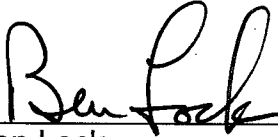


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I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on August 10-11, 2017.



Ben Lock
Secretary

SEAL

[Major Revision: Upon approval]



Angelo State University Operating Policy and Procedure

OP 06.23: Tenure and Promotion Standards and Procedures

DATE: Upon approval {Effective Fall 2017}

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish the system, rules, and procedures by which tenure-track and tenured faculty members achieve tenure and rank promotions.

REVIEW: The OP shall be reviewed every three years or as needed by the Provost and Vice President for Academic Affairs (PVPAA) and the Faculty Select Committee. This policy may be amended only by action of the Board of Regents of the Texas Tech University System.

POLICY/PROCEDURE

This policy describes the process by which members of the faculty employed in a full-time tenure-track position at Angelo State University apply for academic tenure and/or promotion. Consistent with ASU Operating Policies 52.02, 52.03, and 52.15, and in line with federal and state law, faculty members are protected during this process from discrimination on the basis of race, religion, gender, sexual orientation, age, national origin, and/or disability. This policy is implemented upon approval of the Board of Regents. All tenure-track and tenured faculty members are subject to this policy's applicable provisions and procedures including those not addressed in any former policy. The tenure of faculty members who have attained tenure under prior policies at ASU shall not be adversely affected by amendments to this policy.

1. Expected Career Progression for Tenure-Track Faculty Members

- a. Tenure-track faculty members are expected to follow a standard timeline for career progression which includes academic tenure and academic rank promotions.
 - (1) Assistant Professor – This is the initial rank to which tenure-track faculty members shall normally be appointed. Faculty members should be aware that Assistant Professors are employed on a probationary basis. The decision to reappoint the faculty member for the following academic year is based on a review of performance as outlined in OP 06.28.
 - (2) Associate Professor – No later than the beginning of the sixth year of credited service, faculty members must apply for tenure and promotion to Associate Professor unless an exception has been granted as provided in 1.c below. This faculty rank is awarded concomitantly with a successful tenure application.

[Major Revision: Upon approval]

- (3) Professor – This is the final tenured faculty rank. To be awarded, a faculty member must complete a minimum of four (4) years of creditable service at the rank of Associate Professor at Angelo State University. Application for this promotion may occur at the beginning of the fifth year of service at Angelo State University. *Promotion to Professor is not guaranteed on the basis of time served.* The application process for promotion to Professor must follow the same process as the application for tenure, and shall be awarded based on evaluation of merit according to the Departmental performance criteria.
- b. If a faculty member is hired with service credit from another institution, as outlined in 4.b.3 and 4.f.4.a & b, the faculty member shall begin the tenure and promotion timeline at the point after which that credit has been applied.
- c. Exceptions to the timeline above must be approved by the faculty member's Department Chair, College Dean, the PVPAA, and the President of the University.

2. Definition of the College Tenure and Promotion Committee (CTPC)

- a. The purpose of the CTPC is to evaluate candidates' applications and make an independent recommendation to the Dean of the College and the PVPAA.
 - (1) Each CTPC shall include at least four (4) eligible tenured faculty members from that College.
 - (2) Department Chairs, Deans, and Associate Deans are ineligible to serve on the CTPC.
 - (3) All departments within the College must be equally represented to the extent possible.
 - (4) If a department cannot provide the proper number of representatives to the CTPC, the Department Chair of the affected department may appoint a tenured faculty member from a department within that Department's College to serve a one-year term in order to create equal representation.
 - (5) If a College contains fewer than four (4) eligible faculty members, the Dean of the College shall invite eligible faculty members from a different College to serve a one-year term.
 - (6) Members for the CTPC shall be elected from eligible candidates as defined in this section by all tenured and tenure-track faculty in each department. Each elected member shall serve for a two-year term. Department Chairs are eligible to vote, but Deans and Associate Deans are not.
 - (7) The Dean of the College is responsible for organizing the election of the CTPC.
 - (8) No faculty member shall serve consecutive two-year terms on the CTPC, unless a consecutive term is necessary in order to meet the requirements of the CTPC as described in this section.

[Major Revision: Upon approval]

- (9) The Dean of the College shall call the first CTPC meeting and give the committee charge, which shall include the election of a chair. The chair shall serve for one year only and an individual faculty member may not serve consecutive terms.
- (10) If a member of the CTPC is applying for promotion, it is the candidate's responsibility to notify the appropriate Department Chair and College Dean before the date by which promotion portfolios are submitted for consideration. The College Dean shall hold a special election to replace the candidate for a one-year term. If the candidate fails to give proper notice, the candidate shall be disqualified from consideration for promotion until the following year.

3. Process to Establish Department-Level Performance Criteria

- a. *Each academic department shall establish, communicate, and periodically review specific and measurable performance criteria for its tenure-track and tenured faculty members.* Each department, in collaboration with the Dean of the College, is responsible for ensuring that all performance criteria are specifically stated, measurable, and aligned with the stated mission of the Department, the College, and the University. **These criteria shall be used as the standard for all performance evaluations described below.**
- b. Each Department shall follow the general process below for the creation and establishment of these performance criteria. The Department may exercise reasonable discretion to modify the following process to account for unforeseen circumstances.
 - (1) All tenured and tenure-track faculty members in the department shall be given the opportunity to participate in the process.
 - (2) The Department Chair shall appoint a tenured faculty member to distribute the current performance criteria, solicit suggested revisions from the department tenured and tenure-track faculty members, organize those suggestions, and provide a summary report to the department's tenured and tenure-track faculty members.
 - (3) The Department Chair shall call a meeting of the tenured and tenure-track Department faculty to discuss and vote upon the list of suggested changes to departmental criteria. Suggestions that receive a majority of votes will be summarized by the Department Chair and submitted to the College Dean.
 - (4) The College Dean, in collaboration with the PVPAA, shall review the submitted criteria and either approve them or return them to the Department for further revision.
 - (5) This process shall continue until the College Dean and the PVPAA approve the suggested criteria.
- c. All performance criteria must be classifiable into one of three categories as defined below. *The lists below are only guidelines that departments may use to guide the creation of their criteria. Acceptable criteria must be more specific and measurable than what is listed below.*

[Major Revision: Upon approval]

- (1) Teaching – This category includes criteria regarding student learning goals. These criteria may include (but are not limited to): evaluations of course content and delivery, demonstration of current knowledge in the discipline, new course design and implementation, construction of in-house textbooks and other instructional materials written for the purpose of enhancing ASU student learning, and/or student advising.
 - (2) Research and Creative Works – This category includes criteria related to the development of new knowledge, product, and/or theory in the faculty member’s discipline. By definition, work produced in this category must have demonstrable value to populations other than the University’s students. A wide variety of activities may fit into this category, some of which may be (but are not limited to): peer-reviewed print or electronic publications, non-print presentations, professional conference presentations, funded grant applications and reports, patents and other intellectual property, curatorships, and/or artistic productions and performances.
 - (3) Professional Service – This category includes criteria related to organizational citizenship, defined as service behaviors which either support the internal functioning of the University or enhance the reputation of the University in the community and region. Activities that fit into this category may include (but are not limited to): Part-time administrative duties (such as serving as a Department Chair), University committee service of all types, consultations with external organizations (paid or unpaid), invited addresses, leadership in University symposia and workshops, active membership in professional organizations and societies, and community-based activities such as serving on nonprofit boards.
- d. Department Chairs are responsible for ensuring that performance criteria are published and available to all tenured and tenure-track faculty members in the Department.
 - e. Department Chairs and College Deans shall be jointly responsible for reviewing these performance criteria to determine if they still align with the needs of students, needs of the department and the College, and the mission of the University. This review shall occur at least once every three years, but may occur more often if needed. If the criteria are determined to be in need of revision, the Department Chair shall initiate the department’s review procedures after notifying the Dean of the College. *If revisions of the criteria are not completed and approved by the College Dean and the PVPAA before the last Friday before the fall semester begins, the current criteria shall remain in place, unamendable, for the duration of that academic year.*
 - f. Revisions of department criteria may not unfairly disadvantage tenure-track faculty members by creating a situation where new standards cannot be reasonably achieved before the sixth-year tenure evaluation.
- 4. Admission to Tenure: Timeline**
- a. The only faculty appointments that may lead to tenure are: Assistant Professor, Associate Professor, and Professor.
 - b. Admission to tenure is a six-year probationary process. Unless a faculty member has been granted permission to apply for tenure at an earlier date in accordance with Section 4(e)

[Major Revision: Upon approval]

below, the University shall not recommend candidates for tenure prior to their sixth year of service (as calculated based on the conditions that follow):

- (1) The six-year timeline shall begin in September of the first academic year following the faculty member's appointment.
 - (2) This timeline cannot be reduced by previous appointments that were not tenure-eligible.
 - (3) A faculty member hired in possession of tenure-eligible service time at another university may request that a maximum of three (3) years of service be applied toward the required six-year probationary timeline. Approval for this request must be obtained from the faculty member's Department Chair, College Dean, and the PVPAA. The PVPAA has the right to reduce the recommended credit to fewer than three (3) years.
- c. In certain circumstances, it may be necessary to consider awarding tenure to a faculty member at the time of hire. To do so, the candidate's application materials must follow the process below. The candidate may be employed before tenure is granted, however, employment does not guarantee tenure.
- (1) The candidate's tenure application materials shall be evaluated by the tenured faculty in the relevant department. After electing a chair, the tenured faculty must vote to approve or deny a recommendation of tenure.
 - (2) The result of this vote shall be given to the (acting) Department Chair, who shall write either a concurring or dissenting opinion.
 - (3) The department's vote and the (acting) Department Chair's opinion shall be given to the College Dean, who shall write either a concurring or dissenting opinion.
 - (4) The department's vote, the (acting) Department Chair's opinion, and the College Dean's opinion shall be given to the PVPAA, who shall make a recommendation to the President.
 - (5) The President shall make a recommendation to the Board of Regents who have the sole authority to confer tenure.
- d. All time accrued in full-time service at Angelo State University while employed in a tenure-eligible position and at the appropriate rank shall count toward the six-year probationary period. Upon the request of the faculty member, the timeline may be suspended by the PVPAA after consulting with the faculty member's Department Chair and College Dean. If the request to suspend the timeline is not approved, the faculty member may file an appeal with their Department Chair or College Dean within 30 days of the PVPAA's decision. The appeal shall be heard by the PVPAA within 30 days of the appeal, and a decision shall be rendered within 14 days of the hearing. Only one such appeal shall be allowed.
- e. A faculty member may apply for permission to be evaluated for tenure and promotion before six years of service credit have been accumulated (hereafter called "early tenure"). *Permission to apply for early tenure does not explicitly or implicitly mean that early*

[Major Revision: Upon approval]

tenure shall be granted. The process below shall be followed to potentially receive this permission:

- (1) The faculty member shall submit a formal request for permission to apply for early tenure to the Chair of the Department by March 1. This request shall include a letter from the faculty member that summarizes the arguments for granting permission and a complete and current curriculum vitae.
 - (2) The Department Chair shall write a brief opinion of the faculty member's merit for early tenure and submit all materials to the College Dean by March 25.
 - (3) The College Dean shall write a brief opinion of the faculty member's merit for early tenure and submit all materials to the PVPAA by April 15.
 - (4) The PVPAA and the President of the University shall review the submitted materials and decide to either grant or deny permission to apply for early tenure.
 - (5) The faculty member shall receive notification of this decision by May 1. If the request to be evaluated for early tenure is approved, that evaluation shall commence in the next academic year according to the schedule of events described in this policy, Section 4(f)(3).
- f. The process for admission to tenure candidacy shall conform to the following sequence of activities.
- (1) Years One and Two - All departments are required to conduct evaluations of tenure-track faculty during Year 1 and at the beginning of Year 2 of their service. These evaluations are governed by the processes outlined in the University's annual faculty evaluation policy (see OP 06.28). The Department Chair must also meet with the faculty member as part of this process to discuss progress toward tenure and provide suggestions for improvement, according to the performance criteria set by each department.
 - (2) Year Three - Each department shall conduct a review of its tenure-track faculty during the third year of the faculty member's probationary timeline using the department's performance criteria. This procedure must include a written assessment and recommendation regarding the faculty member's progress toward tenure. If a faculty member is employed in two departments unequally (i.e., 75% in one, 25% in the other), the department containing the majority of this workload shall be responsible for the evaluation. If the faculty member is employed in two departments equally, *each department* must conduct an independent evaluation according to this procedure. This evaluation shall follow the same timeline shown in Section 9 of this document, as far as it applies.
 - (a) The Department Chair(s) shall organize a meeting of all tenured faculty members within the department(s) to evaluate third-year faculty members. The Department Chair(s) shall not participate in the meeting, but shall deliver a charge to the committee at the beginning of the first meeting.
 - (b) The participating tenured faculty members must elect an ad hoc chair for the meeting before evaluations begin.

[Major Revision: Upon approval]

- (c) If there are fewer than three (3) tenured faculty members eligible to participate in this meeting, the Department Chair(s) and the College Dean(s) shall collaborate to invite tenured faculty members from outside the department to participate by contacting departments within the College.
 - (d) After deliberation, the tenured faculty shall vote by anonymous ballot as to whether the faculty member(s) are making successful progress toward tenure and should be retained based on department criteria of performance. The committee chair shall submit a set of meeting minutes, redacted for anonymity, which summarizes the meeting's activities. Votes of "NO" must be accompanied by substantive comments supporting the vote. If substantive comments are not provided, the vote will not be counted.
 - (e) The decision of the tenured faculty, including all ballots and any justification for negative votes, shall be submitted to the Department Chair(s) who shall write a concurring or dissenting opinion.
 - (f) The faculty decision and the Department Chair(s)'s opinion shall be submitted to the College Dean(s), who shall render a decision regarding renewal of the faculty member's employment. However, the PVPAA and the President retain the right to overrule this decision.
- (3) Year Six – In the spring semester of the tenure-track faculty member's fifth year of service, notification of tenure candidacy shall be sent from the office of the PVPAA to the faculty member.
- (4) Exceptions to the timeline shall be made for faculty members who were hired with years of service credited to them as outlined in this section.
- (a) If one (1) year of service was credited, the evaluations at Years One and Two and the Third-Year evaluation shall correspond to Years 2, 3 and 4 of credited service.
 - (b) If two (2) or three (3) years of service were credited, the faculty member shall receive a Year One and a Third-Year Review; the Year Two evaluation shall be omitted.

It is the sole responsibility of the faculty member to prepare a portfolio in support of his/her candidacy according to the guidelines and timeline described in Sections 7 and 10 of this document, including any adjustments to the timeline approved by the PVPAA and the President of the University. If a faculty member is employed in two departments unequally (i.e., 75% in one, 25% in the other), the department containing the majority of this workload shall be responsible for the evaluation. If the faculty member is employed in two departments equally, *each department* must conduct an independent evaluation according to this process.

The tenure candidate must receive copies of all documents that become part of the candidate's portfolio as it moves through the process. This includes copies of signature forms from faculty committees and letters from Department Chair(s) and Dean(s). However, the original materials will not be returned to the faculty member.

[Major Revision: Upon approval]

The tenure candidate may elect to withdraw a portfolio at any time before it reaches the office of the PVPAA.

The candidate's documentation shall be evaluated according to the process described in Section 6.

5. Promotion to Professor: Timeline

An application for promotion to Professor may be submitted by a tenured Associate Professor no earlier than at the beginning of the fifth year of service at that rank *and* according to submission deadlines published annually by the office of the PVPAA.

It is the sole responsibility of the faculty member to prepare a portfolio in support of his/her application for promotion. If a faculty member is employed in two departments unequally (i.e., 75% in one, 25% in the other), the department containing the majority of this workload shall be responsible for the evaluation. If the faculty member is employed in two departments equally, *each department* must conduct an independent evaluation.

The promotion candidate must receive copies of all documents that shall become part of the candidate's portfolio as it moves through the process. This includes copies of signature forms from faculty committees and letters from Department Chair(s) and Dean(s).

The promotion candidate may elect to withdraw a portfolio at any time before it reaches the office of the PVPAA.

The applicant's documentation shall be evaluated according to the process outlined in Section 6.

6. Evaluation Process for Tenure and Promotion Decisions

a. Department Evaluation – the appropriate Department Chair(s) shall organize a meeting of the tenured faculty of the department to vote on the candidates' portfolios. If there are no tenured faculty members in the Department, tenured faculty members from other Departments within the College shall be appointed by the College Dean.

- (1) The Department Chair(s) shall not participate in the meeting or vote regarding the portfolios, but shall deliver a charge to the committee at the beginning of the first meeting. It is permissible to allow tenured faculty members to evaluate the portfolios individually in preparation for this meeting.
- (2) An ad hoc chair shall be chosen by the tenured faculty from among those members present before evaluating portfolios.
- (3) A vote by anonymous ballot shall be conducted where each tenured faculty member shall vote to approve or deny tenure.
- (4) The ad hoc chair shall tabulate the results, witnessed by the members of the committee, and complete the required form indicating the decision made (approve, deny, or tie). The committee chair shall submit a set of meeting minutes, redacted for anonymity, which summarizes the meeting's activities. Votes of "NO" must be

[Major Revision: Upon approval]

accompanied by written substantive comments supporting the vote. If substantive comments are not provided, the vote will not be counted.

- (5) The required forms, ballots, and justifications shall be submitted to the appropriate Department Chair(s) to complete this step. The Department Chair(s) shall also provide copies of forms and justifications to the candidate.
- b. Department Chair Evaluation – the Department Chair(s) shall review the decision of the tenured faculty for each portfolio and then write either a concurring or dissenting opinion regarding each candidate. This opinion shall be inserted into the appropriate tabs in each portfolio, a copy of which shall be distributed to the candidate. The portfolio shall then be submitted to the appropriate CTPC(s) for review.
- c. CTPC Evaluation - the CTPC(s) shall review the decision of the tenured faculty and the Department Chair(s) for each portfolio and then vote to approve or deny tenure based on its own evaluation of the portfolio against the relevant department performance criteria. Committee members may not participate in this meeting via teleconference. The College Dean may not participate in the proceedings of the CTPC.
 - (1) The vote shall be anonymous, and all votes shall be tallied in the presence of the committee members.
 - (2) The committee chair shall submit a set of meeting minutes, redacted for anonymity, which summarizes the meeting's activities. Votes of "NO" must be accompanied by written substantive comments in support of the vote. If substantive comments are not provided, the vote will not count.
 - (3) The CTPC chair(s) shall complete the signature forms and collect the ballots and any necessary justifications, which shall all be submitted to the College Dean(s) for review.
- d. College Dean Evaluation – the College Dean(s) shall review the decision of the tenured faculty, the Department Chair(s), and the CTPC(s) for each portfolio and then write either a concurring or dissenting opinion regarding each candidate. This opinion shall be inserted into the appropriate tab in each portfolio, a copy of which shall be distributed to the candidate. The College Dean(s) must also provide a copy of the CTPC forms and justifications to the candidate at this time. The portfolio shall then be submitted to the PVPAA for review.
- e. PVPAA Evaluation – the PVPAA shall review the decision of the tenured faculty, the Department Chair(s), the CTPC(s), and the College Dean(s) for each portfolio. The PVPAA shall add a memo indicating approval or disapproval of each candidate for inclusion into the portfolios, and then submit all documentation for the President's approval.
- f. President's Evaluation – the President shall make recommendations for tenure and /or promotion to the Board of Regents based on personal judgment of the candidate's portfolio and also on the results of the evaluative process described above. *Only the Board of Regents may award tenure.*

[Major Revision: Upon approval]

7. Guidelines for the Construction of Tenure and Promotion Portfolios

All tenure and promotion portfolios shall be contained in a hardcover binder with tabs separating each section from the others. *It is the responsibility of the faculty member to provide enough plastic page covers to accommodate the letters and other documentation that will be added during the evaluation process. No other documentation beyond what is listed below shall be considered during portfolio evaluations.*

The original documentation generated by the tenure and promotion process, including ballots, meeting minutes, inserted letters and all faculty-submitted materials shall be archived in the office of the PVPAA. Faculty members may request from the PVPAA access to the original documentation.

Tenure and Promotion Portfolio Guidelines

- a. The tab identifying the first section shall be labeled “Forms”. The following items must be included:
 - (1) PVPAA letter indicating tenure eligibility for probationary faculty or a signed form indicating the applicant has completed four (4) years of credited service at the Associate Professor rank and is therefore eligible for promotion to Professor
 - (2) An empty plastic cover to allow for the insertion of the completed Department-level recommendation form
 - (3) An empty plastic cover to allow for the insertion of the completed CTPC-level recommendation form
- b. The tab identifying the second section shall be labeled “Department Criteria”. *It is the responsibility of the faculty member to insert a copy of the approved Departmental performance criteria into this section so that they may be referenced during the review process.*
- c. The tab identifying the third section shall be labeled “PVPAA’s Memo”.
- d. The tab identifying the fourth section shall be labeled “Dean’s Letter”.
- e. The tab identifying the fifth section shall be labeled “Department Chair’s Letter and Annual Evaluations”. In addition to the Department Chair(s) signed letter, an official, signed copy of each annual faculty evaluation must be included.
- f. The tab identifying the sixth section shall be labeled “Curriculum Vitae”. This section shall include a complete version of the candidate’s CV, including work that was performed at another university for candidates hired with service credit.
- g. The tab identifying the seventh section shall be labeled “Teaching Effectiveness”. The following items must be included:
 - (1) Summary course evaluation reports (IDEA reports) for all classes taught at ASU during the relevant period (probationary period or period since last promotion).

[Major Revision: Upon approval]

- (2) A personal essay describing the ways in which the candidate's teaching knowledge and skills have developed positively during the relevant period, how this has translated into outcomes, and how these outcomes meet the Department's performance criteria. The essay should reference qualitative evidence of teaching and advising effectiveness beyond what is reflected on the IDEA reports.
- h. The tab identifying the eighth section shall be labeled "Scholarly Activity". The following items must be included:
- (1) A list of all specific scholarly works and achievements completed during the candidate's relevant period (probationary period or period since last promotion).
 - (2) A personal essay describing the ways in which the candidate's scholarly activity has developed positively over the relevant period, how this has translated into outcomes, and how this work meets the Department's performance criteria. The candidate should narratively describe the development of his/her scholarly activities so that the reader may see how the activity reflected in the CV has contributed to the candidate's professional growth.
- i. The tab identifying the ninth tab shall be labeled "Professional Service". The following items must be included:
- (1) A dated list (bulleted or numbered) of service activities completed during the candidate's relevant period (probationary period or period since last promotion).
 - (2) A personal essay describing in detail these relevant service activities, how these activities have contributed to the mission of the University and to the candidate's professional development, and how these activities meet the Department's performance criteria.

8. Termination Rules and Procedures for Grievance

- a. Faculty may be involuntarily separated from their employment with the University in the following ways:
- (1) Termination with immediate effect - this is defined as an immediate revocation of the current employment appointment for a non-tenured tenure-track faculty member.
 - (2) Non-reappointment - this is defined as the University's refusal to offer further employment to a non-tenured tenure-track faculty member beyond the end of the current employment appointment.
 - (3) Denial of tenure - this is defined as termination as a result of a failed tenure candidacy. The tenure-track faculty member shall receive a terminal appointment for the next academic year before the termination takes full effect.
 - (4) Revocation of tenure and termination with immediate effect - this is defined as an immediate revocation of both tenure status and employment with the University for a tenured faculty member.

[Major Revision: Upon approval]

- b. Tenure-track faculty members who are denied tenure with the University may appeal according to the process outlined in OP 06.29 (Faculty ~~Tenure Denial and Non-Reappointment~~ and Tenure Revocation).
- c. The revocation of tenure by the University from a tenured faculty member shall automatically initiate a review process as outlined in OP 06.29 (Faculty ~~Tenure Denial/Non-Reappointment~~ and Tenure Revocation).

9. Procedures for Policy Review and Revision

This section describes the procedure by which this operating policy may be amended. No other amendments may be made outside of this procedure.

- a. The Faculty Select Committee (FSC) shall consist of two (2) members from each undergraduate college, elected by the tenured and tenure-track faculty in an election administered by the office of the PVPAA and the President of the Faculty Senate. The representatives from each college may not come from the same department. The election must be designed such that a remedy exists in case the election results violate this rule.
- b. The office of the PVPAA is responsible for calling the initial meeting of the Faculty Select Committee (FSC) to begin the revision process.
- c. The chair of the FSC shall convene the committee regularly to review the current operating policy and make a list of recommendations for revision, which shall then be submitted to the office of the PVPAA.
- d. The initial list of recommendations shall be submitted for review to the Faculty Senate through the office of the PVPAA. The Faculty Senate shall produce a list of suggested changes, attach this list to the original recommendations, and return the documents to the PVPAA.
- e. All documentation shall be submitted for review to the Department Chairs through the office of the PVPAA. The Department Chairs shall produce a list of suggested changes and attach this list to the original recommendations and the suggestions of Faculty Senate. All documentation shall then be returned to the office of the PVPAA.
- f. All documentation shall be submitted for review to the Deans' Council through the office of the PVPAA. The Deans' Council shall produce a list of suggested changes and attach this list to the original recommendations, the suggestions of the Faculty Senate, and the suggestions of the Department Chairs. All documentation shall then be returned to the office of the PVPAA.
- g. The office of the PVPAA shall return all lists of suggested changes to the chair of the FSC. The FSC shall meet to integrate the suggested changes into a new draft, which shall be returned to the office of the PVPAA and cycled through the approval sequence described in this section.
- h. When a draft of the policy has been approved by all stakeholders, it shall be submitted to the President of the University for approval and then to the Board of Regents.

[Major Revision: Upon approval]

- i. If, after three (3) complete cycles of revision, a consensus has not been reached regarding revisions to this policy, the PVPAA shall appoint an *ad hoc* committee composed of three (3) representatives from the Faculty Senate and three (3) representatives from the Deans' Council to reach consensus.

10. Generic Calendar for Tenure/Promotion Workflow

- a. The University shall evaluate faculty members for tenure and/or promotion according to the following timeline if at all possible.
- b. The office of the PVPAA may make reasonable adjustments to this timeline to account for unforeseen circumstances that make it untenable. Any adjustments made shall apply to all candidates under evaluation and may not be used to selectively advantage or disadvantage a particular candidate. Adjustments must also be approved by the President of the University.

Generic Tenure/Promotion Calendar

Process Step	Target Date	2016-2017 2017-2018 (Example)
Portfolio Submitted	3 rd Friday, Fall Semester, 5pm CST	September 16, 2016 15, 2017
Department-Level Evaluation Completed	6 th Friday, Fall Semester, 5pm CST	October 7, 2016 6, 2017
Chair's Recommendation Completed	8 th Friday, Fall Semester, 5pm CST	October 21, 2016 20, 2017
CTPC-Level Evaluation Completed	10 th Friday, Fall Semester, 5pm CST	November 4, 2016 3, 2017
College Dean's Recommendation Completed	12 th Friday, Fall Semester, 5pm CST	November 18, 2016 17, 2017
PVPAA's Recommendation Completed	15 th Friday, Fall Semester, 5pm CST	December 9, 2016 8, 2017
President's Recommendations Sent to BoR	In time for February-March BoR Meeting	January, 2017 2018

Attachment A: Tenure/Promotion Portfolio Requirements

Attachment B: Form 1, Candidate Eligibility

Attachment C: Form 2, Department Recommendation

Attachment D: Form 3, College Committee on Tenure and Promotion Recommendation

Attachment E: IDEA Course Summary Report

[New Policy:]



Angelo State University
Operating Policy and Procedure

OP 06.29: Faculty Non-Reappointment and Tenure Revocation

DATE: August 1, 2017 *{Effective fall 2017}*

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to outline and ensure understanding of procedures concerning the non-reappointment and dismissal of faculty or tenure revocation of tenured faculty.

REVIEW: This OP will be reviewed every three (3) years by the Provost/Vice-President for Academic Affairs in collaboration with the Academic Affairs subcommittee of the Faculty Senate. This policy may be amended only by action of the Board of Regents of the Texas Tech University System.

1. Involuntary Separation of Employment

Termination of tenured faculty, except by resignation, retirement, or under extraordinary circumstances because of demonstrable bona fide financial exigency, will be only for adequate cause shown with the burden of proof on the university.

Adequate cause for termination is directly and substantially related to the fitness of faculty members in their professional capacity and public trust as teachers and scholars. Termination will not be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

There are three categories of involuntary separation from employment for faculty:

- a. Revocation of tenure, which is termination of a tenured faculty member's employment;
- b. Non-reappointment, which is the cessation of a non-tenured faculty member's employment at the end of the stated appointment period, and
- c. Dismissal, which is immediate termination for cause of a non-tenured faculty member's employment before the expiration of the stated appointment period.

2. Tenure Advisory Committee

- a. The Tenure Advisory Committee may consider matters pertaining to tenure or academic freedom referred to it by members of the university community. The committee reports to the president. If the president does not approve a recommendation of the committee, the committee will be informed in writing of the reasons for disapproval.
- b. The committee will consist of five tenured faculty and two ex-officio members, who are the PVPAA and a dean selected by the Deans' Council. Each undergraduate college will

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elect one member. Each dean's office will prepare and distribute ballots to the faculty of the respective college. Elected members serve two-year terms. Only tenured faculty teaching full time are eligible for election. Elected faculty members will not be eligible to serve consecutive terms. The Deans' Council member will serve for three years but will not be eligible to serve consecutive terms. The committee will determine its own procedural rules.

3. Termination Review Procedures for Tenure Revocation, Non-reappointment and Termination Cases

In each faculty termination case reviewed at the request of the faculty member, the issue will be determined by an equitable procedure that affords protection to the rights of the individual and to the interest of the university. In cases where the faculty member agrees that his or her conduct constitutes adequate cause, or does not choose to have a hearing, he or she will offer in writing his or her resignation. That faculty member will give notice of resignation as early as possible to obviate serious inconvenience to the university and to ensure that department objectives and student needs are met.

The procedures for termination described in this section do not negate the right of the president to suspend a faculty member from some or all duties when the president reasonably believes that the allegations, if true, create a likelihood of harm for persons or the university. The suspension will be with pay until such time as the suspended faculty member has been accorded the procedural rights appropriate to his or her appointment type, as described in this section.

a. Tenure Revocation

(1) Mediation and Investigation

Tenure revocation charges will not be filed until reasonable efforts to mediate and conciliate differences between the faculty member and the university have been exhausted. The chair of the Tenure Advisory Committee (or member designated by the committee) and the ~~PVPASA~~ PVPAA (or designee) will attempt to secure a confidential and equitable agreement in no more than twenty business days.

If the mediation efforts fail, the mediators will provide a written, detailed report to the president and the faculty member, and a formal investigation will begin. Together, the chair of the Tenure Advisory Committee (or member designated by the committee) and the ~~PVPASA~~ PVPAA (or designee) will conduct a thorough, confidential, expeditious review of all charges, and report their findings and recommendations to the president. After consideration of the report and recommendations, the president will determine whether to file formal charges to terminate the faculty member's employment for cause no more than fifteen business days after receiving the report.

(2) The Hearing Panel

In all cases of formal charges, the faculty member will be informed in writing of the charges, which, on reasonable notice, will be considered by a Hearing Panel convened by the president. The Hearing Panel will be made up of five members chosen by the Tenure Advisory Committee from a hearing pool formed of twenty

[New Policy:]

tenured faculty members. Those members will be elected annually by faculty at large from a ballot prepared and distributed by the ~~PVPASA's~~ PVPAA's office. Only tenured faculty teaching full time are eligible for election. Faculty may not serve on the Tenure Advisory Committee and the tenure hearing pool concurrently.

The Tenure Advisory Committee will, by lot, order the names of the members of the hearing pool, assigning each a number from one to twenty. Pool members deeming themselves biased must withdraw from consideration for the Hearing Panel. Either party in the dispute may strike no more than three names from those remaining on the list. The Tenure Advisory Committee designates the five pool members with the lowest numbers remaining on the list to constitute the Hearing Panel. The Hearing Panel will select a chair from its membership and may, if it chooses, request appropriate legal counsel to be furnished by the university but not from the Office of General Counsel. The legal counsel will advise the Hearing Panel but does not vote. The Hearing Panel may also consult with the general counsel of the university on technical and/or procedural questions not directly bearing on the merits of the case if the Hearing Panel considers such consultation appropriate and helpful.

(3) The Hearing

In consultation with the faculty member and the chair of the Hearing Panel, the president will set a date for the hearing. The hearing will be private and confidential unless the faculty member elects to have a public hearing. The Hearing Panel will determine hearing procedures that afford both due process and fairness. The hearing will be non-adversarial in nature.

In every such hearing, the faculty member has the right to appear in person with legal counsel, retained by the faculty member, and to confront and examine witnesses. The faculty member has the right to testify but may not be compelled to do so. The faculty member may introduce all evidence and material, written or oral, which he or she considers to be relevant or material to the case. Neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence will apply to the hearing.

The university also has the right to legal counsel from the Office of General Counsel in the preparation and presentation of charges and has the same rights in the hearing as those accorded to the faculty member. An audio recording of the proceedings will be made and delivered to the president for submission to the Board of Regents, and a copy of this audio recording will be made available to the faculty member. The recording will be transcribed only on the request of either the faculty member or the president, with the requesting party bearing the transcription costs. The Hearing Panel, by a majority vote of its total membership, will make detailed, written findings of fact on each charge and make specific recommendations with regard to each of the charges and the charges as a whole and supplementary suggestions it deems proper concerning disposition of the case. Minority findings, recommendations, or suggestions will be similarly prepared and transmitted. The chair of the Hearing Panel will deliver the findings, recommendations, and suggestions to the president, who will transmit them along with a recommendation to the faculty member and to the Board of Regents.

(4) The Board of Regents' Decision

[New Policy:]

The Board of Regents will consider all relevant material furnished and, by a majority of its total membership, will approve, reject, or amend the findings, recommendations, and suggestions of the Hearing Panel based on the record. Any amendment or change of such findings, recommendation, or suggestions, and the reasons therefore, will be detailed in writing and communicated to the president who will transmit them to the Hearing Panel, which will then study any additional matters presented to it and within forty-five days submit its recommendations to the president. If the Board of Regents then overrules the recommendations of the Hearing Panel, it will state in writing its reasons for its actions in overruling the Hearing Panel's recommendations to the president, who will transmit the decision to the Hearing Panel. The president will also notify the faculty member in writing of the Board's decision. This communication will include the findings and recommendations of the Hearing Panel as well as those of the Board. The decision of the Board of Regents will be final.

b. Non-reappointment and Termination

The following procedures on non-reappointment and dismissal for cause apply to untenured ~~tenure-track~~ faculty members, and to non-tenure-track faculty members who have served more than six full years and been granted continuing appointment status. However, each faculty member is entitled to see all of his or her personnel files and, at his or her expense, to obtain a copy of the information contained therein.

(1) The university is not required to give an untenured ~~tenure-track~~ faculty member a reason for a decision of non-reappointment, though such notification may be given, except in cases where it would harm the university. However, each faculty member is entitled to see all of his/her personnel file and, at his/her expense, to obtain a copy of the information contained therein.

(2) Initial Investigation

If an untenured faculty member alleges that a decision not to reappoint him or her is:

- (a) Caused by considerations that violates academic freedom;
- (b) For constitutionally impermissible reasons; or
- (c) Significantly noncompliant with the university's established standards or prescribed procedures; then

The allegation of improper rationale for non-reappointment, as defined above, will be given preliminary consideration by a faculty committee. The Tenure Advisory Committee is responsible for appointing the faculty committee from within or outside its own membership and for its functioning.

(3) The Hearing Panel and Hearing

If the faculty committee concludes that there is probable cause for the faculty member's allegation, the Tenure Advisory Committee will notify the PVPASA PVPAA and convene the Hearing Panel constituted in Section 3 (a.2). The faculty

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member will be responsible for stating the specific grounds on which the allegations were based, and the burden of proof will rest upon the faculty member.

The Hearing Panel will consider the allegations using the procedures outlined in Section 3 (a.3). Upon conclusion of deliberations, the chair of the Hearing Panel will deliver its findings, recommendations, and suggestions to the president, who will approve, reject, or amend them based on the record, then transmit them along with the president's recommendation to the faculty member. The decision of the president will be final.

4. Timelines for Notice of Non-reappointment

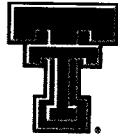
These notification timelines apply to any notice of non-reappointment that is issued to untenured faculty.

