TTU system shall not invest in that entity. Likewise, no board member shall invest in a firm or partnership in which the TTU system has a material financial interest as defined herein. Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.

03.03.4 Disclosure of financial interest.

- a. A board member or a board member's family member who has a known material financial interest in a pending or a proposed transaction or business arrangement involving the TTU system shall promptly disclose to the board the existence of the interest and other material information that the board member may have regarding the transaction or arrangement.

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- b. Each board member annually shall execute and submit to the chief financial officer a statement disclosing all business entities in which the board member has a financial interest. This disclosure will be achieved by the board member submitting to the Office of the Board of Regents, no later than June 1 of each year, a copy of the board member's Personal Financial Statement that is required to be submitted to the Texas Ethics Commission. This disclosure shall be updated throughout the year by board members if a board member acquires or divests a material financial interest in any entity.

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03.03.5 Determination of the existence of a conflict of interest.

- a. If a board member is aware of a conflict of interest, the board member shall inform the board and abstain from any participation in the transaction or matter in which the conflict exists.
- b. The chief financial officer shall review board members' annual disclosure statements to determine whether a material financial interest has been disclosed in any business entity in which the TTU system is considering entering into a transaction or business relationship. The chief financial officer also shall monitor the agendas of board meetings to determine if a conflict arises subsequent to the board members' annual disclosures and shall advise board members if a conflict develops. If a material financial interest has been disclosed in which a board member has not previously notified the board of a conflict of interest, the chief financial officer shall promptly submit to the Audit Committee chair, or if the interest involves the Audit Committee chair, another member of the Audit Committee, such disclosure forms together with any additional information about the current or proposed transaction or business relationship that may give rise to a conflict of interest that the chief financial officer, in consultation with the Audit Committee, believes may be informative.

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c. The Audit Committee shall review the matter and determine whether a conflict of interest exists. If the interests being reviewed involve a member of the Audit Committee, the member shall not participate in or be present during the committee's consideration of the matter, except as requested by the committee to answer questions or provide information. The Audit Committee may review such information as it deems pertinent, including posing questions to the board member involved. If the Audit Committee determines that a conflict of interest exists, the Audit Committee shall so advise the board member involved and the board, and the board member involved shall abstain from any discussion or participation on the matter in which there is a conflict.

03.03.6 Record of proceedings. When the board conducts a meeting in which a board member's financial interest in a matter is disclosed, a determination regarding an existence of a conflict of interest is made, or a transaction or arrangement with respect to a board member who has a conflict of interest is considered, the board's consideration of these issues shall be reflected in the minutes of the board meeting.

03.03.7 Gifts. Board members shall not encourage or accept gifts, favors, benefits, gratuities or other items of value for themselves or family members which might affect the exercise of the board member's judgment on behalf of the TTU system, impair confidence in the

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TTU system, or create the appearance of impropriety from any individual or entity that to the board member's knowledge has, or seeks to have, a business relationship with the TTU system.

03.03.8 Use of office for personal gain. Board members shall not use the authority, title, prestige or other attribute of the office for personal benefit or gain for themselves or for any relative. Board members specifically are prohibited from procuring or being a party in any way to procuring the appointment of a relative to a position of trust or profit connected with the TTU system.

03.03.9 Favored treatment. Board members shall not use the authority, title, prestige or other attribute of the office to obtain consideration, treatment, or favor for any person beyond that which is generally available. This subsection applies, but is not limited to, efforts to influence administrative decisions with respect to an individual's admission, employment, discipline, and similar matters. However, this subsection does not prohibit letters of recommendation or requests for information about the status of an individual's admission, employment, discipline, and similar matters.

03.03.10 Appropriation of TTU system opportunities. If a board member becomes aware of a business, investment, or other financially valuable opportunity that rightfully belongs to the TTU system and not to the board member individually or another entity with

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which the board member is affiliated, the board member shall bring the opportunity to the attention of the board.

03.03.11 Confidentiality. Board members may not use confidential information acquired as a result of service to the TTU system for any purpose unrelated to TTU system business, or provide such information to any third party, without the consent of the board. Wrongful use of TTU system information includes, but is not limited to, use or disclosure of information to engage, invest, or otherwise participate in any business, project, venture, or transaction other than through the TTU system.

03.03.12 Actions not void or voidable. Except as otherwise provided by law, no transaction or action undertaken by the TTU system shall be void or voidable, or may be challenged as such by an outside party, by reason of having been undertaken in violation of Section 03.03, *Regents' Rules*, or the principles set forth therein.

03.04 [03-03] **The classified compensation plan.** Each component institution shall promulgate policies and procedures for the appropriate classification and compensation of non-faculty employees. Each component institution shall publish and annually review the classified compensation plan to ensure that employees are compensated in a fair and equitable manner by establishing rates of pay that are directly related to such factors as skill, ability, education, training, experience, level of responsibility, physical and mental effort demanded, and the working conditions involved.

03.05 [03-04] **Appellate procedures for grievances.**

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03.05.1 [~~03.04.1~~] Board and individual grievances. Except as specifically provided in these *Regents' Rules*, the board does not serve as an appellate body for individual grievances of students, faculty or staff members.

03.05.2 [~~03.04.2~~] Grievance procedures. The TTU system administration and component institutions shall establish grievance procedures for the types of grievances of students, faculty and staff members applicable to the component. Each such procedure will indicate the final level of review within the TTU system administration or component institution that is available to an individual grievant, and a decision at the level so indicated will constitute final institutional action on the grievance.

03.06 [~~03.05~~] **Consulting or outside employment.**

03.06.1 [~~03.05.1~~] Outside employment defined. Outside employment is defined to be any compensated service or employment by an entity, other than the TTU system, of a TTU system employee.

03.06.2 [~~03.05.2~~] Employees' primary responsibility. The primary responsibility of TTU system employees is the full and complete execution of all assigned duties, the fulfillment of those professional obligations not ordinarily reduced to written assignment and the maintenance of current professional skills. Outside employment must be compatible with the interests of the TTU system and of such a nature that it will not detract from the effectiveness and performance of the employee.

03.06.3 [~~03.05.3~~] Clinical faculty. Full-time clinical faculty at TTUHSC who are involved in outside employment must do so under the provisions of each school with TTUHSC's respective Income Plan.

03.07 [~~03.06~~] **Holidays.** The TTU system administration and each component institution annually shall prepare and present to the board for approval a holiday schedule for the following fiscal year. This schedule shall be prepared in accordance with state law and shall provide the same number of holidays observed by other state agencies. The holiday schedule may differ from the prescribed state holidays so as to coincide with the academic calendar.

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03.08 [~~03.07~~] **Leaves.** Each component institution shall promulgate operating policies and procedures governing employee leave regulations in conformity with federal and state laws.

03.09 [~~03.08~~] **TTU system employee retirement.** The TTU system administration and each component institution shall promulgate rules in its operating manuals governing the retirement of employees in conformity with federal and state laws.

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03.10 [03.09] **Personnel files.**

03.10.1 [03.09.1] Maintenance. The TTU system will maintain, either electronically or in written form in an appropriate office, a personnel file on each employee. This file shall contain the employee's application for employment, appointment papers, contracts, performance evaluations, and such additional material as is appropriate.

03.10.2 [03.09.2] Confidentiality. The contents of the personnel file and copies of all parts of the contents of the file that may be maintained elsewhere by the institution are confidential except as provided by law. The materials described in this policy shall be disclosed to the employee and to such other officers, including members of the [Board of Regents] board, and employees of the TTU system as have responsibilities requiring use of the records.

03.10.3 [03.09.3] Exceptions. Upon receipt by the TTU system of a subpoena or a court order, or upon the request of the employee, access to personnel files will be granted to persons not having access under Section [03.09.2] 03.10.2, *Regents' Rules*, in the manner and under the terms specified in the subpoena, order, or request.

03.03.3 Conflict of interest and restriction on investments.

- a. A conflict of interest may also arise when a board member or a family member of a board member has or is considering an investment in an entity, such as a fund or partnership, that may or may not be publicly traded and in which the TTU system has or is considering an investment. Because such parallel investments may create at least an appearance that the board member is benefiting from the TTU system's participation in the entity, board members should promptly disclose to the board any material financial interest in any such entity in which the board member otherwise knows the TTU system has or is considering an investment. The board member should not participate in any decision of the board or of any board committee regarding such investment by the TTU system.
- b. In order to avoid the perception of a conflict of interest between the TTU system and any board member, if a board member has a ~~material~~ financial interest in any business entity as set forth in ~~Section 03.03.2, *Regents' Rules*~~, the TTU system shall not invest in that entity. Likewise, no board member shall invest in a business entity ~~firm or partnership~~ in which the TTU system has a ~~material~~ financial interest as defined ~~herein~~. Such restrictions on investments shall continue to apply for one year after the departure of the board member from the board.

