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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 9-10, 2018.

  
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Ben Lock  
Secretary

SEAL

# ANGELO STATE UNIVERSITY

## Student Handbook ~~2017-2018~~2018-2019

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## FORWARD

### General Purpose

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

Angelo State University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, masters, and doctorate 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 Angelo State University. Note: 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. Normal inquiries about Angelo State University, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to Angelo State University and not to the Commission's office.

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

The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online for the updated versions of all policies and procedures. Students are also informed of changes to the *Code of Student Conduct* by electronic notification outlets and/or official campus publications. The Student Handbook was approved by the Board of Regents on ~~May 19, 2017 to be effective Monday, May, 22, 2017~~ August 10, 2018 to be effective Monday, August 13, 2018.

### Membership in the Angelo State University Community

As members of the academic community, University students enjoy the privileges and share the obligations of the larger community of which the University is a part. Students are entitled to the privileges which accrue to them by virtue of this membership. These privileges carry with them the obligations of responsible citizenship. Students shall conform to University regulations. Students should recognize that citizenship also includes contributing deliberately to strengthening the educational community, improving learning for themselves and their classmates and promoting excellence within the above context. Freedom of discussion, inquiry, and expression is protected and nurtured in the classroom

as the safeguard of the freedom to learn. Students are expected to exercise their freedom to learn in a manner consistent with the maintenance of good order. Responsibility for maintaining good order in the classroom is vested in the instructor. *The Code of Student Conduct* outlines the standards of behavior for University students and the disciplinary processes to address misconduct.

### **Angelo State University Mission**

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

### **Angelo State University Vision**

Growing regionally, nationally, and internationally while achieving excellence by fostering a supportive learning environment that allows a diverse student body to achieve success and personal development through curricular and co-curricular experiences.

### **Angelo State University Values**

- **Learning: Our Focus**  
ASU holds student learning as the center of everything that we do.
- **Excellence: Our Standard**  
ASU embraces excellence in teaching, scholarly activity, creative endeavor, and service.
- **Transformation: Change for the Better**  
ASU prepares its students for a life of contribution and accomplishment by instilling a respect for learning and intellectual inquiry.
- **Integrity: Social and Ethical Responsibility**  
ASU expects a high standard of social and ethical responsibility from all members of the campus community.
- **Engagement: Participation and Community Service**  
ASU encourages participation and community service both on and off campus by faculty, staff, and students.
- **Innovation: Teaching, Service, and Scholarship**  
ASU promotes innovation in teaching, scholarship, technology, collaborative partnerships, support services, and co-curricular activities.
- **Diversity: Cultures, People and Ideas**  
ASU believes that everyone should experience a diversity of cultures, people, and ideas in order to better appreciate the world around them.
- **Collegiality: Getting Along**  
ASU fosters—among students, faculty, and staff, and across disciplines—a culture of shared governance, open communication, transparent operations, and mutual respect.

# PART I: CODE OF STUDENT CONDUCT

## SECTION A: STUDENT CONDUCT MISSION AND POLICIES

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

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

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

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

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

### 1. Disciplinary Authority

The authority to enact and enforce regulations of the University is vested in the Board of Regents. The responsibility for enforcing the regulations and imposing penalties is delegated to the President of the University and any University officials the President designates. The Office of the Vice President for Student Affairs and Enrollment Management is the principal agency for the administration of student conduct. The Executive Director of Student Affairs, the Director of Title IX Compliance/Title IX Coordinator (Director of Title IX Compliance), and the Director of Housing and Residential Programs shall implement the student discipline procedures. All references

to the officials listed above shall be interpreted to include persons designated to act on their behalf.

The Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

**a. Student Conduct Officer/Investigator**

A Student Conduct Officer/Investigator is a trained University staff member whose role is to conduct a thorough, reliable, and impartial investigation of alleged violations of the *Code of Student Conduct*. In most cases heard by a University Hearing Panel, the Student Conduct Officer/Investigator will present the information and evidence obtained through the investigation to the Hearing Panel, which will make a determination of responsible or not responsible, and assign a sanction. In cases heard through the Administrative Hearing process or completed via an Informal Resolution, the Student Conduct Officer/Investigator may render findings and issue sanctions. Investigators are assigned to cases by the Executive Director of Student Affairs, the Director of Title IX Compliance, the Assistant Director of Student Conduct, or designee. Investigators are trained University full-time employees.