- a. Full-time faculty members in their first year with the university whose duties commence with the first semester of the academic year must be notified by the following March 1 if they are not to be reappointed.
- b. Full-time faculty members in their first year with the university whose duties commence after November 15 must be notified by the following April 15 if they are not to be reappointed.
- c. Full-time faculty members who are in their second year with the university and who are not to be reappointed must be notified by December 15 of the academic year in which the appointment is to terminate.
- d. Full-time tenure-track faculty members with more than two years with the university will be notified of non-reappointment by issuance of a terminal contract for one academic year.
- e. Full-time faculty members who hold a position by appointment for a fixed time period shall receive notice of non-reappointment in accordance with the terms of the appointment or in accordance with sections a., b., c., or d above.

5. Policy Implementation, Periodic Review, and Revision

This policy is to be implemented upon approval by the Board of Regents. All tenured faculty members are subject to this policy's applicable provisions and procedures including those not addressed in any former policy. The tenure of faculty members who have attained tenure under prior policies at ASU continues. This policy shall not be applied in derogation of any faculty member's contract rights.

This policy will be comprehensively reviewed in September every three years or as needed, beginning with the 2020-2021 academic year, the Academic Affairs Committee of the Faculty Senate. Recommended changes will go forward with areas of disagreement noted to the deans and department heads for their consideration. The deans and department heads will then recommend changes to the PVPAA, who will take those deemed appropriate forward to the president for review. If the president approves, the proposed revisions will be forwarded to the Board of Regents for its consideration. Under the statutory authority of the State of Texas, the Board of Regents has the sole authority to revise this tenure and promotion policy.



**TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™**

Student Handbook

Code of Professional Conduct

~~2016-2017~~ 2017-2018

**School of Medicine
Graduate School of Biomedical Sciences
School of Nursing
School of Health Professions
School of Pharmacy**

Rev. ~~09/19/16~~08/10/17

Renumbering and formatting will need to occur after board approval

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STATEMENT OF ACCREDITATION

The Texas Tech University Health Sciences Center is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters, doctoral, and professional degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the Texas Tech University Health Sciences Center. The Commission should be contacted only if there is evidence that appears to support the institution's significant non-compliance with a requirement or standard.

PART I. FOREWORD

A. General Policy

1. The mission of the Texas Tech University Health Sciences Center is to improve the health of people by providing educational opportunities to students and health care professionals, advancing knowledge through scholarship and research, and providing patient care and service.

The following institutional goals are broad, measurable priorities that will enable TTUHSC to fulfill its mission:

- Train competent health professionals and scientists
- Increase externally funded, peer-reviewed research, especially NIH-funded research, and research focused on aging, cancer, and rural health
- Improve access to quality health care for the TTUHSC's target populations
- Prepare health professions students for an increasingly diverse workforce and patient population
- Provide leadership in the development of partnerships and collaborations to improve community health
- Operate the TTUHSC as an efficient and effective institution

2. A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual School's catalogs are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center.

3. The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications. Registered student organizations are required to follow all of these standards, rules and policies.

4. The Texas Tech University Health Sciences Center (TTUHSC or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, express or implied, between any student or faculty member and Texas Tech University System, TTUHSC, or the TTUHSC School of Medicine, School of Health Professions, School of Pharmacy, School of Nursing, or the Graduate School of Biomedical Sciences. (See updates at www.ttuhscc.edu/student-services)

B. Tobacco-Free Environment

1. According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk for a number of cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration (HSC OP 10.19).

2. As a health care institution, TTUHSC is committed to the establishment and enforcement of a healthier tobacco-free environment. TTUHSC OP 10.19, *Tobacco-Free Environment Policy*, includes regulation and assessment.

C. Authority

1. The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.

2. All references to the Chancellor and/or President of the University, the Executive Vice President for Academic Affairs or designee shall be interpreted to include persons designated to act on behalf of these officials.

D. Policy on Non-Discrimination

The University brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences. The University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, color, religion, national origin, age, sex, disability, genetic information, status as a protected veteran, or any other legally protected category class or characteristic, and that equal opportunity and access to facilities shall be available to all. Non-discrimination is observed in the admission, housing, and education of students and in policies governing discipline, extracurricular life and activities. For more information, visit www.ttuhs.edu/HSC OP 51.01, *Equal Employment Opportunity Policy and Affirmative Action Plan*.

E. University Name, Documents, and Records

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of University documents, records or seal is prohibited. See TTUHSC OP 67.01, *Publication Guidelines*.

F. Definitions

1. "Accused Student" means any student accused of violating the TTUHSC Code of Professional Conduct set forth in Part II of this Handbook. This term may also mean an accused registered student organization. If a registered student organization is alleged to have violated the Student Code, only one student from the organization may appear or act on behalf of the student organization (such as appearing before a Student Conduct Board or Student Conduct Administrator) for purposes of the Student Code.

2. "Business day" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.

3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.

4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the Student Code(s). An anonymous report or a report by a person who is not a member of the University community shall not constitute a Complaint of Misconduct. However, such report may initiate an investigation and/or filing of a Complaint of Misconduct by an appropriate University official.

5. Conduct Board reference F. Definitions, pg. 9, item # 22.
6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, expulsion or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.
7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.
8. "Flag" means the indicator placed on a student's official record which may prevent registration and/or the issuance of a transcript until the student meets the requirements of the University office placing the indicator, as described herein and in the Schools' catalogs.
9. "May" is used in the permissive sense.
10. "Member of the University community" means any person who is a volunteer including high school students, an enrolled student, faculty or staff member, and University official, any other person employed by the University or campus visitors.
11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC Student Handbook; Texas Tech University Residence Hall Calendar and Handbook, if applicable; School of Nursing handbook and catalog; Gayle Greve Hunt School of Nursing handbook and catalog; School of Medicine catalog; School of Health Professions catalog; School of Pharmacy catalog; Paul L. Foster School of Medicine catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSC web page and computer use policies.
12. "Department Chair" means the Chair is charged primarily with mentoring and guiding faculty, overseeing Department administrative support, and serving as an interface between faculty and the administration of the School and Texas Tech University Health Sciences Center (TTUHSC). Matters of student misconduct and academic deficiency that are addressed from faculty/program directors etc. are referred to the Department Chair and if not resolved refer to the appropriate student conduct administrator for each school.
13. "Registered student organization" means any number of students who have complied with the formal requirements for University registration.
14. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Vernon's Texas Codes Annotated, and Tax Code. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Tex. Gov't Code § 62.112.
15. "Representative" means a University official authorized on a case-by-case basis by the Dean of each School to investigate and resolve alleged violations of the Code of Professional and Academic Conduct and the Residence Halls Standards of Student Behavior, if applicable.
16. "School" means School of Medicine, School of Nursing, School of Pharmacy, School of Health Professions, or Graduate School of Biomedical Sciences.

17. "Shall" is used in the imperative sense.

18. "Sponsorship and/or co-sponsorship" is defined as minimally including, but is not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.

19. "Student" means all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, specifically excluding School of Medicine House staff. The term "Student" also specifically a TTUHSC student who may be participating in an educational experience at another university and a student from another university who may be participating in an educational experience at TTUHSC. In addition, for purposes of Part II of this Handbook, persons who withdraw are suspended, or on leave of absence after allegedly violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance may be considered "students."

20. "Student Code" means the TTUHSC Code of Professional Conduct, which is set forth in Part II of this Handbook. Section D, Misconduct, applies to all students, while Section E, Other Professional and Ethical Standards applies to students in certain TTUHSC Schools. A student must have applied for admission or be enrolled in the applicable School before a School's provisions in Section E apply to the student.

21. "Student Conduct Administrator" means a TTUHSC official authorized by the Dean of each School to receive Complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board's deliberations. In any case in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School, appointments are made as follows or as otherwise determined by the Dean.

- a. For the Graduate School of Biomedical Sciences, the Assistant Dean.
- b. For the School of Medicine, the Associate Dean for Academic Affairs.
- c. For the School of Nursing, the Associate Academic Dean for Student Affairs and Education Support Services.
- d. For the School of Health Professions, the Associate Dean for Admissions and Student Affairs.
- e. For the School of Pharmacy, academic violations--the Assistant Dean for Student Services; professional violations--Associate Dean for Professional Affairs.

22. "Student Conduct Board" or "Board" means any person or persons authorized by the Dean of each School to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed. All persons serving on the Student Conduct Board must acknowledge an ability to be able to serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. For each School, appointments are made as follows.

a. For the Graduate School of Biomedical Sciences, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. One (1) Faculty member from the membership of the Graduate Council, who shall serve as Chair;
- ii. Two (2) other faculty members from the membership of the Graduate Faculty; and,
- iii. Two (2) graduate students from the School.

b. For the School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. Two (2) faculty members chosen by the Chair of the School Hearing Committee or designee;
- ii. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,
- iii. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.
- iv. The Board will elect one (1) of the faculty members as its Chair.

c. For the School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. One (1) tenured faculty member, who will serve as Chair;
- ii. Two (2) faculty members not directly involved with the Complainant or the Accused Student; and,
- iii. Two (2) students not directly involved with the Complaint or the Accused Student.

d. For the School of Health Professions, the Student Conduct Board shall be appointed by the Dean as follows:

- i. The Associate Dean for Admissions and Student Affairs serves as the Student Conduct Administrator and he/she will appoint a Student Conduct Board comprised of the following:
- ii. One (1) faculty member or School executive administrator who will serve as Chair
- iii. Two (2) faculty members not directly involved with the case
- iv. Two (2) students not directly involved with the case

e. For the School of Pharmacy, the Student Conduct Board shall be the appropriate Honor Council members pursuant to the School of Pharmacy OP 77.27.

23. "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code and/or sanctions resulting from an alleged violation(s) are based. At the hearing, information is presented to the Student Conduct Board in order to determine whether a student has violated the Student Handbook and ~~is responsibility related to the alleged violation of the Student Code is valid and appropriate sanctions, if any.~~

24. "Student Handbook" or "Handbook" means the TTUHSC Student Handbook.

25. "Student organization" means any number of students who have complied with the formal requirements for Texas Tech University Health Sciences Center registration.

26. "University" means Texas Tech University System or Texas Tech University Health Sciences Center (inclusive of all regional sites and their components).

27. "University official" means any person employed by Texas Tech University System, Texas Tech University or Texas Tech University Health Sciences Center while performing their assigned administrative or professional responsibilities.
28. "University premises" includes all land, buildings, facilities and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).
29. "User" means any member of the University community who uses any University computing and/or networking resources.
30. "Will" is used in the imperative sense.
31. State law exclusively refers to the State of Texas

**PART II. CODE OF
PROFESSIONAL CONDUCT
("STUDENT CODE")**

A. General Policy

1. An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior pertaining to students and to student organizations.
2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.
3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' individual catalogs. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.
4. Each student is responsible for his/her own integrity, and is likewise responsible for reporting possible violations of this Student Code by other students. Faculty and staff shall take all reasonable steps to prevent violations, and each faculty/staff member likewise is are also 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 professional and ethical standards of each school to which he/she is enrolled and/or the missions of the University and/or pursuit of its objectives. On a case-by-case basis, the Dean and his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.
2. All students are expected to comply with the professional and ethical standards of each school to which he/she is enrolled and/or the mission of the University. Such compliance shall be ~~subscribe to an honor system which is implicit in~~ upon accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

C. Violation of Law and TTUHSC Discipline

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly violates either both the criminal and/or civil law and/or this Student Code (that is, if both multiple possible violations may result from the same factual situation) without regard to the pendency or conclusion of civil litigation or criminal arrests or charges litigation in court or criminal arrest or prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil and/or criminal proceedings at the discretion of the Dean of each School. Determinations made or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal and/or civil law defendant.

D. Misconduct

Any student or student organization found to have committed the following misconduct is subject to disciplinary sanction(s), condition(s) and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to:

1. Alcoholic Beverages

- a. The use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by University policy or as allowed by law.
- b. Being under the influence of alcohol and/or intoxication except as allowed by law.

NOTE: *State law will be strictly enforced at all times on all property controlled by the University and is inclusive of all regional sites and its components.*

2. Narcotics or Drugs

- a. Use, possession, sale, delivery or distribution of any narcotic, drug or medicine prescribed to someone else, chemical compound or other controlled substance or drug-related paraphernalia, except as expressly permitted by the laws of the State of Texas; or,
- b. Being under the influence of narcotics or drugs, except as permitted by law.
- c. The failure of a drug test whether required by TTUHSC or any health care facility to which a student is assigned or has any type of patient care, contact or responsibility.

3. Firearms, Weapons, and Explosives

a. Use or possession of firearms, ammunition, explosive weapons, illegal knives and other deadly weapons are prohibited on university property except as specifically authorized by federal, state, or local laws and University policy.

b. ~~Campus Carry Policy, TTUHSC OP 10.30~~ TTUHSC OP 10.30, Regulations for the carrying of concealed handguns by licensed holders.

- As a health-related educational institution, TTUHSC facilitates a complex composition of activities, which include education, patient care, research, and community engagement. As such, TTUHSC campuses must accommodate the unique needs of diverse stakeholders, including patients, learners of all types, faculty, staff, contractors, and visitors. Within the context of this unique and complex composition, TTUHSC is committed to the following principles for the campus environment:
- TTUHSC will comply with all necessary laws and regulatory requirements regarding safety and security on its campuses;
- Within reasonable effort, TTUHSC will create an environment in which all stakeholders can conduct their business with a sense of personal and collective safety and security;

- TTUHSC will communicate safety policies to stakeholders through all appropriate means.

4. Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University, ~~students, of~~ or members of the University community ~~or campus visitors;~~
- b. Possession of property known to be stolen or belonging to another person without the owner's permission;
- c. Attempted or actual damage to property of the University or, ~~University students,~~ members of the University community ~~or campus visitors;~~ or,
- d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or misrepresentation of any form of identification including, but not limited to, a social security number or driver's license number.

5. Actions Against Members of the University Community

- a. Physical harm or threat of harm to any person including, but not limited to a member of the University community;
- b. Intentional or reckless conduct which endangers the health or safety of any person, ~~campus visitor, or volunteer;~~ including, but not limited to a member of the University community.
- c. Behavior that disrupts the normal operation of the University, including, but not limited to a member of the University community, g its students, faculty, staff or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a member of the University community's ~~student~~ for students' academic pursuits or a faculty or staff's work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.
- d. Sexual conduct that involves:
 - o Deliberate touching of another's sexual parts without consent;
 - o Deliberate sexual invasion of another without consent; or,
 - o Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.
- e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:
 - o Academic pursuits;
 - o University employment;
 - o Participation in activities sponsored by the University or organizations or groups related to the University; or,
 - o o Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.

f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.

g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.

6. Gambling, Wagering, or Bookmaking

Gambling, wagering, or bookmaking on University premises is prohibited.

7. Hazing

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

- a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;
- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
- d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;
- e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur, having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g. Any act that is unlawful as designated by local, state, or federal government.

NOTE: *Texas Education Code, Sections 37.151-37.157 and Section 51.936*

8. False Alarms and Terroristic Threats

Intentionally or recklessly sounding a false alarm of any kind or character; making a false emergency call or terroristic threat; issuing a bomb threat; constructing mock explosive devices; improperly possessing, tampering with or destroying fire equipment, Automatic External Defibrillators (AED) or emergency signs on University premises.

9. Financial Irresponsibility

Failure to meet financial obligations owed to the University, including, but not limited to, the writing of checks on accounts with insufficient funds, see also 4d above.

10. Unauthorized Entry, Possession or Use

- a. Unauthorized entry into or use of University facilities;
- b. Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;
- c. Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,
- d. Use of the University's name to advertise or promote events or activities in a manner which suggests sponsorship by the University without prior written permission.

11. Traffic and Parking

- a. Violation of University Traffic and Parking regulations; or,
- b. Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.

12. Housing and Dining Services Regulations

Violation of rules, which govern behavior in the campus residence and/or dining halls as stated in the Residence Hall Handbook and/or other notifications or publications provided by the University Department of Housing and Dining Services.

13. Student Recreation and Aquatic Center Regulations

Violation of rules, which govern behavior as determined by TTU or the University Student Recreation Center and Aquatic Center.

14. Failure to Comply with Reasonable Directions or Requests of University Officials

Failure to comply with the reasonable directions or requests of a University official acting in the performance of his or her duties.

15. Failure to Present Student Identification

The failure to present their student identification to any University official upon request and identify himself/herself to any University official acting in the performance of his/her duties. The student identification card is property of the university. Students shall neither allow their student identification card to be used by other persons, nor shall they alter their student identification in any way. A student must pay a replacement charge for lost, stolen or damaged student identification cards.

16. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment

- a. Unauthorized use of computing and/or networking resources;
- b. Use of computing and/or networking resources for unauthorized or non-academic purposes;
- c. Unauthorized accessing or copying of programs, records or data belonging to the University or another user or copyrighted software, without permission;
- d. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to University computing and/or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources;
- e. Attempted or actual use of the University's computing and/or networking resources for personal or financial gain;
- f. Attempted or actual transport of copies of University's programs, records or data to another person or computer without written authorization;
- g. Attempted or actual destruction or modification of programs, records or data belonging to the University or another user or destruction of the integrity of computer-based information;
- h. Attempted or actual use of the computing and/or networking facilities to interfere with the normal operation of the University's computing and/or networking systems; or through such actions, causing a waste of such resources (people, capacity, computer); or,
- i. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.

17. Providing False, Misleading or Untrue Statements, Misuse of Records

Knowingly providing to the University, or to a University official in the performance of his/her duties, either verbally, or through forgery, alteration or misuse of any University document, record or instrument of identification.

18. Skateboard, Roller Blades, or Similar Devices

Use of skateboards, roller blades or other similar devices in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property or which disrupts the normal operation of the University.

NOTE: Also refer to TTUHSC OP 76.32, *Traffic and Parking Regulations*.

19. Academic Misconduct

- a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.
- b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.
- c. "Cheating" includes, but is not limited to:
 - o Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
 - o Failing to comply with instructions given by the person administering the test;
 - o Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
 - o Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with another other assignment (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
 - o Discussing the contents of an examination with another student during an examination, or another student who will take the examination at a later date;
 - o 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;
 - o Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
 - o 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;
 - o Falsifying research data, laboratory reports and/or other academic work offered for credit;
 - o 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;
 - o Possession at any time of current or previous test materials without the instructor's permission;

- o Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
 - o Alteration of grade records;
 - o Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
 - o Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
 - o Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific the written permission of the instructor of the course for which the work is being submitted.
 - o Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, or electronic devices 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. the school handbook.

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. Each school shall prescribe professional and ethical standards in their school handbook, the violation of which may form the basis of a disciplinary action.~~

~~School of Medicine~~

~~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.~~

~~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: Altruism, whereby they subordinate their own interests to take care of their patients;~~

~~High ethical and moral standards;~~

~~Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;~~

~~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,~~

~~Maintaining confidentiality concerning the patient and the patient's records.~~

~~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." 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.

TTUHSC School of Nursing

All students entering into the TTUHSC SON are required to subscribe to the standards and codes of the profession. TTUHSC SON students as nursing professionals, are expected by patients and society as a whole to adhere to:

American Nurses Association (ANA) Code of Ethics for Nurses, and the;
Texas Board of Nurse Practice/Unprofessional Conduct Rules.

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.

School of Pharmacy

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.

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.

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.

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.

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.

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.

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. 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. 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. 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.

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 www.ttuhsu.edu/sop/academicinfo/docs/Professional_Conduct_Code_Final.pdf

Incidents of academic or professional misconduct as well as violations of the Code, regardless of severity, shall result in a review of the student's disciplinary file by the Student Conduct Administrator and patterns of habitual misconduct, regardless of severity, shall result in escalation of the sanctions administered by the School of Pharmacy as outlined in the School of Pharmacy Procedures for Academic/Professional Misconduct <http://www.ttuhsu.edu/studentservices>.

Course Failures Resulting from Sanctions Secondary to Academic or Professional Misconduct

A first course failure resulting from sanctions enforced due to academic or professional misconduct will result in the student being placed on academic probation. If the student is in good standing at the time, then the student will be placed on first probation. If the student is already on academic probation, then the failure will raise the student's probation by 1 level (i.e. 1st to 2nd or 2nd to Dismissal).

A second course failure resulting from sanctions due to academic or professional misconduct, regardless of semester, will result in student dismissal from the school.

School of Health Professions

Students in the School of Health Professions will not lie, cheat, or steal or tolerate those who do.

F. Disciplinary Procedures *Academic issues, such as grading and promotion issues, should be addressed by each school's policies and procedures.*

1. **Nature of Proceedings.** These proceedings are part of an educational process whereby the University applies its values to establishing the best possible learning environment for its students. These proceedings are not intended to follow, or be restricted by, courtroom or judicial procedures, including the rules of evidence. In addition, these proceedings are not intended for grading and promotions issues, which should be addressed under individual School policies.
2. **Procedural Deviations.** If the Student Conduct Board has not yet been appointed, or in the absence of the Chair of the Student Conduct Board, the parties and the Student Conduct Administrator may agree in advance and in writing to deviations from procedure. If a Student Conduct Board has been appointed, the parties and the Chair of the Student Conduct Board may mutually agree to procedural deviations, such as deadlines for submission of evidence and hearing dates and times.

NOTE: Any notices that are sent by mail will be considered to have been received on the third calendar day after the date of mailing, excluding any intervening Saturday, Sunday or holiday.

3. **Filing A Complaint**
 - a. Any faculty, staff, or student of TTUHSC may file a Complaint(s) against a student(s) or a student organization(s) for violation(s) of the Student Code. A preliminary investigation/discussion with a supervisor (program director, chair, etc.) must be done prior to filing a Complaint. If a basis for the Complaint exists, Attachment A shall be completed and delivered by the Complainant to the Student Conduct Administrator. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the Student Conduct Administrator.

- b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint of Misconduct filed by the Complainant and will notify the Accused Student in writing that he or she shall appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter. ~~The Accused Student shall meet with the Student Conduct Administrator.~~
- c. The Student Conduct Administrator may conduct an informal meeting to determine if the complaint may be disposed prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties. Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.
- d. If the Complaint is not disposed of administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Accused Student to determine if the Accused Student admits or denies violating institutional rules.
 - i. If the Accused Student admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board Hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.
 - ii. If the Accused Student denies violating University rules, the allegations shall be referred by the Student Conduct Administrator for a Hearing before the Student Conduct Board under Part II.F.4 below.
- e. A Student Conduct Board Hearing shall be scheduled to be heard within thirty (30) business days after the Accused Student has met with the Student Conduct Administrator under Part II.F.3.d. above. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board Hearing date, such Hearing will be held during the first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

4. Student Conduct Board Hearings

- a. *Closed Hearing.* A Student Conduct Board Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Conduct Board, who shall render a final written decision.
- b. *Hearing Notice.* At least fifteen (15) business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:
 - i. Date, time and place for the hearing,
 - ii. Name of the members of the Student Conduct Board,
 - iii. Summary statement of the charge(s), or a copy of the complaint and

- v. That at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below.
- c. *Challenge.* An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator. The challenging party student shall with specificity, and with clarity detail each reason for such challenge. The burden of proving the impartiality or inability of a Conduct Board member to serve lies solely upon the challenging party. ~~Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator or his or her designee that the member can serve with fairness and objectivity. If the challenging party member cannot establish that the challenged member(s) cannot serve with his or her fairness and objectivity such member to the satisfaction of the Student Conduct Board Administrator, the member in question shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed the Student Conduct Administrator, may in his or her sole discretion choose to reschedule the hearing.~~
- d. *Evidence Submission.* At least ten (10) business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.
- i. All pertinent records and exhibits;
 - ii. Written statements must be notarized (including Impact or Position Statements);
 - iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant
 - iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4...i below.
- e. *Evidence Exchange.* At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.
- f. *Separate or Joint Hearings.* A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused student may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.
- g. *Recordings.* The University shall record, either digitally, through audiotape, or otherwise as deemed appropriate all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its' Findings and Recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent record of the proceedings.
- h. *Hearing Attendance.* The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

- i. *Advisors.* The advisor must be a faculty, staff, or student of TTUHSC. However, if an Accused Student is also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances, he or she may be allowed to have an attorney serve as his or her advisor, at his or her own expense, to participate only in the same manner as any other advisor. If an advisor for the Accused Student is an attorney, an attorney from the Office of General Counsel may attend the Student Conduct Board Hearing on behalf of the University. The University will provide legal counsel for the Student Conduct Board as the Student Conduct Board Chair deems it necessary.

The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly or indirectly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Chair upon written request seven (7) business days in advance of the date scheduled for the Student Conduct Board Hearing.

- j. *Witnesses.* Members of the Student Conduct Board may question all witnesses, followed by the parties. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only during the time they are providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in his/her sole discretion determines otherwise.
 - i. *Parties Witnesses.* The Complainant and the Accused Student may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused Student are responsible for arranging for the voluntary attendance of his or her own witnesses.
 - ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board members. The Chair of the Student Conduct shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.
- k. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.
- l. *Deliberations.* ~~If the~~ Once the Student Conduct Board concludes that receives 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 and then 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.

a.

~~l.m.~~ Failure to Appear. The Accused Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice as described herein Section II.F.4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Accused Student to attend the hearing or answer the charges.

~~m.n.~~ Findings and Recommendations. The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations in writing. If the Findings and Recommendations are not unanimous, opinion(s) may be written by those who differ with the Majority's Findings and Recommendations. The Chair will forward the Findings and Recommendations, including differing opinion(s), within ten (10) business days to the Dean, the Student Conduct Administrator, the Accused Student and the Complainant.

~~n.o.~~ Dean's Review. The Dean will review the Findings and Recommendations ~~of the record~~ from the Student Conduct Hearing along with the audio recording and supporting documents, and transmit his or her decision in writing within ten (10) business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's decision shall be final.

~~o.p.~~ Appeal. Within ~~ten (10)~~ five (5) business days of receipt of the decision of the Dean, if either party believes that the due process procedures have been violated, an appeal may be made, in writing, to the President of the University. The President will review the case and notify all parties of his decision within ~~ten (10)~~ five (5) 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.
- c. The President will review the Findings and Recommendations and, at his or her sole discretion, the recording from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing to the Accused Student, the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Dean. The President's decision shall be final.

G. Sanctions

1. Sanctions which may be recommended by the Student Conduct Board, and imposed by the Dean of the School, upon any student found to have violated this Student Code, include but are not limited to the following:

- a. *Failing Grade or Cancellation of Credit.* Failing grade for an examination or assignment or for a course, and/or cancellation of all, or any portion, of a prior course credit.
- b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation any time 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, and service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the students' disciplinary file or other related discretionary assignments.
- g. *Suspension.* Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.
- h. *Dismissal With or Without Readmission.* Separation or dismissal of the student from their current program, with or without the option to apply for readmission to the University. The student's transcript will reflect the nature of the dismissal.
- i. *Revocation of Admission and/or Degree.* Admission to or a degree awarded by the University may be revoked for fraud, misrepresentation or other violations of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- j. *Withholding Degree.* The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Disciplinary Procedures.
- k. *Multiple Sanctions.* More than one of the sanctions listed above may be imposed for any single violation.
- l. *Criminal Trespass.* In accordance with Texas Education Code, Section 51.242, a student who has been suspended or disarmed after a Student Conduct Board Hearing for disrupting the orderly operation of the campus or facility of the institution as a condition of the suspension or dismissal may be denied access to a University campus or facility, or both, for the period of suspension, and in the case of dismissal, for a period not to exceed one year.
- m. *Any other sanction(s) which may be appropriate under the particular circumstances of the violation.*

2. Other than dismissal from the University or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the Office of the Dean for the applicable School. This section shall not prevent the University from complying with any regulatory agency or licensure board requirements regarding the reporting of disciplinary actions and/or student behavior.
3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim.
4. The following sanctions may be imposed upon registered student organizations and/or members thereof:
 - a. Those sanctions listed above in Part II.G.1 above.
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. *Deactivation.* Loss of all privileges, including University recognition and/or registration, for a specified period of time.

H. Interpretation and Revision

1. Any question of interpretation or application of this Student Code shall be referred to the Dean of the appropriate School or his or her designee for final determination.
2. The Student Code Review Committee (Review Committee) shall conduct an annual review of the Student Code and make recommendations to the President regarding omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Student Code. The Review Committee is composed of the Student Affairs representatives from each School. The President may invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members.

PART III. WITHDRAWAL OF CONSENT

A. Recommendation to Withdraw Consent during Periods of Disruption

1. The term "period of disruption" is any period in which it reasonably appears that there is any of the following (Texas Education Code § 51.231):
 - a. Threat(s) of destruction to University premises;
 - b. Physical or emotional injury to human life on University premises; or,
 - c. Threat(s) of willful disruption of the orderly operation of the University.
2. During periods of disruption, the Department Chair within the applicable School may recommend to the Dean that prior to a Student Conduct Board Hearing, and in accordance with Texas Education Code, Section 51.233, a student have his/her consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.
3. Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.
4. Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend, dismiss, or expel any student or employee at the University in accordance with the procedures set forth in Part II of this Handbook. If a person is alleged to have violated the Student Code, and Withdraw of Consent also occurs, the procedures set forth in Parts II and III may occur concurrently.

B. Concurrence by Dean

1. If the Dean concurs with the Department Chair's recommendation, the student will have his/her consent to be in attendance at the University or on University premises withdrawal in writing by the Dean. Texas Education Code § 51.233(a) & 51.234.
2. The written notice by the Dean shall contain all of the following:
 - a. That consent to remain on the campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed fourteen (14);
 - b. Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
 - c. Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
 - d. Notification that the student is entitled to a hearing on the withdrawal not later than three (3) days from the date of receipt by the Dean of a request for hearing from the person.

3. Whenever consent is withdrawn by the Dean, the Dean shall submit a written report to the President within twenty-four (24) hours, unless the Dean has reinstated consent for the student. The report shall contain all of the following:

- a. Description of the student, including, if available, the student's name, address, and phone number; and,
- b. Statement of the facts giving rise to the Withdrawal of Consent.

C. Confirmation by President

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or university premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).

2. If the President or his/her designee does not confirm the action taken by the Dean within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall be deemed void and of no force or effect, except that any arrest made during the period shall not for this reason be deemed to have been made for probable cause.

D. Hearing

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.

2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted not later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.

b. *Representation.* The student may be represented by counsel. The University will be represented by the Office of General Counsel.

c. *Witnesses.* The student, as well as the Department Chair who recommended consent be withdrawn, have the right to call and question witnesses and to cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. Witnesses are permitted to attend the Hearing only when they are providing information unless the Hearing Committee, in its sole discretion, allows otherwise. The student shall be advised of the content of the statements, and the names of the persons who made them, at the hearing.

d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the

hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.

- i. All pertinent records, exhibits and written statements (including Impact or Position Statements);
- ii. A list of witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, including a brief summary of the information to be given by each; and,
- iii. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i.

e. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair.

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

g. *Appeal to President.* The student may appeal the decision within three (3) days from the date of the decision by sending a written appeal to the President. If the student does not appeal the decision by the hearing committee, the decision is final. The president will review and render a decision within seven (7) days.

h. *Appeal to the Board of Regents.* If the student is not satisfied with the decision by the President, the student may appeal to the Texas Tech Board of Regents by sending a written appeal to the Chairman of the Board of Regents, with a copy to the President, within three (3) days from the date of the President's decision. If the student does not appeal the President's decision, the President's decision is final. If the student appeals to the Texas Tech Board of Regents, the decision by the Board is final.

**PART IV. ANTI-DISCRIMINATION and
SEXUAL MISCONDUCT POLICY and
PROCEDURES (Including TITLE IX)**

A. Introduction

Texas Tech University Health Sciences Center (TTUHSC) is an Equal Employment Opportunity employer and ensures compliance with federal and state employment laws and regulations. TTUHSC provides a fair and equitable student conduct process, utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.

1. Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws (see TTUHSC OP 51.02 for complete policy)

TTUHSC is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from any form of unlawful discrimination. TTUHSC is dedicated to fostering and supporting a culture of mutual respect and communication.

This policy applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus.

TTUHSC does not tolerate discrimination or harassment based on or related to sex, race, national origin, religion, age, disability, protected veteran status, genetic information, or other protected categories, classes, or characteristics. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases.

Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education programs or activities, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

TTUHSC expects all members of the University Community to comply with the law. Members of the University Community who violate University policies and laws may be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from University premises and events. See TTUHSC OP 51.02, *Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws* for additional information on TTUHSC's Non-Discrimination and Anti-Harassment Policy. <http://www.ttuhscc.edu/hsc/op/op51/op5102.pdf>

2. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy and Complaint Procedure (see TTUHSC OP 51.03 for complete policy)

TTUHSC is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. In accordance with Title VII, Title IX, the Violence against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), and other federal and state law, the University prohibits discrimination based on sex and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and any other misconduct based on sex.

While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on this basis. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

See TTUHSC OP 51.03, *Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure*, for additional information on TTUHSC's policy and information on TTUHSC's prevention and education efforts related to sex discrimination, sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, public indecency, Sexual Misconduct, interpersonal violence and stalking. <http://www.ttuhs.edu/hsc/op/op51/op5103.pdf>

3. Definitions

For purposes of this Part IV, the definitions below apply. However, some of these terms are also defined under state law. If a person would like to file criminal charges for any alleged violations of criminal law, the definitions provided in the links below may apply. Additionally, illustrative examples of some of these defined terms may be found at <http://www.ttuhs.edu/title-ix/> - <http://www.ttuhs.edu/hr/Title9-Home.aspx>.

a. **Consent** – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to engage in sexual activity.

Consent is also defined in the context of criminal sexual assault in the Texas Penal Code, Chapter 22, Section 22. 011 (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

b. **Employee** – Any person who receives a W-2 or 1042-S from the University, including full and part-time faculty, staff, and students.

c. **Incapacitation** – A state of being that prevents an individual from having capacity to give consent. For example, incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability.

d. **Interpersonal Violence** – An offense that meets the definition of domestic violence or dating violence:

- **Domestic Violence** – Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common, by a person with whom the Reporting Party is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the Reporting Party under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.

Domestic Violence is also defined in Texas Family Code, Chapter 71, Section 71.004 (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.004>).

• **Dating Violence** – Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship will be determined based on the Reporting Party's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

Dating Violence is also defined in Texas Family Code, Chapter 71, Section 71.0021 (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.0021>).

e. **Public Indecency** – Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to:

- Exposing one's genitals or private areas;
- Public urination;
- Defecation; and/or
- Public sex acts.

f. **Reporting Party** – A person or entity (in the case of the University) who submits a complaint alleging a violation of this policy.

g. **Responding Party** – Generally, the Responding Party is the person who is alleged to be responsible for the prohibited conduct alleged in a complaint.

h. **Responsible Employee** – A University employee who has the authority to take action to redress an alleged violation of this policy; who has been given the duty of reporting such allegations to the University Title IX Coordinator or Title IX Deputy Coordinators; or whom an individual could reasonably believe has this authority or duty.

Responsible Employees include, but are not limited to:

- Administrators;
- Academic advisors;
- Coaches, and other athletic staff who interact directly with students;
- Faculty members, including professors, adjuncts, lecturers, instructors, and teaching assistants;
- Student services personnel;
- Graduate research assistants;
- Residence life or community advisors;
- Student organization advisors;
- All supervisory personnel;
- Human Resources personnel; and
- The Texas Tech Police Department.

i. **Sex Discrimination** – An act that deprives a member of the University Community of his or her rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits or opportunities with the University on the basis of the person's sex.

j. **Sexual Misconduct** – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and other misconduct based on sex.

k. **Sexual Assault** – Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual Assault includes non-consensual sexual contact and non-consensual sexual intercourse.

(1) **Non-Consensual Sexual Contact** – Intentional sexual touching, however slight, with any object or part of one's body of another's private areas without consent. Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals;
- Touching another with any of these body parts;
- Making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

(2) **Non-Consensual Sexual Intercourse** – Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.

The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.

- **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Reporting Party.
- **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault is also defined in Texas Penal Code, Chapter 22, Section 22.011

(<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

l. **Sexual Exploitation** – Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- Purposeful recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;
- Sexual voyeurism;
- Inducing another to expose one's genitals or private areas;
- Prostituting another; or
- Knowingly exposing someone to or transmitting a sexually transmitted disease.

m. **Sexual Harassment** – Unwelcome verbal, written, or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;

(2) Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or

(3) Such conduct has the purpose or effect of interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive working or educational environment. To constitute an intimidating, hostile, or offensive working or educational environment, the complained of conduct must be either severe or pervasive.