Actions / Revisions Since May BOR Meeting

- Incorporated into BOR Rules – Chapter 3 – Personnel
- Regent will provide the System with the same personal financial statement which the Regent files with the Texas Ethics Commission to meet the disclosure requirements.
- Regent's family member defined to include a spouse, ~~child or stepchild, parent, or household member~~ and dependent family or household members.
- Presumed Conflict of Interest clarified to include business entity and ownership interest at 10% or above level, versus 5%.
- A position of real or apparent authority in an outside entity expanded to include consultant, representative, agent, auditor, advisor.
- Fund or partnership expanded by that may or may not be publicly traded.
- In order to avoid the perception of a conflict of interest between the System and any Regent, if a Regent has a material financial interest in any entity, the TTU System will not invest in that entity. Likewise no Regent shall invest in a firm or partnership in which the System has a material financial interest as defined above. Such restrictions on investments shall continue to apply for one year after the departure of the Regent from the Board.
- The earlier draft of this policy contained a more complex procedure for referring conflicts of interest to the full board. In this revision, the determination of whether a conflict of interest exists will first reside with the Regent if the Regent is aware of the conflict of interest. If the Regent is aware of a conflict of interest, he/she shall simply inform the board and abstain from the participation in the transaction on the matter on which the conflict exists.
- Additionally, if after reviewing the Regent's personal statement and the Board's agenda, the Chief Financial Officer believes that a conflict of interest exists, he/she shall first advise the Regent who, if he/she is in agreement that a conflict of interest exists will simply recuse himself from the matter in which the conflict exist. If the Regent does not believe there is a conflict of interest, the matter shall be submitted to the Audit Committee which will determine whether a conflict of interest exists.

Texas Tech University System Board of Regents Audit Committee Charter

INTRODUCTION

The Audit Committee of the Board of Regents (Committee) is established pursuant in Section 01.02.8.d.(4), *Regents Rules*. The purpose of this document is to provide guidelines for the operation of the Committee to further define its role, duties, and responsibilities.

The Committee plays a key role in fulfilling the Board of Regents' governance responsibilities related to:

- Accounting and financial reporting practices;
- Effective institutional management practices;
- Internal and external audit functions;
- Risk management processes;
- Achievement of program objectives;
- Control environment (accountability, ethical values, stewardship);
- Internal control activities;
- Monitoring; and
- Information and communication (financial and other reporting requirements).

AUTHORITY

The Committee, in fulfilling its oversight role, has the authority to study or investigate any matter within the Committee's scope of responsibilities. The Committee will inform the Board of such actions and the results. With the concurrence of the Committee, the Committee Chair may fulfill certain duties and responsibilities of the Committee and report back the results to the Committee and the Board.

EDUCATION

Texas Tech University System executive management is responsible for providing the Committee with educational resources related to auditing, risk management, accounting principles and practices, and other information that the Committee may request. Executive management will assist the Committee in maintaining literacy in the appropriate areas related to the Committee's function.

MEETINGS

The Committee will meet at least quarterly or more frequently as the Board or Committee dictates or as circumstances require. Periodically as determined by the Committee, the Committee will meet separately with the chief audit executive to discuss matters the Committee believes should be discussed privately with the Committee. Such meetings will be governed by the Texas Open Meetings Act.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee include the following:

- Provide a forum for communication among internal auditors, management, external auditors, and the Board of Regents on issues within the areas described above.
- Oversee the development, implementation, and execution of policies and procedures that promote accountability, ethical values, and sound control practices. The Office of Audit Services will be accountable to the Board of Regents through the Committee for objectively evaluating risk management, control, and governance processes.
- Request and review information from the chancellor and presidents, the chief audit executive, and external auditors about significant risks or exposures within Texas Tech University System, and assess the adequacy of management's actions to identify, assess, and mitigate identified risks with strong control activities, information and communication processes, and monitoring processes. Require the chief audit executive to provide an assessment of Texas Tech University System components' risk management processes on a biennial basis.
- The audit committee will make recommendations for the selection of external auditors or may delegate such authority to the chief audit executive.
- Review with management and/or the chief audit executive:
 - The annual financial statements of Texas Tech University System and its components;
 - Any significant changes in generally accepted accounting principles (GAAP) or Texas Tech accounting policies that may impact the financial statements;
 - Any legal or regulatory matters that may have a material impact on the financial statements; and
 - Any related internal or external audit work performed.
- Related to audits or other engagements performed by external auditors, review with the external auditors and/or the chief audit executive:
 - Results of the engagement, which may include audited financial statements, an opinion letter, or other reports issued by the external auditors;
 - Any material adjustments to the financial statements;
 - Significant findings or recommendations; and
 - Management letters issued by the external auditors, together with responses for addressing issues noted.
- In consultation with the chief audit executive, review and approve the annual audit plan, as well as any changes to the plan as a result of changing risks or other circumstances.
- Review with the chief audit executive and management:
 - Significant audit issues and management's responses thereto;
 - Status of management's action plans to address prior audit issues;
 - Any difficulties encountered in the course of performing audits, including restrictions on the scope of work and access to required information;
 - The Office of Audit Services budget and staffing;

- The Office of Audit Services' compliance with professional standards as outlined in Section 2102.011 of the Texas Government Code; and
 - Texas Tech University System's fraud prevention program and any significant results from investigations of fraud, waste, and abuse.
- Promote an atmosphere of open communication and cooperation with the State Auditor's Office to utilize the knowledge of the State Auditor in assessing control activities, management, internal audit function, and the impact of each one on the quality and reliability of Texas Tech's operations, outcomes, and results.
- Conduct executive sessions with the independent auditors, chancellor, president, chief financial officer, general counsel, chief audit executive, and anyone else as desired by the Committee to discuss matters the Committee believes should be discussed privately with the Committee. Such meetings will be governed by the Texas Open Meetings Act.
- Formally evaluate the chief audit executive's performance on an annual basis, including a review of related compensation, to be completed no later than May of each fiscal year.
- Report Committee actions to the Board of Regents with any recommendations the Committee may deem appropriate.

Audit Committee Charter Matrix for Government Organizations

Instructions for Using This Tool. Government organizations have become increasingly interested in establishing audit committees to provide oversight for financial reporting, internal controls, and auditors' activities. Preparing an audit committee charter is actually required for most public companies. However, the charter is voluntary and a best practice for government organizations. This tool is designed to help government organizations consider the full breadth of audit committee activities and make the audit committee charter an effective document for managing audit committee activities. This tool is meant as a sample. Because government organizations have their own laws and regulations to consider, the audit committee charter presented here (first column) should be modified based on each government's requirements. Users of the tool should establish their own charter; list each charter objective in the first column; and use this example as a guide for defining the steps to accomplish each objective, the associated deliverable, and the frequency.

This tool uses the term *governing body* to describe those in government organizations that have the ultimate authority and responsibility for accountability of that government's public resources. At the federal, state, and local levels of government, the governing body may be a federal agency department head, legislative body, elected official(s), governing board, supervisory board, council, or any designee established by law or charter. This tool also refers generically to chief executive officers, chief financial officers, and chief audit executives for positions in government organizations that are responsible for management, financial and accounting, and internal audit matters.

Audit Committee Charter Matrix for the Year Ending: _____

				When to	
Audit	Steps to			Achieve	
Committee	Accomplish			(Frequency	Date
Charter	the Objective		Deliverable	Due Date)	Completed
1. Each member of the audit committee should be appointed by the governing body.	Identify/solicit interested individuals, including governing body members, who wish to serve on the committee. Forward information about interested individuals to the governing body for consideration.		Indicate in the audit committee minutes whenever a new member is appointed.	Affirm annually or whenever a change in status by any audit committee member occurs.	
2. At least one member of the audit committee should have financial experience.	Ascertain that at least one member of the audit committee has sufficient financial experience to provide guidance and assistance to other audit committee members; provide training if necessary.		Acknowledge in audit committee meeting minutes which member of the audit committee is designated as having financial experience.	Affirm annually, unless there is a change in status.	
3. Review the committee's charter annually, reassess the adequacy of this charter, and recommend any proposed changes to the governing body. Consider changes that are necessary as a result of new laws, regulations, or accounting and auditing standards, including	Review the charter each year. Assess the appropriateness of each point in the charter in light of the previous year's experience. Assess the completeness of the charter in light of new best practices and new legal, regulatory, accounting, or auditing requirements.		Report to the governing body on the appropriateness of the audit committee charter and any revisions recommended.	Review annually, unless changes are needed during the course of the year.	