**b. Administrative Hearing Officer**

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

**c. Hearing Panel**

The Hearing Panel will conduct disciplinary Panel Hearings. The Panel pool will consist of a trained pool of full-time faculty, full-time staff, and full-time students according to the following guidelines:

**1. Hearing Panel Appointments**

The Executive Director of Student Affairs or Director of Title IX Compliance will be responsible for assembling and training the hearing panel annually. The Hearing panel will consist of full-time faculty members, full-time staff members, and full-time students. This pool will be made up of three (3) full-time faculty and staff members from each division on campus along with three (3) full-time students, and a pool of Administrative Hearing Officers. Panel appointments will be made as follows:

**a. Student Recommendations:**

The President of the Student Government Association is invited to make recommendations for full-time student Panel members. Upon recommendation and review, three (3) full-time student members will be

appointed by the Executive Director of Student Affairs or designee. To be eligible for appointment, students must be considered full-time students, be in academic and disciplinary good standing, and have completed at least 15 hours of academic credit with a cumulative GPA of at least 2.0.

b. Faculty and Staff Recommendations:

The Vice President of each division (~~Student Affairs and Enrollment Management, Academic Affairs, and Finance and Administration~~) and the President are invited to make recommendations for full-time faculty and/or staff Panel members. Upon recommendation and review, three (3) full-time faculty and/or full-time staff members from each division will be appointed by the Executive Director of Student Affairs or designee.

c. Administrative Hearing Officer Appointments:

Administrative Hearing Officers are appointed by the Executive Director of Student Affairs, Director of Title IX Compliance, or designee and are selected from a group of trained University staff members designated as Administrative Hearing Officers. Administrative Hearing Officers who served as Investigators in the case may not serve on the Hearing Panel as a voting participant and will participate only as the Investigator in the Panel Hearing.

2. *Hearing Panel Terms*

Each member will be appointed for a single one-year term. Panel members may be re-appointed for consecutive one-year terms but must complete Hearing Panel training annually.

3. *Hearing Panel Composition*

For each Panel hearing, a panel will consist of three (3) members chosen from the available pool by the Executive Director of Student Affairs, Director of Title IX Compliance, or designee. Typically, the Hearing Panel will be comprised of one student, one faculty member, and one staff member. Availability may determine a different composition for the Panel. In cases involving Part I, Section B.1. (For allegations of Academic Misconduct), the Hearing Panel will be comprised of only students and faculty. For cases involving Part I, Section B.2. (Actions Against Members of the University Community and Others) or other sensitive issues, the Director of Title IX Compliance will appoint three (3) Administrative Hearing Officers for the Hearing Panel.

4. *Removal of Hearing Panel Member*

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee may remove a member from this Panel when, in his/her judgment, the member has failed or refused to effectively serve and perform the duties and functions of this Panel. Additionally, the Reporting Party or Responding Party may request the removal of a Panel Member whose ability to be impartial is in question. The Executive Director of Student Affairs, Director of

Title IX Compliance, or designee will review and approve or deny student requests for removal of a Panel Member.

5. *Resource Person*

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee will appoint a Resource Person. The Resource Person is to serve as a non-voting member of the Hearing Panel and assures that University procedures are followed throughout each Panel Hearing. The Resource Person is responsible for composing the Panel's decision, rationale, drafting the decision letter, providing clarification on policy and procedure, and providing clarification on appropriate sanctions if assigned.

6. *Panel Hearings*

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee will establish hearing dates and times during which cases will be heard. Panel Hearings will be conducted by a subgroup of the Hearing Panel Members pool.

7. *Panel Quorum*

A quorum for the Panel Hearing consists of three (3) members.

8. *Panel Deliberation*

When deliberating a case, the Panel will meet in closed session with only voting members and the Resource Person present.

9. *Additional Panel Members*

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee may appoint additional members of the Hearing Panel to expedite the orderly disposition of cases and/or to aid in the administration of the conduct process within the University. The additional members of the Hearing Panel will complete the same training, have the same composition of membership, the same duties, and the same authority as the original Hearing Panel member(s).

10. *Panel Orientation & Training*

Prior to serving on a Hearing Panel, members of the Hearing Panel will be required to participate in an orientation and training program facilitated by the Executive Director of Student Affairs and the Director of Title IX Compliance, or designee. Members are encouraged to attend additional trainings throughout their service on the Hearing Panel.

**d. *The Code of Student Conduct Review Committee***

The *Code of Student Conduct* is reviewed every year by the *Code of Student Conduct Review Committee*. The *Code of Student Conduct Review Committee* will conduct an annual review of the *Code of Student Conduct* and make recommendations to the Vice President for Student Affairs and Enrollment Management regarding omissions,

clarifications, constructive changes, and other matters relevant to the proper interpretation and operation of the *Code of Student Conduct*. The Vice President for Student Affairs and Enrollment Management or designee will then present the *Code of Student Conduct* to the University President for review and consideration by the Board of Regents.

1. *Committee Appointment*

The *Code of Student Conduct* Review Committee members are appointed by the Vice President for Student Affairs and Enrollment Management or designee who will invite recommendations by the Faculty Senate, Staff Senate, and the Student Government Association.

2. *Committee Composition*

The *Code of Student Conduct* Review Committee will include a member from the following classes of Angelo State University community members:

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

3. *Committee Removals*

The Vice President for Student Affairs and Enrollment Management or designee may remove a member from this committee when, in his/her judgment, the member has failed or refused to serve and perform the duties and functions of this committee.

4. *Committee Meetings*

The Vice President for Student Affairs and Enrollment Management or designee will establish meeting dates and times during which the *Code of Student Conduct* will be reviewed and will provide for scheduling special meetings as needed.

5. *Committee Quorum*

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

6. *Additional Committee Members*

The Vice President for Student Affairs and Enrollment Management or designee may appoint additional members of the *Code of Student Conduct* Review Committee to expedite the review process of the Code.