Examples of inappropriate behavior that may constitute unlawful sexual harassment or Sexual Misconduct include, but are not limited to:

- Sexual teasing, jokes, remarks, or questions;
- Sexual looks and gestures;
- Sexual innuendoes or stories;
- Communicating in a manner with sexual overtones;
- Inappropriate comments about dress or physical appearance;
- Inappropriate discussion of private sexual behavior;
- Gifts, letters, calls, emails, online posts, or materials of a sexual nature;
- Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);
- Sexual favoritism;
- Pressure for dates or sexual favors;
- Unwelcome physical contact (touching, patting, stroking, rubbing);
- Non-consensual video or audio-taping of sexual activity;
- Exposing one's genitals or inducing another to expose his/her genitals;
- Stalking;
- Domestic or dating violence;
- Non-consensual sexual intercourse, sexual assault, or rape; or
- Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

n. **Stalking** – A course of conduct directed at a specific person that would cause a reasonable person to fear for his/her own safety or the safety of others or would cause that person to suffer substantial emotional distress. A "course of conduct" means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and similarly situated to the Reporting Party. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking is also defined in Texas Penal Code, Chapter 42, Section 42.072 (<http://www.statutes.legis.state.tx.us/SOT-WDocs/PE/htm/PE.42.htm#42.072>).

o. **University Community** – All faculty, staff, and students of and visitors to any University premises or University-affiliated activity.

4. Title IX Coordinators

TTUHSC has a Title IX Coordinator who oversees the University's compliance with Title IX, which prohibits discrimination based on sex. TTUHSC has also designated Title IX Deputy Coordinators for students and employees.

The Office of Student Services will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Employment Opportunity (Office of EEO) will investigate complaints of Sexual Misconduct by or between employees.

	PHONE	ADDRESS	EMAIL
TTUHSC Title IX Coordinator Special Assistant to the President	806-743-9894	<u>TTUHSC Office of Human Resources, Room 1B100</u> <u>TTUHSC Title IX Office</u> <u>2B410B</u> Office of Human Resources Texas Tech University Health Sciences Center 3601 4th Street	TitleIXCoordinator@ttuhsc.edu
TTUHSC Title IX Deputy Coordinator for Students Assistant Vice President of Student Services	806-743-6426	TTUHSC Office of Student Services, Room 2C400 Office of Student Services Texas Tech University Health Sciences Center 3601 4th Street Stop 8310 Lubbock, TX 79430	TitleIXCoordinator@ttuhsc.edu
TTUHSC Title IX Deputy Coordinator for Employees Managing Director of the Office of Equal Employment Opportunity	806-742-3627	Office of Equal Employment Opportunity TTU Administration Building, Room 210 Box 1073 Lubbock, TX 79409	TitleIXCoordinator@ttuhsc.edu eeo@ttu.edu

5. Reporting Concerns

a. All students, employees, and third parties are strongly encouraged to promptly report any incidents of Sexual Misconduct to the University Title IX Coordinator, Title IX Deputy Coordinators, or Office of EEO.

b. All students, employees, and third parties may also report incidents of Sexual Misconduct to law enforcement, including on-campus and local police. Reporting Parties may choose to notify law enforcement and will be provided the assistance of a Title IX Coordinator, Title IX Deputy Coordinator, or Office of EEO in contacting these authorities if the individual wishes. For a list of Law Enforcement Agencies, please see page 45. Reporting Parties may also decline to notify law enforcement of incidents of Sexual Misconduct.

c. An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims can undergo a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, a SANE may still collect evidence up to 4 days following a sexual assault. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal

investigation. To undergo a SAFE, go directly to the nearest emergency department that provides SAFE services. For more information about the SAFE, see <http://hopelaws.org/> or https://www.texasattorneygeneral.gov/files/cvs/sexual_assault_examination.pdf–
<https://www.texasattorneygeneral.gov/victims/sapcs.shtml#survivors>.

d. An individual who experiences any form of Sexual Misconduct should also preserve other evidence relevant to the complained of activity, such as items of clothing, photographs, phone records, text messages, computer records, and other documents.

e. If an employee is a Responsible Employee and receives information about Sexual Misconduct, reporting is required. Responsible Employees have a duty to promptly report all known details of incidents of sex discrimination, sexual harassment, ~~nonconsensual~~ sexual contact, nonconsensual sexual intercourse, sexual assault, Sexual Misconduct, sexual exploitation, public indecency, interpersonal violence, and stalking to the University Title IX Coordinator, Title IX Deputy Coordinators, or Office of EEO. Responsible Employees are not confidential reporting resources.

f. Disclosures to licensed clinical and/or mental health professionals acting in their professional role in the provision of services are not subject to the foregoing mandatory reporting requirements. These employees include physicians, psychologists, nurses, counselors, and those performing services under their supervision. These employees are encouraged to provide students or employees with information and guidance regarding University reporting options and available resources but will not report or otherwise refer instances of sexual harassment/misconduct to University administrators without the student or employee's express permission. Students may make confidential reports to the University Student Counseling Center (2021) Program of Assistance for Students (PAS). Likewise, employees may make confidential reports through the Employee Assistance Program.

6. Office of Civil Rights Complaints

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

7. Non-retaliation

Retaliation against a person who reports a potential violation under this policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, reprisals and/or adverse actions related to an individual's employment or education. TTUHSC will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure outlined in this policy.

Individuals who are found to have retaliated under this policy will be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from University premises and events.

8. Confidentiality

The confidentiality of both the Reporting Party and the Responding Party will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of Sexual Misconduct, to protect the University Community, and to the extent allowed by law. However, because the University also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, many University employees have mandatory reporting and response obligations and may not be able to honor a Reporting Party's request for confidentiality. The Title IX Coordinator will evaluate requests for confidentiality.

9. Faculty/Staff and Student Relationships

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

B. Complaint Process Involving Employees, whether Faculty, Staff, or Students. Grievance or Complaint Processes

1. A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law.

2. Grievances and Investigations — Complaints Involving Employees, Whether Faculty, Staff, or Students If a student has a complaint This grievance process is applicable to all students who choose to complain about Sexual Misconduct, unlawful discrimination, harassment, or other violations of the law that adversely affect their educational environment and the Responding Party is an employee, whether faculty, staff or student, the general provisions relating to employees and the employee complaint procedures set forth in TTUHSC OP 51.02 and TTUHSC OP 51.03 shall apply. In addition, in student complaints involving employees, the following provisions shall apply:

a. These procedures are entirely administrative in nature and are not considered legal proceedings.

b. All grievance-complaint investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings. Additionally, mediation will not be used to resolve complaints.

c. The filing of a grievance-complaint shall not affect the ability of TTUHSC to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance complaint.

d. A student may consult with the Assistant Vice President for Student Services University Title IX Coordinator, the Deputy Coordinators, or Office of EEO to determine if he/ she wishes to file a formal grievance complaint. Students wishing to file a grievance-complaint should complete the grievance-complaint form located available at <http://www.ttuhs.edu/title-ix/> <https://www.ttuhs.edu/studentservices/grievanceforms/>. However, even if a formal grievance-complaint is not filed, the Assistant Vice President for Student Services University Title IX Coordinator or Office of EEO may notify key personnel conduct an investigation regarding the allegation, at his or her discretion, about

~~the allegation, and other action may be taken by TTUHSC as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing alleged offenders of TTUHSC's policy and educating departments and supervisors as needed on this and other policies.~~

~~e. If the grievance complaint involves the Assistant Vice President for Student Services, University Title IX Coordinator and/or Deputy Coordinators, the grievance complaint should be presented to the Equal Employment Opportunity Office of EEO.~~

~~f. Student complaints of Sexual Misconduct, discrimination or harassment by an employee will be investigated jointly by the Assistant Vice President for Student Services or his/her designee, University's Title IX Investigators and the Office of Equal Opportunity/EEO.~~

~~g. The investigation may consist of the review of the grievance complaint and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. Both parties may notify the University's Title IX Investigators and the Office of EEO of any witnesses and other evidence relevant to the complaint. The extent of the investigation and its procedures will be determined by and at the discretion of the Assistant Vice President for Student Services, University Title IX Coordinator or the Equal Employment Opportunity Office of EEO. Additionally, other administrators may be consulted to assist with the investigation.~~

~~h. After the investigation is complete, the Assistant Vice President for Student Services, University Title IX Coordinator or Equal Employment Opportunity Office of EEO or designee will provide a written determination notice in writing to the student who has filed the grievance complaint, the accused parties/Responding Party, and the appropriate administrators of the following:-~~

~~i. Determination of the outcome;~~

~~ii. The finding of the Office of EEO is final and not appealable by either party;~~

~~iii. In the event of a finding of a violation of TTUHSC OP 51.02 or TTUHSC 51.03 is made, appropriate disciplinary action will be taken as determined by the appropriate administrator; and~~

~~iv. If either party disagrees with the imposed disciplinary action or lack thereof because the disciplinary action imposed substantially varies from the range of disciplinary actions normally imposed for similar infractions, he or she may appeal within five days to the Title IX Coordinator. However, if the disciplinary action recommended is tenure revocation, proceedings will be pursuant to TTUHSC OP 60.10.~~

~~i. The findings of the Assistant Vice President for Student Services or the Office of Equal Employment Opportunity is final and not appealable. The Reporting Party and Responding Party will be simultaneously notified in writing of any changes to the results that occur prior to the time such results become final, and when such results become final.~~

~~In the event a finding of a violation of this policy is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.~~

~~3. Any disciplinary taken in connection with a grievance complaint filed pursuant to this policy shall be reported in writing to the Assistant Vice President for Students, University Title IX Coordinator and the Office of Equal Employment Opportunity/EEO at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via copy of a counseling or other written disciplinary action, resignation, termination document, etc.~~

~~4. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists, the student should contact the University Title IX Coordinator or Officer of Equal Employment Opportunity/EEO. Likewise, in the event the student believes unlawful retaliation for filing a grievance complaint has taken place,~~

the student should contact the ~~Vice President for Student Services~~ University Title IX Coordinator or the Office of Equal Employment Opportunity EEO, and/or file a grievance for retaliation.

5. In the event of a finding of a violation of this policy, the University Title IX Coordinator or Office of Equal Employment Opportunity EEO will follow up with the grievant student within 60 days to ensure that the complained of behavior has ceased.

~~1. In addition, in complaints of Sexual Misconduct against employees the provisions of TTUHSC OP 51.03 (5)~~

~~(b) shall apply and control. Grievances and Investigations — Complaints Involving Other Students Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part II and Part IV, B, as applicable. Section B of this Part IV of the Student Handbook contains the processes and procedures pertaining to Sexual Misconduct involving other StuC. Sexual Misconduct Complaints Process Involving Other Students~~

1. Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part II and Part IV, B, as applicable. This Section B of this Part IV, C, of the Student Handbook contains the processes and procedures pertaining to Sexual Misconduct involving other Students.

2. These procedures are entirely administrative in nature and are not considered legal proceedings.

3. All complaint investigations and procedures will be non-adversarial in nature. Additionally, mediation will not be used to resolve complaints.

4. Jurisdiction:

a. Part IV of the Student Handbook shall apply to conduct that occurs on TTUHSC premises, at TTUHSC sponsored activities, and to off-campus conduct that adversely affects TTUHSC and/or pursuit of its objectives. On a case-by-case basis, the Title IX Coordinator or the Deputy Title IX Coordinator for Students and/or his/her designee, in his or her sole discretion, shall determine whether this Part IV of the Student Handbook should be applied to conduct occurring off premises. Part IV may also be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. TTUHSC does not regularly search for this information but may take action if and when such information is brought to the attention of University officials.

b. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Part IV of the Student Handbook

shall apply to persons who withdraw after alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with TTUHSC, or who have been notified of their acceptance.

c. This Part IV. BC. of the Student Handbook refers to processes and procedures pertaining to Sexual Misconduct. For all other types of misconduct, refer to Part II of the Student Handbook.

35. Timelines

a. It is recommended that reports of Sexual Misconduct should be received by the Title IX Coordinator or the Deputy Title IX Coordinator for Students within ten (10) university working days of the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incidents.

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

6. Standards of Evidence

The proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. The standard of proof used in TTUHSC proceedings in Part IV. BC. of the Student Handbook is the preponderance of evidence. The term "preponderance of evidence" is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

7. Reporting Allegations of Sexual Misconduct

To file ~~allegation(s)~~ a complaint of Sexual Misconduct against student(s) or student organization(s), individuals should complete the complaint form at <http://www.ttuhsoc.edu/title-ix/>. ~~must complete a Complaint of Sexual Misconduct form that can be found as Appendix A in the Student Handbook. The written allegation should describe the action or behavior in question.~~ Individuals may also file a report in person at 3601 4th Street, Room 2C400 located in the Office of Student Services. However, even if a formal complaint is not filed, the University Title IX Coordinator or Deputy Title IX Coordinator for Students may conduct an investigation regarding the allegation, at his or her discretion.

8. Confidentiality

a. The confidentiality of both the Reporting Party and the Responding Party will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of Sexual Misconduct, to protect the University Community, and to the extent allowed by law. However, because the University also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, many ~~University~~ University employees have mandatory reporting and response obligations and may not be able to honor a Reporting Party's request for confidentiality. The Title IX Coordinator will evaluate requests for confidentiality.

b. The willful and unnecessary disclosure of confidential information by anyone, including the Reporting Party or Responding Party, may affect the integrity of the investigation.

c. Students may make confidential reports to the ~~University Student Counseling Center~~ Program of Assistance for Students (PAS). Likewise, employees may make confidential reports through the Employee Assistance Program.

All Reporting Parties may also make confidential reports to local rape crisis centers or to other licensed clinical and/or mental health professionals acting in their professional role of providing those services.

9. Anonymity

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

10. Reporting Criminally

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

Nothing in this policy shall limit a person from seeking assistance or filing a complaint with an outside agency.

Administrative Agencies:

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>
U.S. Equal Employment Opportunity Commission	1-800-669-4000	300 E. Main Dr. Suite 500 El Paso, Texas 79901
Texas Workforce Commission	512-463-2222	101 E. 15th Street Austin, Texas 78778
U.S. Department of Education, Office of Civil Rights	214-611-9600	1999 Bryan Street Suite 1620 Dallas, Texas 75201

Law Enforcement Agencies:

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>
TTU Police Department	806-742-3931	413 Flint Avenue Lubbock, Texas 79409
Lubbock Police Department	806-775-2865	916 Texas Avenue Lubbock, Texas 79401
Lubbock County Sheriff's Department	806-775-1400	811 Main Street P.O. Box 10536 Lubbock, Texas 79407
Texas Department of Public Safety	512-424-2000	5805 North Lamar Blvd. Austin, Texas 78752

11. Amnesty Provisions

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

- Victims of misconduct who were engaging in minor policy violations, such as underage drinking or drug use, at the time of the incident;
- Examples of the amnesty provision include, but are not limited to: • Students who offer assistance to others by calling medical personnel or law enforcement; or,
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University TTUHSC promptly to any conduct incidents or reports.

Abuse of amnesty provisions can result in a violation of the Code of Student Conduct. Amnesty does not preclude students from being charged with allegations of misconduct related to Actions against Members of the University Community and Others. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, or actions required to comply with professional ethic requirements. Amnesty does not preclude students from being required to meet with University (OM10) TTUHSC staff and to participate in conditions such as counseling. The Deputy Title IX Coordinator for Students can assist with questions related to amnesty provisions.

12. Conduct Procedures/Considerations for Sexual Misconduct Procedures

a. Intake and Initial Inquiry

Upon notice of an alleged Sexual Misconduct, the Deputy Title IX Coordinator for Students will appoint a Title IX Investigator to review allegations of Sexual Misconduct. The Deputy Title IX Coordinator for Students, in his or her sole discretion, may appoint more than one Title IX Investigator or co-investigators to review an allegation of Sexual Misconduct. Reported allegations of misconduct have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. The Title IX Investigator will inquire, gather and review information about the reported student Sexual Misconduct and will evaluate the accuracy, credibility, and sufficiency of the information. Incidents will not be forwarded for to a hearing officer unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Reporting Party statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to any individual involved to clarify the policy that was in question. Unsupported allegation with no credible information will not be forwarded to a hearing. When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Title IX Investigator will investigate the reported incident to fullest extent of the information available. When a Reporting Party is identified but is reluctant and/or refuses to participate in the investigative process and/or the Sexual Misconduct process entirely, TTUHSC will make every attempt to follow the wishes of the Reporting Party while weighing the interests of the university community and the possibility of a continuing threat. If the Reporting Party does not want to participate in the investigative process but has no aversion to TTUHSC pursuing conduct action with respect to the named Responding Party, TTUHSC will proceed with the Sexual Misconduct process to the extent of the information available.

ab. Remedies and Resources

i. Remedies

TTUHSC will take immediate action to eliminate hostile environments, prevent reoccurrence and address any effects on the victim and community. This may include immediate steps to protect Reporting Parties even before the final outcome of the investigations, including prohibiting the Reporting Party from having any contact with the Responding Party. These steps will attempt to minimize the burden on the Reporting Party while respecting due process rights of the Responding Party. Remedies for students may include, but are not limited to counseling

services, victim's advocate assistance, modifications to parking assignments, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

ii. No Contact Orders

When initial inquiry indicates persistent and potentially escalating conflict between two members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Deputy Title IX Coordinator for ~~Students~~ DM11 via the student's official TTUHSC email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Deputy Title IX Coordinator for Students. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the No Contact Order. Failure to comply with the No Contact Order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of No Contact Orders may also result in possible violation(s) under Part II of the Student Handbook, and/or a referral to the Texas Tech Police Department during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

iii. Resources

~~Sexual Violence.~~ TTUHSC has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or Lubbock Police Department, counseling services, medical assistance, student legal services, academic support referrals, and other support services.

be. Interim ~~Actions~~ Measures

The Reporting Parties may request and ~~the University~~ DM12 TTUHSC may implement interim measures, as may be necessary to assure the safety and well-being of the participants in the complaint process, to maintain an environment free from harassment, discrimination, or retaliation, and to protect the safety and well-being of the University Community. The Title IX Coordinator or Deputy Title IX Coordinator for Students will decide if and what interim measures are necessary. Additionally, other appropriate University officials may be consulted regarding interim measures. Such interim measures may include, but are not limited to:

- Separating the Reporting Party's and Responding Party's academic interactions/situations;
- Forbidding contact between parties involved in a complaint; or
- Suspending the right of the Responding Party to be present on campus or otherwise altering the University status of the Responding Party.

Other interim measures may be implemented depending on the Responding Party's relationship with the University. These interim measures may be kept in place through the conclusion of any review, investigation, or appeal process. Interim measures can be implemented regardless of whether or not the Reporting Party pursues formal University or criminal action.

c. Immediate Temporary Suspension — ~~Students for Students~~

A ~~student-student~~ student may be temporarily suspended and/or referred to the Texas Tech Police Department pending completion of conduct procedures if, in the judgment of the Deputy Title IX Coordinator for Students, or on recommendation of a Title IX Investigator, the physical or emotional well-being of a student or other students or members of the university community could be endangered or if the presence of the student could significantly

disrupt the normal operations of ~~TTUHSC~~TTUHSC. The Deputy Title IX Coordinator for Students or his/her designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) university working days from the date of temporary suspension. A student who receives an interim suspension may request a meeting with the Deputy Title IX Coordinator for Students or his/her designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the ~~University~~ ~~DM13~~ ~~DM14~~ TTUHSC ~~may will~~ still proceed with ~~the scheduling of a campus Hearing~~conduct proceedings. Upon immediate temporary suspension, the student may no longer attend classes, use TTUHSC or TTU services and/or resources, and is not allowed to be on campus until the conduct proceedings under Part IV have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Deputy Title IX Coordinator for Students and the Texas Tech Police Department. Conduct, on or off campus that typically results in interim suspension under Part IV includes but is not limited to:

- i. A significant and articulable threat to the health or safety of a student or other member(s) of the university community;
- ii. Sexual Assault, other forms of Sexual Misconduct that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;
- iii. Violation of a No Contact Order; or
- iv. Retaliatory harm, discrimination or harassment

d. Notice of Involvement.

When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Title IX Investigator. In addition to other possible sanctions, conditions and/or restrictions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Title IX Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent the Deputy Title IX Coordinator for Students from proceeding with disciplinary process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply in Part II of the Student Handbook.

e. Student Rights and Responsibilities

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

A student has a right to:

- i. A prompt, fair, and equitable process;
- ii. Be accompanied by an advisor to any meeting or Hearing an "advisor" can be any one of the following: a member of TTUHSC Community (faculty, staff, or student), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support –

he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the hearing on behalf of TTUHSC. The Reporting Party and/ or Responding Party is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing unless authorized by the Hearing Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Hearing Officer upon written request five (5) University business ~~DM15~~ working days in advance of the scheduled hearing date.

iii. Students are expected to cooperate with the University ~~DM16~~ TTUHSC Sexual Misconduct process, but may elect not to participate in the investigation process, either in part or entirely. ~~In other words~~ However, if a student chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party. NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.

iv. The opportunity to provide information and evidence in support of his/her case;

v. Know if they have been issued any allegations of misconduct;

vi. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;

vii. Know the TTUHSC conduct policies and procedures, and where to find them;

viii. Know that any information provided by the student may be used in a conduct proceeding;

ix. Know that if a student makes any false or misleading statement(s) during the investigation or Hearing the student will be subject to further disciplinary action under Part II of the Student Handbook.

It is the student's responsibility to:

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

13. Investigation Procedures

a. Intake and Initial Inquiry

Upon notice of alleged Sexual Misconduct, the Deputy Title IX Coordinator for Students will appoint a Title IX Investigator to review the allegations. The Deputy Title IX Coordinator for Students, in his or her sole discretion, may appoint more than one Title IX Investigator or co-investigators to review an allegation of Sexual Misconduct. Reported allegations of misconduct have varying degrees of complexity and severity. Therefore, the investigation and

resolution procedures described below may vary. The appointed Title IX Investigator(s) will inquire, gather and review information about the reported student Sexual Misconduct and will evaluate the accuracy, credibility, and sufficiency of the information.

The Title IX Investigator will conduct an initial meeting with the Reporting Party and inform him/her of on and off-campus resources, immediate safety and security measures, procedural options, and the University ^(DM17) TTUHSC policy regarding retaliation. If the Reporting Party is not willing or able to submit his/her complaint in writing, notes taken by the Title IX Investigator may be used to initiate an investigation.

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

When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Title IX Investigator will investigate the reported incident to fullest extent of the information available. When a Reporting Party is identified but is reluctant and/or refuses to participate in the investigative process and/or the Sexual Misconduct process entirely, TTUHSC will make every attempt to follow the wishes of the Reporting Party while weighing the interests of the University Community and the possibility of a continuing threat. If the Reporting Party does not want to participate in the investigative process but has no aversion to TTUHSC pursuing conduct action with respect to the named Responding Party, TTUHSC will proceed with the Sexual Misconduct process to the extent of the information available.

b. Formal Investigation

A trained Title IX Investigator will conduct a thorough, reliable, and impartial investigation of the reported incidents including meeting with the party bringing the ~~Complaint~~ complaint to finalize the Reporting Party's statement, interview witnesses, collect evidence, create timelines, and receive information from the Responding Party. ^(DM18)

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

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

Once the investigative process is complete, the Title IX Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Title IX Investigator will document any physical or electronic evidence in a manner that is conducive and un-obstructive to concurrent or forthcoming police investigations.

Reporting Parties and Responding Parties ~~A student~~ will have access to the completed Investigation Report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, Reporting Parties and Responding Parties ~~students~~ are not given copies or Investigation Reports and/or investigative materials.

14. Informal Administrative Resolution

The Informal Resolution process is voluntary. If after the ~~Initial~~ initial inquiry/inquiry/investigation investigation, the Responding Party accepts responsibility for the allegations of the Code of Student Conduct outlined in an Investigation Report, and the Reporting Party agrees, the ~~student~~ Responding Party can choose to resolve the issue informally.

During Administrative Resolution, the Deputy Title IX Coordinator for Students will, in consultation with the appropriate University dean, review the Investigation Report and, if applicable, propose findings and specify appropriate sanctions. The Responding Party may be given up to three (3) days to review the informal resolution and decide if they would like to accept or decline the proposed findings and sanctions.

Should the ~~student~~ Reporting Party wish to participate in the Informal Resolution ~~Process~~ process, the Title IX Investigator conducting the initial inquiry/investigation will inform the student of the proposed findings and appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the Responding Party waives their right to a formal resolution, the process ends, the finding is final, and there is no appeal. The case will only be reopened if new material, previously unavailable is presented. ~~The Informal Resolution, or any other form of mediation will not be utilized to resolve cases involving Title IX allegations, such as sexual harassment, sexual violence, or other forms of Sexual Misconduct.~~

15. Hearing Procedures

a. Prehearing/Formal Allegations Assigned

Once the investigative process is complete, if the case is not otherwise resolved through informal resolution, ~~the student~~ Reporting Party and the Responding Party will be given notice of a Pre-Hearing Meeting scheduled outside of the ~~student's parties'~~ academic schedules. Should the Reporting Party or the Responding Party ~~students~~ not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and Hearing. During this meeting, the Reporting Party and the Responding Party ~~students~~ will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the ~~Administrative or University Discipline Hearing~~. Other documents include notification of Responding Party's allegations, ~~name of Hearing Officer~~ list of potential Hearing Officers panel, and Hearing ~~script~~ Script. Following the Pre-Hearing, the Reporting Party and the Responding Party ~~student(s)~~ will be notified, via the notification procedures, outlined in the Student Handbook of a date, time, and location of the Hearing.

While ~~students~~ the Reporting Party and the Responding Party may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Title IX Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a Reporting Party or Responding Party student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Hearing, the ~~student~~ party should inform the Title IX Investigator immediately. If the new information is pertinent to the consideration of the case, the Title IX Investigator will determine whether the new information should be included in the Investigation Report or presented

verbally during the Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Hearing.

Formal Allegations will be assigned during the Pre-Hearing per the information and evidence gathered during investigation. Allegations are assigned for deliberation in the Hearing by the Hearing Officers to determine the student's Responding Party's responsibility for misconduct. An Allegation Letter will be provided to the student Responding Party in the Pre-Hearing Meeting or via other methods of notice. The Title IX Investigator will schedule the Final Hearing no sooner than five (5) university working days from the date of the last Pre-Hearing. The five-day period can be waived by the Deputy Title IX Coordinator for Students upon consultation with the involved student(s) parties.

b. Hearing

After proper notice has been given to the Reporting Party and the Responding Party students, TTUHSC may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Responding Party's alleged misconduct and if appropriate, decide appropriate sanctions, conditions, and/or restrictions, deliver a decision or recommendation respectively. The Deputy Title IX Coordinator for Students shall appoint a panel of three Hearing Officers to conduct a Hearing under in accordance with Part IV of this Handbook. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a sexual misconduct case in accordance with this Handbook. If there is a conflict of interest, or appearance thereof, with one of the selected Hearing Officers, that person will recuse themselves and the Deputy Title IX Coordinator for Students shall appoint another person to the panel. Additionally, both the Reporting Party and the Responding Party may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the Title IX Coordinator or Deputy Title IX Coordinator for Students within three (3) days after notice has been given to the parties of the panel members. The Title IX Coordinator will weigh these issues and resolve them accordingly. No party has a right to disqualify a Hearing Officer panel member absent a demonstrated bias.

The Hearing may be held and a decision or recommendation made, regardless of whether the Reporting Party or the Responding Party the student responds, fails to respond, attends the hearing or fails to attend the hearing. Should the Reporting Party or the Responding Party the student fail to attend the Hearing, the Hearing Officers may consider the information and render a decision.

Hearings are closed to the public. Both the Reporting Party and Responding Party have the right to be present at the Hearing; however, they do not have the right to be present during the deliberation. Arrangements can be made so that Reporting Party and Responding Party do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, students the parties should contact the Deputy Title IX Coordinator for Students not less than three (3) days prior to the scheduled hearing Hearing.

As provided in further detail in the Title IX Hearing Script, The the Title IX Investigator presents the investigation report, evidence, witnesses, allegations, and questions for deliberation in the Hearing. The Hearing Officers may question the Title IX Investigator, Reporting Party, Responding Party and any witnesses throughout the Title IX Investigation. The Reporting Party and Responding Party do not have the right to question each other nor witnesses directly but may do so through the Title IX Investigator. The Reporting Party and Responding Party have the right to add or make additional comments about the facts of the case. The Hearing Officers may ask questions to all parties parties through the Title IX Investigator. Should new evidence be presented without prior discussion with the Title IX Investigator, the hearing Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officers remove a stu-dent due to misconduct in the hearing process (Reporting Party, Responding Party, or witnesses) the alleged

misconduct will be forwarded to the Deputy Title IX Coordinator for Students or his/her designee. In regard to removal of the student, the Deputy Title IX Coordinator for Students or his/her designee will forward the alleged misconduct to the appropriate student conduct administrator, who will follow the conduct process in Part II of the Student Handbook in regard to adjudication of the alleged misconduct.

Following the ~~hearing~~Hearing, the Hearing Officers will deliberate and will render a finding of Responsible or Not Responsible for the Responding Party's decision in regard to the alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. The Hearing Officers will inform the Deputy Title IX Coordinator for Students in writing within five (5) University working days of the decision(s). Outcomes of the Hearing will be provided to the Reporting Party and the Responding Party student(s) in writing within five (5) University working days of the conclusion of the Hearing.

Either the Reporting Party or Responding Party may utilize Disciplinary Appeal Procedures outlined in sub-section "d" below.

c. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

The Hearing Officers may impose sanctions, including but not limited to those described in Part II of the Student Code, conditions and/or restrictions as a result of a Hearing where the student-Responding Party is found responsible.

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

All records concerning a student or student organization related to the disciplinary process will remain on file with the Deputy Title IX Coordinator for Students for a minimum of seven (7) years from the date the case is completed through a Hearing and/or disciplinary appeal procedures.

d. Conduct Appeal Procedures

Either the Reporting Party or Responding Party A student may appeal the decision or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officers by submitting a written appeal to the Executive Vice President of Academic Affairs or his/her designee within five (5) University working days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

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

~~Either the Reporting Party or Responding Party may appeal the decision of the Hearing Officer. The Deputy Title IX Coordinator for Students will provide the request for appeal to the other party and provide opportunity for response.~~

The Executive Vice President of Academic Affairs will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, ~~with adequate accompanying evidence~~. If any of these requirements are not met, the appeal will be dismissed, and the original decision of the Hearing Officers will be final. If an appeal is granted, the results of the appellate process as outlined below will be final.

If the Executive Vice President of Academic Affairs ~~designated appeal officer~~ determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officers to reconsider the new evidence, or may order a new Hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the sanctions, conditions, and/or restrictions. The Hearing Officers or designee will notify the student of the outcome using the written notice procedures within eight (8) University working days of the decision. The decision is final and may not be appealed. If a new Hearing is ordered, all hearing ~~Conduct P~~rocedures in Part IV.C.15 will be followed. The Hearing Officers will notify the student-Reporting Party and Responding Party of the outcome using the written notification procedures within five (5) University working days of the decision. The decision of the ~~new~~ Hearing Officers is final and may not be appealed.

If the ~~Executive Vice President of Academic Affairs or designee~~ determines that a material procedural or substantive error has occurred, he/she may return the complaint to the original hearing officers with instructions for another hearing in light of the appellate findings. All hearing ~~Conduct Procedures~~ described in Part IV will be followed. The original Hearing Officers will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of the decision. This decision is final and may not be appealed. In those cases in which the error cannot be cured by the original Hearing Officers (i.e., some cases of bias), the Executive Vice President of Academic Affairs or designee may order a new hearing with new panel of Hearing Officers. If a new Hearing is ordered, all hearing ~~Conduct Procedures~~ in Part IV will be followed. The new Hearing Officers or designee will notify the student in writing of the outcome within five (5) University working days of the decision. The decision of the new Hearing Officers is final and may not be appealed.

If the Executive Vice President of Academic Affairs determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the Executive Vice President of Academic Affairs or designee may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officers or convening a new Hearing. The Executive Vice President of Academic Affairs will notify the student in writing of the outcome using the written notification procedures within five (5) University working days of ~~the his/her~~ decision. The decision of the Executive Vice President of Academic Affairs is final and cannot be appealed.

The Deputy Title IX Coordinator for Students shall make all reasonable efforts to timely notify the student(s) Reporting Party and Responding Party of the status of the appeal throughout the appellate process, and shall make all reasonable efforts to notify the students parties as to the result of the appeal within five (5) University working days after the final decision is rendered. ~~The appeals officer's decision is final.~~

16. Follow up

a. After the judgment and sanctions become final and all appeals, if any, are exhausted, the Reporting Party shall be advised that if the complained of activity persists, the party should contact the Deputy Title IX Coordinator for Students. Likewise, in the event the student believes retaliation for filing a complaint has taken place, they should contact the Deputy Title IX Coordinator for Students.

b. The Deputy Title IX Coordinator for Students will follow up with the Reporting Party within sixty (60) days after conclusion of the matter to ensure that the complained of behavior has ceased.

PART V. STUDENT RECORDS

A. General Policy

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

B. Address of Record

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official university requirements. Students should maintain a current local address and telephone number that is used by university officials, and/or student organizations and the campus community.

C. Student Access to Educational Records

All current and former students of the university have the right to access their educational records as provided by law.

Notification of Rights under FERPA for Postsecondary Institutions the Family Educational Rights and Privacy ACT (FERPA) afford eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center receives a request for access. A student should submit to the Office of the Registrar a request by completing and submitting HSC OP 77.13 Attachment B that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

- a. Generally if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.

- b. Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.

2. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by ~~the [School]~~ Texas Tech University Health Sciences Center in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include

a volunteer or contractor outside of the ~~{School}~~ Texas Tech University Health Sciences Center who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the ~~{School}~~ Texas Tech University Health Sciences Center.

~~[Optional] Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE TO POSTSECONDARY INSTITUTION: FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school states in its annual notification that it intends to forward records on request.]~~

3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the ~~{School}~~ Texas Tech University Health Sciences Center to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Center
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

4. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.

5. Personally identifiable information such as rank in class, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student.

D. Records Not Accessible to Students

The following are records not accessible to students:

1. Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

2. Records of the Texas Tech Police Department, subject to the provisions of 34 C.F.R. 99.8;

3. Records relating solely to an employee of TTUHSC in his/her capacity as an employee that are not available for any other purpose, unless the Student is employed as a result of his/her status as a Student;

4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and

5. Alumni records or other records that contain information about an individual after he/she is no longer a Student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

E. Disclosure of Education Records

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution Texas Tech University may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within Texas Tech University Health Sciences Center whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31 (a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or-State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31 (a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a)(6))
- To accrediting organizations to carry out their accrediting functions. ((§99.31 (a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31 (a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31 (a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))

- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31 (a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31 (a)(15))

F. Student's Request to Amend Records

Students have the right to request an amendment of their educational records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student Handbooks for each School and the TTUHSC Student Handbook/Code of Professional Conduct. The request is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed to amend the records.

1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. If the result of the informal discussion with the Office of the Registrar is not satisfactory to the Student, and the Student still wishes to have the record corrected, the Student should submit a Student Request to Amend Education Records form HSC OP 77.13 to the Executive Vice President for Academic Affairs or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the Student believes the record is inaccurate, misleading or in violation of his/her privacy rights. [Note: The substantive judgment of a faculty member regarding a Student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for Students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student handbooks for each School and the TTUHSC Student Handbook/ Code of Professional Conduct.]
3. After receiving the written request from the Student for a change in his/her Education Records, the Executive Vice President for Academic Affairs ("EVPAA") or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the Office of the Registrar, the ESVPA or designee will provide written notification to the Student whether or not TTUHSC will implement the change. If not, the ESVPA or designee will notify the Student of the right to a hearing to challenge the information believed by the Student to be inaccurate, misleading, or in violation of the Student's rights.
4. Upon receiving a written request from the Student for a hearing, the ESVPA or designee shall arrange for a hearing and provide written notice to the Student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:
 - a. The hearing shall be conducted by a hearing official or committee appointed by the President or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the Student or the Office of the Registrar.

b. At least five (5) days prior to the date scheduled for the hearing, the Student and the Office of the Registrar, shall submit to each other, as well as to the hearing official or committee, any and all pertinent documents and a list of witnesses and advisors who are to be involved in the hearing process. The Student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. If the Student has an advisor, the Office of General Counsel shall represent the University. The Student and the Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the Parties are not permitted to speak or participate directly in the hearing.

c. At the hearing, the Student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the Student.

d. Any additional information regarding the hearing procedures will be provided to the Student when notified of the right to a hearing.

e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the Student, the Office of the Registrar, and the S-EVPAA or designee. The decision must include a summary of the evidence and the reasons for the decision. If, as a result of the hearing, the hearing official or committee determines that the information in the Education Record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the Student, the Student will be notified of the right to place a statement in the record contesting the information in the record or stating why the Student disagrees with the decision of the agency or institution, or both. Any statement provided by the Student shall be maintained with the contested portion of the record for as long as the record is maintained. In the event the contested portion of the record is later requested, the statement shall be disclosed with the record to the extent it pertains to the contested portion.