Audit Committee Charter Matrix

Audit Committee Charter	Steps to Accomplish the Objective		Deliverable		When to Achieve (Frequency Due Date)	
<i>Government Auditing Standards (Yellow Book)</i> issued by the Comptroller General of the United States.						
4. The audit committee should meet at least four times per year, and at additional times when necessary. These meetings may be combined with regularly scheduled meetings, or may be held more frequently as circumstances may require. The audit committee may ask members of management or others to attend the meetings and provide pertinent information as necessary.	In-person meetings should be held at least once each quarter. All members should be expected to attend. Arrange meetings in accordance with the government organization's open meeting laws. Prepare agendas for meetings and provide to members in advance, along with appropriate briefing materials.		Prepare meeting notices and advertisements as required by open meeting laws. Prepare minutes that document decisions made and action steps and approve them. File meeting minutes according to open meetings laws.		Minutes should be distributed as soon as possible but no later than before the next meeting.	
5. Conduct executive sessions with the independent auditors, chief executive officer (CEO), chief financial officer (CFO), chief audit executive/internal auditor (CAE), general counsel, outside counsel, director of financial reporting, controller, and anyone else as desired by the committee.	Determine reasons for which executive sessions may be conducted according to the government organization's open meeting laws. Establish these sessions in conjunction with quarterly meetings or as necessary. (See the tool "Conducting an Executive Session: Guidelines and Questions" in this toolkit.		Develop action steps to be taken, if appropriate.		Review quarterly, and as necessary.	

AICPA Audit Committee Toolkit: Government

Audit	Steps to			When to	
Committee	Accomplish			Achieve	
Charter	the Objective		Deliverable	(Frequency)	Date
				Due Date)	Completed
6. The audit committee shall be authorized to hire professional consultants as necessary. (This may take place any time during the year.) See the tool "Points to Consider When Engaging External Resources" in this toolkit.	A budget should be established for this purpose. Requests for proposals (RFPs) should be used if required by the government organization's procurement laws.	Review the report submitted by consultant.	Review as needed.		
7. Review and concur on the appointment, replacement, reassignment, or dismissal of the CAE. (Note: some or all of this objective may not apply in those circumstances in which the CAE is an elected official.) (See the tool "Guidelines for Hiring the Chief Audit Executive" in this toolkit.	Meet in executive session at each meeting with the CAE. Hold special meetings as may be necessary to address appointment, reassignment, or dismissal of CAE. The audit committee chair should be available if any unforeseen issues arise between meetings relating to the CAE. Meet at least once annually with other members of executive management and the independent auditors to discuss the performance of CAE.	Report to the governing body on the performance of the CAE including the effectiveness of the internal audit function.	Conduct ongoing reviews, as changes can be made at any time during the year.		

Audit Committee Charter Matrix

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve (Frequency Due Date)	Date Completed
<p>8. Oversee the appointment of the independent auditors to be engaged by the government organization for external reporting, and establish the related audit fees. (Note: this objective does not apply when the independent auditors are mandated by laws or regulations to perform audits for external reporting purposes.)</p> <p>If the audit organization provides any nonaudit services, determine that the audit organization has considered and documented its consideration of how providing these nonaudit services does not violate the requirements that the audit organization (1) not provide services that involve performing management functions or making management decisions, and (2) not audit their own work, as stipulated in <i>Government Auditing Standards</i>.</p>	<p>Discuss job satisfaction and other employment issues with the CAE.</p> <p>At least once each year, discuss the appointment and related audit fees with management, the CAE, and the governing body.</p> <p>Review total audit fee in relation to any nonaudit services being provided by the independent auditor.</p> <p>Discuss the audit committee's review of the independent auditors with the governing body.</p> <p>Ascertain that the independent auditors do not perform any nonaudit service that is prohibited by generally accepted auditing standards or <i>Government Auditing Standards</i>.</p>	<p>Report on the performance of and recommend the fees to be paid to the independent auditors. Review the scope of <i>all</i> services provided by the independent audit firm throughout the government organization.</p>	<p>Review soon after year end, so that the recommendations for next year's external audit requirements can be met.</p>	

Audit Committee Charter Matrix

				When to	
Audit	Steps to			Achieve	
Committee	Accomplish			(Frequency	Date
Charter	the Objective			Due Date)	Completed
<p>Review and evaluate the performance of the independent auditors.</p> <p>Review with the full governing body any proposed discharge of the independent auditors.</p> <p>(Note: this objective does not apply when the independent auditors are mandated by laws or regulations to perform audits for external reporting purposes.)</p> <p>(See the tool "Request for Proposal Letter Checklist for CPA Services (Government Organization)" in this toolkit.)</p>					
<p>9. In cases where the use of a particular independent auditor is not specified by law or regulation, consider establishing a regular schedule for periodically re-bidding the audit contract with an outside CPA firm.</p>	Create a regular schedule to re-bid the audit contract.	Document the schedule in audit committee meeting minutes.	Review schedule annually as part of the evaluation of independent auditors, and determine if the schedule needs to be accelerated.		

Audit Committee Charter Matrix

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve	
			(Frequency Due Date)	
			Date Completed	
(See the tool "Request for Proposal Letter Checklist for CPA Services (Government Organization)" in this toolkit.)				
10. Review with management the policies and procedures with respect to the government organization's public officials' and management's use of expense accounts, public monies, and public property, including, for example, their use of the government organization's vehicles. Consider the results of any review of these areas by the internal auditor or the independent auditors.	Review policies and procedures annually. Discuss with CAE the need for testing by either the internal auditors, independent auditors, or other parties.	Report issues, if any, to the governing body.	Review policies and procedures at the second quarterly meeting and discuss audit plan. Review any significant findings as they arise.	
11. Consider, with management, the rationale for employing audit firms other than the principal independent auditors for services that the government organization or the independent auditor determine would not be appropriate for the principal independent auditor to perform.	If the independent auditor is being considered to provide nonaudit services, ensure that the auditor has considered how these services would impact its independence with respect to the financial statement audit, as required by <i>Government Auditing Standards</i> .	Document auditor selection criteria. Also, use a decision matrix to evaluate and document independent auditor selection. Review engagement letter for each engagement.	Continually review the policy and compliance with it. Other auditors may need to be hired at any point during the year.	

Audit Committee Charter Matrix

				When to	
Audit		Steps to		Achieve	
Committee		Accomplish		(Frequency	Date
Charter		the Objective		Due Date)	Completed
		Use RFPs for engaging auditors or other professionals for nonaudit or other services that the auditor cannot perform. Review compliance with the policy by management. (See the tool "Request for Proposal Letter Checklist for CPA Services (Government Entity)" in this toolkit.)			
12. Inquire of management, the CAE, and the independent auditors about significant risks or exposures facing the government organization; assess the steps management has taken or proposes to take to minimize such risks to the government organization; and periodically review compliance with such steps.		Create a portfolio that documents the material risks that the government organization faces. Update as events occur. Review with management and the CAE quarterly, or sooner if necessary, to make sure it is up-to-date.	Submit a risk report including mitigation strategies and quantifiable risks and insurance to cover such risks, e.g., loss of business.	Review at least once each year, and more frequently if necessary.	
13. Review with the independent auditor, the controller/finance director of the government organization, and the CAE, the audit scope and plan of the internal auditors and the independent auditors. Address the		Meet with independent audit partner, the controller/finance director, and the CAE to discuss scope of the previous year's audit, and lessons learned. Later, discuss planned scope for audit of current year.	Document the meeting in the audit committee meeting minutes.	At the second-quarter meeting each year, review the scope of the previous year's audit, and the interrelationship between the internal and independent auditors with respect to the scope of the independent auditors' work.	

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve	
			(Frequency)	
			Due Date	
			Completed	
coordination of audit efforts to assure the completeness of coverage, reduction of redundant efforts, and the effective use of audit resources.			At the third-quarter meeting each year, review the plans for the audit of the current year.	
<p>14. Review with management and the CAE:</p> <ul style="list-style-type: none"> Significant findings on internal audits during the year and management's responses thereto Any difficulties the internal audit team encountered in the course of their audits, including any restrictions on the scope of their work or access to required information Any changes required in the scope of their internal audits The internal audit department budget and staffing The internal audit department charter The internal audit department's compliance with applicable standards (for example, <i>Government Auditing Standards</i>, or the Institute of Internal Auditors' (IIA's) Standards for the 	<p>Review reports of all internal audits from the preceding 12 months and planned for the upcoming six months along with the status of each planned audit.</p> <p>Review and discuss the findings for each audit completed since the prior meeting, and management's response to the report.</p> <p>Discuss the internal audit department budget and staffing with the CAE.</p> <p>Discuss the internal audit department's compliance with applicable standards, including the requirement for a peer review once every three years.</p>	Report on the status of all internal audits planned for the next quarter and/or year.	Review at each meeting.	