G. Release of Student Directory Information

The following student information is considered Texas Tech University Health Sciences Center Directory Information:

1. Student Name
2. Permanent and Local Addresses
3. Telephone Numbers
4. Classification
5. Major Field of Study
6. Dates of Attendance
7. Degrees, Awards, and Honors Received
8. Specific Enrollment Status
 - a. Full-time, Part-time, Half-time
 - b. Undergraduate, Graduate
9. Participation in Officially Recognized Sports and Activities
10. Previous Institution's Attended
11. Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld by submitting a completed HSC OP 77.13 Attachment A, Student Consent to Release Education Records, or by restricting personal directory information at WebRaider.ttuhs.edu on the MyTech tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as "directory information". To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information prior to the 12th class day in the fall term. Restricted directory information will remain restricted until the students unrestricts the information.

H. Destruction of Records

The university constantly reviews the "educational records" it maintains and periodically destroys certain records. The university will not destroy records if prohibited by state or federal law. The student's basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Student Judicial Programs office. Student Disability Services records are maintained for three years after the last date of enrollment.

I. Letters of Recommendation

1. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
2. Under the Family Educational Rights and Privacy Act 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.

J. Medical Records

Medical records are maintained for students seen by a Student Health Services provider. Information contained in the medical record is completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by law. Students needing to request a copy of their medical records may contact Student Health Services at (806) 743-2860.

**PART VI. REGISTRATION OF
STUDENT ORGANIZATIONS**

A. Conditions for Registration

1. Student organizations wishing to register with the Texas Tech University Health Sciences Center must file an application with the Office of HSC Student Services. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center.
2. This application shall contain, but not be limited to, the following information:
 - a. A statement of the organization's purposes;
 - b. Any present or intended relation the organization may have to any other local, state, or national organization;
 - c. The organization's proposed activities;
 - d. A list of the organization's officers;
 - e. A copy of the organization's constitution/bylaws;
 - f. A copy of the constitution/bylaws of any related organization if any; and,
 - g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
3. Membership in the organization shall be open only to students of Texas Tech University Health Sciences Center without regard to race, religion, sex, handicap or national origin, except in cases of designated fraternal organizations which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.
4. The organization shall not duplicate the purposes and functions of a previously registered organization unless need for such duplication is substantiated.
5. All funds allocated to the organization from TTUHSC controlled sources must be maintained in a TTUHSC account.
6. The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization and be lawful and peaceful in its activities.
7. The organization shall not use the name of the Texas Tech University Health Sciences Center, logotype, or symbols of TTUHSC as part of its name or in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC. The organization is permitted to use the word "TTUHSC Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSC." Requests to use logos or symbols protected by TTUHSC, Texas Tech University or the Texas Tech University System shall be submitted to Office of the Vice Chancellor for Institutional Advancement.
8. Registration of an organization results from compliance with these regulations; it does not imply TTUHSC approval of the organization or its activities.

B. Faculty or Staff Advisor

Each registered organization shall have a TTUHSC full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to attend organization meetings and functions as often as possible, to certify the expenditures of the organization by co-signing checks or vouchers, to offer suggestions regarding the operations of the organization and to oversee adherence to TTUHSC regulations and the organization's constitution and bylaws.

C. Conditions for Maintaining Registration

1. In order to maintain its registration, a student organization shall comply with the following requirements:
 - a. The organization shall file a list of its current officers and advisor within one (1) month of the first day of classes of the fall semester each year. The current president of the organization, or his or her designated representative shall file notification of subsequent changes, when such changes occur.
 - b. The organization shall submit to the Office of TTUHSC Student Services for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds or changes in membership requirements.
 - c. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center.
 - d. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the application.
 - e. The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center regulations and state statutes.
 - f. The organization shall be responsible for the observance of all applicable TTUHSC regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.
 - g. The Office of TTUHSC Student Services may withdraw the registration of an organization for non-compliance with University policies and procedures.

D. Denial of Registration

1. No student organization will be officially registered with the Texas Tech University Health Sciences Center if the Office of TTUHSC Student Services determines that the organization's actions or activities are detrimental to the educational purposes of the University or not in accordance to the Student Handbook.
2. If registration is denied, the designated president and advisor of the applying organization shall be notified of the decision by the Office of TTUHSC Student Services in writing. The applying organization may appeal in writing to the Executive Vice President for Academic Affairs within five (5) business days from the date of the denial letter. The decision of the Executive Vice President for Academic Affairs is final.

**PART VII. USE OF UNIVERSITY SPACE,
FACILITIES AND
AMPLIFICATION EQUIPMENT**

1. Space and Facilities

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is permitted and encouraged for activities which are intended to serve or benefit the entire University community.

b. TTUHSC buildings, grounds, or property may not be used by individuals or organizations not connected with TTUHSC.

c. Outside individuals or groups who are not faculty, staff or a currently enrolled student may attend functions held on TTUHSC property, but to be eligible for use of campus facilities, the function must be sponsored or cosponsored by, and affiliated with, a recognized TTUHSC department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, participation in, planning, coordination, and implementation directly by members of the sponsoring organizations. Sponsors are directly responsible for ensuring that activities and events comply with TTUHSC requirements for liability insurance, hold-harmless agreements, financial responsibility for property damage, etc.

d. Permission to use campus space facilities may be granted only by the offices designated by TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person.

e. TTUHSC reserves the right to move the location of any assembly should it appear that the activity might interfere with the normal operations of TTUHSC or interfere with the rights of others. The use of buildings, grounds or TTUHSC property must conform to these regulations and to local, state and federal law.

f. Although TTUHSC is generally an open campus for purposes of student, faculty and staff free expression activities, students, faculty and staff are encouraged, and person and groups not affiliated with TTUHSC are required, to use the Forum Areas of the campus for free expressions activities. Forum Areas for each campus are set forth in TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment.

g. With the exception of free expression activities mentioned above, reservations must be made for the use of TTUHSC premises and must be in accordance with TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment. The term "TTUHSC premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSC (including adjacent streets and sidewalks).

**PART VIII. SOLICITATIONS,
ADVERTISEMENTS AND PRINTED
MATERIALS**

Solicitation and sales and services on University premises or in University-owned or University-controlled buildings are prohibited without prior written approval from the Office of Student Services. This includes financial planners, mortgage vendors and other financial services. The distribution of advertising leaflets or handbills or the use of sound trucks and equipment to promote sales on University premises is also prohibited without prior approval from the Office of Student Services.

PART IX. STUDENT TRAVEL POLICY

A. TTUHSC OP 77.08, *Student Travel Policy*

1. TTUHSC OP 77.08 regulates any travel undertaken by one or more students presently enrolled at TTUHSC to an activity or event that is located more than 25 miles from the campus of TTUHSC. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC.

2. Modes of travel by students to events or activities as defined above include:

- a. personally-owned vehicles;
- b. rental cars, vans, chartered buses;
- c. commercial airlines; and
- d. use of TTUHSC-owned vehicle.

3. The purpose of this policy is to help minimize the risks of liability connected with motor vehicle travel by University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization. The HSC OP does not create a claim or cause of action against TTUHSC or its employees, and TTUHSC retains all defenses to any such action including, but not limited to, sovereign immunity.

B. Travel Using University Owned Vehicles

1. *Appropriate Use.* Only persons who are acting within the course and scope of University-related activities should use university vehicles, owned, rented, leased by, or loaned to, the system or its components.

2. *Drivers.* Because of the risks of personal injury, it is required that only those persons whose names appear on the approved driver's list be asked or allowed to use University-owned motor vehicle owned, rented, leased by, or loaned to, the system or its components. If students will be using state-owned or rental vehicles, the following is required:

- a. The requesting department or unit must submit a completed request through the Texas Techy Vehicle Operating System (<https://apps.texastech.edu/vos/>)
- b. Qualifications for drivers of all University or rental vehicles are as follows:
 - i. Must possess a valid (Texas or other U.S. state or District of Columbia) driver's license, be at least 18 years of age and have held a valid license for at least two years;
 - ii. Must comply with driver record check requirements on an annual basis.
 - iii. Must have available documentation of current personal insurance;
 - iv. Must sign a disclosure statement;
 - v. Must not have any moving violations within the last 18 months,

- vi. Are required to report any driving violations to their immediate supervisor within five days of the occurrence. This includes violations that occur while driving a vehicle not owned, rented, leased by, or loaned to, the University;
 - vii. Must not have had any conviction for driving while intoxicated, driving under the influence of drugs or reckless driving for two years prior to the request to use or operate a TTUHSC vehicle as described above in 2.a;
 - viii. Must not have had a reinstated license in effect for less than one year after a revocation.
 - ix. Must not have a suspended license.
- c. Additional qualifications for drivers of vans equipped for 15 passengers are:
- i. Must be at least 21 years of age and held a valid license, as defined in 2.a. for at least two years;
 - ii. Must comply with Motor Vehicle check on an annual basis;
 - iii. Must successfully complete a 15-passenger Van drive training course;
 - iv. Must attend retraining annually;
 - v. Must not have any moving violation in the last 18 months; and
 - vi. Must successfully pass a drug test.

3. Operator Conduct.

a. Operators of University vehicles must take a 15-minute break every 3 hours and may drive no more than 10 hours in a 24-hour period. When the vehicle driven is a van with passengers, a second person must remain awake at all times and ride in the front passenger seat.

b. Those who operate a University vehicle represent the University to the general public. The image conveyed does affect the University; therefore:

- i. **SHALL NOT** use University vehicles for personal transportation or business;
- ii. **SHALL NOT** allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;
- iii. **SHALL NOT** pick up hitchhikers or transport family members or any unauthorized passenger;
- iv. **SHALL NOT** allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;
- v. **SHALL** observe all traffic rules and regulations;
- vi. **SHALL** drive carefully, safely, and courteously;
- vii. **SHALL** require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;
- viii. **SHALL NOT** operate the vehicle unless all occupants are wearing the appropriate restraints; and,
- ix. **SHALL NOT** allow the number of passengers to exceed the authorized capacity of the vehicle;

x. The driver **SHALL NOT** use a cell phone, other type of communication device, or other electronic equipment when the vehicle is moving. The driver is only permitted to use these types of items when the vehicle is stopped and safely pulled off to the side of the road and parked. Care should be exercised when using GPS or any instrumentation that distracts the driver.

c. When a vehicle is damaged through operator misuse or operated by a person under the influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

d. Use common sense when driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

4. *Collision Reporting.* The following procedures should be followed whenever a University vehicle is involved in an accident, regardless of the extent of damage.

a. Stop immediately and notify local police so that an official report can document the accident;

b. Take necessary steps to prevent another accident;

c. Use the motor pool card with instructions on the front and numbers to call on the back;

d. Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;

e. Obtain names and addresses of all witnesses;

f. Provide all required information to the police officer;

g. Notify the department head or supervisor (if you are unable to contact or reach someone, contact the Texas Tech Police Department); and,

h. Refer to TTUHSC OP 76.34, Accidents Involving University Vehicles, for the completion of required vehicle accident documentation, summarized in the Vehicle Fleet Management Handbook, Section 1, M. An operator may be asked to submit to a "for cause" screen in compliance with TTUHSC OP 70.39, Drug-Free Workplace Policy, when there is any accident causing injury to anyone, damage to property of TTUHSC or others, or when the operator received a traffic citation as a result of an on-the-job motor vehicle accident. If the operator refuses the screen, the individual will be subject to disciplinary action up to and including termination.

Authorization:

Employees who drive vehicles owned, rented, leased by, or loaned to, the University, or have driving listed as one of their functions of University employment, must have a current driver record on file with the Texas Tech University System Office of Risk Management. This office may be contacted for information on how to add and delete names on the list of approved drivers.

5. Travel by Commercial or Charter Aircraft

All students traveling on official university business or activities will use only those aircraft and aircraft operators that meet the requirements set forth below. The travel regulations contained in the Texas Appropriations Act and other applicable laws will be followed by the university.

TTUHSC will only use aircraft and aircraft operators that are flight worthy and are certified and operate under Subchapters F & G, Parts 91, 119, 121, 125, or 135 as applicable in Chapter 1, Federal Aviation Regulations, 14 Code of Federal Regulations (the "C.F.R."). In addition all qualified used pursuant to this provision must be piloted, at a minimum, by pilots that are fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating.

C. Travel Using Personal Vehicles

1. *Transportation Generally.* The University recognizes that students occasionally use personal vehicles while engaged in University-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their personal vehicles while conducting University business should be made aware of the possibility of personal liability related to such use. No coverage for personal injuries or property damage is available to students if they drive their personal vehicles on university-related activities as defined hereinabove.

2. *Reimbursement for Costs of Personal Vehicles.* Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. may be reimbursed.

3. *Use of Personal Vehicles Not Required.* No individual shall be required to use a personal vehicle to perform University-related activities with the exception of travel to and from clinical affiliation sites.

4. Policy Concerning Use of Personal Vehicles by Students.

a. Use of personal vehicles by students to drive to University-related activities is discouraged.

b. If students use their personal vehicles, and/or transport other students as passengers, their personal insurance will be primarily responsible for any liability that may arise from such use.

c. No University coverage for personal injuries is available to students if they drive their personal vehicles on University-related activities as defined here in above.

D. Policy Concerning Student Releases and Medical Authorization

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities,

execute a copy of the Student Liability Release Form (~~Attachment A~~) and the Authorization for Emergency Medical Treatment (Attachment B) which are attached to this policy.

International Travel by Students.

Students traveling abroad for any TTUHSC related reason (e.g., conferences, research, competition, community service, mission work, etc.) in any status (i.e. undergraduate, postgraduate, graduate, supported by scholarships, assistantships, institutional, etc.) must abide comply with HSC OP 10.29 and procedures and complete the required forms through the Office of Global Health, (see ~~HSC OP 10.29~~) regarding procedures for ~~Pre-Departure 4. (a), 1; 2(a-e) and Exit Counseling 5 (1) a-c.~~

Students are not permitted to travel to a nation that is subject to a Travel Warning issued by the United States Department of State. To determine if a country is the subject of such a travel advisory, contact the Office of International Affairs (OIA) or the U.S. Department of State Office in Washington, DC at 202-647-4000 or through the web at http://travel.state.gov/travel/cis_pa_tw/tw/tw_1764.html . In the event the Department of State issues a travel advisory to which a student will be traveling, OIA will contact the student immediately. If the country has been placed on the Travel Warning list, the student must cancel the trip.

When an emergency occurs, procedures for Planned Response to Emergencies Abroad will be followed (HSC OP 10.29, Attachment B).

E. Guidelines Concerning Safe Travel Practices

1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.
2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC will assume no responsibility, financial or otherwise.
3. Faculty and staff sponsors and organization officers are urged to take all possible pre-cautions to ensure the safety and well-being of all persons participating in off-campus activities.
4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.

**PART X. MISCELLANEOUS
POLICIES**

A. Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

1. Absences

Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

2. Academic Requirements

Academic requirements vary with each TTUHSC School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog for specific details.

3. Admissions and Applicants

The educational policies of the TTUHSC are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC is an upper-level, graduate, and professional study institution. The application and admissions policies for TTUHSC are outlined in the individual Schools' catalogs.

Most programs at TTUHSC have a deadline for receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are advised to contact the program to which they are seeking admission for specific deadline dates.

4. Adding and Dropping Courses

Consult with your academic department for deadline dates for adding and/or dropping courses. Students should make an appointment with his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the School's program. Please refer to the individual Schools' catalogs and/or handbooks for more specific details relating to your program.

5. Affiliation

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

6. Attendance

The faculty member responsible for the course determines attendance requirements for each course. A student who fails to attend any class for any reason is responsible for the material presented in class, assignments, examinations, announcements, etc. to the same extent as though the student had attended the class. Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

B. Bacterial Meningitis

- a. General. Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitidis*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.
- b. Risks and Exposures. The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.
- c. Symptoms and Diagnosis. Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear.

- High fever
- Severe Headaches
- Vomiting
- Light sensitivity
- Stiff neck
- Nausea
- Lethargy
- Seizures
- Confusion and sleepiness
- Rash or purple patches on skin

d. Possible Treatment and Consequences If NOT Treated.

Antibiotic treatment may be effective if exposure and disease is detected early. Possible consequences of the disease, include, but are not limited to:

- Permanent brain damage
- Kidney failure
- Learning disability
- Gangrene
- Coma
- Convulsions
- Hearing loss
- Blindness
- Limb damage that may require amputation
- Death

e. Prevention.

Vaccinations may be effective against 4 of the 5 most common bacterial types that cause 70% of the disease in the United States. Vaccinations typically take 7-10 days to become effective, with protection lasting 3-5 years. The vaccination is generally safe—most common side effects may include redness and minor pain at the injection site for up to two days.

f. Information.

If you have more questions contact:

- i. Your healthcare provider
- ii. Your local or regional Texas Department of Health
- iii. TTUHSC Family Practice Clinic at 806-743-2757
- iv. Visit these web sites for more information - <http://www.cdc.gov/ncird/dbd.html> or www.acha.org

Medical and Religious Exemptions

2010-2011 Texas Vaccine Exemption Information

7. The state of Texas in law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some time so please don't wait until the last minute to get your papers in order.

For everyone claiming an exemption for the first time after 9/1/03, you must comply with the new law. If you've submitted an old religious exemption prior to 9/1/03, you are grandfathered under the old law (see notes below) and do not need a new form. The vaccine exemption forms for reasons of conscience including a religious belief are only for students claiming a vaccine exemption for the first time after 9/1/03 when the new law went into effect. If you need to request forms from the state health department, you can do it by fax, mail, personal visit, or through an online submission form. If you send your request by mail, we suggest sending it registered mail with a receipt so you can keep track of your request. If you send it by fax, set your fax machine to print out a delivery receipt. We would like to keep track of the Health Department's processing time.

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <https://corequest.dshs.texas.gov/>.

8. **Required Immunizations**

In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC requires **all entering students** to provide documentation of all immunizations as listed below. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory

Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation.

9. Tuberculosis Surveillance

- o Tuberculosis surveillance for Covered Individuals is based on current U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) Recommendations and Reports (December 30, 2005, 54 (#RR-17):1-147), Guidelines for Preventing the Transmission of *Mycobacterium tuberculosis* in Health-Care Settings.

Exposure Management

- o Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC).

10. Working with Affiliated Entities-Student Drug Screenings, HSC OP 77.15

a. Defined Terms

- I. For purposes of this policy the term "Student" does not include residents in the Schools of Medicine or School of Pharmacy.

b. Background

- I. TTUHSC enters into affiliation agreements with various health care clinical entities ("Affiliated Entities"), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in TTUHSC clinical education programs.
- II. Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by TTUHSC as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.
- III. Clinical rotations are an essential element in certain degree programs' curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program. TTUHSC schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.

c. Clinical Placement

- i. Placements at Affiliated Entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the Affiliated Entity. Any student placed with an Affiliated Entity that requires additional background checks and/or drug screens, who cannot meet these requirements, must discuss all available options with their School's Office of Student Affairs or their designee.

- ii. Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied externship placement, s/he shall be subject to disciplinary action in accordance with the TTUHSC policies.

d. Responsibility of the School

The student's School shall:

- i. Notify the student of the Affiliated Entity's requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated Entity, deadlines to meet the Affiliated Entity's requirements, a list of approved drug screen testing vendors, and a completed Authorization, Attachment "A," for signature by the student.
- ii. Receive the student's drug screen test results, which shall be maintained in a confidential, locked file separate from the student's primary educational records.
- iii. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.

e. Responsibility of the Student

- i. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by TTUHSC provided articles b, c, d, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSC designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.
- ii. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.
- iii. The student shall use a drug screen vendor from the designated vendors provided to the student by his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.
- iv. The student will be required to sign a valid consent and authorization, Attachment "A," consenting to the drug screening and giving the vendor performing the test permission to provide the drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.

f. Student Refusal to Consent to Drug Screen

Any student who fails or refuses to consent to a drug screen required by an Affiliated Entity to which the student has been assigned by his/her School shall be subject to disciplinary action in accordance with the TTUHSC Student Handbook/Code of Professional and Academic Conduct, the Schools' written policies, if any, and this policy.

g. Period of Validity – Drug Screen Results

- i. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program within the School unless there is a break in enrollment, defined as not enrolled for one full semester.
- ii. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.

h. Drug Screen Results

- i. Diluted Specimen. Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at his/her expense, will be required to complete and successfully pass a new drug screen test.
- ii. Negative Drug Screen Results. The School which receives the a student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, Attachment A.
- iii. Positive Drug Screen Results. A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.
- iv. Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.
- v. The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.
- vi. Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.
- vii. If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.

i. Confidentiality of Records

- i. Drug screening reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law.

j. *Re-admission*

- i. Any student who is withdrawn due to a positive drug screen without medical validation will only be eligible for readmission to any TTUHSC program of study in accordance with the School's readmission policies.
- ii. If accepted for readmission after the required period of time, the student must, at his/her own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the School.

k. *Right to Change Policy*

- i. TTUHSC reserves the right to change, modify, amend or rescind this policy in whole, or in part at any time.

Credit by Exam

Specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the School of Nursing does not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade-point averages. TTUHSC Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.

Disabilities (Students)

TTUHSC OP 10.15 complies with the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified and competitive individual with a disability shall be denied access to or participation in services, programs and activities of TTUHSC solely on the basis of the disability.

Students with grievances related to discrimination on the basis of a disability should review the Student Handbook, Part IV Anti-Discrimination. The grievance process would include the ADA Compliance Officer for Students. Any student seeking accommodations on the basis of disability must register as a disabled student with the ADA Compliance Officer for Students in the Office of Student Services and must provide all required documentation of disability. Students seeking accommodations must complete an application for disability services and provide supporting documentation. For more information, visit www.ttuhschool.edu/HSC_OP10.15.pdf.

Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. The individual Schools as noted in their Schools' catalogs should direct non-academic student matters to the Office of Student Services. For more information, visit <https://www.ttuhschool.edu/hsc/op/op51/op5101.pdf>, *Equal Employment Opportunity Policy and Affirmative Action Plan*.

Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the TTUHSC OP 70.10, *Non-faculty Employee Complaint and Grievance Procedures*. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

Exams

Please refer to the individual School's catalogs for more specific exam details relating to your program. Any student seeking exam accommodations on the basis of disability must register as a disabled student with the ADA Compliance Office for Students in the Office of Student Services and must provide all required documentation of disability. Appropriate and reasonable accommodations, if any, will be determined by the ADA Compliance Office for Students in the Office of Student Services.

Financial Policies

Students must meet all financial responsibilities due the University. The writing of checks on accounts with insufficient funds, the non-payment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University, are considered a lack of financial responsibility. Financial irresponsibility can subject the student to action by TTUHSC, including, but not limited to, denial of registration, withholding of grades and transcripts and possible adjudication under the Code of Professional and Academic Conduct. In addition, failure to meet financial obligations to the University may result in:

- a. Cancellations of the student's registration if tuition and registration fees are not paid by the 12th class day and 20th class day (4th class day and 15th class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
- b. Loss of University check writing privileges and possible criminal prosecution for writing insufficient fund checks and for failure to pick up a returned check;
- c. A flag placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of flags on their records by contacting the Office of the Registrar); and/or,
- d. Reporting of financial problems to a credit agency or a collection agent.

Grades/Grading

- a. The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.
- b. The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. ~~A student must file a formal written appeal within 5 days of the beginning of the next semester in accordance with the individual Schools' policy regarding student grade appeals. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic~~

dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or division involved. After a degree has been posted, no further adjustments can be made on the record except under extraordinary circumstances as determined by the Dean of the School the student is enrolled under.

Graduation Procedures

- a. Degree requirements are published in the individual School's catalogs.
- b. Prior to graduation, all candidates for TTUHSC degrees are required to:
 - i. Complete all graduation requirements set forth by the applicable School;
 - ii. Complete and return to the Office of Student Services the University's Intent to Graduate form in the semester before anticipated graduation (the student's "diploma name" as requested in the Intent to Graduate form is printed on her/his diploma, and information provided by the student is used in commencement programs);
 - iii. Be registered in the semester the certificate or degree is to be conferred unless the student is granted an exception by the dean of their school;
 - iv. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

Health Services and Health Insurance Information

- a. The Texas Tech Physicians Family & Community Medicine clinic provides health services to TTUHSC students who are currently enrolled and have paid the Student Health Fees as part of tuition and fees. To receive health services, you must present a Student I.D. card at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement.

The Student Health Fee covers only those services provided by the Family & Community Medicine clinic and specific laboratory and radiology service performed at cooperating locations. All other charges incurred are your responsibility.

- b. Clinic Procedures
 - i. Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after clinic hours, call your campus's clinic phone number and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a TTUHSC student. If you come to the clinic without an appointment, it may be necessary for you to wait for a physician. Immunizations, paper work, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed for your campus under "Clinic Locations." Visits to an emergency room that generate a charge from either TTUHSC or the hospital are your responsibility.

- ii. If the student receives a bill from the Health Sciences Center for services covered by the medical service fees, please contact the Office of Student Services at (806) 743-2300.
- iii. Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration.
- iv. TTUHSC will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance plans. Insurance information can be found on the Office of Student Services, www.ttuhscc.edu/studentsservices.

Interprofessional Education

All TTUHSC students, regardless of school affiliation, will be required to complete a non-credit, online course in interprofessional education. Implementation of this requirement will vary across schools and degree programs. Students should consult their academic/program advisor and/or school catalog for additional information.

Interprofessional Practice and Education (IPE) Core Curriculum

All TTUHSC students, regardless of school affiliation, will be required to complete the IPE core curriculum prior to graduation. The IPE core curriculum is composed of two components including successful completion of a non-credit online course (>70% accuracy on the knowledge post-test) and successful participation in at least one registered IPE learning activity. Failure to complete the IPE core curriculum will result in delayed graduation. Students should consult their academic/program advisor and/or school catalog for additional information.

Notification of Student Death

The Office of Student Services is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must notify the Assistant Vice President for Student Services immediately in the event of any student death.

Program of Assistance for Students

Personal counseling services are available to all TTUHSC students through the Program of Assistance for Students (PAS). Through the PAS, licensed counselors are available to assist students with all types of problems, including stress associated with academic, legal, or financial concerns; depression, anxiety, and/or other emotional problems; family and relationship issues; alcohol and drug abuse; and other mental health and wellness issues. For more information or to request assistance, please call 1-806- 743-1327 or 1-800-327-0328. In after-hours situations, these PAS phone numbers serve as a 24-hour crisis line. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, TTUHSC students and their dependents are eligible to receive five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services website at the following address: http://www.ttuhscc.edu/studentsservices/documents/PAS_Document.pdf.

Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit webraider.ttuhscc.edu and sign in. Select the "MyTech (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

Student Publications

- a. The Daily Toreador student newspaper and La Ventana yearbook are free of arbitrary and capricious censorship and advance-copy approval, when operated and published within the canons of responsible journalism as established by the University Committee on Student Publications.
- b. All aspects of TTU-TUHSC Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

Registration

- a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools' Student Affairs or Coordinators office.
- b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanction will be barred from registration. Students must provide all final transcripts to the Office of the Registrar by the end of the first semester in which they are enrolled or a hold will be placed preventing registration in future semesters. *See Student Record and Transcript Policy located at <http://www.ttuhs.edu/registrar/documents/student.record.transcript.policy.pdf>
- c. *Late Registration.* Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration.

Religious Holy Days

- a. A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of his/her School. A student will be excused from attending class (es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.
- b. A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.
- c. Any disputes regarding this policy should be submitted in writing to the TTU-HSC President or his/her designee. Any decision by the President or his/her designee regarding the dispute shall be final.
- d. This policy does not apply to any student absence for a Religious Holy Day which may interfere with patient responsibilities or patient care.

State Residency Classification

Students are responsible for registering under the proper residence classification and for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, prior to the time of enrollment, to ask for an official determination by the Office of the Registrar.

Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar.

Sexual Harassment Policy

Harassment of students on the basis of sex is a violation of §106.31 of Title IX of the Education Amendments of 1972. The Deputy Title IX Coordinator for Students is the Assistant Vice President for Student Services, 2C400 Academic Classroom Building, (806) 743-2300. Student concerns about sexual harassment which include faculty, staff, or students should be directed to the individual School's Dean.

Tuition and Fees Installment Payment Options

- i. Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees during the fall, spring, or long summer semesters in installments. TTUHSC offers the following payment alternatives:
- ii. Full payment of tuition and fees in advance of the beginning of the semester; or
- iii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.
- iv. TTUHSC shall develop procedures which will provide that students may elect to pay tuition and fees using the payment alternative.
- v. TTUHSC is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.
- vi. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The rates of the fee shall be approved by the Board of Regents.
- vii. If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.
- viii. TTUHSC shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

~~Annual~~ Biennial Approval of Student Fees: The Board of Regents shall approve the assessment and collection of fees from Texas Tech University Health Sciences Center (TTUHSC) and Texas Tech University (TTU) students. The amounts to be collected are presented in a Global Fee Document to the Board of Regents ~~annually~~ annually two years for approval.

Tuition and Fees Refund Policies

Withdrawal / Refund Policies Refund Policies (Institutional and Title IV Withdrawal / Refund Policies)

Detailed information about the impact of decreasing course load on:

- ✓ Institutional Refund Policy - All students who withdraw from TTUHSC or drop all courses during a term
- ✓ Additional considerations for students who received financial aid and withdraw from TTUHSC or drop all courses during a term

Institutional Refund Policy

Refund Policies for Tuition and Fees. Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	1st class day through 4th class day	100%
	After the 4th day of class	None
Fall, Spring or Summer - Duration of 10 weeks or longer	1st class day through 4th day of class	100%
	After the 4th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official withdrawal date:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day or later	None

Term	Class Day	Percent of Refund of Charges
Fall, Spring or Summer - Duration of 10 weeks or longer	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

Students who withdraw from TTUHSC or drop all courses during a term that receive(d) financial aid.

It's important for students who receive financial aid and withdraw or drop all courses during the term to be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations.

- a. The requirements for Title IV program funds are separate from the university refund policy. As such, you are re-sponsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/ balances created by the returning of Title IV program funds that the school was required to return.
- b. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID(1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at www.studentaid.ed.gov.

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds

How the calculation works:

1. Number of days attended ÷ Days in semester = % of semester completed
2. Total \$ disbursed X % completed = Earned \$
3. Total \$ disbursed - Earned \$ = \$ to be returned

Once it is determined that you owe money back to any of the federal aid programs, you will be ineligible to receive further federal aid at TTUHSC or any other institution, until this debt is cleared.

To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of two categories:

1. grade point average on hours attempted (qualitative)
2. hours successfully completed (quantitative) based on hours enrolled.

As a general rule, a student must successfully pass 75% of the hours they attempt (hours as of the census date).
You can find more information here: <http://www.ttuhs.edu/financialaid/faq.aspx>

**PART XI. STUDENT COMPLAINT OR
GRIEVANCE POLICIES AND
PROCEDURES**

The following narrative summarizes TTUHSC's student complaint or grievance policies and procedures. Links to specific policies and procedures are provided on the Office of Student Services website:
http://www.ttuhsu.edu/studentservices/Student_Grievances.aspx.

It is the policy of the Texas Tech University Health Sciences Center to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC students or by TTUHSC personnel toward students. Policies and procedures exist for the following areas of student complaints:

- Complaints regarding the general or academic misconduct of another student
- Complaints regarding discrimination
- Complaints regarding student records
- Complaints regarding employment at TTUHSC
- Complaints regarding grades or grading
- Complaints regarding other types of mistreatment
- Other institutional-level student complaint procedures

The Student Resolution Center, which is located on the Texas Tech University campus in Lubbock, serves as a neutral, objective third party to provide students in the Texas Tech University System including TTUHSC with informal assistance in resolving student-related problems, conflicts, and disputes. The Student Resolution Center is available by phone to assist all TTUHSC students in identifying appropriate complaint-resolution procedures and resources.

A. Complaints regarding the general or academic misconduct of another student

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (Student Code), which is published as Part II of this handbook. Students, faculty, and staff are all encouraged to report violations of the Student Code in accordance with the Disciplinary Procedures outlined in the Student Code.

B. Complaints regarding discrimination

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the TTUHSC Operating Policies and Procedures. The following list identifies key institutional policies governing complaints regarding discrimination:

- HSC OP 10.15, *Americans with Disabilities Act*
- HSC OP 51.01, *Equal Employment Opportunity Policy and Affirmative Action Plan*

C. Complaints regarding student records

HSC OP 77.13, *Student Education Records*, provides detailed information about filing complaints relating to student records.

D. Complaints regarding employment at TTUHSC

Information about employment grievances for students who are employed at TTUHSC is provided in HSC OP 70.10, *Non-faculty Employee Complaint and Grievance Procedures*. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

E. Complaints regarding grades or grading

The processing of formal grade appeal procedures is the responsibility of the school which administers the course. Relevant school policies are listed below.

- School of Health Professions: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals)
- School of Medicine-Lubbock: Student-Faculty Dispute Resolution Policy, Grading Policy, Promotions Policy, and policies and procedures for Challenging Student Records or Grades
- School of Nursing: Academic Grade Challenges/Appeals
- School of Pharmacy: Grade Grievance Resolution
- Graduate School of Biomedical Sciences: Grade Appeals Policy

F. Complaints regarding other types of mistreatment

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school.

Relevant school policies include the following:

- School of Health Professions: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals) and Academic Misconduct Policy (addresses academic complaints against a student)
- School of Medicine-Lubbock: Student-Faculty Dispute Resolution Policy, Student-Student Dispute Resolution Policy, Part IV Anti-Discrimination and Title IX,
- School of Nursing: Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- School of Pharmacy: Nontrade Grievance Resolution
- Graduate School of Biomedical Sciences: Appeals Policy for Students and Grade Appeals Policy

Students should process their complaints or appeals through the appropriate channels. Procedures are delineated in the policies identified above. Students are required to bring their concerns to the designated student affairs officer of their school. The student affairs officer in each school is as follows:

- School of Health Professions: Associate Dean for Admissions and Student Affairs
- School of Medicine-Lubbock: Assistant Dean for Student Affairs
- TTUHSC School of Nursing: Assistant Associate Academic Dean for Student Affairs and Education Support and Student Affairs
- School of Pharmacy: Assistant Dean for Student Services
- Graduate School of Biomedical Sciences: Assistant Dean

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC Office of Student Services in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services website.

G. Other Institutional-Level Student Complaint Procedures

The procedures defined below apply to student complaints that fall outside the scope of other institutional and school-based policies and procedures governing specific types of student complaints (Student Complaint or Grievance Policies and Procedures), including, for example, student complaints against staff members employed at the institutional level or against TTUHSC administrators. The TTUHSC Office of Student Services will administer this institutional policy and will insure that due process is afforded to all concerned.

1. *Early Resolution*

Prior to contacting the TTUHSC Office of Student Services, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant Vice President for Student Services. The student shall address the issue and initiate action under this policy within 30 days of the event giving rise to the complaint.

2. The Assistant Vice President for Student Services may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President of Student Services will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services will provide a written statement of his or her recommendation to all parties within ten working days following the initial receipt of the student's report of the complaint. All involved parties will then have ten working days to respond. Every effort should be made to resolve the issue without going beyond this level. The Assistant Vice President of Student Services will attempt to facilitate a resolution before proceeding with a hearing, as described below. (If the complaint is against the Assistant Vice President for Student Services, the student should meet with the Executive Senior Vice President for Academic Affairs, who will follow the procedures outlined here.)

3. *Filing a Hearing Request*

If the student is not satisfied with the recommendation of the Assistant Vice President for Student Services, he/she may file a request for a hearing by submitting a written complaint to the Assistant Vice President for Student Services. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for Student Services' recommended resolution.

If the student files a request for a hearing, a Student Hearing Committee as defined below must convene within 15 working days.

4. *Hearing Procedure*

Upon receipt of a written request for a hearing, the Assistant Vice President for Student Services will appoint a Hearing Committee according to the following procedure:

- a. Each party will propose in writing a list of four TTUHSC faculty, staff, and/or students to serve on the Hearing Committee. The Assistant Vice President for Student Services will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a TTUHSC faculty or staff member) and these individuals will comprise the Hearing Committee. This group will select a chair from among themselves.

- b. The Assistant Vice President for Student Services will provide technical assistance and support to this committee.
- c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
- d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for Student Services a list of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University may be represented by the Office of General Counsel. The student and the involved individual(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.
- e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.
- f. The Hearing Committee chair may keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials).

5. *Committee Decision*

- a. After completion of the hearing, the Hearing Committee shall meet in closed session and prepare a written recommendation. Copies of the Hearing Committee chair's report shall be forwarded to the involved parties within five working days.
- b. The appeal must be made, in writing, within three working days, to the Executive Vice President for Academic Affairs.
- c. The Executive Vice President for Academic Affairs will review the complaint resolution and render a decision within five working days. The decision of the Executive Vice President for Academic Affairs is final.
- d. If the Executive Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five working days. The decision of the President is final.

6. *Complaint Forms*

It is the policy of the Texas Tech University Health Sciences Center to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC students or by TTUHSC personnel towards students. Policies and procedures for student complaints can be found in the TTUHSC Student Handbook (http://www.ttuhsoc.edu/student-services/documents/HSC_Institutional_Student_Handbook.pdf).

Incident Report Form <https://app4.ttuhsoc.edu/grievanceforms/>

- Title IX Complaint <http://www.ttuhsoc.edu/title-ix/TitleIXComplaint.aspx>

**PART XII. CONTACT
INFORMATION FOR STUDENT
SERVICES PERSONNEL**

Student Business Services	(806) 743-7867
Office of Student Services	(806) 743-2300
Office of Student Financial Aid	(806) 743-3025
Office of the Registrar	(806) 743-2300
Graduate School of Biomedical Sciences	(806) 743-2560
School of Health Professions Admissions and Student Affairs	(806) 743-9025
School of Medicine Student Affairs	(806) 743-3005
School of Nursing Student Affairs	(806) 743- <u>9294</u>
School of Pharmacy Student Services	(806) 414-9393
Deputy Title IX Coordinator for Students	(806) 743-6426
Title IX Coordinator for TTUHSC	(806) 743-9894

~~ATTACHMENTS A-D~~

~~TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC)~~

General Conduct Incident

~~This form serves as an official charge against a TTUHSC student or student organization for alleged violations of the Code of Professional and Academic Conduct (referred to as the "Student Code") in the TTUHSC Student Handbook. This form is to be submitted to the Student Conduct Administrator for the applicable TTUHSC School. A separate Complaint of Misconduct must be completed for each student or student organization accused of violations of the Student Code.~~

Please complete the following:

Your Full Name (you may write Anonymous): _____

Your Position/Title: _____ Your Phone Number: _____

Your Physical Address: _____

Nature of this Report: (circle one) General Conduct ~~University Student Housing~~ ~~Police~~ ~~Student Organization~~

Urgency of this Report: (circle one) Normal ~~Critical~~

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Name of Involved Individuals/Organization: _____

Please provide an R# for student(s) involved or SSN/Drivers License number if a non-student(s) if available.

Please provide a detailed description of the incident/concern using specific concise, objective language (who, what, where, when, why, and how).

Were police involved? Yes _____ No _____

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC)

Sexual Assault Form

Please fill out the following to the best of your ability, and do not hesitate to contact university administrators if you have questions or if you would like to make a report in person. We are here to help. You can contact us from 8 a.m. – 5 p.m. at (806) 742-SAFE (7233). You will be contacted within 24 hours of receipt of this report to discuss. If it is after hours and you need immediate assistance, please contact the Texas Tech Police Department at (806) 742-2000.

Please complete the following:

Your Full Name: _____

Your Phone Number: _____ Your Email Address: _____

Type of Complaint: (circle one) Sexual Assault _____ Sexual Harassment _____ Sexual Voyerism (“peeping tom”) _____
Other form of Sexual Misconduct _____

Urgency of this Report: I'm reporting an incident _____ I'm in fear of imminent harm (myself or others) _____

Date of Incident: _____ Time of Incident: _____

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

ATTACHMENT C

Location of Incident: _____

Name of Involved Individuals: _____

Please provide an R# for student(s) involved or SSN/Drivers License number if a non-student(s) if available.

In order for TTUHSC to effectively investigate the incident, we need to know as much about what happened as possible. The information you provide will be kept confidential and shared only with necessary and essential student affairs administrators. During the course of the investigation process, this information may be shared with the alleged perpetrator. However, this will not occur without first consulting the victim as to his or her preferred approach to handling the situation.

Describe the incident(s) or event(s), including date, times, locations, and any potential witnesses to the behavior. Please include as much detail as possible.

If you are the victim of misconduct, please describe how you would prefer the University to respond to the situation. (You will not be held to this response, it just gives us a starting point). TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC)

Student of Concern Form

IF THIS IS AN EMERGENCY, PLEASE CALL 911 or TEXAS TECH UNIVERSITY POLICE DEPARTMENT AT (806) 742-3931 Texas Tech strives to protect the reporter's confidentiality, whenever possible. Additionally, a report may be completed anonymously by omitting the reporter's name and contact information from the form (completing the items with an asterisk). Reporters should be aware, however, that this may restrict the team from completing a thorough investigation.

Please complete the following:

Your Full Name: _____

Your Phone Number: _____

Your Email Address: _____

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

Name of Involved Individuals/Organization: _____

Please provide an R# for student(s) involved or SSN/Drivers License number if a non-student(s) if available.

Distress Concern (Circle all applicable)

Grief Homicidal Ideation Suicidal Ideation Suicide Attempt
Wellness Other

Actions Against Others (Check all applicable boxes)

Disruptive Conduct Threatening or Endangering Conduct Sexual Misconduct
Discriminatory Harassment Hazing Retaliation Other

Health (Check all applicable boxes) Medical

_____ Alcohol and Drugs Mental Health Concerns Other

Description/Narrative Please describe in details the behaviors you have observed and any action steps you have taken in assisting with these behaviors.

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC)

Student Organization Misconduct Form

TTUHSC understands that reporting violations against a student organization can be difficult and will provide options for reporting parties to assist with concerns such as retaliation. Upon receipt of this online form, a TTUHSC staff member will contact you to discuss options and resources based on your report. While you can report anonymously, the inability to validate the source of the complaint does limit TTUHSC's ability to investigate and respond.

Please complete the following:

Your Full Name: _____

Your Phone Number: _____

Your Email Address: _____

Nature of Report: (circle one) Hazing Alcohol Concern Drug Concern Social Event Concern Financial
Other

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Name of Involved Individuals/Organization: _____

Please provide an R# for student(s) involved or SSN/Drivers License number if a non-student(s) if available.

Provide detailed information about what misconduct occurred.

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.



TEXAS TECH UNIVERSITY SYSTEM

2017 Strategic Planning Retreat *Summary Report to the Board of Regents*

During the 2017 Strategic Planning Retreat, a new format was introduced to allow for increased discussion and engagement among the Board of Regents and institutions by providing advance briefings and dividing the retreat over two meetings.

The first session was conducted in February with presentations from Texas Tech University Health Sciences Center and Angelo State University. The remaining three entities, Texas Tech University, Texas Tech University Health Sciences Center El Paso and the Texas Tech University System, presented during the May meeting. In the future, it has been recommended to continue this format and organize the Strategic Planning Retreat where both health-related institutions present together and the general academic institutions present together.

Provided below is a summary of the information discussed during the retreat by each component with members of the Board. This document will be shared for review with the Board of Regents and serve as a means for the Board to provide its direction, endorsement and formal adoption of these agreed-upon priorities during the August meeting.

Upon adoption of this summary report, the Chancellor and Presidents will work to address these priorities over the next year. Members of the Board will receive information and updates at full board meetings and interim committee meetings throughout the year to remain engaged and informed on these priorities and additional initiatives.

Texas Tech University System

- **Executive Management.** The TTU System has adopted a new executive leadership and management style to support growth into a true system of higher education. A strategic focus to elevate practices, ensure sustainable processes and develop a long-term, proactive approach is being instilled in multiples areas of operation, such as the implementation of an enterprise risk management system, introduction of system regulations and guidelines, and development of productivity dashboard to manage and track enterprise goals.
- **Federal Relations.** A proactive and comprehensive federal relations program is being advanced at the TTU System to help its component institutions obtain and sustain significant federal funding. Near-term successes include helping secure more than \$2.1 million in awards and safeguarding health care programs and centers. Work continues in developing institutional cultures to engage faculty and align strategy with long-term research opportunities. Future success and results from efforts will continue to be shared with the Board of Regents.

- **Sustained Philanthropy.** The TTU System has shifted and enhanced its philanthropic approach to support sustainable fundraising through best practices and bolstered central services. More than \$420 million (as of July 28, 2017) has been raised during the Chancellor's tenure, while significant fundraising capacity has been identified. To capitalize on momentum and achieve philanthropic potential, a plan to support continued growth and additional resources is being developed. Recommendations will be shared with the Board of Regents for input and consideration.
- **Growth and Expansion.** Expanding the TTU System's footprint and offerings remains a priority, and the component institutions continue to explore opportunities for growth mindful of advancing their missions, serving statewide and national needs, and acquiring assets beneficial to their organizations while not drawing on current resources. Initiatives underway include the Woody L. Hunt School of Dental Medicine, an international campus in San Jose, Costa Rica, and a four-year school of pharmacy in Dallas, among other areas. Moving forward, consideration and assessment of ongoing and potential component, regional and programmatic expansion opportunities will be shared and vetted with the Board of Regents through standing committees.
- **System Branding, Marketing.** A strategic focus will be placed on expanding and elevating the overall brand of the TTU System and its universities. Partnering with the component institutions, the TTU System will coordinate efforts to reach new markets on statewide and national levels and enhance perception in the academic and athletic arenas.
- **Committee Engagement.** As the TTU System enhances its maturity, new ideas, processes and opportunities are being introduced throughout multiple areas of operation. In effort to further engage the Board of Regents in these initiatives, the TTU System plans to increase member participation through standing committees.
- **Mental Health.** A collaborative initiative among the TTU System's component institutions to evaluate a multi-disciplinary center of excellence supporting mental health education, research, policy and patient care will be developed. Initial review of existing programs and resources involving mental health has been completed, and university leadership at TTU and TTUHSC have agreed to dedicate funding for a joint-appointed position who will work to organize strengths, identify opportunities and develop a comprehensive proposal that defines the overall vision, enhances services and ensures sustainable success. A report and additional recommendations will be shared with the Board of Regents for consideration.

Texas Tech University Health Sciences Center

- **Facility Expansion.** To accommodate continued growth, TTUHSC is working to address facility needs in Lubbock and at several of its campuses through the help of tuition revenue bonds and other funding sources. Progress in this initiative is demonstrated by the new SimCenter in Amarillo, Abilene's Public Health Building, the Academic Classroom Building in Odessa, as well as the groundbreaking in June on the Lubbock campus.
- **Endowment Growth & Scholarships.** TTUHSC is focusing on growing scholarship and endowment funding in coordination with the TTU System to strengthen the university's financial position and help address student debt. A flagship event started with December's scholarship endowment from the ASCO Foundation/Wright family for \$2 million.
- **Relationship Development.** From communities, hospitals, higher education colleagues and other partners, TTUHSC is fostering current and building new relationships to advance the university's vision and mission. Additionally, there is a specific need and focus for more clinical, residency training and GME (Graduate Medical Education) support. This has been developed by internal events with faculty and staff such as "President's Coffee" and the "Employee Picnic" in addition to external engagements with the Texas Hospital Association, Texas Medical Association, Texas Organization of Rural and Community Hospitals, various Chamber of Commerce Events as well as meeting with elected officials.
- **Distance Education.** In response to increased regulation, TTUHSC is reviewing and adapting its out-of-state distance education programs to meet new requirements and growing demand. This has been streamlined with the National Council for State Authorization Reciprocity compliance being coordinated by members of the President's Office Staff and General Counsel, as well as plans to hire a Distance Education Director.
- **Central Services & Infrastructure.** As a health-related institution, TTUHSC has various needs specific to its sector, including certain IT and legal services. TTUHSC is working to strengthen its cybersecurity as well as personal safety on its campuses. In 2016, JANUS Associates evaluated the existing network infrastructure. In 2017-2018, JANUS Associates will implement the network infrastructure redesign and upgrade, including changes in management controls.
- **Student Development.** TTUHSC will work to strengthen and develop programs dedicated to increasing "citizenship" within its students with an emphasis on fostering an attitude of being others-focused. Trends with the current student population indicate a need for general skills development, including leadership and life skills, coupled with a holistic understanding of the unique societal role of health care providers. A team of faculty has been assembled to proctor this program.

Texas Tech University Health Sciences Center El Paso

- **Woody L. Hunt School of Dental Medicine (WLHSODM).** TTUHSC El Paso has received approval from the Texas Higher Education Coordinating Board to complete a feasibility study for the WLHSODM in the next 6-12 months. In addition, the Legislature has provided authorization and funding to develop the WLHSODM. Pending THECB approval of the degree program and full SACSCOC (Southern Association of Colleges and Schools Commission on Colleges) accreditation, TTUHSC El Paso will begin enrolling students in 2020.
- **Gayle Greve Hunt School of Nursing.** TTUHSC El Paso continues towards its enrollment goal of 600 nursing students by 2020 and is implementing enhanced recruitment strategies and academic offerings.
- **Medical School & Residency Programs.** TTUHSC El Paso continues to explore the expansion of its incoming medical school class size and is working toward establishing 75 to 90 new Graduate Medical Education positions (residencies and fellowships) through associations with Tenet Hospital (Transmountain Campus) and Alberta Campus.
- **Faculty Recruitment and Retention.** TTUHSC El Paso is boosting faculty retention by analyzing and acting on results of the annual faculty survey which highlighted a need for career enhancement in a more supportive environment. Faculty recruitment is being strengthened by coordinating with Department of Medical Education to meet the needs for the growing class size including expansion of the clinical practice.
- **Campus Facility Master Plan.** TTUHSC El Paso is updating its Campus Facility Master Plan in coordination with Facilities Planning and Construction. The plan will reflect the new Medical Sciences II Building now underway as well as future sites for the WLHSODM and updated clinic facilities.
- **Research Activities.** TTUHSC El Paso is reviewing opportunities to increase research activities and funding by working with federal relations as well as strengthening the infrastructure to support clinical research.
- **Clinical Activities.** TTUHSC El Paso is reviewing opportunities to increase clinical activities and revenue including establishing an Enterprise Data Warehouse which will enhance data gathering and availability thereby increasing grant application opportunities.
- **Accreditations.** TTUHSC El Paso is undergoing activities to comply with 17 accreditations including completion of the Certification of Compliance for SACSCOC and anticipating a site visit in early 2018.

Angelo State University

- **Enrollment, Retention & Graduation.** ASU has achieved record enrollment growth and has seen significant increases in retention rates. Graduation rate targets have significant increases.
- **Dual Credit Program.** This program continues to enhance ASU's influence and reputation. ASU is examining ways to maintain momentum and expand success of program.
- **Academic Quality and Reputation.** ASU continues to evolve its academic programs such as mechanical engineering along with new online Master's degree programs in social work, computer science, and a Doctorate program in education. The university is also working to increase its online presence and summer enrollment.
- **Partnership Development.** ASU to consider developing international academic partnerships in China, Vietnam and Taiwan. ASU is expanding with Korea.
- **Facility Improvements.** ASU is preparing for campus and infrastructure improvements to accommodate academic growth and student needs, specifically focusing on civil engineering, housing, Health & Human Services, and the athletic football stadium.

Texas Tech University

- **TTU Strategic Plan.** A committee is continuing to work on TTU's strategic plan to 2025 and should have a finished product by the August board meeting. As discussed during the strategic planning retreat, the committee has consolidated the previous five priorities into three priorities, which include:
 - Promote student success through inclusive access and transformative learning experiences
 - Produce innovative research and creative activities that enrich society and enhances quality of life and economic development
 - Transform lives and communities through strategic outreach and engaged scholarship
- **Promote Student Success.** Although student growth (which was a previous priority) is still important and will continue to be something that is carefully watched, TTU will be focusing more on providing students with transformative learning opportunities on a national and global scale. TTU will continue to work on critical areas of increasing retention and graduation rates, while also planning for an annual growth of approximately 2 percent to ultimately attain an enrollment of 42,000-45,000 by 2025.

Other critical focus areas will be achieving a 20:1 student to faculty ratio, attaining HSI status, growing enrollment at regional sites, and increasing our scholarship endowment to \$500 million.

- **Promote Innovative Research and Creative Activities.** TTU wants to ensure growth and exposure of the programs it can be a leader in, which include:
 - Water, land, food, fiber
 - Energy discovery, production, distribution, and utilization
 - Health and well-being
 - Creative inquiry across the arts, humanities, and sciences

It will be critical to continue to work on increasing our research expenditures, specifically in the federal sector. TTU's goal is to achieve \$40 million in STEM federal research expenditures by 2020 and \$255 million in total research by 2025, of which 30 percent is federal research. These efforts along with increasing publications and citations and doctorate degrees awarded will solidify TTU's status as a Carnegie R1 research institution.

- **Transform Lives through Strategic Outreach.** TTU will continue to promote an engaged campus to develop a culture of outreach and engagement that spans the student experience, research and service. TTU's engagement with the community will be further developed. To achieve this mission, TTU will strengthen its position as an institution recognized in the Carnegie Community Engagement Classification and as an APLU Innovation and Economic Prosperity University. TTU will also provide the following:
 - Resources to support an infrastructure for engagement scholarship activities
 - Support a culture that encourages faculty involvement in quality engaged scholarship
 - Establish professional development plans for faculty and staff that enhance an understanding of public engagement
 - Establish a Community Advisory Council comprised of corporate leaders, alumni and community members to partner with TTU to identify opportunities and develop public-engaged intellectual property
- **Veterinary Medicine.** During the 85th Texas Legislature, TTU was appropriated \$4.17 million to support a planning initiative for a new School of Veterinary Medicine. Working with industry, academic and philanthropic partners, TTU will use these funds to evaluate the financial and academic feasibility of a School of Veterinary Medicine in Amarillo. A collaborative effort with TTUHSC, this planning initiative will examine appropriate models for veterinary medical education to address industry, regulatory and public needs along with the academic and financial requirements to establish an accredited professional program. Findings and proposals will be shared in a comprehensive report to the Board of Regents.

TEXAS TECH UNIVERSITY SYSTEM
 OFFICE OF AUDIT SERVICES
 PRIORITIZED AUDIT PLAN
 Fiscal Year 2018

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMNTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	20,868					
		REQUIRED AUDITS						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	800					800
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects	20	(5)				15
		TTU: 2017 Statewide Federal Financial Audit		5	In Progress			5
Required	ALL	CPRIT Grant Funds	10					10
Required	ALL	Contracting and Procurement Processes	200					200
Required	ALL	Benefits Proportional by Fund	500					500
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120					120
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	30					30
Required	TTUS	Office of Audit Services Annual Report	30					30
Required	TTUS	Office of Audit Services Annual Plan	100					100
Required	TTUS	Office of Audit Services Quality Assurance Activities Review	60					60
Required	TTUS	Office of Audit Services Self-Assessment	120					120
Required	TTUS	Office of Audit Services External Quality Assessment	80					80
Required	TTUS	Multihazard Emergency Plan Safety and Security Audit	150					150
Required	TTU	Athletics Financial Agreed-Upon Procedures	5					5
Required	TTU	Texas Tech Public Media Financial Statements	250					250
Required	TTU	Football Attendance Certification	10					10
Required	HSC	Correctional Managed Health Care Contract	150					150
Required	HSC/HSC-EP	Texas Higher Education Coordinating Board Residency Grants	50					50
Required	HSC-EP	SACS Financial Statement Audit	40		In Progress			40
Required	ASU	Carr Foundation Financial Statements	10					10
Required	ASU	Joint Admission Medical Program Grants	60					60
Required	ASU	ASU Foundation, Inc. Financial Statements	5					5
		TOTALS FOR REQUIRED AUDITS	2,800					2,800
		AUDITS IN PROGRESS AT AUGUST 1, 2017						
Prior Year	TTU	Office of Vice President for Research	15		In Progress			15
Prior Year	HSC	Amarillo SIMCentral	277		In Progress			277
Prior Year	HSC	Student Business Services	259		In Progress			259
Prior Year	HSC	Collection Agency Processes	305		In Progress			305
Prior Year	HSC	Correctional Managed Health Care Contract	40		In Progress			40
Prior Year	HSC-EP	Information Technology Help Desk Processes	226		In Progress			226
Prior Year	HSC-EP	Paul L. Foster School of Medicine Department of Pathology	15		In Progress			15
Prior Year	HSC-EP	Contract Management Processes	241		In Progress			241
Prior Year	ALL	Wrap-up on Audits Included in August BOR Report	40		In Progress			40
		TOTALS FOR AUDITS IN PROGRESS	1,418					1,418
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	4,200	(1,020)				3,180
		IN PROGRESS AT AUGUST 1, 2017						
Special	TTU	Texas Manufacturing Assistance Center	60		In Progress			60
Special	TTU	Texas Tech Equestrian Team Investigation	100		In Progress			100
Special	TTU	Institute for Measurement, Methodology, Analysis and Policy	80		In Progress			80
Special	TTU	Political Science Bank Account	80		In Progress			80
Special	TTU	Division of Institutional Diversity, Equity & Community Engagement	200		In Progress			200
Special	TTU	Academic Department Deposit Review	200		In Progress			200
Special	HSC	Amarillo Pediatrics Purchasing Card Investigation	200		In Progress			200
Special	HSC	Department of Dermatology Cash Controls	20		In Progress			20
Special	HSC-EP	Legacy Accounts Receivable Review	60		In Progress			60
Special	ASU	Meat and Food Sciences Litigation Support	20		In Progress			20
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	4,200	1,020				4,200
		HIGHEST PRIORITY						
1	TTU	Office of Human Resources	400					400
1	TTU	Office of Research Commercialization	350					350
1	TTU	Building Control Systems Security	400					400
1	HSC	Conflict of Interest Management Processes	350					350
1	HSC	Electronic Medical Record Application Review	400					400
1	HSC	Procurement Card Processes	350					350
1	HSC-EP	Physical Plant	400					400
1	HSC-EP	GE Centripty Business Application Security	350					350
1	HSC-EP	Conflict of Interest Management Processes	350					350
1	ASU	Information Technology General Controls Review	500					500
1	ASU	Procurement Processes	300					300
		HIGHEST PRIORITY TOTALS	4,150					4,150
		MODERATE PRIORITY						
2	TTUS	Office of Institutional Advancement	350					350
2	TTU	Costa Rica	175					175
2	TTU	Intercollegiate Athletics	325					325
2	TTU	School of Law	350					350
2	TTU	Financial Compliance of Grant Funds	400					400
2	TTU	Office of the Registrar	350					350
2	HSC	Physical Plant and Support Services	400					400

TEXAS TECH UNIVERSITY SYSTEM
 OFFICE OF AUDIT SERVICES
 PRIORITIZED AUDIT PLAN
 Fiscal Year 2018

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
2	HSC	Permian Basin Campus Departments						
2	HSC	Amarillo Campus Departments	400					400
2	HSC	Department of Family Medicine	400					400
2	HSC-EP	Paul L. Foster School of Medicine Department of Internal Medicine	375					375
2	HSC-EP	TAC 202 Information Technology Controls Compliance	350					350
2	ASU	Accounts Payable Processes	400					400
2	ASU	Center for International Studies Admission Processes	325					325
			250					250
MODERATE PRIORITY TOTALS			4,850					4,850
LOWER PRIORITY								
3	TTU	Scholarship Tracking System Security						
3	TTU	Student Media	200					200
3	HSC	Office of Strategic Initiatives Revenue Cycle Unit	200					200
3	HSC	Department of Obstetrics and Gynecology	350					350
3	HSC-EP	Transmountain Campus Business Processes	375					375
3	HSC-EP	Paul L. Foster School of Medicine Department of Pediatrics	350					350
3	ASU	eLearning Governance and Security Controls	350					350
3	ASU	ChromeRiver System Implementation Review	225					225
			100					100
LOWER PRIORITY TOTALS			2,150					2,150
CONSTRUCTION PROJECT AUDITS								
EPAC	TTUS	TTUSA System Administration Building			RSM US LLP	In Progress		0
EPAC	TTUS	TTU AT&T Sports Performance Complex			RSM US LLP	In Progress		0
EPAC	TTUS	TTU New Honors Residence Hall			RSM US LLP	In Progress		0
EPAC	TTUS	TTU Experimental Sciences Building II			CBIZ Risk & Advisory Services	In Progress		0
EPAC	TTUS	TTU TCVPA Maedgen Theatre Addition			CBIZ Risk & Advisory Services	In Progress		0
EPAC	TTUS	HSC Education Research & Technology Building			CBIZ Risk & Advisory Services	In Progress		0
EPAC	TTUS	HSC Permian Basin Academic Facility			CBIZ Risk & Advisory Services	In Progress		0
EPAC	TTUS	HSC-EP Medical Sciences Building II			RSM US LLP	In Progress		0
EPAC	TTUS	ASU College of Health and Human Services			RSM US LLP	In Progress		0
EPAC	TTUS	ASU Centennial Village			RSM US LLP	In Progress		0
CONSTRUCTION PROJECT TOTALS			0					0
OTHER VALUE-ADDED WORK								
Total Hours Budgeted for Other Value-Added Work			1,300	0				1,300
Other	ALL	Continuous Monitoring Data Analysis				Ongoing		
Other	ALL	Fraud Prevention Training				Ongoing		
Other	ALL	Cash Handling and Control Environment Training				Ongoing		
Other	ALL	New Employee Orientation				Ongoing		
Other	TTUS	Enterprise Application Steering Committee, Council, and Work Group				Ongoing		
Other	TTU	Ethics Center Advisory Board				Ongoing		
Other	HSC	President's Executive Council				Ongoing		
Other	HSC	Institutional Compliance Working Committee				Ongoing		
Other	HSC	Billing Compliance Advisory Committee				Ongoing		
Other	HSC	Enterprise Risk Management Committee				Ongoing		
Other	HSC	Performance Improvement Committee				Ongoing		
Other	ASU	Process Improvement Team				Ongoing		
Other	N/A	Quality Assurance (Peer) Reviews: UT Austin, UT Rio Grande Valley, UTHSCSA, Ector Co.				Ongoing		
Other	N/A	Big 12 Internal Audit Conference				Ongoing		
Other	N/A	Texas Tech Federal Credit Union Board and Committees				Ongoing		
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA, ACFE)				Ongoing		
Other	ALL	Other Miscellaneous Projects				Ongoing		
OTHER VALUE-ADDED WORK TOTALS			1,300					1,300
TOTAL ENGAGEMENT HOURS			20,868	0		0	0	20,868
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						
	ASU	Angelo State University						
	HSC-EP	Texas Tech University Health Sciences Center El Paso						
	N/A	Work that is not attributable to a particular institution or campus						
Required	Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.							
Prior Year	Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.							
Special	Unplanned special projects and investigations.							
2	Engagements that were deemed most critical per the risk assessment at August 1.							
3	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.							
EPAC	Outsourced construction audits performed by independent CPA firms.							
Other	Other projects, including committee service, class development and instruction, professional organizations, etc.							



TEXAS TECH UNIVERSITY SYSTEM

Office of Audit Services

Annual Audit Plan

For the Year Ending August 31, 2018

Kimberly F. Turner, CPA

Chief Audit Executive

August 10, 2017

Definition of Internal Auditing



Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Risk-Based Planning



The mission of the Office of Audit Services is to enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

IIA Standard 2010—Planning

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

2018 Areas of Focus



Academics and Research

- TTU – Student Media; Costa Rica; Law School
- TTUHSC – SOM Departments of Family Medicine and Obstetrics & Gynecology
- TTUHSC EP – PLFSOM Departments of Pediatrics and Internal Medicine

Financial Resources

- All – CPRIT Grant Funds
- TTUS – Office of Institutional Advancement; Construction Audits; Texas Tech Foundation, Inc.
- TTU – Office of Research Commercialization; Texas Tech Public Media
- TTUHSC – Office of Strategic Initiatives Revenue Cycle Unit; Procurement Card Processes; Physical Plant
- TTUHSC EP – Institutional Financial Statement Audit; Transmountain Business Processes; Physical Plant
- ASU – Accounts Payable Processes; Procurement Processes; Carr Foundation; ASU Foundation

Compliance

- All – Contracting and Procurement Processes; Benefits Proportional by Fund; Multihazard Emergency Plan Safety and Security
- TTU – Athletics; Office of the Registrar; Financial Compliance of Grant Funds
- TTUHSC – Correctional Managed Health Care Contract; Conflict of Interest Management Processes
- TTUHSC EP – Conflict of Interest Management Processes
- ASU – Center for International Studies Admissions Processes

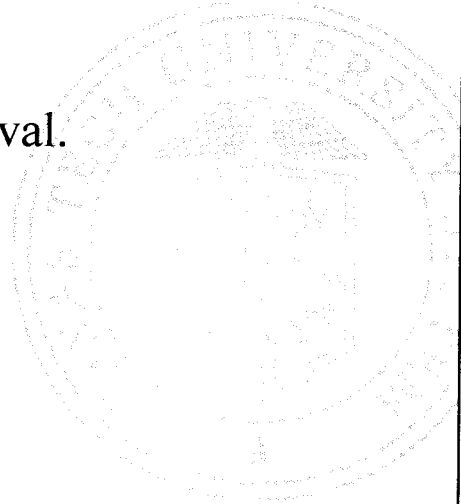
Information Technology

- TTU – Building Control Systems Security; Scholarship Tracking System Security
- TTUHSC – Electronic Medical Record Application Review
- TTUHSC EP – GE Centricity Business Application Security; TAC 202 Information Technology Controls Compliance
- ASU – IT General Controls Review; eLearning Governance and Security; Chrome River System Implementation

2018 Annual Audit Plan



We respectfully request your approval.



TEXAS TECH UNIVERSITY SYSTEM

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2017

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF JULY 31	ACTUAL HOURS	HOURS TO FY2018	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE						
			20,036					
		REQUIRED AUDITS						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	800		Complete	1,057		(257)
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects	20	(8)				
		TTU and HSC 2016 Statewide Federal Financial Audit			3 Complete	3		0
		HSC, ASU, and TTUSA: Comptroller's Post-Payment Audits			1 Complete	1		0
		ASU: THECB Texas Grant Follow-Up			4 Complete	4		0
Required	ALL	CPRIT Grant Funds	10		Complete	22		(12)
Required	ALL	Contracting and Procurement Processes	200		Complete	45		155
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120	30	Complete	156		(6)
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	30		Complete	62		(32)
Required	TTUS	Risk Management Assessment	100		Complete	1		99
Required	TTUS	Office of Audit Services Annual Report	30		Complete	23		7
Required	TTUS	Office of Audit Services Annual Plan	100		Complete	78		22
Required	TTU	Athletics Financial Agreed-Upon Procedures	60		Complete	41		19
Required	TTU	Texas Tech Public Media Financial Statements	5		Complete	5		0
Required	TTU	Joint Admission Medical Program Grants	250		Complete	231		19
Required	TTU	Football Attendance Certification	60		Complete	66		(6)
New	HSC/HSC-EP	THECB Residency Grants	10		Complete	8		2
Required	HSC	Correctional Managed Health Care Contract	150	50	In Progress	46	40	76
Required	HSC-EP	SACS Financial Statement Audit	40		Complete	7		33
Required	ASU	Carr Foundation Financial Statements	10		Complete	10		0
Required	ASU	ASU Foundation, Inc. Financial Statements	5		Complete	5		0
Required	ASU	Texas Higher Education Coordinating Board Facilities Audit	100		Complete	24		76
Required	ASU	Athletics Financial Agreed-Upon Procedures	20		Complete	3		17
		TOTALS FOR REQUIRED AUDITS	2,120	80		1,920	40	240
		AUDITS IN PROGRESS AT AUGUST 1, 2016						
Prior Year	TTU	School of Theatre and Dance	160	40	Complete	313		(113)
Prior Year	TTU	Center in Seville	240		Complete	344		(104)
Prior Year	HSC	Provider Payor Relations	325		Complete	339		(14)
Prior Year	HSC-EP	GE Centricity Business System Implementation Review	120		Complete	317		(197)
Prior Year	HSC-EP	Information Technology General Controls Review	20		Complete	275		(255)
Prior Year	ASU	Residential Programs	150		Complete	232		(82)
Prior Year	ALL	Wrap-up on Audits Included in August BOR Report	28		Complete	104		(76)
		TOTALS FOR AUDITS IN PROGRESS	1,043	40		1,924		(841)
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	3,500	(4,022)				(522)
		IN PROGRESS AT AUGUST 1, 2016						
Special	HSC-EP	Fleet Management		773	Complete	773		0
Special	HSC-EP	Clinical Affairs Purchasing Card Review		755	Complete	755		0
		BEGUN AFTER AUGUST 1, 2016						
Special	TTU	RCOBA Vendor Special		280	Complete	280		0
Special	TTU	Athletics Gameday Merchandising Contract		55	Complete	55		0
Special	TTU	Texas Manufacturing Assistance Center		174	In Progress	174		0
Special	TTU	Texas Tech Equestrian Team Special		227	In Progress	227		0
Special	HSC	CPRIT Grant Special		81	Complete	81		0
Special	HSC	Department of Ophthalmology Purchasing		500	Complete	500		0
Special	ASU	Meat & Food Sciences - Litigation Support		30	In Progress	30		0
Special	TTU	Institute for Measurement, Methodology, Analysis, and Policy		96	In Progress	96		0
Special	TTU	Mechanical Engineering Program Fee Follow-Up		26	Complete	26		0
Special	TTU	Political Science Bank Account Special		24	In Progress	24		0
Special	HSC-EP	Legacy Accounts Receivable Review		126	In Progress	126		0
Special	HSC	Amarillo Pediatrics Purchasing Card		304	In Progress	304		0
Special	TTU	Division of Institutional Diversity, Equity & Community Engagement		216	In Progress	216		0
Special	TTU	Academic Department Deposit Review		3	In Progress	3		0
Special	HSC	Department of Dermatology Cash Controls		29	In Progress	29		0
Special	ALL	Miscellaneous Hotline Projects		323	Complete	323		0
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	3,500	4,022		4,022		(522)
		HIGHEST PRIORITY						
1	TTUS	Office of Institutional Advancement	500		Complete	480		20
1	TTU	Export Controls	350		Complete	367		(17)
1	TTU	Graduate School	450		Complete	401		49
1	TTU	Faculty Consulting and Leave Reporting	450	(150)	Complete	331		(31)
1	HSC	School of Nursing	400		Complete	444		(44)
1	HSC	Mobile Device Management	400	(400)	Cancelled			0
1	HSC	e-Learning Governance and Security Controls	400	(100)	Complete	196		104
1	HSC-EP	Transmountain Campus Business Processes	400	(400)	CF to 2018			0
1	HSC-EP	Contract Management Processes	350		In Progress	109	241	0
1	HSC-EP	Paul L. Foster School of Medicine Department of Pediatrics	350	(350)	CF to 2018			0
1	ASU	State of Texas Special Line Item Funds	350		Complete	297		53
		HIGHEST PRIORITY TOTALS	4,400	(1,400)		2,625	241	134
		MODERATE PRIORITY						
2	TTUS	Information Technology Risk Assessment	350		Complete	209		141
2	TTU	Office of the Vice President for Research	400		In Progress	413	15	(28)
2	TTU	Intercollegiate Athletics - NCAA Compliance	375		Complete	480		(105)
2	TTU	Rawls College of Business Administration Professional MBA Program	300		Complete	371		(71)
2	TTU	Student Worker Banner Access	350		Complete	324		26
2	TTU	On-Campus Minor Protection Program	325		Complete	320		5

TEXAS TECH UNIVERSITY SYSTEM
 OFFICE OF AUDIT SERVICES
 PRIORITIZED AUDIT PLAN
 Fiscal Year 2017

PRIORITY	ENTITY	AUDIT AREA		BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF JULY 31	ACTUAL HOURS	HOURS TO FY2018	BUDGET vs ACTUAL
2	HSC	School of Medicine Clinical Departments	Financial/Operational	750	(750)				0
		Department of Pediatrics	Financial/Operational		400	Complete	535		(135)
		Department of Surgery	Financial/Operational		350	Complete	383		(43)
2	HSC	Collection Agency Processes	Financial/Controls	350		In Progress	45	305	0
2	HSC	Charge Capture Processes	Operational/Controls	400		Complete	419		(19)
2	HSC	Information Technology General Controls Review	IT/Controls	425	(425)	Cancelled			0
2	HSC-EP	Paul L. Foster School of Medicine Department of Internal Medicine	Financial/Operational	350	(350)	CF to 2018			0
2	HSC-EP	Food and Entertainment Expenses	Financial/Compliance	375		Complete	542		(167)
2	HSC-EP	Conflict of Interest Management Processes	Compliance/Operational	350	(350)	CF to 2018			0
2	ASU	Student Learning Outcomes Assessment Processes	Operational	400		Complete	310		90
2	ASU	CS Gold Application Security	Information Technology	275		Complete	332		(57)
MODERATE PRIORITY TOTALS				5,775	(1,125)		4,693	320	(363)
LOWER PRIORITY									
3	TTU	Office of the President	Management Advisory	300	(300)	Cancelled			0
3	TTU	Office of Student Disability Services	Financial/Compliance	325		Complete	425		(100)
3	HSC	Student Business Services	Operational/Controls	300		In Progress	41	259	0
3	HSC	Amarillo SIMCentral	Financial/Controls	350		In Progress	73	277	0
3	HSC	On-Campus Minor Protection Program	Compliance	250		Complete	232		18
3	HSC-EP	Information Technology Help Desk Processes	IT/Operational	375		In Progress	149	226	0
3	HSC-EP	Paul L. Foster School of Medicine Department of Pathology	Financial/Operational	300		In Progress	370	15	(85)
New	ASU	NCAA Compliance Follow-up	Compliance/Follow-up		100	Complete	114		(14)
LOWER PRIORITY TOTALS				2,200	(200)		1,404	777	(181)
CONSTRUCTION PROJECT AUDITS									
EPAC	TTUS	TTUSA System Administration Building	RSM US LLP			In Progress			0
EPAC	TTUS	TTU Maddox Engineering Research Center	CBIZ Risk & Advisory Services			Complete			0
EPAC	TTUS	TTU AT&T Sports Performance Complex	RSM US LLP			In Progress			0
EPAC	TTUS	TTU RCOBA Expansion	RSM US LLP			Complete			0
EPAC	TTUS	TTU New Honors Residence Hall	RSM US LLP			In Progress			0
EPAC	TTUS	TTU Experimental Sciences Building II	CBIZ Risk & Advisory Services			In Progress			0
EPAC	TTUS	HSC Education Research & Technology Building	CBIZ Risk & Advisory Services			In Progress			0
EPAC	TTUS	HSC Permian Basin Academic Facility	CBIZ Risk & Advisory Services			In Progress			0
EPAC	TTUS	ASU Archer College of Health and Human Services	RSM US LLP			In Progress			0
EPAC	TTUS	ASU Centennial Village	RSM US LLP			In Progress			0
EPAC	TTUS	HSC-EP Medical Sciences Building II	RSM US LLP			In Progress			0
EPAC	TTUS	TTU TCVPA Maedgen Theatre Addition	CBIZ Risk & Advisory Services			In Progress			0
CONSTRUCTION PROJECT TOTALS				0	-		-	-	0
OTHER VALUE-ADDED WORK									
Total Hours Budgeted for Other Value-Added Work				1,000	(1,393)				(393)
Other	ALL	Continuous Monitoring Data Analysis				Ongoing	122		
Other	ALL	Fraud Prevention Training				Ongoing	198		
Other	ALL	Cash Handling and Control Environment Training				Ongoing	52		
Other	ALL	New Employee Orientation				Ongoing	27		
Other	TTUS	Enterprise Application Steering Committee, Council, and Work Group				Ongoing	11		
Other	TTU	Ethics Center Advisory Board				Ongoing	1		
Other	HSC	Institutional Compliance Working Committee				Ongoing	13		
Other	HSC	Billing Compliance Advisory Committee				Ongoing	5		
Other	HSC	President's Executive Council				Ongoing	6		
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA, ACFE)				Ongoing	501		
Other	N/A	TTFCU Board and Committees				Ongoing	63		
Other	N/A	HSC Enterprise Risk Management Committee				Ongoing	4		
Other	N/A	HSC Performance Improvement Committee				Ongoing	2		
Other	N/A	UT San Antonio Health Science Center Peer Review				Ongoing	43		
Other	ALL	Other Miscellaneous Projects				Ongoing	345		
OTHER VALUE-ADDED WORK TOTALS				1,000	-		1,393	-	(393)
TOTAL ENGAGEMENT HOURS				20,038	(2,605)		17,981	1,378	(1,926)
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							
	ASU	Angelo State University							
	HSC-EP	Texas Tech University Health Sciences Center El Paso							
	N/A	Work that is not attributable to a particular institution or campus							
Required	Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.								
Prior Year	Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.								
Special	Unplanned special projects and investigations.								
2	Engagements that were deemed most critical per the risk assessment at August 1.								
3	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.								
EPAC	Outsourced construction audits performed by independent CPA firms.								
Other	Other projects, including committee service, class development and instruction, professional organizations, etc.								