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve (Frequency Due Date)	Date Completed
Professional Practice of Internal Auditing)				
15. Inquire of the CEO and CFO regarding the fiscal health of the government organization as well as the financial status of the government organization in relation to its adopted budget.	Discuss the fiscal health of the government organization and its financial status in relation to the adopted budget with the CEO, CFO, and other executives. Identify any issues addressed, and their resolution.	Include in agenda for executive sessions. See the tool "Conducting an Executive Session: Guidelines and Questions" in this toolkit.	Review, as necessary, but at least annually.	
16. Review with the independent auditors and the CAE: <ul style="list-style-type: none"> • The adequacy of the government organization's internal controls including computerized information system controls and security • Any related significant findings and recommendations of the independent auditors and internal auditors together with management's responses thereto (See the tools "Internal Control: A Tool for the Audit Committee" and "Fraud and the Responsibilities of the Government Audit	Review the reports of the internal audit team for all audits completed since the prior audit committee meeting. Review key internal controls with the CAE, and understand how these controls will be monitored during the year. Review these plans with the independent auditor to understand their scope with respect to key controls. Review with the CAE the plans for audits of other elements of the control environment. Determine that all internal control weaknesses are quantified, reviewed, and addressed.	Report to the governing body on issues relating to internal controls, with emphasis on management's ability to override controls and related monitoring.	Submit a comprehensive report to the governing body at the second-quarter meeting each year. Update on anything new, or any changes to the internal control system, at every meeting.	

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve	
			(Frequency Due Date)	
			Date Completed	
Committee" in this toolkit.)				
17. Review with management and the independent auditor the effect of any regulatory and accounting initiatives, such as related organizations financing structures, derivatives, or securities lending.	Independently, through professional reading and CPE, keep up-to-date on new developments related to the government environment, including any regulatory and accounting requirements the government may be subject to. Discuss with management and the independent auditors in meetings. (See the tool: "Management's Summary of Unique Transactions and Financial Relationships" in this toolkit.)	Record discussion and any action steps in audit committee meeting minutes.	Review as necessary.	
18. Review with the independent auditor that performs the financial statement audit: <ul style="list-style-type: none">• All critical accounting policies and practices used by the government organization• All alternative treatments of financial information within generally accepted accounting principles that have been discussed with the government	Discuss each matter, and related matters that may come to the attention of the audit committee and/or the independent auditors through this process. Create an action plan and follow-up plan as necessary.	Submit reports and documentation of discussions and resolution of disagreements.	Review, at least annually, and/or in conjunction with the year-end audit.	

AICPA Audit Committee Toolkit: Government

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve (Frequency Due Date)	Date Completed
organization's management, the ramifications of each alternative, and the treatment preferred by the government organization				
19. Review all significant written communications between the independent auditors and management, such as any management letter or schedule of unadjusted differences.	Discuss each item with the independent auditors and management (including the CAE) and conclude on the appropriateness of the proposed resolution.	Submit reports and documentation of discussions, resolution of issues, and the action plan for any items requiring follow-up and monitoring.	Review at the completion of the independent audit.	
20. Review with management and the independent auditors: <ul style="list-style-type: none"> The government organization's annual financial statements, related footnotes, and management's discussion and analysis The independent auditors' audit of the financial statements and their report thereon The independent auditors' judgments about the quality, not just the acceptability, of the government organization's accounting principles as 	Discuss each matter, and others that may come to the attention of the audit committee through this process, with management (including the CAE) and the independent auditors. Review with management the course of action to be taken for any action requiring follow-up. Monitor any follow-up action that requires continued audit committee intervention.	Submit reports and documentation of discussions, resolution of disagreements, or action plan for any item requiring follow-up.	Review at the completion of the independent audit.	

			When to Achieve	
Audit Committee	Steps to Accomplish	Deliverable	(Frequency Due Date)	Date Completed
Charter	the Objective			
<p>applied in its financial reporting</p> <ul style="list-style-type: none"> • The independent auditors' single audit of the federal awards administered by the government organization and their reports thereon • Any significant changes required in the independent auditors' audit plan • Any serious difficulties or disputes with management encountered during the audit • Matters required to be discussed by Statement on Auditing Standards (SAS) No. 61, <i>Communication With Audit Committees</i> (AICPA, <i>Professional Standards</i>, vol. 1, AU sec. 380), as amended; U.S. Government Accountability Office's <i>Government Auditing Standards</i>; and the U.S. Office of Management and Budget's Circular A-133 related to the conduct of the audits 	<p>(See the tool "Discussions to Expect from the Independent Auditor" in this toolkit.)</p>			

Audit Committee Charter	Steps to Accomplish the Objective	Deliverable	When to Achieve	
			(Frequency Due Date)	
			Date Completed	
21. Review with the general counsel and the CAE legal and regulatory matters that, in the opinion of management, may have a material impact on the financial statements and compliance with federal, state, and local laws and regulations.	Discuss whether the government organization is in compliance with applicable laws and regulations.	Report to the governing body that the review has taken place and any matters that need to be brought to its attention.	Review at each meeting.	
22. Periodically review the government organization's code of conduct to ensure that it is adequate and up to date. Review with the CAE and the government organization's general counsel the results of their review of compliance monitoring with the code of conduct.	Review results with the CAE and general counsel. Consider any adjustments that may be necessary to the government organization's code of conduct. Consider steps that may need to be taken to ensure that compliance is at the highest possible level.	Report to the governing body that the review of the code of conduct was done. Recommend changes to the code of conduct to the governing body as needed.	Review annually at the fourth-quarter meeting. Review any significant findings as they arise.	
23. Review the procedures for the receipt, retention, and treatment of complaints received by the government organization regarding accounting, internal accounting controls, auditing	Review procedures with the CAE and the general counsel. Review all complaints that have been received and the status of resolution. Ensure that proper steps are taken to investigate	Review an original of each complaint received, no matter the media used to submit them. Discuss the status or resolution of each complaint. Review a cumulative list of complaints submitted to date	Review at each meeting.	

				When to	
Audit		Steps to		Achieve	
Committee		Accomplish		(Frequency	Date
Charter		the Objective		Due Date)	Completed
matters, or suspected fraud that may be submitted by any party internal or external to the organization. Review any complaints that might have been received, current status, and resolution if one has been reached.	complaints and resolve them in a timely manner. See the tool: "Anonymous Submission of Suspected Wrongdoing: Issues for Government Audit Committees to Consider" in this toolkit.	for common patterns or other observations.			
24. Review procedures for the confidential, anonymous submission by the government organization's employees of concerns regarding questionable accounting or auditing matters, or suspected fraud. Review any submissions that have been received, the current status, and the resolution if one has been reached.	Review procedures with the CAE and the general counsel. Review all complaints that have been received and the status of resolution. Ensure that proper steps are taken to investigate complaints and resolve them timely.	Review an original of each complaint received no matter the media used to submit them. Discuss the status of resolution of each complaint. Review a cumulative list of complaints submitted to date for common patterns or other observations.	Review at each meeting.		
25. The audit committee should evaluate the independent auditors and internal auditors.	Use information from audit committee meetings and executive sessions conducted throughout the year. Use a formal assessment tool for each group. See the tools: "Evaluating independent Auditors:	Submit recommendations for changes in process and procedures. For independent auditors, request RFPs if changes are being considered. (Note: this deliverable does not apply when the independent auditors	Review after completion of the annual audit cycle.		

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MODEL AUDIT COMMITTEE CHARTER

PURPOSE

To assist the board of directors in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, the audit process, and the company's process for monitoring compliance with laws and regulations and the code of conduct.

AUTHORITY

The audit committee has authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to:

- Appoint, compensate, and oversee the work of any registered public accounting firm employed by the organization.
- Resolve any disagreements between management and the auditor regarding financial reporting.
- Pre-approve all auditing and non-audit services.
- Retain independent counsel, accountants, or others to advise the committee or assist in the conduct of an investigation.
- Seek any information it requires from employees — all of whom are directed to cooperate with the committee's requests — or external parties.
- Meet with company officers, external auditors, or outside counsel, as necessary.

COMPOSITION

The audit committee will consist of at least three and no more than six members of the board of directors. The board or its nominating committee will appoint committee members and the committee chair.

Each committee member will be both independent and financially literate. At least one member shall be designated as the "financial expert," as defined by applicable legislation and regulation.

MEETINGS

The committee will meet at least four times a year, with authority to convene additional meetings as circumstances require. All committee members are expected to attend each meeting — in person or via teleconference or videoconference. The committee will invite members of

management, auditors, or others to attend meetings and provide pertinent information, as necessary. It will hold private meetings with auditors (see below) and executive sessions. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared.

RESPONSIBILITIES

The committee will carry out the following responsibilities:

Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review the annual financial statements and consider whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles.
- Review other sections of the annual report and related regulatory filings before release and consider the accuracy and completeness of the information.
- Review with management and the external auditors all matters required to be communicated to the committee under generally accepted auditing *Standards*.
- Understand how management develops interim financial information, and the nature and extent of internal and external auditor involvement.
- Review interim financial reports with management and the external auditors before filing with regulators, and consider whether they are complete and consistent with the information known to committee members.

Internal Control

- Consider the effectiveness of the company's internal control system, including information technology security and control.
- Understand the scope of internal and external auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.

Internal Audit

- Review with management and the chief audit executive the charter, plans, activities, staffing, and organizational structure of the internal audit function.