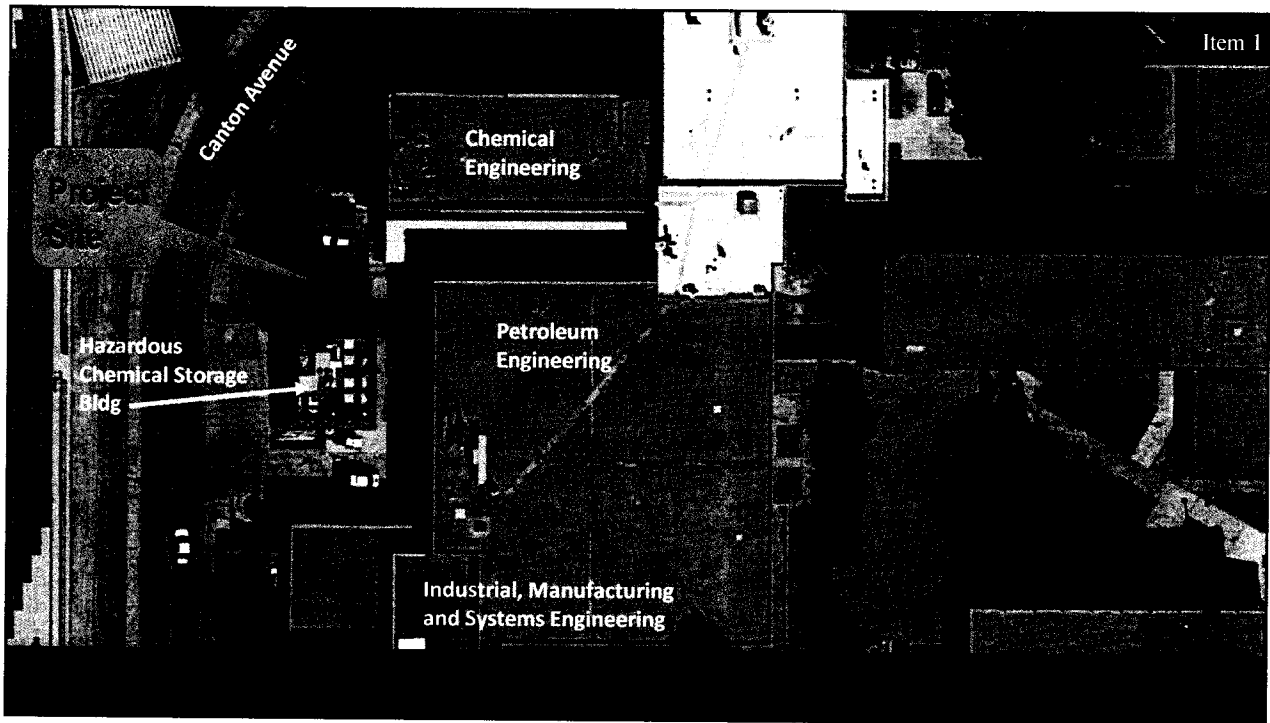
Texas Tech University

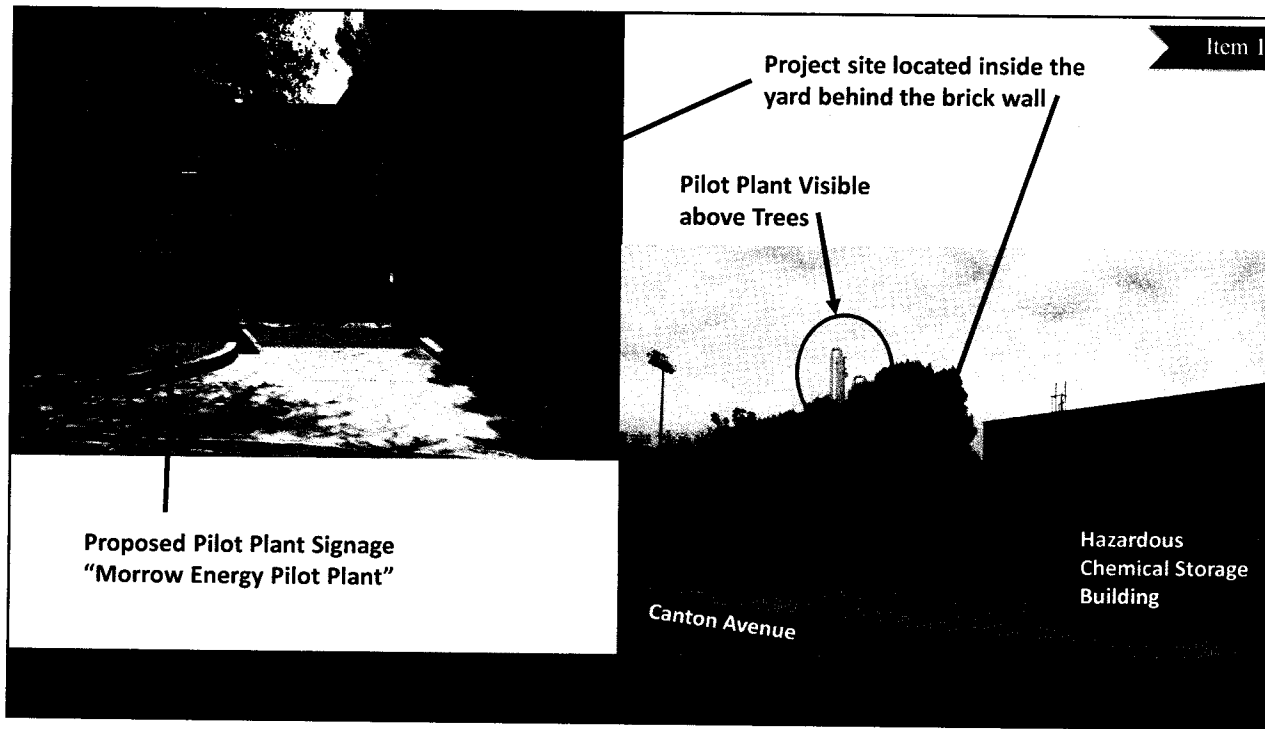
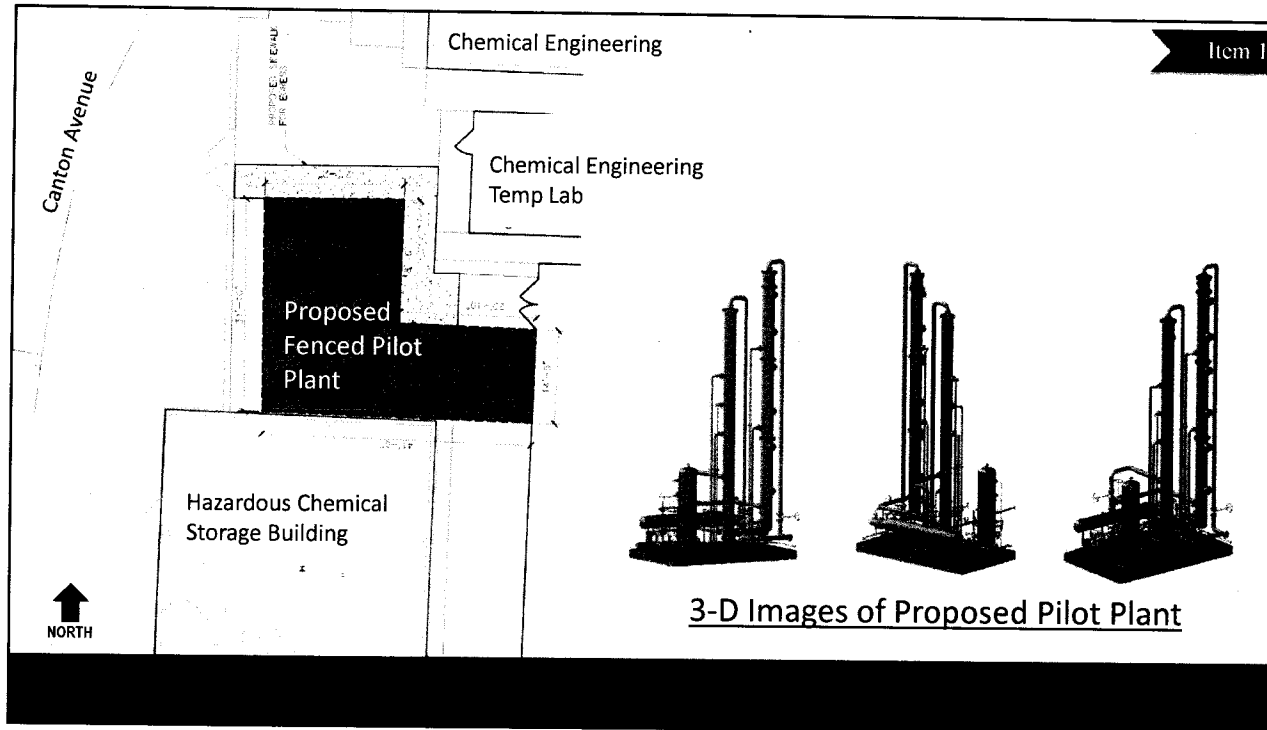
Item 1

Approve a gift-in-kind with naming and a project to install a Chemical Process Pilot Plant

Michael S. Molina

Lisa D. Calvert





Recommendation

Item 1

- Approve the acceptance of a gift-in-kind of personal property valued at \$1,212,000; name the property the "Morrow Energy Pilot Plant"; proceed with a project to install the chemical process pilot plant in the exterior fenced yard outside the Chemical Engineering Lab building with a total project budget of approximately \$1,600,000; report project to the Texas Higher Education Coordinating Board; complete the contract documents; and award a construction contract.

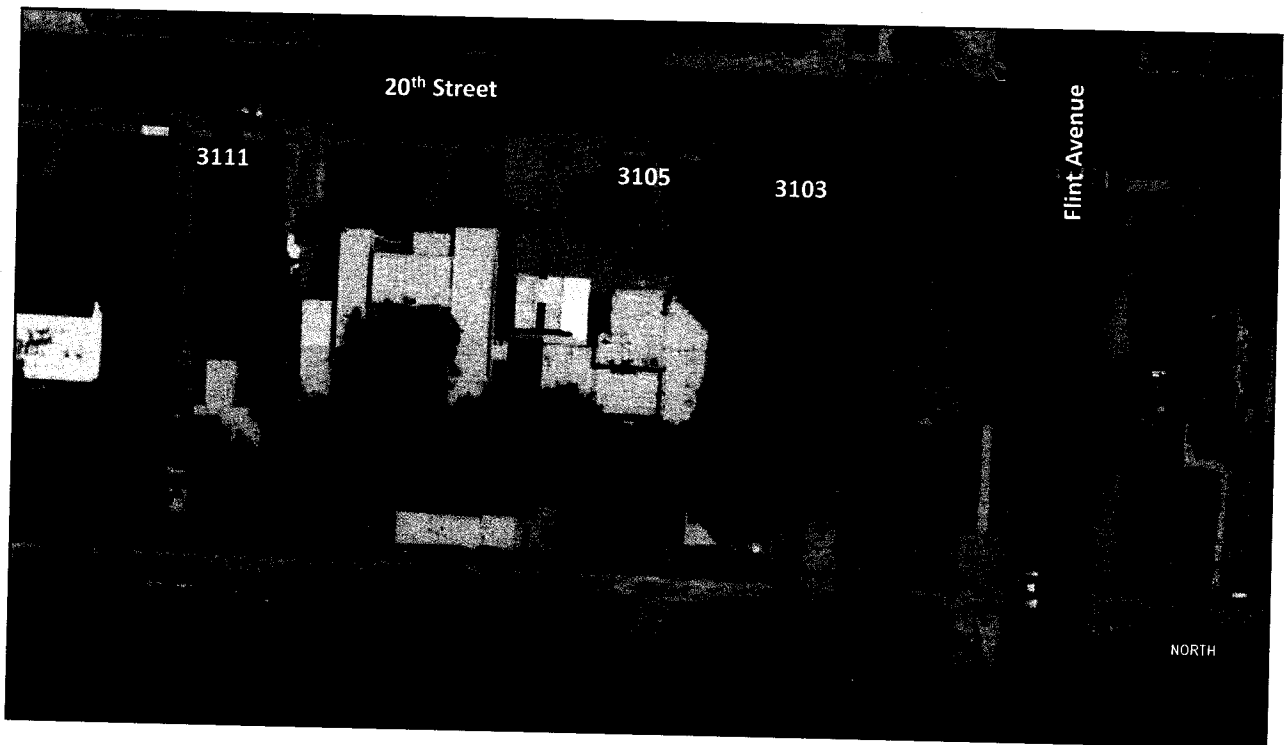


Texas Tech University

Item 2

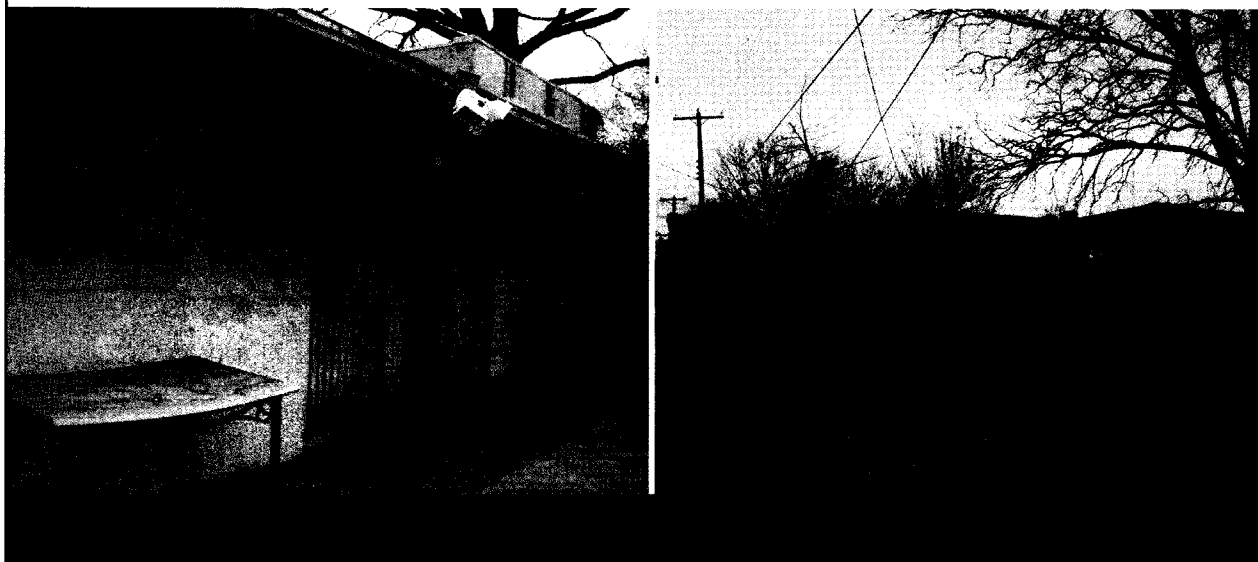
Approve title and grant authority related to
bequest of property of Frances Mayhugh
Holden, Deceased

John Huffaker



3103 20th Street

Item 2



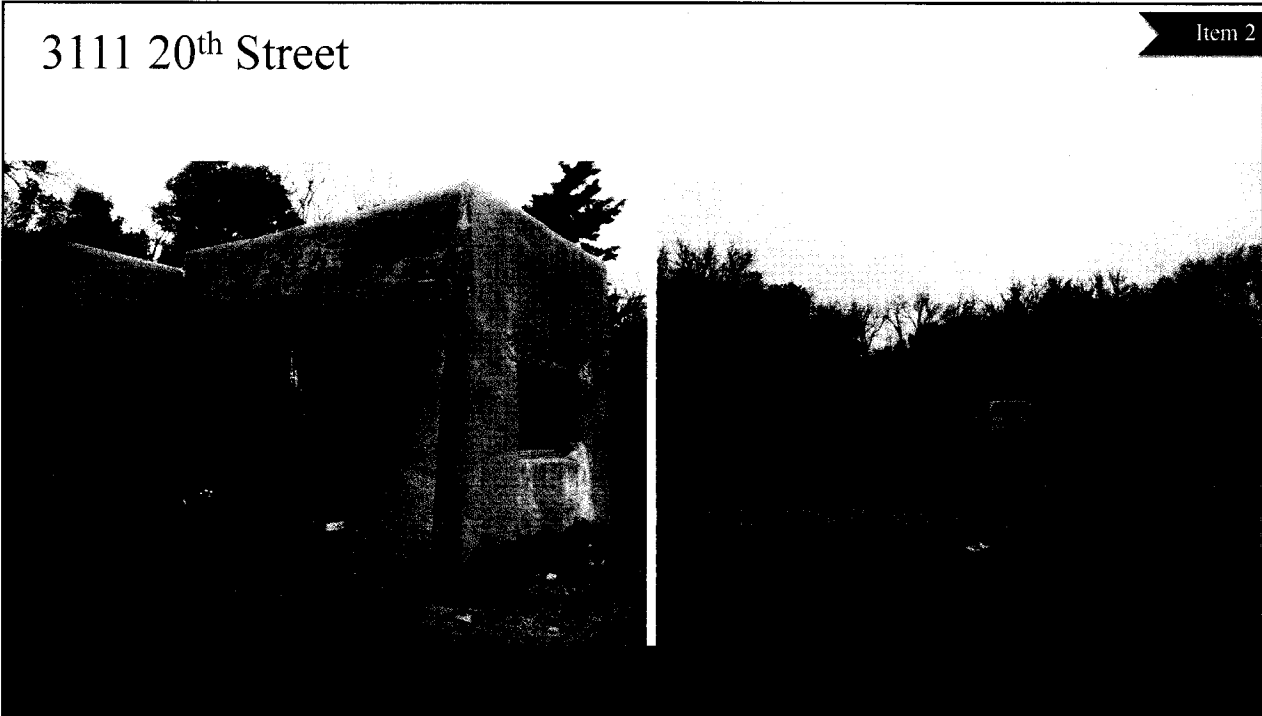
3105 20TH Street

Item 2



3111 20th Street

Item 2



Recommendation

Item 2

- Authorize President Schovanec to take any actions, enter into and conclude any negotiations, and execute any documents necessary to; accept title to real property ("Property") granted to Texas Tech University by testamentary bequest of Frances Mayhugh Holden, deceased ("Decedent"); retain some or all the Property; and *effective after the expiration of 10 years from the Decedent's date of death*, elect to sell, convey, transfer to another party or otherwise dispose of any or all of the Property.



Texas Tech University

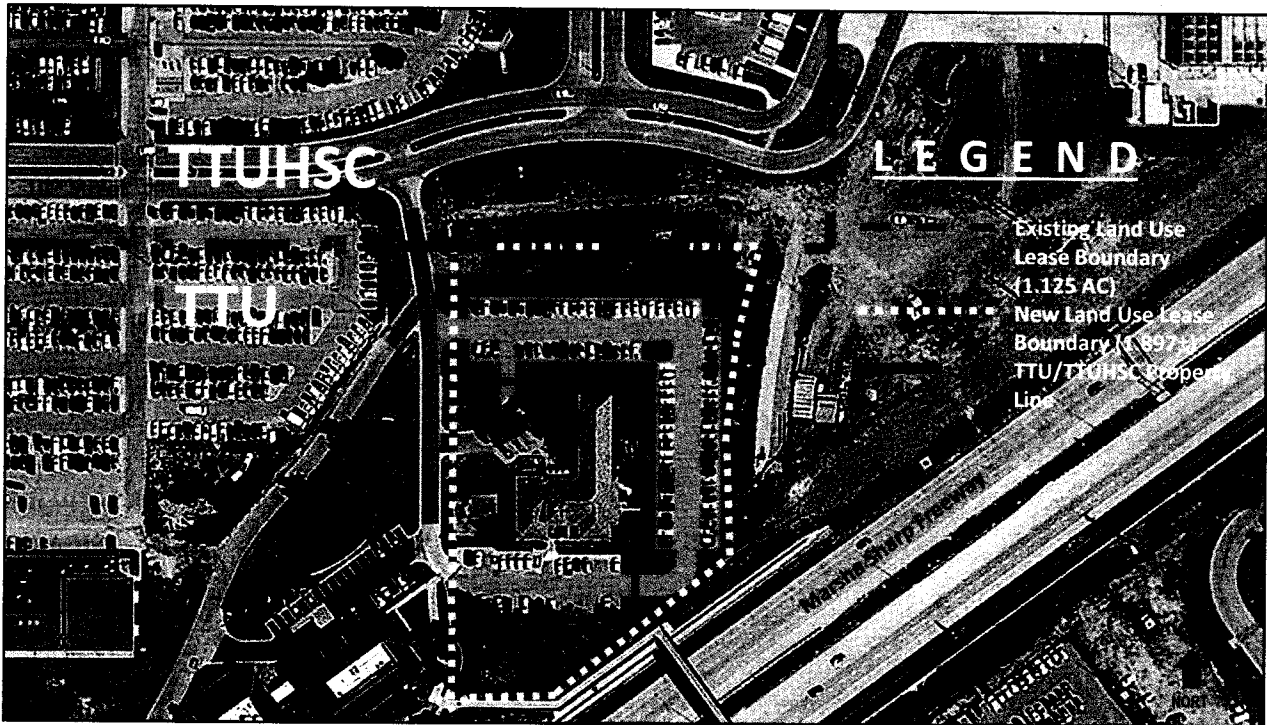
Item 3

Approve amendment to the Lease Agreement with the Ronald McDonald House Charities® of the Southwest

Michael S. Molina

Dr. Lawrence Schovanec





Overview

Item 3

- September 1984 – Board of Regents approved ground lease of 1.125 acres to Family House, Inc., a Texas non-profit corporation, for construction of Ronald McDonald House.
- February 2001 – Board of Regents approved reserving 2 acres within the campus land use plan for the future Ronald McDonald Expansion
- 2004 - Family House, Inc. changed their name to Ronald McDonald House Charities® of the Southwest, Inc.
- September 2005 – Discussions to amend lease for 1.577 acres available at the time; legal survey was prepared on Tract II. Amendment postponed, waiting for additional land after the Marsha Sharp Freeway initiative.

Overview (Cont.)

Item 3

- August 2017 - Ronald McDonald House Charities® of the Southwest is requesting to amend their lease for the approximate 2 acres set aside back in 2001. Propose construction of parking lot on the east and future north parking lot.
- West roadbed of the former Indiana Avenue Boulevard + 10 feet behind the west curb and gutter is now available to include in the request for additional land. Estimated at 0.32± acre; will require legal survey.
- Total land available is 1.897± acres

Recommendation

Item 3

- Approve the amendment to the Lease Agreement (“Agreement”) between Texas Tech University (“TTU”) and Ronald McDonald House Charities® of the Southwest, Inc. formerly known as Family House, Inc., a Texas nonprofit corporation (“RMHCS”) to;
- Grant RMHCS a ground lease on an additional 82,633.32 ± square feet (1.897 ± acre) tract of land surrounding the 1.125 acre tract currently leased to RMHCS on which the existing Ronald McDonald House facility is located to facilitate the construction of a parking lot, future building expansion and parking lot, and site enhancements all at the sole cost of RMHCS with plans subject to TTU’s approval and the approval of Texas Tech University System Facilities Planning and Construction;
- Note the RMHCS’s name change as a result of two amendments to the RMHCS Articles of Incorporation and various other updates to the Agreement;

Recommendation (Cont.)

Item 3

- Such as, insurance requirements and construction standards;
- The lease term will correspond with the existing lease expiration date of September 10, 2033; option to extend an additional term of twenty-five (25) years on terms consistent with the Agreement; and
- RMHCS' consideration for the additional land the sum of Ten Dollars (\$10.00) plus non-cash consideration in the form of RMHCS providing and maintaining, at its sole cost, perimeter landscaping acceptable to TTU to enhance the site.
- The original ground lease was for a 49,005 square feet (1.125 acre) tract of land and the additional 82,633.32 ± square feet (1.87 ± acre) request will result in a total 131,638.32 ± square feet (3.022 ± acres) tract of land leased to RMHCS.



FACILITIES PLANNING AND CONSTRUCTION
 Capital Project Budget Analysis
 Fiscal Year 2010-2017

Project Name	Construction Delivery	BUDGET					COST D Actual/Projected	BALANCE (C-D) Over/Under	(C/D) %	NOTE
		Original Budget (Proposed MP1)	A Board Approved	B Board Adjustment	Internal Adjustment	C Adjusted Budget				
System Office Building	CMR	\$27,500,000	\$27,500,000	\$0	\$0	\$27,500,000	\$0	0%	0%	
TOTAL - System		\$27,500,000	\$27,500,000	\$0	\$0	\$27,500,000	\$0	0%	0%	
TOTAL - HSC		\$159,808,500	\$162,758,500	\$0	\$313,338	\$163,071,838	-\$281,160	1%	-1%	
TOTAL - TTU/HSC/EI Paso/ASU		\$1,075,782,635	\$944,722,965	\$133,767,816	-\$8,570,694	\$1,069,920,087	-\$22,641,216	0%	-2%	

Project Name	Construction Delivery	BUDGET					COST D Actual/Projected	BALANCE (C-D) Over/Under	(C/D) %	NOTE
		Original Budget (Proposed MP1)	A Board Approved	B Board Adjustment	Internal Adjustment	C Adjusted Budget				
El Paso School of Nursing	CMR	\$16,500,000	\$11,000,000	\$0	\$0	\$11,000,000	\$0	0%	0%	
Medical Sciences Building II	CMR	\$84,400,000	\$84,400,000	\$0	\$0	\$84,400,000	\$0	0%	0%	
TOTAL - EI Paso		\$98,900,000	\$95,400,000	\$0	\$0	\$98,900,000	-\$927,744	0%	-3%	Site 1, \$2,412,064

Project Name	Construction Delivery	BUDGET					COST D Actual/Projected	BALANCE (C-D) Over/Under	(C/D) %	NOTE
		Original Budget (Proposed MP1)	A Board Approved	B Board Adjustment	Internal Adjustment	C Adjusted Budget				
Porter-Hammerson Library IT Commons Renovation/Wellness/CHP Expansion	CMR	\$4,380,000	\$7,000,000	\$0	\$0	\$7,000,000	\$0	0%	0%	
Plaza Verde Rest Hall	CMR	\$35,000,000	\$35,000,000	\$0	\$0	\$35,000,000	\$0	0%	0%	
Concho Hall	CMR	\$4,000,000	\$2,500,000	-\$1,500,000	\$0	\$1,000,000	\$0	0%	0%	
Leiland Football Stadium Press Box	CMR	\$3,000,000	\$3,000,000	\$0	\$0	\$3,000,000	\$0	0%	0%	
Centennial Village Phase II	DB	\$12,700,000	\$14,300,000	\$0	\$0	\$14,300,000	\$0	0%	0%	Reduction due to savings/audit findings
College of Health & Human Services	CMR	\$26,360,000	\$26,360,000	\$0	\$0	\$26,360,000	\$0	0%	0%	
TOTAL - ASU		\$92,440,000	\$96,740,000	-\$1,524,000	-\$3,000,000	\$92,216,000	-\$1,876,174	1%	-3%	Site 1, \$797,195

Actual Data - Project closed
 TRB Projects

Texas Tech University System

Item 4

Report on Facilities Planning and Construction projects (project data as of 07/28/17)

Michael S. Molina



ASU - Hunter Strain Engineering Laboratories Addition

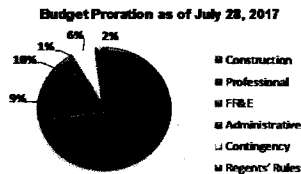
Project Budget:	BOR Approved	Current
	May 2015	
	\$ 4,000,000	\$ 4,000,000

Budget Proration	Original	*eBuilder as of July 28, 2017
	Construction	\$ 2,908,500
Professional	\$ 314,366	\$ 374,250
FF&E	\$ 462,500	\$ 387,400
Administrative	\$ 19,650	\$ 15,509
Contingency	\$ 214,984	\$ 249,041
Regents' Rules	\$ 80,000	\$ 80,000

Gross Square Feet: 11,000 GSF 9,000 GSF

Team / Status:

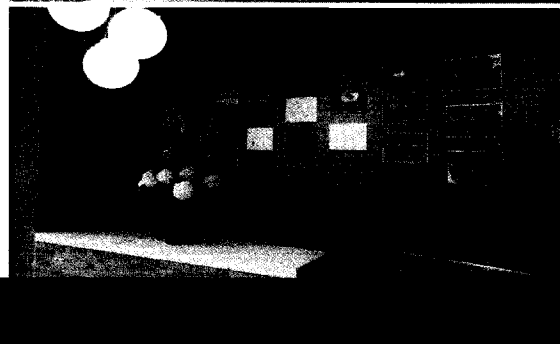
- Design Professional:
Kinney Franke Architects, Inc / Design @ 100%
- Construction Manager at Risk (CMR):
Western Builders of Amarillo /
Construction @ 94%
- Construction Manager Agent (CMAgent):
None Required
- Artist:
Doyle Dickerson Terrazzo / May 2017 Installation



Substantial Completion Date:

Original Date - April 2017
 Current Date - May 15, 2017
 Actual Date - May 30, 2017

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



ASU - LeGrand Football Stadium Press Box

Project Budget:	BOR Approved	BOR Increase	BOR Increase	Current
	Feb 2016	Aug 2016	Feb 2017	
	\$ 3,000,000	\$ 3,500,000	\$ 3,976,000	\$ 3,976,000

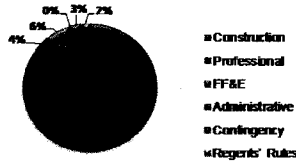
Budget Proration	Original	*eBuilder as of July 28, 2017		
Construction	\$ 2,330,438	\$ 2,902,245	\$ 3,303,770	\$ 3,377,500
Professional	\$ 165,500	\$ 151,170	\$ 197,085	\$ 153,270
FF&E	\$ 84,500	\$ 230,500	\$ 230,500	\$ 247,800
Administrative	\$ 13,500	\$ 8,400	\$ 8,400	\$ 13,934
Contingency	\$ 346,062	\$ 137,685	\$ 156,725	\$ 103,976
Regents' Rules	\$ 60,000	\$ 70,000	\$ 79,520	\$ 79,520

Gross Square Feet: 6,660 GSF 6,660 GSF 6,660 GSF 6,660 GSF

Team / Status:

- Design Professional: Gary Donaldson Architects / Design @ 85%
- Construction Manager at Risk (CMR): Waldrop / Construction @ 44%
- Construction Manager Agent (CMAgent): None Required
- Artist: Bob Guelich / August 2017 Installation

Budget Proration as of July 28, 2017



Substantial Completion Date:

Original Date – August 2017 Partial Completion Restrooms/Concessions
 Current Date – November 15, 2017 Substantial Completion
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



ASU - Archer College of Health and Human Services

Project Budget:	TRB	BOR Approved	Current
	Submission	Aug 2016	
	\$ 26,360,000	\$ 26,360,000	\$ 26,360,000

Budget Proration:	Original	*eBuilder as of July 28, 2017		
Construction	\$ 18,057,480	\$ 18,057,480	\$ 18,141,400	
Professional	\$ 3,034,827	\$ 2,646,200	\$ 2,798,640	
FF&E	\$ 2,785,243	\$ 2,785,243	\$ 2,862,243	
Administrative	\$ 290,737	\$ 290,737	\$ 171,695	
Contingency	\$ 1,069,152	\$ 1,457,779	\$ 1,263,461	
Regents' Rules	\$ 1,122,561	\$ 1,122,561	\$ 1,122,561	

Gross Square Feet: 50,000 GSF 56,600 GSF 56,600 GSF

Team / Status:

- Design Professional: PBK Architects / Design @ 85%
- Construction Manager at Risk (CMR): Western Builders of Amarillo / Construction @ 54%
- Construction Manager Agent (CMAgent): Hill International @ 59%
- Artist: Artist selected, pending Chancellor approval

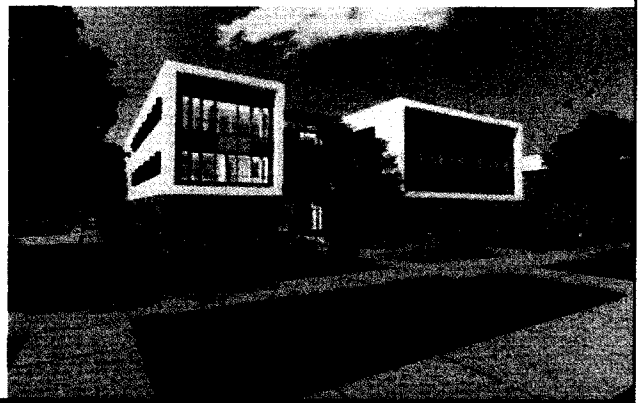
Budget Proration as of July 28, 2017



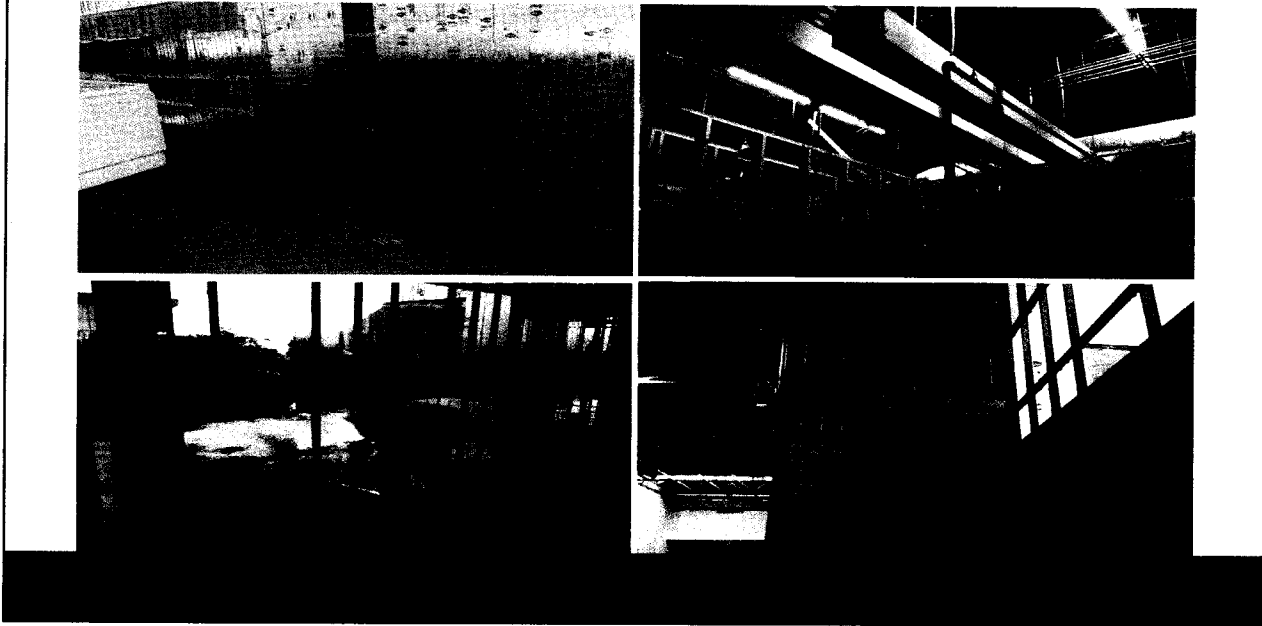
Substantial Completion Date:

Original Date – December 2017
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



ASU - Archer College of Health and Human Services (Cont.)



ASU – Centennial Village – Phase II

Project Budget:	BOR Approved	Current
	Feb 2017	
	\$ 14,500,000	\$ 14,500,000

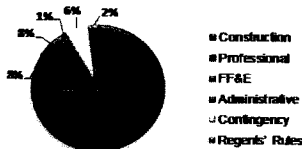
Budget Proration:	*eBuilder as of July 28, 2017	
Construction	\$ 10,891,000	\$ 10,875,100
Professional	\$ 1,180,900	\$ 1,227,700
FF&E	\$ 1,261,710	\$ 1,111,710
Administrative	\$ 92,200	\$ 92,200
Contingency	\$ 784,190	\$ 903,290
Regents' Rules	\$ 290,000	\$ 290,000

Gross Square Feet: 45,750 GSF 45,700 GSF

Team / Status:

- Design-Build Team:
 - Marmon Mok / Whiting Turner Const @ 12%
 - Construction Manager Agent (CMAgent): Waived
- Artist:
 - Artist interviews in Oct 2017

Budget Proration as of July 28, 2017



Substantial Completion Date:

Original Date – June 2018
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Industrial Engineering Building Renovation

	Phase I BOR Approved Mar 2015	Phase II BOR Increase Feb 2016	BOR Increase Aug 2016	Current
Project Budget:	\$ 5,000,000	\$ 9,134,000	\$ 9,859,000	\$ 9,859,000
Budget Proration	Original	*eBuilder as of July 28, 2017		
Construction	\$ 2,723,120	\$ 5,169,083	\$ 6,120,004	\$ 6,994,604
Professional	\$ 312,049	\$ 822,567	\$ 979,162	\$ 980,113
FF&E	\$ 1,508,731	\$ 2,429,507	\$ 2,395,147	\$ 1,378,525
Administrative	\$ 86,100	\$ 103,015	\$ 104,015	\$ 99,162
Contingency	\$ 370,000	\$ 528,770	\$ 165,114	\$ 311,038
Regents' Rules	\$ 0	\$ 81,058	\$ 95,558	\$ 95,558
Gross Square Feet:	17,062 GSF	37,542 GSF	44,803 GSF	44,803 GSF

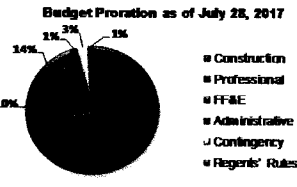
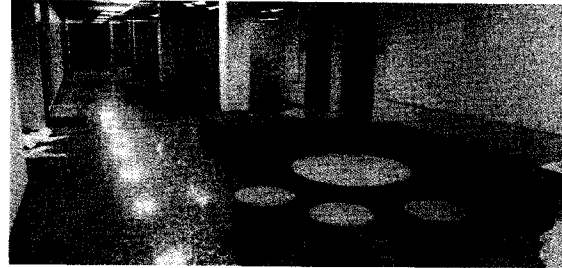
Team / Status - Phase I & II:

- Design Professional:
 - Dekker/Perich/Sabatini / CA @ 89%
- Construction Manager at Risk (CMR):
 - Teinert Comm. Bldg. Svcs / Const. Ph II @ 78%
- Construction Manager Agent (CMAgent):
 - None Required
- Artist:
 - Waived by BOR on 03-06-2015 – Phase I
 - Shane Albritton / August 2017 Installation - Phase II

Substantial Completion Date:

Original Date –	August 2016	April 2017	October 2017	October 2017
Actual Date –	August 2016	April 2017	TBD	TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Sports Performance Center

	BOR Approved Dec 2015	Current
Project Budget:	\$ 48,000,000	\$ 48,000,000
Budget Proration:	Original	*eBuilder as of July 28, 2017
Construction	\$ 36,576,960	\$ 38,544,311
Professional	\$ 5,566,623	\$ 5,903,368
FF&E	\$ 2,074,313	\$ 1,189,443
Administrative	\$ 326,040	\$ 228,612
Contingency	\$ 1,393,714	\$ 71,916
Regents' Rules	\$ 2,062,350	\$ 2,062,350
Gross Square Feet:	159,285 GSF	156,245 GSF

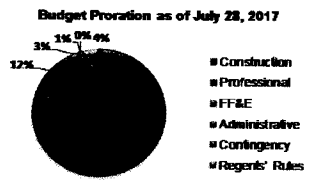
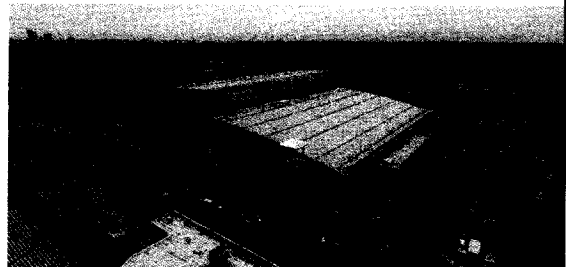
Team / Status:

- Design Professional:
 - Gensler / Design @ 96%
- Construction Manager at Risk (CMR):
 - Flintco, LLC / Construction @ 62%
- Construction Manager Agent (CMAgent):
 - PC Sports, Inc. @ 70%
- Artist:
 - Simon Donovan / August 2017 Installation

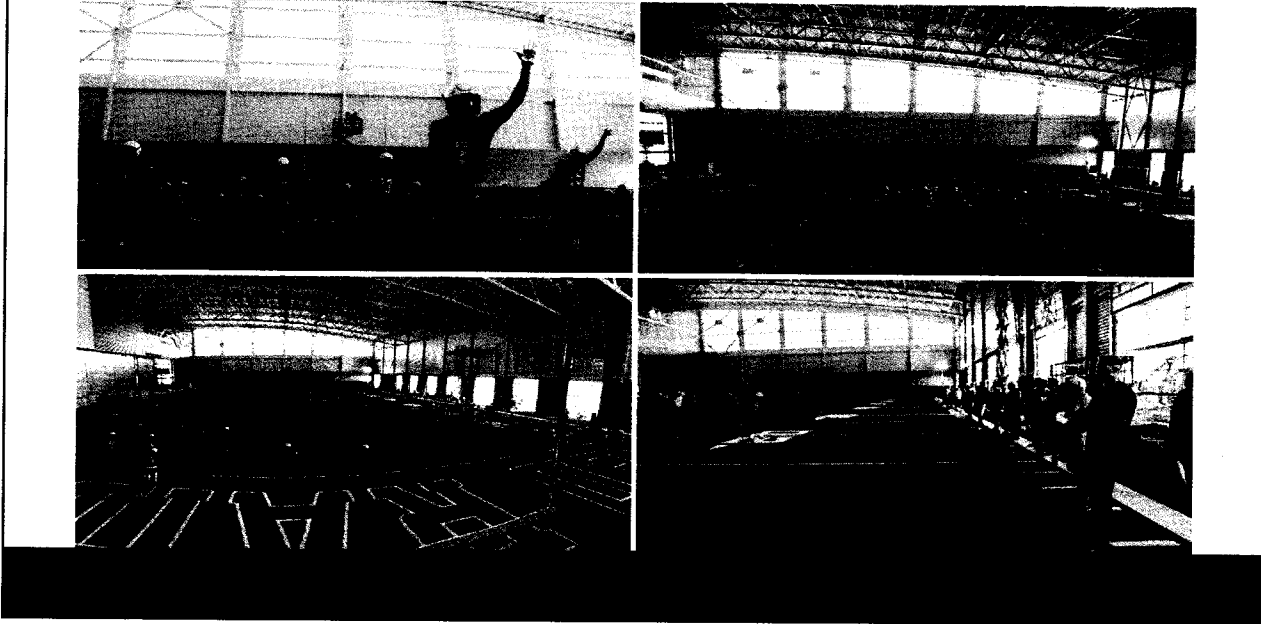
Substantial Completion Date:

Original Date –	July 2017
Current Date –	August 27, 2017
Actual Date –	TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Sports Performance Center (Cont.)



TTU – New Honors Residence Hall

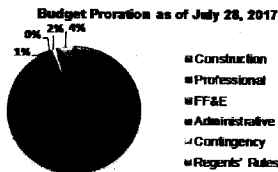
Project Budget:	2015 MP1	BOR Approved	Current
	Submission	Oct 2015	
	\$ 30,000,000	\$ 29,900,000	\$ 29,900,000

Budget Proration:	Original		*eBuilder
			as of July 28, 2017
Construction	\$ 21,979,214	\$ 22,803,567	\$ 24,763,734
Professional	\$ 3,327,490	\$ 3,194,402	\$ 3,055,748
FF&E	\$ 2,931,813	\$ 2,050,600	\$ 190,500
Administrative	\$ 303,040	\$ 160,141	\$ 131,655
Contingency	\$ 180,840	\$ 422,941	\$ 490,014
Regents' Rules	\$ 1,277,603	\$ 1,268,349	\$ 1,268,349

Gross Square Feet: 89,375 GSF ~ 80,000 GSF 77,292 GSF

Team / Status:

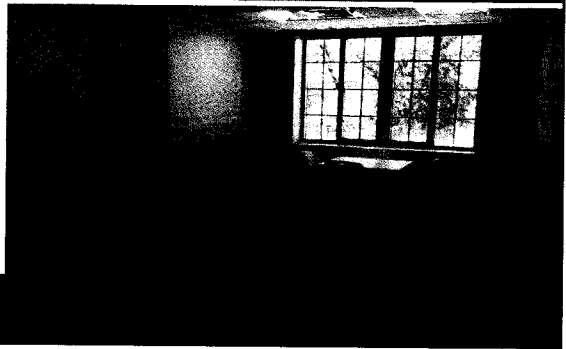
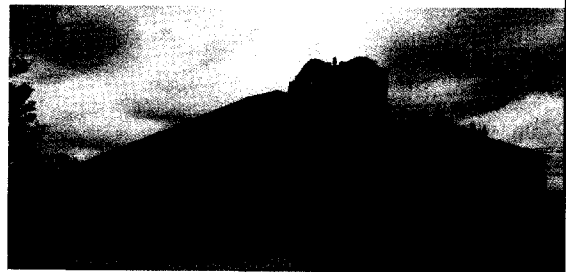
- Design-Build Team:
 - Whiting-Turner / BGK Architects and Mackey Mitchell Architects / Construction @ 88%
- Construction Manager Agent (CMAgent):
 - Parkhill, Smith & Cooper, Inc. @ 76%
- Artist:
 - Marc Fornes / December 2017 Installation



Substantial Completion Date:

Original Date – July 2017
 Actual Date – July 15, 2017

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Museum Life Safety Upgrade and Air Management Replacement

Project Budget:	BOR Approved	
	Aug 2015	Current
	\$ 7,650,000	\$ 7,650,000

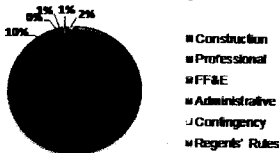
Budget Proration:	*eBuilder	
	Original	as of July 28, 2017
Construction	\$ 5,998,228	\$ 6,546,064
Professional	\$ 826,190	\$ 745,975
FF&E	\$ 1,000	\$ 16,882
Administrative	\$ 105,841	\$ 118,132
Contingency	\$ 568,904	\$ 73,110
Regents' Rules	\$ 149,837	\$ 149,837

Gross Square Feet: 238,555 GSF 238,555 GSF

Team / Status:

- Design Professional:
Parkhill Smith & Cooper, Inc. / Design @ 76%
- General Contractor:
Sandia Construction / Construction @ 49%
- Construction Manager Agent (CMAgent):
None Required
- Artist:
TBD

Budget Proration as of July 28, 2017



Substantial Completion Date:

Original Date – December 2017
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Talkington College of Visual and Performing Arts Theatre & Dance Complex Addition

Project Budget:	BOR Approved	
	Feb 2017	Current
	\$ 23,000,000	\$ 23,000,000

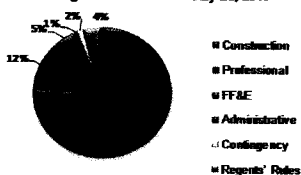
Budget Proration:	*eBuilder	
	Original	as of July 28, 2017
Construction	\$ 17,025,496	\$ 17,473,903
Professional	\$ 2,737,473	\$ 2,774,099
FF&E	\$ 1,221,500	\$ 1,214,094
Administrative	\$ 134,275	\$ 139,011
Contingency	\$ 882,207	\$ 399,844
Regents' Rules	\$ 999,049	\$ 999,049

Gross Square Feet: - 50,000 GSF 49,188 GSF

Team / Status:

- Design Professional:
BRW Architects / Design @ 38%
- General Contractor:
Teinert Commercial Bldg. Svcs, Inc. / Construction @ 0%
- Construction Manager Agent (CMAgent):
Parkhill, Smith & Cooper @ 10%
- Artist:
RFQ in Process

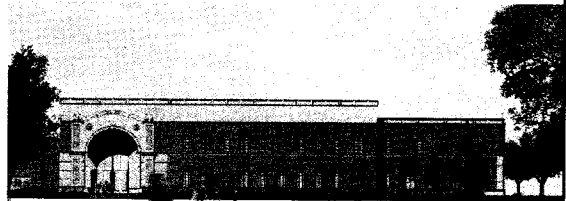
Budget Proration as of July 28, 2017



Substantial Completion Date:

Original Date – December 2018
 Actual Date – TBD

Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Experimental Sciences Building II

Project Budget	TRB Submission	BOR Approved Aug 2016	Current
	\$ 77,000,000	\$ 77,000,000	\$ 77,000,000

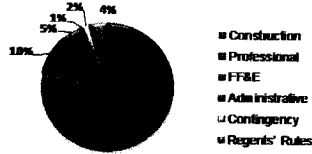
Budget Proration:	Original	*eBuilder as of July 28, 2017	
Construction	\$ 52,571,000	\$ 53,339,497	\$ 60,277,000
Professional	\$ 8,892,875	\$ 7,898,378	\$ 7,772,349
FF&E	\$ 5,907,300	\$ 6,218,772	\$ 3,807,530
Administrative	\$ 858,318	\$ 541,884	\$ 343,734
Contingency	\$ 5,490,148	\$ 5,656,781	\$ 1,454,699
Regents' Rules	\$ 3,279,359	\$ 3,344,688	\$ 3,344,688

Gross Square Feet: 150,000 GSF 120,000-140,000 GSF 117,000 GSF

Team / Status:

- Design Professional: TreanorHL / Design @ 66%
- Construction Manager at Risk (CMR): Flintco, LLC / Construction @ 6%
- Construction Manager Agent (CM Agent): Project Control of Texas, Inc. @ 31%
- Artist: Finalists selected: Interviews Oct 27, 2017

Budget Proration as of July 28, 2017



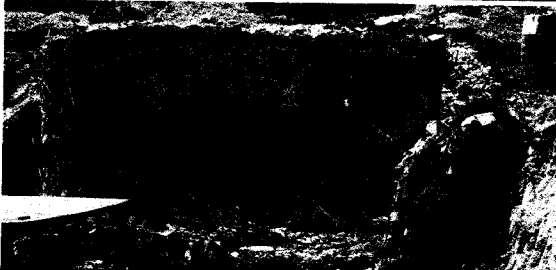
Substantial Completion Date:

Original Date – June 2019
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTU – Experimental Sciences Building II (Cont.)



TTUHSC – Amarillo Panhandle Clinical Simulation Center

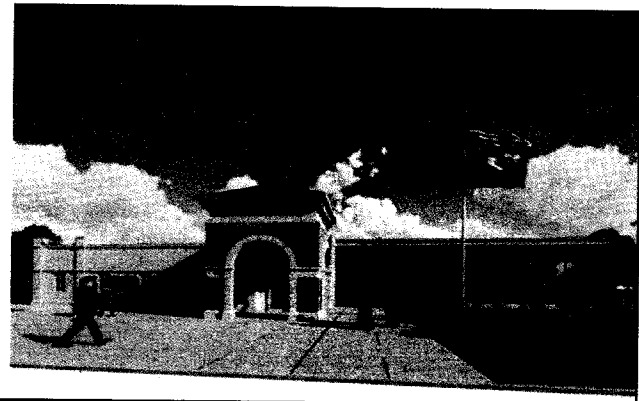
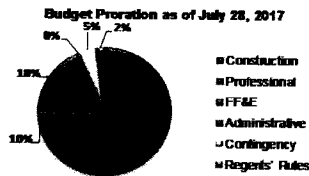
Project Budget:	TRB	BOR Approved	Current
	Submission	May 2016	
	\$ 9,750,000	\$ 9,750,000	\$ 9,750,000

Budget Proration	Original	*eBuilder as of July 28, 2017	
Construction	\$ 6,837,000	\$ 6,837,000	\$ 6,380,564
Professional	\$ 874,460	\$ 874,460	\$ 945,937
FF&E	\$ 1,247,940	\$ 1,247,940	\$ 1,769,784
Administrative	\$ 195,762	\$ 195,762	\$ 21,187
Contingency	\$ 403,648	\$ 403,648	\$ 441,338
Regents' Rules	\$ 191,190	\$ 191,190	\$ 191,190

Gross Square Feet:	21,000 GSF	20,485 GSF	20,532 GSF
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Team / Status:

- Design Professional:
Dekker/Perich/Sabatini / Design @ 92%
- General Contractor:
Western Builders of Amarillo, Inc./
Construction @ 63%
- Construction Manager Agent (CMAgent):
None Required
- Artist:
Carolyn Braaksma / Installation August 2017

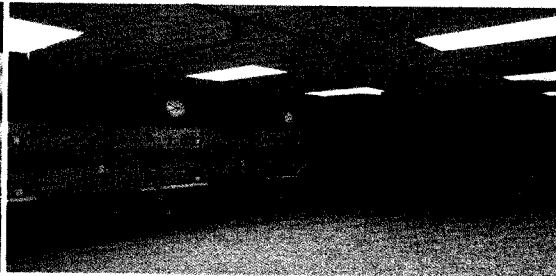


Substantial Completion Date:

Original Date – August 2017
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column

Amarillo Panhandle Clinical Simulation Center (Cont.)



TTUHSC – Lubbock Education, Research & Technology + West Expansion

Project Budget:	TRB Submission	BOR Approved Oct 2016	Current
	\$ 83,700,000	\$ 85,900,000	\$ 85,900,000

Budget Proration:	Original		*eBuilder as of July 28, 2017
Construction	\$ 60,254,000	\$ 63,565,131	\$ 62,072,911
Professional	\$ 9,438,710	\$ 9,720,722	\$ 10,196,163
FF&E	\$ 6,126,600	\$ 6,439,009	\$ 6,126,600
Administrative	\$ 792,125	\$ 754,030	\$ 821,731
Contingency	\$ 3,524,130	\$ 1,733,222	\$ 2,994,709
Regents' Rules	\$ 3,564,435	\$ 3,687,886	\$ 3,687,886

Gross Square Feet:	200,000 GSF	183,218 GSF	185,062 GSF
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Team / Status:

- Design Professional:
Perkins + Will / Design @ 49%
- Construction Manager at Risk (CMR):
Hill & Wilkinson General Contractors /
Construction @ 2%
- Construction Manager Agent (CMAgent):
Hill International @ 30%
- Artist:
RFQ in Process

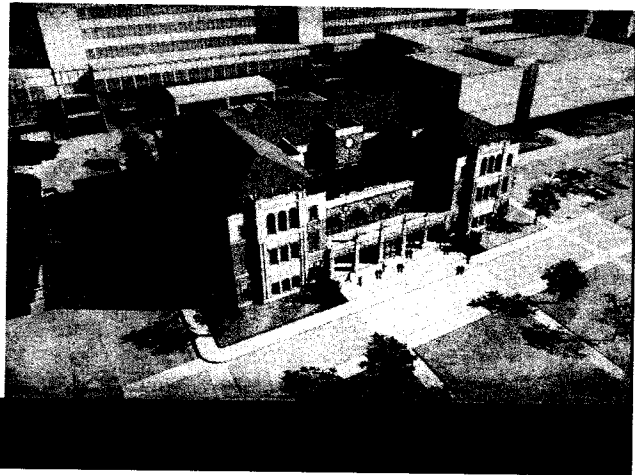
Budget Proration as of July 28, 2017



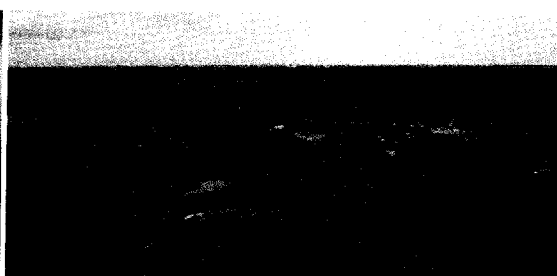
Substantial Completion Date:

Original Date – January 2019
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



Lubbock Education, Research & Technology + West Expansion



TTUHSC – Permian Basin Academic Facility

Project Budget:	TRB Submission	BOR Approved Aug 2016	Current
	\$ 19,800,000	\$ 22,300,000	\$ 22,300,000

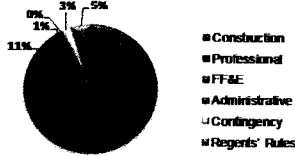
Budget Proration:	Original		*eBuilder as of July 28, 2017
Construction	\$ 14,183,840	\$ 15,912,000	\$ 16,231,629
Professional	\$ 2,046,490	\$ 2,505,559	\$ 2,268,805
FF&E	\$ 1,671,660	\$ 2,518,017	\$ 2,220,443
Administrative	\$ 231,792	\$ 123,145	\$ 61,650
Contingency	\$ 823,016	\$ 272,120	\$ 548,314
Regents' Rules	\$ 843,202	\$ 969,159	\$ 969,159

Gross Square Feet: 54,000 GSF 51,000 GSF 51,000 GSF

Team / Status:

- Design Professional:
FKP Architects, Inc. / Design @ 67%
- General Contractor
Flintco, LLC / Construction @ 5%
- Construction Manager Agent (CMAgent):
Adams Management Services @ 38%
- Artist:
Albert Paley / July 2018 Installation

Budget Proration as of July 28, 2017



Substantial Completion Date:

Original Date – July 2018
 Actual Date – TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTUHSC – Permian Basin Academic Facility (Cont.)



TTUHSC El Paso - Medical Sciences Building II

Project Budget:	TRB	BOR Approved	Current
	Original	Dec 2016	
	\$ 84,400,000	\$ 84,400,000	\$ 84,400,000

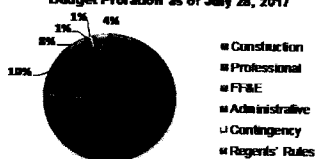
Budget Proration:	Original		*eBuilder as of July 28, 2017
	Construction	\$ 59,398,160	\$ 59,398,160
Professional	\$ 9,749,196	\$ 9,749,196	\$ 8,311,485
FF&E	\$ 7,302,320	\$ 7,302,320	\$ 6,763,294
Administrative	\$ 856,129	\$ 856,129	\$ 299,362
Contingency	\$ 3,499,945	\$ 3,499,945	\$ 1,116,007
Regents' Rules	\$ 3,594,250	\$ 3,594,250	\$ 3,594,250

Gross Square Feet: 227,000 GSF 223,000 GSF 223,000 GSF

Team / Status:

- Design Professional:
Perkins + Will / Design @ 49%
- Construction Manager at Risk (CMR):
Sundt / Construction @ 2%
- Construction Manager Agent (CMAgent):
Broadus and Associates @ 14%
- Artist:
Post RFQ in October 2017

Budget Proration as of July 28, 2017



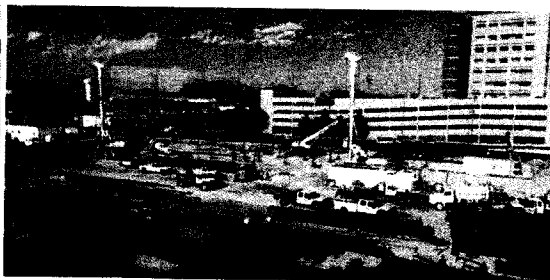
Substantial Completion Date:

Original Date - March 2019
 Actual Date - TBD

*Note: Current budget (eBuilder) reflects cumulative value from "original" budget column



TTUHSC El Paso - Medical Sciences Building II (Cont.)



Texas Tech University System

Item 4

Status of Public Art

Michael S. Molina

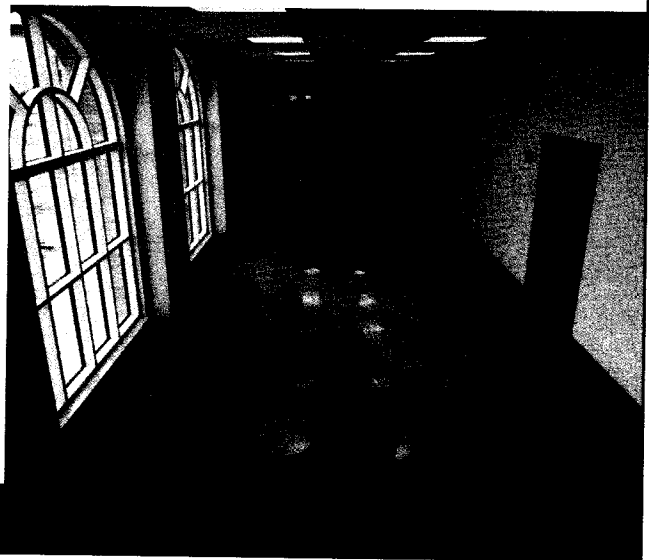
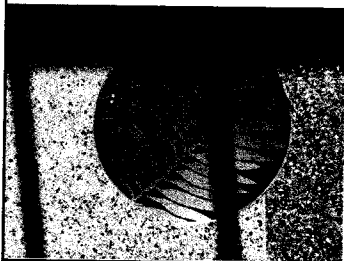
TTUHSC– Amarillo Panhandle Clinical Simulation Center

Art Budget: \$ 89,500

Artist: Carolyn Braaksma
Denver, CO

Title: Body Geography

Status: Installed August 2017



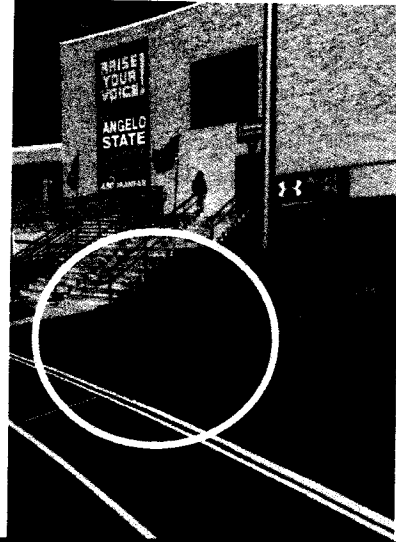
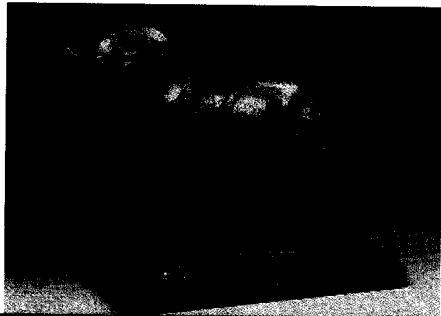
ASU - LeGrand Football Stadium Press Box

Art Budget: \$ 88,000

Artist: Bob Guelich
San Antonio, TX

Title: Awaiting artist announcement

Status: August 2017 Installation



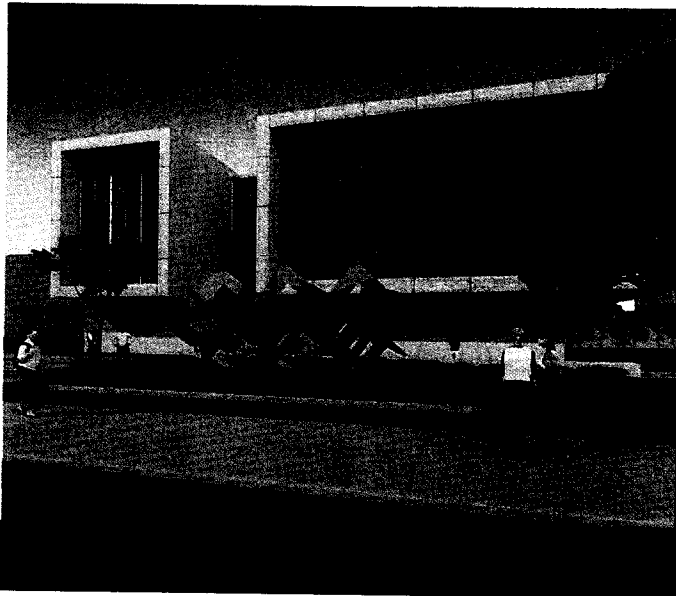
ASU – Archer College of Health & Human Services

Art Budget: \$ 253,000

Artist: Owen Morrel
Miami, FL

Title: Awaiting artist announcement

Status: January 2018 Installation



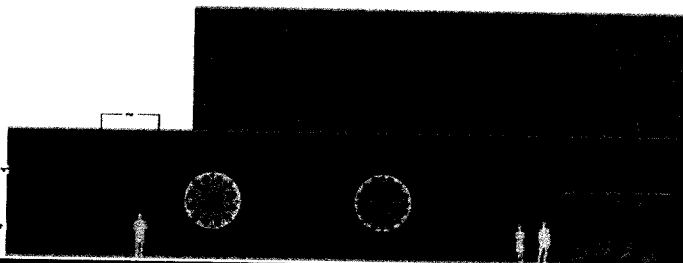
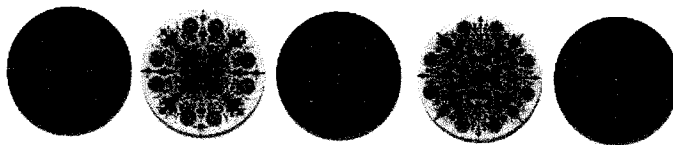
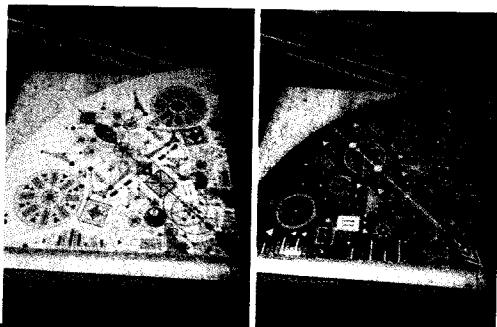
TTU – Industrial Engineering Building Renovation

Art Budget: \$ 33,500

Artist: Shane Allbritton
Houston, TX

Title: Awaiting artist announcement

Status: August 2017 Installation



TTU – Sports Performance Center

Art Budget: \$ 450,000

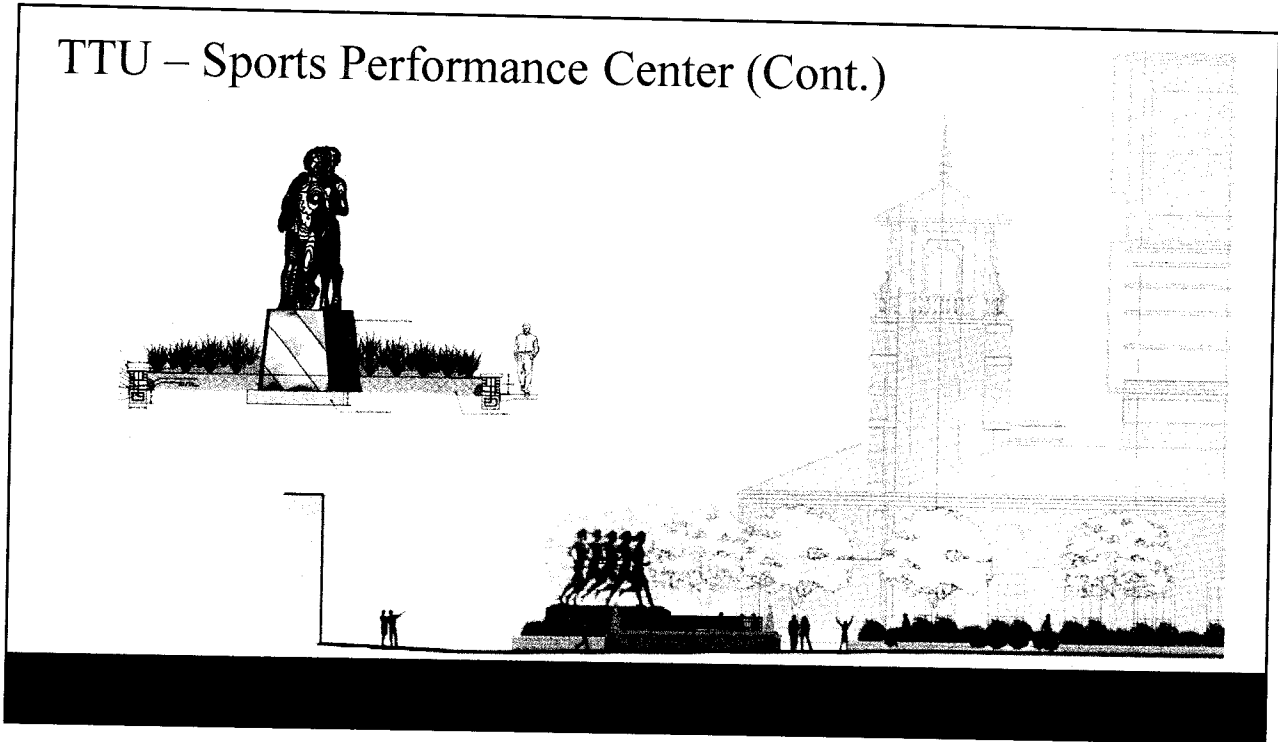
Artist: Simon Donovan
Tucson, AZ

Title: Run

Status: August 2017 Installation



TTU – Sports Performance Center (Cont.)