- Ensure there are no unjustified restrictions or limitations, and review and concur in the appointment, replacement, or dismissal of the chief audit executive.
- Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.
- On a regular basis, meet separately with the chief audit executive to discuss any matters that the committee or internal audit believes should be discussed privately.

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with internal audit.
- Review the performance of the external auditors and exercise final approval on the appointment or discharge of the auditors.
- Review and confirm the independence of the external auditors by obtaining statements from the auditors on relationships between the auditors and the company, including non-audit services, and discussing the relationships with the auditors.
- On a regular basis, meet separately with the external auditors to discuss any matters that the committee or auditors believe should be discussed privately.

Compliance

- Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of noncompliance.
- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Review the process for communicating the code of conduct to company personnel and for monitoring compliance therewith.
- Obtain regular updates from management and company legal counsel regarding compliance matters.

Reporting Responsibilities

- Regularly report to the board of directors about committee activities, issues, and related recommendations.
- Provide an open avenue of communication between internal audit, the external auditors, and the board of directors.
- Report annually to the shareholders, describing the committee's composition, responsibilities and how they were discharged, and any other information required by rule, including approval of non-audit services.
- Review any other reports the company issues that relate to committee responsibilities.

Other Responsibilities

- Perform other activities related to this charter as requested by the board of directors.
- Institute and oversee special investigations as needed.
- Review and assess the adequacy of the committee charter annually, requesting board approval for proposed changes, and ensure appropriate disclosure as may be required by law or regulation.
- Confirm annually that all responsibilities outlined in this charter have been carried out.
- Evaluate the committee's and individual members' performance on a regular basis.

Guidelines for the Committee on Audit
Board of Regents of the Texas A&M University System

Introduction

The Committee on Audit (Committee) is defined in Section IV of the Bylaws of the Board of Regents. These guidelines more fully define the duties and responsibilities of the Committee.

The Committee on Audit plays a key role in assisting the Board of Regents to fulfill its governance responsibilities over the A&M System components in relation to:

- Risk management systems
- Accountability and stewardship (control environment)
- Control activities
- Achievement of program objectives
- Information and communication (Financial and other reporting requirements)
- Monitoring
- Internal and external audit functions

Duties and Responsibilities

The duties and responsibilities of the Committee include the following:

1. Provide a means by which internal auditors, external auditors, and the Board of Regents communicate on issues within the areas described above.
2. Find out from the Chancellor and management of the A&M System members, the chief auditor, and external auditors about significant risks or exposures within the A&M System, and assess the adequacy of management's actions to identify, assess, and mitigate identified risks with strong control activities, information and communication processes, and monitoring processes. Require the chief auditor to provide an assessment of A&M System members' risk management processes on a biennial basis.
3. Oversee the development, implementation and execution of policies and procedures that promote accountability and sound control activities. The internal audit department will be accountable to the Board of Regents for objectively assessing financial and management practices and control activities within the A&M System.
4. Review with management the A&M System's annual financial statements; any audit work performed on the annual financial statements; any significant changes in generally accepted accounting principles (GAAP) or A&M system accounting policies and procedures which resulted in significant changes in the financial statements; and any legal or regulatory matters that may have a material impact on the financial statements.
5. Review and approve, in consultation with the chief auditor, the annual audit plan.

6. Review with the chief auditor and management:
 - Significant audit issues and management's responses thereto
 - Implementation status of prior audit recommendations (audit tracking report)
 - Any difficulties encountered in the course of the audits, including restrictions on the scope of work and access to required information
 - Any changes required in the planned scope of the audit plan
 - The internal audit department budget and staffing
 - The internal audit department's compliance with professional standards as outlined in Sec. 2102.011 of the Government Code
 - The A&M System's fraud prevention program and any significant results from investigations of allegations of fraud, waste, and abuse.
7. Meet with the chief auditor to discuss personnel matters that the Committee believes should be discussed privately with the Committee. The meetings will be governed by the Texas Open Meetings Act.
8. The Committee shall formally evaluate the chief auditor's performance on an annual basis including a review of related compensation (this should occur no later than the month of July each fiscal year). The Committee shall complete the internal audit function assessment tool "Committee on Audit – Review of the System Internal Audit Performance" annually and may utilize this instrument as a tool for the chief auditor's evaluation along with any other instrument or input adopted by the Committee.
9. Promote an atmosphere of open communication and cooperation with the Office of the State Auditor to utilize the knowledge of the State Auditor in assessing the A&M System's control activities, management, internal audit function, and the impact of each on the quality and reliability of the A&M System's operations and outcomes and results.
10. Report Committee actions to the Board of Regents with such recommendations, as the Committee may deem appropriate.
11. The Committee shall have the power to investigate any matters within the Committee's scope of responsibilities. The Committee will inform the Board of such actions.
12. The Committee shall meet at least four times per year or more frequently as circumstances require with one of the meetings being after fiscal year end for an annual report from the chief auditor.

Committee on Audit – Review of System Internal Audit Performance

	Needs Improvement	Below Average	Average	Good	Excellent	Comments/Suggestions for Improvement
1. Ability of the internal audit department to recognize and report on internal control and other operational issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Ability to follow up on, resolve, and close audit issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Ability of the internal audit department to investigate allegations of fraud and other improprieties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Participation in improving efficiency and effectiveness of the organization.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Ability of the internal audit department to gain respect of management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Responsiveness of the internal audit department to fulfill requests for assistance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Overall professionalism and conduct of the internal audit department.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Industry knowledge of the internal audit department.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Utilization of new and progressive internal audit techniques.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Ability of the internal audit department to integrate technology into the audit process to improve efficiency.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Ability of the internal audit department to listen and respond appropriately.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Ability of the internal audit department to gain the respect of the Committee on Audit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Quality of the materials and presentations at the Committee on Audit meetings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Effectiveness of the annual audit plan risk assessment process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Quality and effectiveness of internal audit reporting tools (e.g., sufficient detail, timely reporting, useful information).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Overall value the internal audit department added to the organization.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Responsibilities Checklist
for the
Audit, Compliance, and Management Review Committee
of the
Board of Regents of The University of Texas System**

1. The Committee will perform such other functions as assigned by law or the Board of Regents of The University of Texas System ("the Board").
2. The Committee shall meet four times per year or more frequently as circumstances require. The Committee may ask members of management or others to attend the meeting and provide pertinent information as necessary.
3. The agenda for Committee meetings will be prepared in consultation between the Committee chairman (with input from the Committee members), U. T. System executive management, the Chief Audit Executive, and the System-wide Compliance Officer.
4. The Committee shall verify that its membership is familiar with the Committee's Charter, goals, and objectives.
5. The Committee shall review the independence of each Committee member based on applicable independence laws and regulations.
6. The Committee shall review and approve the appointment or change in the Chief Audit Executive.
7. The Committee shall have the power to conduct or authorize investigations into any matters within the Committee's scope of responsibilities.
8. The Committee shall provide an open avenue of communication between the State Auditor, internal auditors, any public accounting firm employed, executive management, and the Board. The Committee chairperson shall report Committee actions to the Board with such recommendations as the Committee may deem appropriate.
9. For the purpose of preparing or issuing an audit report or related work, the Committee shall be directly responsible for the appointment, compensation, and oversight of the work of any employed public accounting firm (including the resolution of disagreements between management and the auditor regarding financial reporting). This does not preclude an individual institution from hiring a public accounting firm to perform work at the institutional level.
10. The Chief Audit Executive has responsibility for ensuring that no conflicts of interest exist between public accounting firms performing consulting services and firms conducting financial statement audits. The Chief Audit Executive shall report annually on the status and integrity of U. T. System's engagements with public accounting firms.
11. The Committee shall review with executive management, the Chief Audit Executive, the System-wide Compliance Officer, the State Auditor, and any employed public accounting firm the coordination of efforts to assure completeness of coverage, reduction of redundant efforts, and the effective use of resources.
12. The Committee shall inquire of executive management, the Chief Audit Executive, the System-wide Compliance Officer, and any employed public accounting firm about significant risks or exposures and assess the steps management has taken to minimize such risk to U. T. System.
13. The Committee shall consider and review with the Chief Audit Executive, the System-wide Compliance Officer, the State Auditor, and any employed public accounting firm:

- a. The adequacy of U. T. System's internal controls including computerized information system controls and security;
 - b. The adequacy and efficiency of senior-level management with respect to fiscal operations and compliance functions at all institutions;
 - c. Any related significant findings and recommendations of the State Auditor, independent public accountants, and internal audit together with management's responses thereto.
14. Regarding the U. T. System's financial statements, the Committee shall review with executive management and/or the Chief Audit Executive:
 - a. U. T. System's annual financial statements and related footnotes;
 - b. Any audit and assurance work performed on components of the annual financial statements;
 - c. Any significant changes to the financial statements requested by the State Auditor, internal audit, or any independent public accountants;
 - d. Any serious difficulties or disputes with management encountered during assurance work on components of the financial statements;
 - e. Other matters related to the conduct of assurance services that are to be communicated to the Committee under generally accepted government auditing standards.
15. The Committee shall require the U. T. System Chief Financial Officer certify the annual financial statements for the U. T. System as a whole, and that each institutional Chief Financial Officer certify the annual financial statements for their respective institution.
16. The Committee shall review legal and regulatory matters that may have a material impact on the financial statements, internal auditing and/or compliance activities.
17. The Committee shall at least annually
 - a. review with executive management and the Chief Audit Executive the U. T. System's critical accounting policies, including any significant changes to Generally Accepted Accounting Procedures (GAAP), *Regents' Rules and Regulations*, and/or operating policies or standards;
 - b. engage executive management and the external audit firm in the discussion of off-balance sheet transactions/arrangements that have, or are reasonably likely to have, a current or future effect on the System's or any of the institution's financial condition, changes in financial condition, revenues or expenses, results of operations, liquidity, capital expenditures, or capital resources that is material to users of the financial statements. The discussion should include the extent of the off-balance sheet transactions/arrangements and whether GAAP or other regulations results in the financial statements reflecting the economics of such transactions/arrangements.
18. On an annual basis, the Committee shall review, recommend, and approve the annual audit plan, including the allocation of audit hours.
19. Regarding audits, the Committee shall consider and review with executive management and the Chief Audit Executive:
 - a. Significant findings during the year and management's responses thereto;
 - b. Any difficulties encountered in the course of the audits, including any restrictions on the scope of work or access to required information;
 - c. Any changes required in the planned scope of the audit plan.
20. The Committee shall conduct an annual performance review and evaluation of the Chief Audit Executive. The Committee may delegate responsibility for the performance review to the Chancellor, in which case the Chancellor would provide a recommendation and supporting documentation to the Committee as a basis for their evaluation.

21. The Committee shall ensure procedures are established for the receipt, retention, and treatment of complaints received regarding internal controls or auditing matters; and the confidential anonymous submission by employees of concerns regarding questionable auditing matters.
22. The Committee shall monitor The University of Texas System Institutional Compliance Program and review with executive management and the System-wide Compliance Officer the status of the program and the results of its activities, including:
 - a. Significant institutional risks identified during the year and mitigating actions taken;
 - b. Significant findings during the year and management's responses thereto;
 - c. Any difficulties encountered in the course of inspections or assurance activities, including any restrictions on the scope of work or access to required information;
 - d. Any changes required in planned scope of the compliance action plan.
23. The Committee shall ensure procedures are established for the receipt, retention, and treatment of complaints received regarding compliance issues and the confidential anonymous submission by employees of concerns regarding ethically or legally questionable matters.
24. The Committee shall meet with the Chief Audit Executive, the System-wide Compliance Officer, executive management, or any employed external auditors in executive session to discuss any matters that the Committee or the before named believe should be discussed privately with the Committee, to the extent permitted by applicable law.
25. The Committee shall review and update the Audit, Compliance, and Management Review Committee Responsibilities Checklist annually.

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2010

PRIORITY	ENTITY	AUDIT AREA		BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE		20,160					
		REQUIRED AUDITS							
Required	ALL	State Auditor's Office Miscellaneous Projects	Miscellaneous (assist)	60	(10)				50
		ASU: 2009 Statewide Financial Audit	Financial (assist)		5				5
		TTU: 2009 Statewide Financial Audit	Financial (assist)		5				5
Required	TTUS	Texas Tech University Foundation	Financial (assist)	120					120
Required	TTUS	Regents, Chancellor, & Presidents Travel and Credit Cards	Compliance (assist)	20					20
Required	TTUS	Office of Audit Services Annual Report	Compliance	30					30
Required	TTUS	Office of Audit Services Annual Plan	Compliance	30					30
Required	TTUS	Office of Audit Services GAGAS Quality Assurance Activities Review	Compliance	80					80
Required	TTU	SACS Financial Statement Review	Financial	500					500
Required	TTU	NCAA Compliance	Compliance	400					400
Required	TTU	Athletics Financial Review	Financial (assist)	240					240
Required	TTU	KOHM-FM	Financial (assist)	300					300
Required	TTU	Technology Workforce Development Grants	Compliance	100					100
Required	TTU	Football Attendance Certification	Compliance	10					10
Required	HSC	Texas Higher Education Coordinating Board Residency Grants	Compliance	220					220
Required	HSC	Correctional Managed Health Care Committee Contract	Compliance	200					200
Required	HSC	Willed Body Program	Compliance	240					240
Required	HSC	TAC 202-Texas Dept of Info Resources Security Standards	IT/Compliance	275					275
Required	ASU	Carr Foundation	Financial (assist)	40					40
Required	ASU	Investments	Compliance	60					60
		TOTALS FOR REQUIRED AUDITS		2,925	-		-	-	2,925
		AUDITS IN PROGRESS AT AUGUST 1, 2009							
Prior Year	TTU	Intra-Institutional Voucher Process	Controls/Operational	165		In progress			165
Prior Year	TTU	Cash Reconciliations	Financial/Controls	400		In progress			400
Prior Year	TTU	Cognos Reporting	Controls	150		In progress			150
Prior Year	TTU	Banner Human Resources	Controls/Compliance	450		In progress			450
Prior Year	TTU	Sponsored Programs Accounting and Reporting	Operational	60		In progress			60
Prior Year	HSC	Cognos Reporting	Controls	150		In progress			150
Prior Year	HSC	El Paso Pediatrics Grant Management	Operational/Controls	5		In progress			5
Prior Year	HSC	State Auditor's Office: Campus Safety & Security	Operational (assist)	2		In progress			2
Prior Year	ASU	Financial Aid Office	Operational/Compliance	210		In progress			210
Prior Year	ASU	State Auditor's Office: Student Financial Aid	Compliance (assist)	8		In progress			8
Prior Year	TTUS	Wrap-up on Audits Included in August BOR Report		10		In progress			10
		TOTALS FOR AUDITS IN PROGRESS		1,610	-		-	-	1,610
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS							
		Total Hours Budgeted for Special Projects & Investigations		4,000	(170)				3,830
		IN PROGRESS AT AUGUST 1, 2009							
Special	TTU	KTXT and KOHM Grant Review	Special		20	In progress			20
		BEGUN AFTER AUGUST 1, 2009							
Special	TTU	Under Armour Contract Review	Special		150				150
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS		4,000	170		-	-	4,000
		HIGHEST PRIORITY							
4	ALL	Cash Controls	Controls	850					850
4	ALL	FTC Red Flag Rules	Compliance	900					900
4	ALL	Federal American Recovery & Reinvestment Act (ARRA) Funds	Controls/Compliance	500					500
4	TTUS	Banner Security	IT/Controls	700					700
4	HSC	El Paso Research Funds	Operational/Controls	400					400
4	HSC	El Paso Pediatrics Department	Operational/Controls	350					350
4	ASU	Cash Reconciliations	Controls	250					250
4	ASU	Banner Security	IT/Controls	350					350
		HIGHEST PRIORITY TOTALS		4,300	-		-	-	4,300

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2010

PRIORITY	ENTITY	AUDIT AREA		BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
MODERATE PRIORITY									
2	TTUS	Technology Transfer/Commercialization	Follow-Up/Compliance	350					350
2	TTU	Xtender Security	IT/Controls	300					300
2	TTU	Scholarship Office	Operational/Controls	400					400
2	TTU	Grade Reporting Process	IT/Controls	400					400
2	HSC	Banner Human Resources	Operational/Controls	350					350
2	HSC	El Paso IT General Controls Review	IT/Controls	600					600
2	HSC	Xtender and Laserfiche Security	IT/Controls	300					300
2	ASU	Student Billing Process	Operational/Controls	350					350
2	ASU	Oracle Imaging System Security	IT/Controls	300					300
		MODERATE PRIORITY TOTALS		3,350	-		-	-	3,350
LOWER PRIORITY									
3	ALL	Audit Report Follow-Up Procedures and Reporting	Follow-Up	250					250
3	TTUS	Ethical Environment Assessment	Governance	300					300
3	TTU	Budget Office	Compliance/Controls	400					400
3	TTU	Academic Department Reconciliation Processes	Management Advisory	400					400
3	HSC	South Plains Oncology Consortium	Financial/Compliance	350					350
3	HSC	School of Pharmacy Research Funding	Financial/Compliance	400					400
3	HSC	El Paso Development Office	Operational	250					250
3	ASU	Electronic Forms Implementation	IT/Controls	325					325
3	ASU	College of Fine Arts	Operational	400					400
		LOWER PRIORITY TOTALS		3,075	-		-	-	3,075
OTHER VALUE-ADDED WORK									
		Total Hours Budgeted for Other Value-Added Work		900	0			900	
Other	TTUS	Fraud Prevention Training				Ongoing			
Other	TTUS	Cash Handling and Control Environment Training				Ongoing			
Other	TTUS	Enterprise Application Steering Committee				Ongoing			
Other	TTUS	Enterprise Application Council				Ongoing			
Other	TTUS	Enterprise Application Work Group				Ongoing			
Other	TTUS	Enterprise Risk Management				Ongoing			
Other	TTUS	Compliance Hotline Maintenance				Ongoing			
Other	TTU	SACS Quality Enhancement Plan (QEP) Steering Committee				Ongoing			
Other	TTU	SACS QEP Ethical Institution Task Force				Ongoing			
Other	TTU	Travel Task Force				Ongoing			
Other	HSC	Institutional Compliance Working Committee				Ongoing			
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA, SAI/AF, ACFE)				Ongoing			
Other	TTUS	Other Miscellaneous Projects				Ongoing			
		OTHER VALUE-ADDED WORK TOTALS		900	0		-	-	
		TOTAL ENGAGEMENT HOURS		20,160	0		0	0	20,160
=====									
		KEY							
	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							
	TTU & HSC	Areas with parallel functions or shared responsibility							
	ASU	Angelo State University							
	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								
	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.								