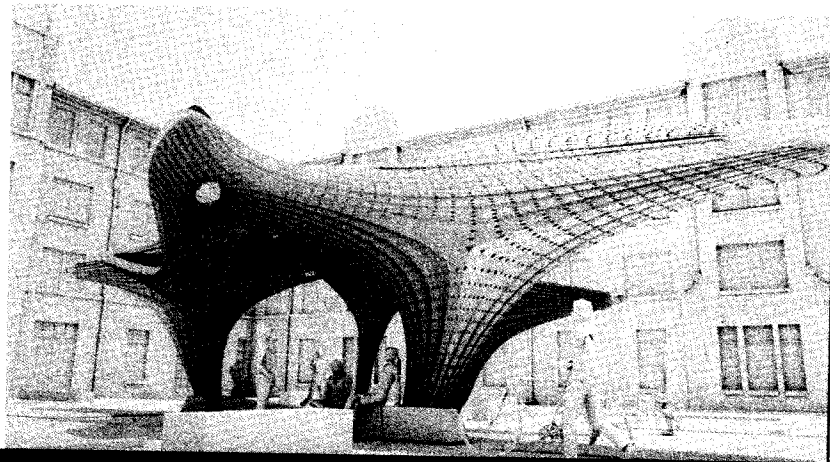
TTU – New Honors Residence Hall

Art Budget: \$ 287,000

Artist: Marc Fornes / Theverymany
New York, NY

Title: Wandering (Color TBD)

Status: December 2017 Installation



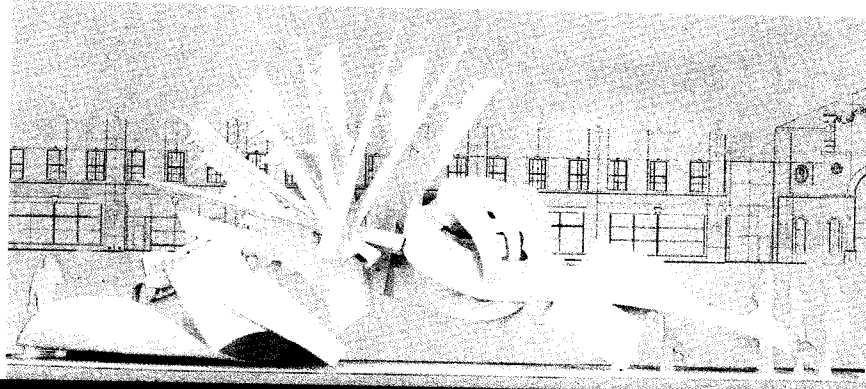
TTUHSC– Permian Basin Academic Facility

Art Budget: \$ 214,000

Artist: Albert Paley
New York, NY

Title: Awaiting artist announcement

Status: July 2018 Installation





TEXAS TECH UNIVERSITY SYSTEM



Summary Operating Budgets

Fiscal Year 2018

Gary Barnes

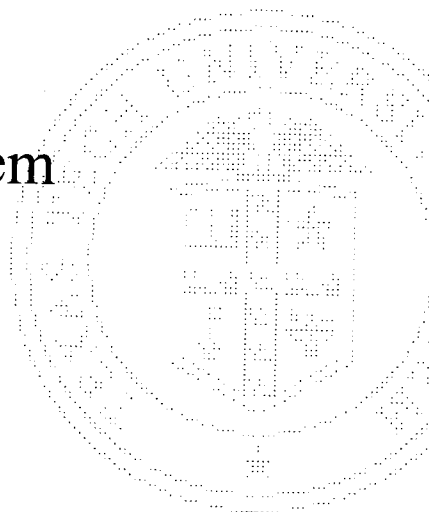
Vice Chancellor and Chief Financial Officer

August 10, 2017



Texas Tech University System

FY 2018 Proposed Budget



TTUS Summary Operating Budgets

FY 2018 Budget Drivers/Impacts



- **85th Legislature**
 - Overall Reduction in net General Revenue Funding for TTUS Operations of \$14.4 Million, or 2.2%
 - Total Increase in TRB Funding for TTUS of \$41 Million, or 92%
 - Total Increase in HEF Funding for TTUS of \$28 Million, or 20%
 - Special Items “non-formula” reduced by about 30% (state-wide)
 - Academic research formula reduced by 10% (state-wide)
 - Hold Harmless Funding
 - Minimal reduction in Higher Education Group Insurance Premiums from previous biennium
 - Start Up Funding - Vet School
 - Start Up Funding - Dental School

- **No Merit Plan Increases**

- **Other Funding Impacts** *(related to Total Budget Increase)*
 - Increased Revenues due to increased enrollment
 - Medical Faculty Practice Plan Increases
 - External Grant Funding
 - Auxiliaries (athletics, housing, food services, etc.)

Texas Tech University



TEXAS TECH UNIVERSITY SUMMARY OPERATING BUDGET FISCAL YEAR 2018

	FY 2017 Estimated Expenditures	FY 2018 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	276,942,701	277,233,899	291,198	0.11%
DESIGNATED (student fees)	344,774,062	345,229,917	455,855	0.13%
AUXILIARY (athletics, housing, food services)	184,746,989	192,572,887	7,825,898	4.24%
RESTRICTED (external gifts, grants & contracts)	120,000,000	125,000,000	5,000,000	4.17%
TOTAL	926,463,752	940,036,703	13,572,951	1.47%

Angelo State University



ANGELO STATE UNIVERSITY SUMMARY OPERATING BUDGET FISCAL YEAR 2018

	FY 2017 Estimated Expenditures	FY 2018 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	47,277,698	49,083,769	1,806,071	3.82%
DESIGNATED (student fees)	36,145,753	39,957,177	3,811,424	10.54%
AUXILIARY (athletics, housing, food services)	28,872,214	29,760,130	887,916	3.08%
RESTRICTED (external gifts, grants & contracts)	1,241,418	1,198,980	(42,438)	-3.42%
TOTAL	113,537,083	120,000,056	6,462,973	5.69%

Texas Tech University Health Sciences Center



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER SUMMARY OPERATING BUDGET FISCAL YEAR 2018

	FY 2017 Estimated Expenditures	FY 2018 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	166,459,623	169,147,096	2,687,472	1.61%
DESIGNATED (student fees, faculty medical practice plans)	293,407,378	306,841,998	13,434,620	4.58%
AUXILIARY	662,840	696,675	33,835	5.10%
RESTRICTED (external gifts, grants & contracts)	215,500,000	224,900,000	9,400,000	4.36%
TOTAL	676,029,841	701,585,769	25,555,928	3.78%

Texas Tech University Health Sciences Center El Paso



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO SUMMARY OPERATING BUDGET FISCAL YEAR 2018

	FY 2017 Estimated Expenditures	FY 2018 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	78,145,901	74,731,349	(3,414,552)	-4.37%
DESIGNATED (student fees, faculty medical practice plans)	160,895,141	168,212,506	7,317,365	4.55%
AUXILIARY	238,656	245,656	7,000	2.93%
RESTRICTED (external gifts, grants & contracts)	33,200,000	33,000,000	(200,000)	-0.60%
TOTAL	272,479,698	276,189,511	3,709,813	1.36%

Texas Tech University System Administration



TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION SUMMARY OPERATING BUDGET FISCAL YEAR 2018

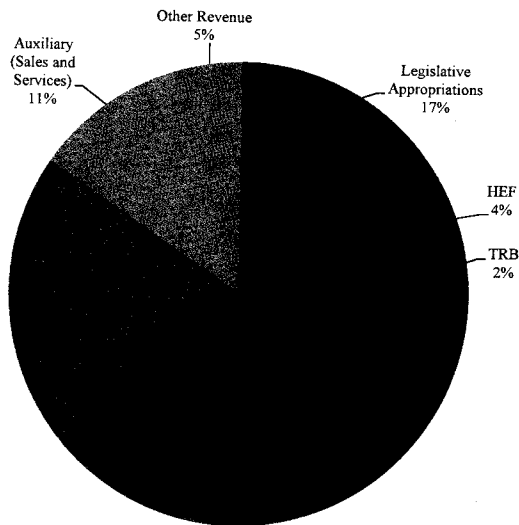
	FY 2017 Estimated Expenditures	FY 2018 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	5,510,246	5,289,837	(220,409)	-4.00%
DESIGNATED	19,860,693	19,060,413	(800,280)	-4.03%
TOTAL	25,370,939	24,350,250	(1,020,689)	-4.02%

Texas Tech University System

FY 2018 Operating Budget by Source



Source of Funding	FY 2018 (proposed budget)	%
Legislative Appropriations	358,777,107	17%
HEF	84,152,382	4%
TRB	43,483,340	2%
Tuition and Fees	479,172,710	23%
Medical Income Plan(s)	384,549,102	19%
Restricted Grants/Contracts/Gifts	384,098,980	19%
Auxiliary (Sales and Services)	223,275,348	11%
Other Revenue	95,103,531	5%
GRAND TOTAL	\$2,052,614,700	

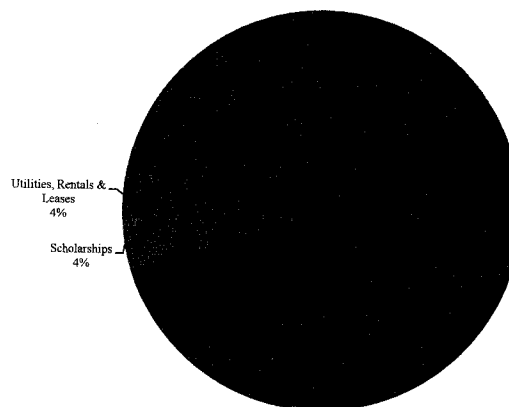


Texas Tech University System

FY 2018 Operating Budget by Expense Category *(estimated)*



Source of Funding	FY 2018 (proposed budget)	%
Payroll and Fringes	1,263,406,902	62%
Interest Expense / Depreciation	173,413,104	8%
Scholarships	86,535,506	4%
Utilities, Rentals & Leases	79,239,340	4%
Other Operating Expenses	450,019,848	22%
GRAND TOTAL	\$2,052,614,700	



Texas Tech University System



**TEXAS TECH UNIVERSITY SYSTEM
 BUDGET OVERVIEW (ALL FUNDS)
 FISCAL YEAR 2018**

TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	25,370,939	24,350,250	(1,020,689)	(4.02%)
TEXAS TECH UNIVERSITY LESS SYSTEM FUNDING	926,463,752 (5,139,941)	940,036,703 (4,616,943)	13,572,951	1.47%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER LESS SYSTEM FUNDING	676,029,841 (3,623,588)	701,585,769 (3,242,556)	25,555,928	3.78%
ANGELO STATE UNIVERSITY LESS SYSTEM FUNDING	113,537,083 (540,395)	120,000,056 (482,598)	6,462,973	5.69%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO LESS SYSTEM FUNDING	272,479,698 (1,348,953)	276,189,511 (1,205,492)	3,709,813	1.36%



TEXAS TECH UNIVERSITY SYSTEM



Endowments/LTIF

Gary Barnes

Vice Chancellor and Chief Financial Officer

August 10, 2017



1

Endowment Funds



The lifeblood of any university is the generous financial support from its donor community. Endowment funds, by design, are unique gifts given by donors that are invested over the long term with the purpose of producing earnings that will support the strategic goals of the institution and fulfill the philanthropic goals of individual donors.

Endowment funds benefit both current and future generations and represent the institution's promise to donors to use the income and investment gains generated by their gifts to support an aspect of the university's mission into perpetuity as specified by the donor.

Uniform state laws provide fundamental rules for the investment and expenditures of endowment funds. The rules support two general principles:

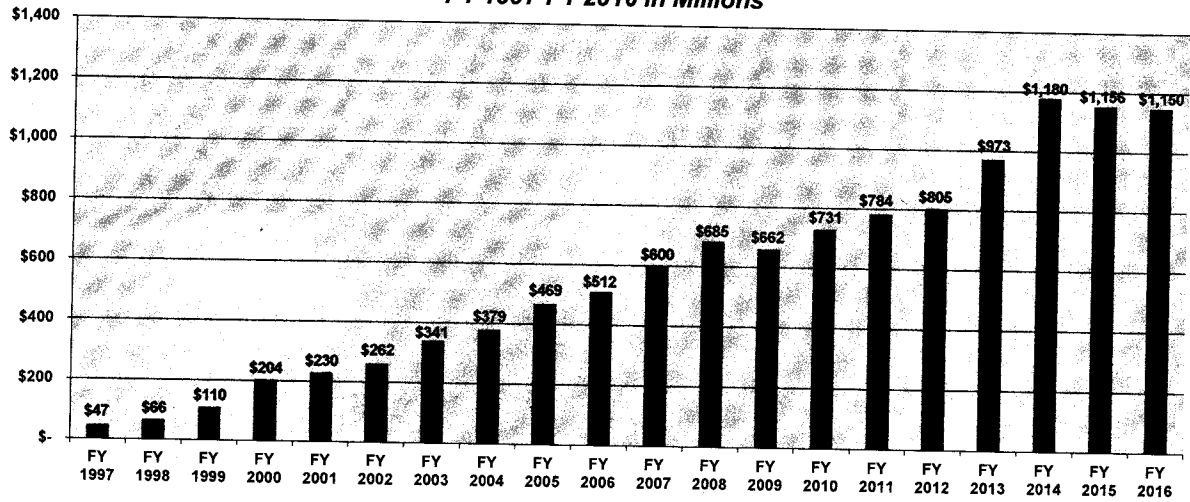
1. Assets would be invested prudently in diversified investments that sought growth as well as income, with low volatility over time with stable funding, and
2. Appreciation of assets could prudently be spent for the purposes of the endowment.

2

Endowment Fund Balance

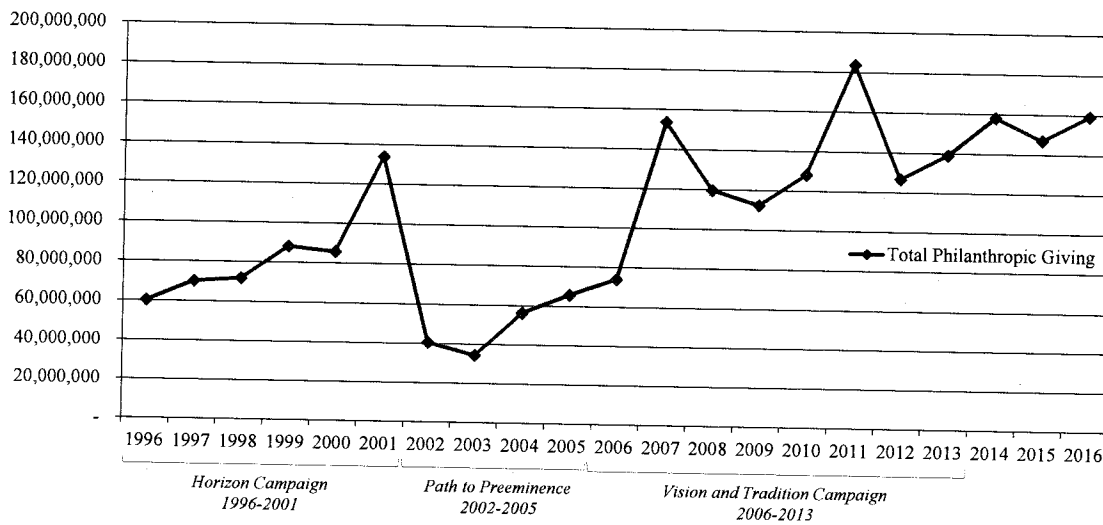


FY 1997-FY 2016 in Millions



3

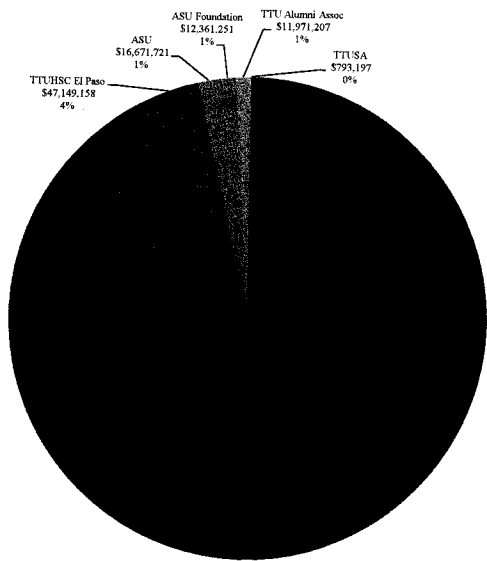
Philanthropic Giving Totals



4

Endowments by Institution

As of August 31, 2016

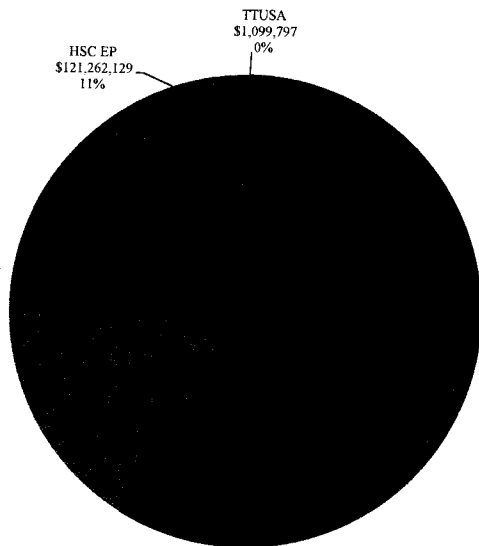


■ TTU Foundation	511,453,891	45%
■ TTU	218,684,998	19%
■ Carr Foundation	124,894,024	11%
■ Funds Held by Others	122,379,716	11%
■ TTUHSC	83,907,369	7%
■ TTUHSC El Paso	47,149,158	4%
■ ASU	16,671,721	1%
■ ASU Foundation	12,361,251	1%
■ TTU Alumni Assoc	11,971,207	1%
■ TTUSA	793,197	0%

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Endowments by Component

As of August 31, 2016

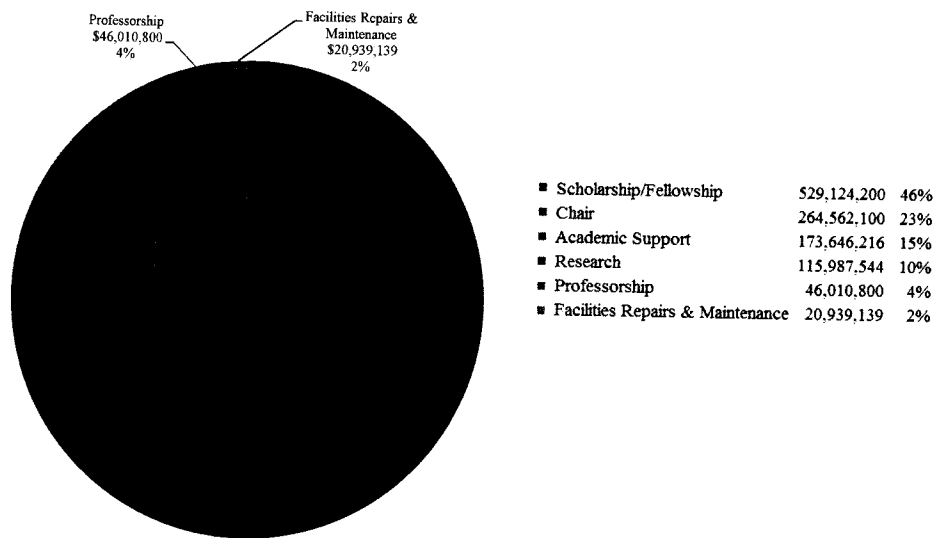


■ TTU	674,556,977	59%
■ HSC	199,420,633	17%
■ ASU	153,926,996	13%
■ HSC EP	121,262,129	11%
■ TTUSA	1,099,797	0%

6

Endowments by Category

As of August 31, 2016

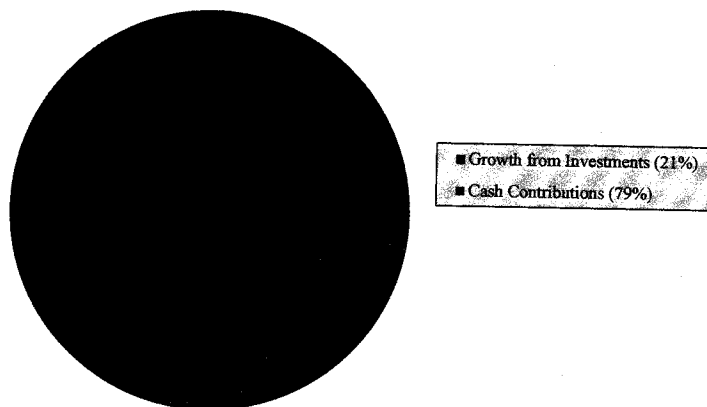


7

How Did We Get Here?



Historical Perspective of Endowment Composition FY 1997-FY 2016 in Millions



8

Endowment Investments Rate of Return Calculations



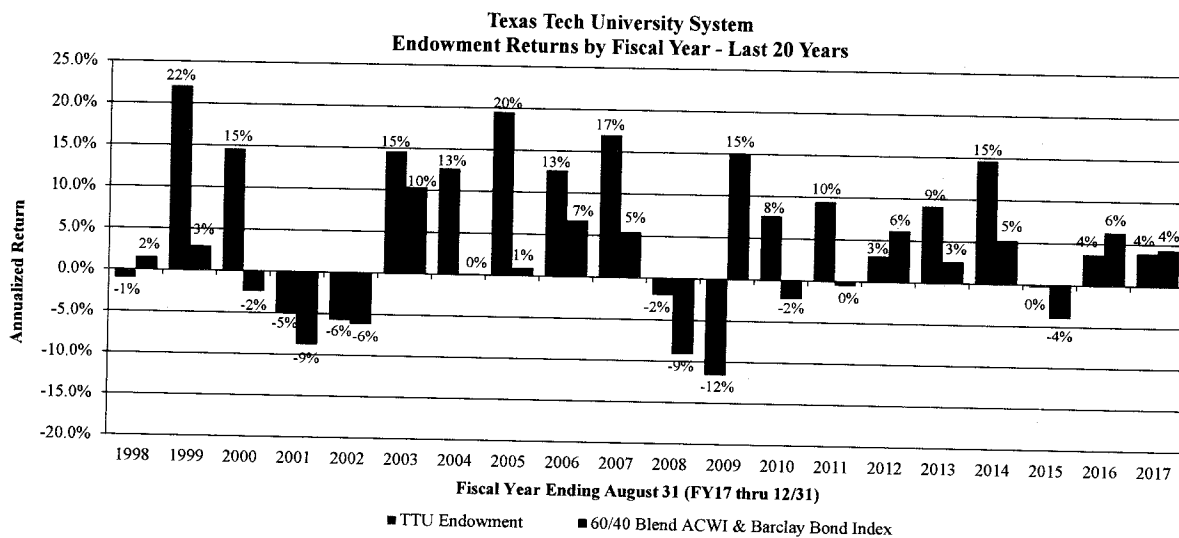
In the financial industry there are three measures of return that are frequently used; Simple Rate of Return (SRR), Internal Rate of Return (IRR) and Time Weighted Return (TWR).

The SRR is the easiest return to calculate and understand. It is simply the percentage change in market value. The SRR is most commonly used to calculate the performance of a benchmark or index where there are no cash flows that affect the underlying performance. A SRR, although easy to calculate for a benchmark, cannot accurately measure the return of an individual's investment portfolio and is not a valid method for the TTUS Endowment Funds.

The IRR includes the effects from all cash inflows and outflows. Because cash flows are factored into the calculation, greater weighting is given to those time periods when more money is invested in the portfolio. According to this definition, the IRR of a portfolio can be significantly affected by both the size and timing of any cash contributions or withdrawals. This is typically the rate communicated in our year-end report due to the timing for the Annual Financial Reporting requirements. However, it is not an effective measurement tool for analyzing the long term performance of the portfolio's underlying assets or comparing investment managers.

The TWR captures the true investment performance by eliminating all the effects of capital additions and withdrawals from the portfolio. Simply stated, the TWR is the return on the very first dollar invested into the portfolio. The method used to calculate the TWR is derived by dividing up the performance period into shorter sub-intervals, such as one month. Each sub-interval can be further divided into intervals based on the date of any cash inflows or outflows. Then, the IRR is calculated for each of these sub-intervals. Finally, the individual IRRs are then linked together with equal weighting (not dollar weighted) to derive at the portfolio's overall TWR. This is the benchmark measurement for NACUBO reporting. To calculate the TWR, all investments statements must be analyzed and therefore is reported 90+ days after the completion of the Annual Financial Reports.

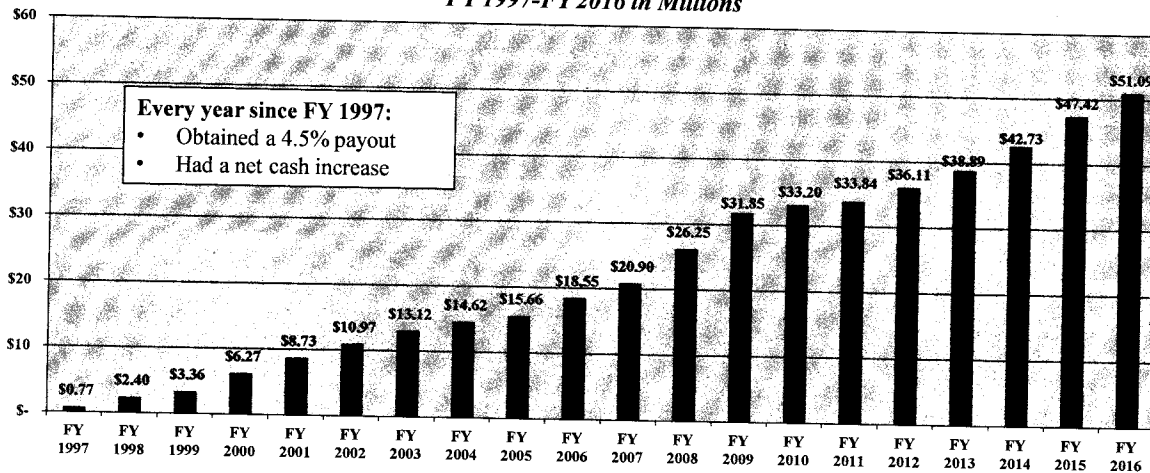
Time Weighted Investment Returns



Funds Directly Provided to Component Institutions



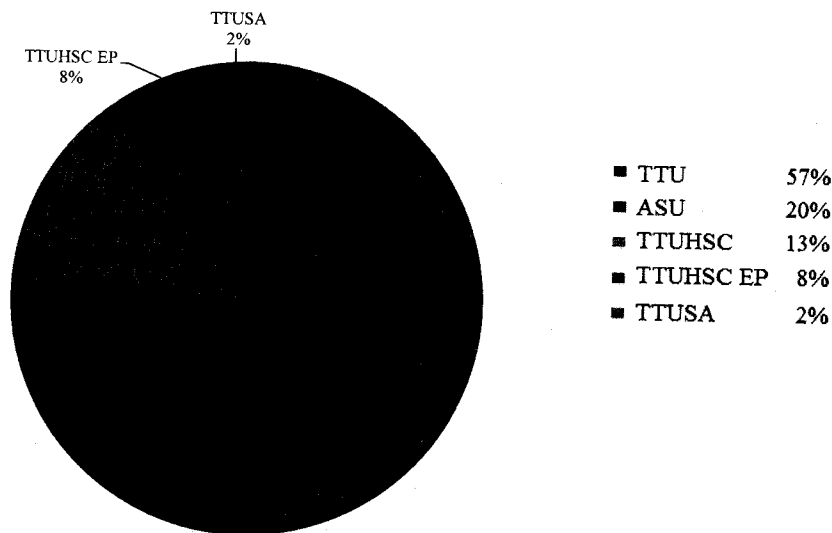
FY 1997-FY 2016 in Millions



*CARR Payout is 6%

*Note: \$456.73 million paid to institutions from FY97-FY16

FY 2016 Distribution by Component





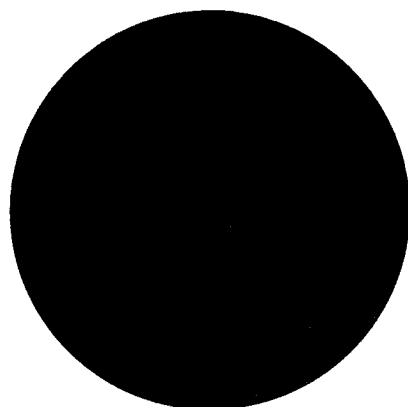
Investment Strategy



How Did We Get Here?



Historical Perspective of Endowment Composition
FY 1997-FY 2016 in Millions



- Growth from Investments (21%)
- Cash Contributions (79%)

Determining the Value of a Share



Though distinct in purpose and restriction, endowed funds are commingled in the LTIF and tracked with unit accounting much like a large mutual fund. Endowed gifts are exchanged for units that represent a claim on a portion of the entire LTIF.

The value of a share is determined by dividing the total current market value of the assets in the University Endowment Fund by the number of shares outstanding.

Example:

If the LTIF was worth \$1B on a given date and there were 200,000 total shares, each share would be worth \$5,000. Note: This value is determined monthly and will increase or decrease in direct relation to investment performance and expenses. New shares are issued monthly when gifts to new or existing endowed funds are received from Institutional Advancement.

Endowment/LTIF Governance Oversight



For Approval of:	CIO	IAC	TTUS Board
	Recommend	Recommend	Approve
	Recommend	Approve	Review
	Recommend	Approve	—
	Approve	Review	—

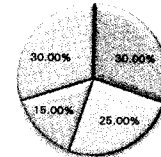
Asset Allocation & Performance

As of May 31, 2017



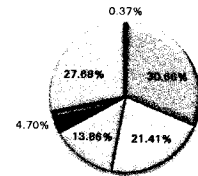
	343,684,920	30.66%	30%	30% - 40%
Debt	240,012,553	21.41%	25%	20% - 30%
Domestic Equities	155,398,353	13.86%	15%	5% - 15%
	52,733,000	4.70%	0%	0% - 10%
Foreign Investments	310,295,274	27.68%	30%	10% - 55%
Liquidating	4,197,280	0.37%	0%	
Portfolio Hedge	14,664,463	1.31%	0%	

Target Allocation



Category	2016	2015	2014	2013	2012	2011	2010	2009
Policy Index	1.02%	3.61%	5.99%	7.54%	9.50%	10.22%	5.38%	8.96%
Portfolio Hedge	0.01%	-0.10%	-0.06%	-0.15%	-0.33%	-0.23%	n/a	n/a
Debt	1.34%	4.81%	11.17%	13.82%	21.08%	18.24%	6.13%	11.49%
Domestic Equities	-0.25%	0.26%	5.26%	11.80%	16.28%	17.88%	8.18%	8.24%
Foreign Investments	-0.21%	1.07%	0.22%	1.96%	3.36%	2.39%	-2.11%	-1.49%
Liquidating	0.31%	0.76%	0.76%	2.95%	4.66%	4.71%	2.49%	4.31%
Portfolio Hedge	0.39%	0.96%	1.58%	8.78%	10.28%	13.81%	5.54%	7.84%

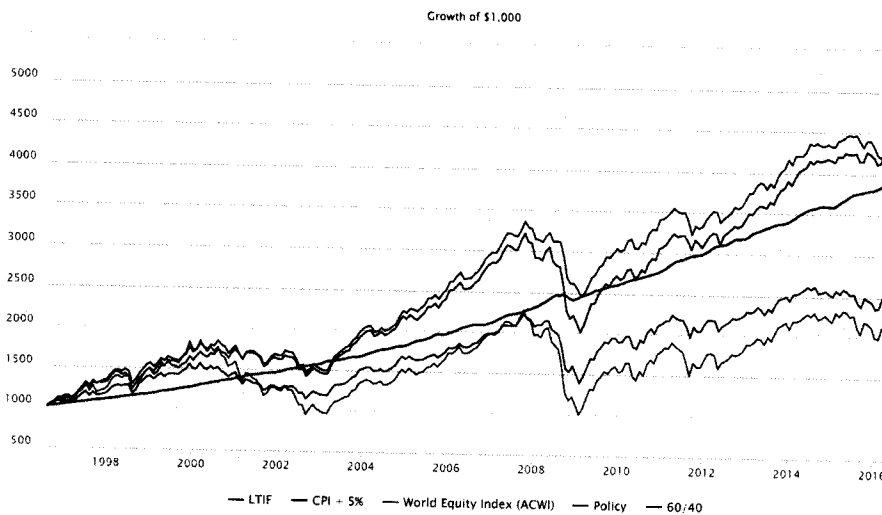
Actual Allocation



17

Growth of a Dollar

September 1996 to May 2017



18

Performance vs Peers



TTUS NACUBO Percentile Ranking - All E&F				
	1 Year	3 Year	5 Year	10 Year
2016	52.3% ↑	68.4% ↑	72.1% ↑	32.6%
2015	66.0% ↑	88.8% ↑	89.2%	48.6% ↑
2014	68.6%	96.8%	84.5%	28.5%

TTUS NACUBO Percentile Ranking - 750M-1.5B				
	1 Year	3 Year	5 Year	10 Year
2016	50.8% ↑	74.6% ↑	88.1% ↑	66.0%
2015	63.1% ↑	74.6% ↑	92.3% ↑	42.9%
2014	68.8% ↑	84.1% ↑	93.7%	28.2% ↑
2013	77.4%	100.0%	76.9%	45.1%

↑ IMPROVED RANKING

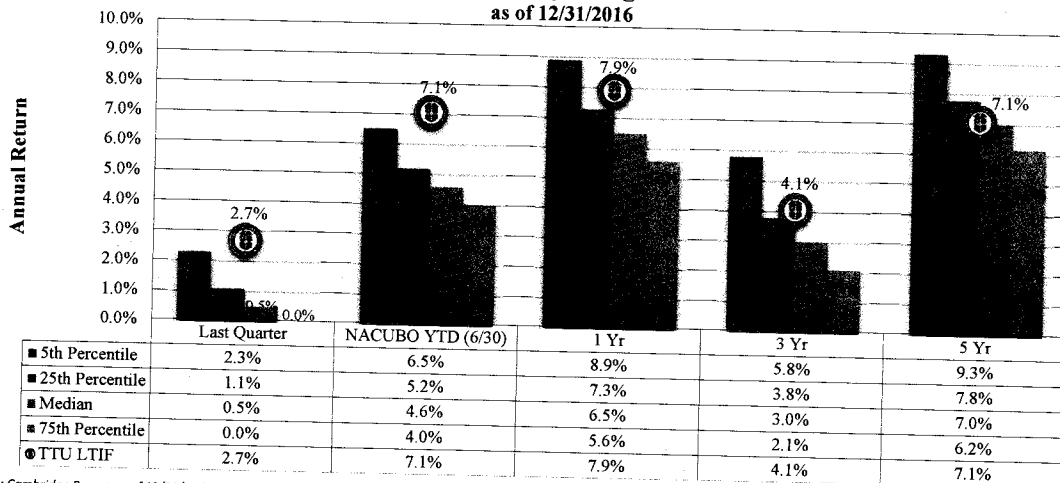
- 3-year rankings have improved from bottom to third quartile
- We have achieved consistent improvement in our *one-year performance rankings*, improving by 8.5% and 12.3% over the last year in the "All E&F" and "\$750m-\$1.5B" peer universe

Performance year ending 6/30/2016

Performance vs Peers



Endowment Study Range of Returns as of 12/31/2016



Source: Cambridge Report as of 12/31/16 (47 reporting institutions)



Questions?