Board of Regents
Texas Tech University System

Audit Committee Charter

PREAMBLE

The Audit Committee Charter (Charter) was adopted by the Board of Regents (Board) of the Texas Tech University System (TTU System) on _____, and any subsequent changes to the Charter must be approved by the Board.

INTRODUCTION

The Audit Committee (Committee) of the Board is established pursuant to Section 01.02.8.d(4), *Regents' Rules*. The purpose of this Charter is to provide guidelines for the operation of the Committee to further define its role, duties, and responsibilities.

The Committee plays a key role in fulfilling the Board's governance responsibilities throughout the TTU System and all of its components related to:

- Accounting and financial reporting practices;
- Effective institutional management practices;
- Internal and external audit functions;
- Risk management processes;
- Achievement of program objectives;
- Control environment (accountability, ethical values, stewardship);
- Internal control activities;
- Monitoring; and
- Information and communication (financial and other reporting requirements).

AUTHORITY

The Committee, in fulfilling its oversight role, has the authority to study or investigate any matter within the Committee's scope of responsibilities. The Committee will inform the Board of such actions and the results. With the concurrence of the Committee, the Committee Chair may fulfill certain duties and responsibilities of the Committee and report back the results to the Committee and the Board.

EDUCATION

The TTU System is responsible for providing the Committee with educational resources related to auditing, risk management, accounting principles and practices, and other information that the Committee may request. The Chief Audit Executive and the Secretary of the Board will assist the Committee in maintaining literacy in the appropriate areas related to the Committee's function.

MEETINGS

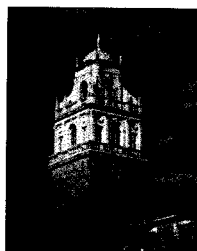
The Committee will meet at least quarterly or more frequently as the Board or Committee dictates or as circumstances require. Periodically as determined by the Committee, the Committee will meet separately with the Chief Audit Executive to discuss matters the Committee believes should be discussed privately with the Committee. Such meetings will be governed by the Texas Open Meetings Act (Chapter 551, *Texas Government Code*).

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee include the following:

- Provide a forum for communication among internal auditors, management, external auditors, and the Board on issues within the areas described above.
- Oversee the development, implementation, and execution of policies and procedures that promote accountability, ethical values, and sound control practices. The Office of Audit Services will be accountable to the Board through the Committee for objectively evaluating risk management, control, and governance processes.
- Request and review information from the Chancellor and Presidents, the Chief Audit Executive, and external auditors about significant risks or exposures within TTU System, and assess the adequacy of management's actions to identify, assess, and mitigate identified risks with strong control activities, information and communication processes, and monitoring processes. Require the Chief Audit Executive to provide an assessment of TTU System components' risk management processes on a biennial basis.
- The Committee will make recommendations for the selection of external auditors or may delegate such authority to the Chief Audit Executive.
- Review with management and/or the Chief Audit Executive:
 - The annual financial statements of TTU System and its components;
 - Any significant changes in generally accepted accounting principles (GAAP) or TTU System accounting policies that may impact the financial statements;
 - Any legal or regulatory matters that may have a material impact on the financial statements; and
 - Any related internal or external audit work performed.
- Related to audits or other engagements performed by external auditors, review with the external auditors and/or the Chief Audit Executive:
 - Results of the engagement, which may include audited financial statements, an opinion letter, or other reports issued by the external auditors;
 - Any material adjustments to the financial statements;
 - Significant findings or recommendations; and
 - Management letters issued by the external auditors, together with responses for addressing issues noted.

- In consultation with the Chief Audit Executive, review and approve the annual audit plan, as well as any changes to the plan as a result of changing risks or other circumstances.
- Review with the Chief Audit Executive and management:
 - Significant audit issues and management's responses thereto;
 - Status of management's action plans to address prior audit issues;
 - Any difficulties encountered in the course of performing audits, including restrictions on the scope of work and access to required information;
 - The Office of Audit Services budget and staffing;
 - The Office of Audit Services' compliance with professional standards as outlined in Section 2102.011, *Texas Government Code*; and
 - The TTU System's fraud prevention program and any significant results from investigations of fraud, waste, and abuse.
- Promote an atmosphere of open communication and cooperation with the State Auditor's Office to utilize the knowledge of the State Auditor in assessing control activities, management, internal audit function, and the impact of each one on the quality and reliability of the TTU System's operations, outcomes, and results.
- Conduct executive sessions as authorized by law.
- Formally evaluate the Chief Audit Executive's performance on an annual basis, including a review of related compensation, to be completed no later than March of each fiscal year.
- Report Committee actions to the Board with any recommendations the Committee may deem appropriate.



Office of Audit Services

Annual Audit Plan
For the Year Ending August 31, 2010

Kimberly F. Turner, CPA
Chief Audit Executive

August 6, 2009

Mission Statement

The staff members of the Office of Audit Services agreed that we should have a mission statement that reflects Texas Tech's commitment to educational excellence, as well as our commitment to our professional standards. The result of our contemplation is a mission statement that emphasizes proactive quality service provided by our staff for the benefit of the Board of Regents and management throughout the Texas Tech University System.

Mission Statement

The mission of the Office of Audit Services is to assist the Board of Regents and other units of the Texas Tech University System in identifying, avoiding, and mitigating risks.

Risk Assessment

IIA Standard 2010—Planning

The chief audit executive must establish risk-based plans to determine the priorities of the internal audit activity, consistent with the organization's goals.

Inputs to the risk assessment process:

- **Individual meetings with senior level administrators**
- **Institutional risk assessment information**
- **Past audits and other engagements**
- **Knowledge of trends in higher education and academic healthcare**

2010 Areas of Focus

- **Internal controls for systems and processes related to Banner**
- **TTU—Financial statement review**
- **Cash controls**
- **Federal stimulus funding**
- **Information technology security**
- **HSC El Paso campus**
- **Fraud prevention training**

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2009

Board Minutes
August 7, 2009
Attachment 32
Page 1 of 3

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS	ACTUAL HOURS	HOURS TO FY 2010	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	18,000					
		REQUIRED AUDITS						
Required	TTUS	Texas Tech University Foundation	Financial (assist)	130	Complete	101		29
Required	TTUS	Regents, Chancellor, & Presidents Travel and Credit Cards	Compliance (assist)	20	Complete	27		(7)
Required	TTUS	Office of Audit Services Annual Report	Compliance	40	Complete	20		20
Required	TTUS	Office of Audit Services Annual Plan	Compliance	80	Complete	12		68
Required	TTUS	Office of Audit Services Self-Assessment	Compliance	150	Complete	135		15
Required	TTUS	Office of Audit Services Peer Review	Compliance	80	Complete	100		(20)
Required	TTUS	State Auditor's Office Miscellaneous Projects	Miscellaneous (assist)	80	(21)			59
		TTU: 2008 Statewide Financial Audit	Financial (assist)	1	Complete	1		0
		HSC: Campus Safety & Security	Operational (assist)	10	In Progress	8	2	0
		ASU: Student Financial Aid		10	In Progress	3	8	(1)
Required	TTU	Texas Higher Education Coordinating Board ARP/ATP Grants	Compliance	150	Complete	104		46
Required	TTU	NCAA Compliance	Compliance	400	2010 Plan		400	0
Required	TTU	Athletics Financial Review	Financial (assist)	240	Complete	144		96
Required	TTU	Joint Admission Medical Program Grants	Compliance	60	Complete	41		19
Required	TTU	KOHM-FM	Financial (assist)	300	Complete	235		65
Required	TTU	Football Attendance Certification	Compliance	10	Complete	6		4
Required	HSC	SACS Financial Review	Financial	400	Complete	519		(119)
Required	HSC	State Comptroller's Office Post-Payment Audit	Compliance (assist)	10	Complete			10
Required	HSC	Texas Higher Education Coordinating Board ARP/ATP Grants	Compliance	120	Complete	114		6
Required	HSC	Texas Higher Education Coordinating Board Residency Grants	Compliance	220	Complete	113		107
Required	HSC	Correctional Managed Health Care Committee Contract	Compliance	200	Complete	130		70
Required	HSC	Joint Admission Medical Program Grants	Compliance	60	Complete	53		7
Required	ASU	Car Foundation	Financial (assist)	10	Complete	3		7
Required	ASU	Joint Admission Medical Program Grants	Compliance	60	Complete	72		(12)
Required	ASU	Athletics Financial Review	Financial (assist)	10	Complete	29		(19)
Required	ASU	Texas Higher Education Coordinating Board Facilities Audit	Compliance	130	Complete	138		(8)
		TOTALS FOR REQUIRED AUDITS	2,820	140		2,108	410	442
		AUDITS IN PROGRESS AT AUGUST 1, 2008						
Prior Year	TTUSA	Construction Management	Financial/Operational	430	Complete	472		(42)
Prior Year	TTU & HSC	Research Infrastructure	Operational/Compliance	10	Complete	35		(25)
Prior Year	TTU	State Auditor's Office: Student Fee Audit	Compliance (assist)	5	Complete			5
Prior Year	TTU	Athletics Business Office	Controls	135	Complete	132		3
Prior Year	HSC	IT Security	IT Controls/Mgt Advisory	100	Complete	58		44
Prior Year	HSC	IDX TES Implementation	IT Controls/Mgt Advisory	20	Complete	40		(20)
Prior Year	HSC	School of Medicine—Odessa Campus	Operational/Financial	140	Complete	74		66
Prior Year	HSC	School of Medicine—Amarillo Campus	Operational/Financial	20	Complete	19		1
Prior Year	ASU	NCAA Compliance	Compliance	160	Complete	127		33
Prior Year	ASU	State Auditor's Office: 2008 Statewide Financial Audit	Financial (assist)	5	Complete	6		(1)
Prior Year	ASU	Construction Management	Financial/Operational	255	Complete	401		(236)
Prior Year	ASU	Controller's Office	Operational/Controls	100	Complete	112		(12)
Prior Year	TTUS	Wrap-up on Audits Included in August BOR Report		10	Complete			10
		TOTALS FOR AUDITS IN PROGRESS	1,390	-		1,564	-	(174)
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	4,425	(2,526)				1,899
		IN PROGRESS AT AUGUST 1, 2008						
Special	TTUS	TeamMate TEC Implementation	Special	30	Complete	30		0
Special	TTU	Physical Plant Warehouse Inventory	Special	20	Complete	20		0
Special	TTU	Human Sciences Scholarships	Special	182	Complete	182		0
Special	HSC	Expenditure Review	Special	268	Complete	268		0
Special	HSC	El Paso Facilities Maintenance & Operations	Special	186	Complete	186		0
		BEGUN AFTER AUGUST 1, 2008						
Special	TTUS	Fund 5140	Special	77	Complete	77		0
Special	TTU	Highland Lakes Expenditures	Special	223	Complete	223		0
Special	HSC	School of Nursing Wellness Center	Special	182	Complete	182		0
Special	HSC	Perrin Basin Rural Health Clinics	Special	85	Complete	85		0
Special	TTU	Upward Bound Cash Controls	Special	39	Complete	39		0
Special	TTU	Athletics Tennis Special	Special	91	Complete	91		0
Special	TTU	SBS Transition Team	Special	967	Complete	967		0
Special	TTU	Burkhart Center	Special	36	Complete	36		0
Special	TTU	KTX and KOHM Grant Review	Special	37	In Progress	37		0
Special	MLL	Misc. Hotline Projects	Special	103	Complete	103		0
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	4,425	2,526		2,526		1,899

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2009

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS	ACTUAL HOURS	HOURS TO FY 2010	BUDGET vs ACTUAL
HIGHEST PRIORITY								
1	TTUS	Gateway		400	Complete	439		(39)
1	TTU	Intra-Institutional Voucher Process	400	50	In Progress	230	165	(5)
1	TTU	Banner Student/Finance System Feeds	450		Complete	1,858		(1,408)
1	TTU	eProcurement Processes	350	150	Complete	574		(74)
1	TTU	Cash Reconciliations		530	In Progress	130	400	0
1	TTU	Cognos Reporting		550	In Progress	107	150	233
1	TTU	Banner Human Resources		600	In Progress	343	450	(193)
1	HSC	HealthNet	450	(397)	Cancelled	53		0
1	HSC	eProcurement Processes	350	100	Complete	592		(142)
1	HSC	Cognos Reporting		400	In Progress	126	150	122
1	HSC	Cash Reconciliations		250	Complete	250		0
1	ASU	Financial Aid Office	400		In Progress	190	210	0
1	ASU	IT General Controls Review	550	50	Complete	647		(47)
1	ASU	One Card Office	400		Complete	417		(17)
HIGHEST PRIORITY TOTALS			3,350	2,683		6,078	1,525	(1,570)
MODERATE PRIORITY								
2	TTUS	Technology Transfer/Commercialization	350		2010 Plan		350	0
2	TTU	Sponsored Programs Accounting and Reporting	400	50	In Progress	596	60	(176)
2	TTU	College of Mass Communications	300	100	Complete	785		(385)
2	TTU	College of Outreach & Distance Education	350	200	Complete	609		(59)
2	HSC	El Paso Fixed Assets	350		Complete	205		145
2	HSC	El Paso IT General Controls Review	600		2010 Plan		600	0
2	HSC	Electronic Medical Record Implementation	450	(450)	Cancelled			0
2	ASU	Study Abroad Program	250		Complete	247		3
MODERATE PRIORITY TOTALS			3,050	(100)		2,412	1,010	(472)
LOWER PRIORITY								
3	TTUS	Audit Report Follow-Up Procedures and Reporting	250		Complete	433		(183)
3	TTU	NCAA Compliance Risk Assessment	70		Complete	39		31
3	TTU	Student Affairs Risk Assessment	200	(200)	Cancelled			0
3	TTU	Enrollment Growth Efficiencies	400	(400)	Cancelled			0
3	HSC	El Paso Pediatrics Grant Management	400		In Progress	478	5	(83)
3	HSC	School of Pharmacy Research Funding	400		2010 Plan		400	0
3	ASU	Division of Continuing Studies	300		Complete	289		11
LOWER PRIORITY TOTALS			2,020	(600)		1,239	405	(224)
OTHER VALUE-ADDED WORK								
Total Hours Budgeted for Other Value-Added Work			945					
Other	TTUS	Big 12 Internal Audit Conference			Complete	329		
Other	TTUS	Cash Handling and Control Environment Workshops			Ongoing	74		
Other	TTUS	Fraud Prevention Training			Ongoing	120		
Other	TTUS	Banner Executive Steering Committee			Ongoing			
Other	TTUS	ConnecTech Steering Committee (Banner project)			Ongoing	19		
Other	TTUS	ConnecTech Security Committee (Banner project)			Ongoing	30		
Other	TTUS	ConnecTech Reporting Strategy Committee (Banner project)			Ongoing	3		
Other	TTUS	Enterprise Risk Management			Ongoing			
Other	TTUS	Compliance Hotline Maintenance			Ongoing	9		
Other	TTU	SACS Quality Enhancement Plan (QEP) Steering Committee			Ongoing			
Other	TTU	SACS QEP Ethical Institution Task Force			Ongoing			
Other	TTU	Travel Task Force			Ongoing	7		
Other	HSC	Institutional Compliance Working Committee			Ongoing	11		
Other	N/A	Professional Organizations (ACUA, TAGUA, IIA, TSCPA, SIAF, ACPE)			Ongoing	206		
Other	N/A	Misc. Conference Presentations			Ongoing	70		
Other	TTUS	Other Miscellaneous Projects			Ongoing	285		
OTHER VALUE-ADDED WORK TOTALS			945			1,165		(220)
TOTAL ENGAGEMENT HOURS			18,000	2,123		17,092	3,350	(99)
Unplanned administrative, staff turnover, and leave time			(908)					
TOTAL ACTUAL ENGAGEMENT HOURS			17,092					

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2009

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS	ACTUAL HOURS	HOURS TO FY 2010	BUDGET vs ACTUAL

		ADDITIONAL PROJECTS NOT ON PLAN						
4	TTUS	Back IT Risk Assessment Follow-Up	IT Follow-Up	400				
4	TTU	Scholarship Office	Operational/Controls	400				
4	TTU	Export Controls	Compliance	400				
4	HSC	El Paso Accreditation Preparation	Management Advisory	300				
4	ASU	Accreditation Preparation	Management Advisory	225				
		EXTRA AUDIT HOURS NEEDED		1,725				

		KEY						
	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						
	TTU & HSC	Areas with parallel functions or shared responsibility						
	ASU	Angelo State University						
	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.							