**2. Jurisdiction**

Students at the University are provided an electronic copy of the *Code of Student Conduct* annually in the form of a link on the Student Affairs and Enrollment Management website: (<http://www.angelo.edu/student-handbook/code-of-student-conduct/>). Students are responsible for having read and abiding by the provisions of the *Code of Student Conduct*.

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

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

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

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

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

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



and guests of the University may seek resolution of violations of *the Code of Student Conduct* committed against them by members of the University community.

### 3. Notice

Notice is deemed to have been properly provided when written notification is sent to the student's official assigned Angelo State University e-mail address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University e-mail is the University's primary means of communication with students. Students are responsible for all communication delivered to their University e-mail address. Students will be given a reasonable amount of time to respond to requests to meet with University officials. Prescheduled meetings are scheduled around a student's published academic schedule and include the opportunity to reschedule in the event of unavoidable conflicts. Should a student wish to reschedule an appointment, he/she should contact the sender of the message in a timely manner. The University will make all reasonable efforts to accommodate student scheduling conflicts but will not permit unreasonable delays in the conduct process. After proper notice has been given to the student, the Student Conduct Officer/Investigator or designee may proceed with the conduct process. Should a student fail to comply with the requests of a Student Conduct Officer/Investigator or designee, the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee may issue a "Failure to Comply" *Code of Student Conduct* allegation to the student. Students are advised to keep their most current local address, permanent address, and primary telephone number updated the student records system at:

[http://www.angelo.edu/services/registrar\\_office/registrar\\_forms.php](http://www.angelo.edu/services/registrar_office/registrar_forms.php).

### 4. Timelines

It is recommended that reports of alleged violations of the *Code of Student Conduct* should be reported as soon as possible after 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. The Office of Student Affairs and/or Office of Title IX Compliance will make every effort to complete the process as quickly as possible. Incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This Timelines 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.

### 5. Standards of Evidence

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

### 6. Reporting Allegations of Misconduct

To report file allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online Incident Reporting Form. The online reporting form can be utilized to report any behaviors of concern to the appropriate individuals at Angelo State University including but not limited to: potential violations of the Code of

Student Conduct, concerns related to possible violations of Angelo State's Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy. When submitting an online report, please include as many details as possible including name, title, and contact information. Please note that submitting the report anonymously may greatly limit the institution's ability to address your concern. Upon receipt of this report, the appropriate Angelo State Administrator will review the matter and take proper steps to investigate, stop, prevent, and remedy prohibited conduct in accordance with Angelo State policies.

Individuals may also file a report in person ~~or anonymously~~ with the Executive Director of Student Affairs, ~~Director of Title IX Compliance~~, or designee, located in ~~S~~ suite 112 of the Houston Harte University Center, or the Director of Title IX Compliance located in the Mayer Administration Building, Room 204. The Executive Director of Student Affairs, Director of Title IX Compliance, or designee regularly review reports submitted from the Angelo State University community, Housing and Residential Programs, University Police Department, and non-University community members.

To submit a concern regarding a student organization or to file an allegation of misconduct against a student organization or its members, individuals (faculty, staff, students, organization members, parents, community members, or other parties) may complete the online Incident Reporting Form. Individuals may also file a report in person with the Executive Director of Student Affairs, Director of Title IX Compliance, or designee.

Student organization leaders may self-report organization or member behavior that may be considered a violation(s) of Angelo State University policy. When an organization is able to quickly identify a concern, address it, and report it, the organization ~~it is~~ less likely ~~to~~ that the organization would be held responsible for behavior that may be a policy violation. The self-report allows the University, in conjunction with the student organization, to collect information, begin individual student conduct processes, and ensure that behavior has ceased and does not recur. When incidents are unreported by organizations and instead come to the attention of the University via a Reporting Party, the options for resolution are more limited. Self-reporting allows the University to work collaboratively with the organization to address the situation and can allow for lower-levels of sanctioning for misconduct. Sometimes organization leaders may become aware of organization or member activities that may result in violations of policy but have not occurred yet. In these cases, the organization leadership is encouraged to work directly with the Executive Director of Student Affairs, or designee to intervene and address the concern. This type of pre-report has the highest likelihood of lowering the risk of potential conduct violations and sanctions for the organization. Organization leaders may self-report misconduct or potential misconduct by utilizing the online Incident Reporting Form.

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

## **7. Confidentiality**

Angelo State University is committed to ensuring confidentiality during all stages of the student conduct process. 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 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 Director of Title IX Compliance or designee will evaluate requests for confidentiality. The willful and unnecessary disclosure of confidential information by anyone, including the Reporting Party or Responding Party, may affect the integrity of the investigation.

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

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

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

## **8. Anonymity**

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

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

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must

have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to:

- School officials with legitimate educational interest.
- Other schools to which a student is transferring.
- To comply with a judicial order or lawfully issued subpoena.
- To parents when there is a health or safety emergency involving the student.
- To parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure.
- To the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing.

Additional information on Student Records is available in The Student Handbook, Part II, Section O: (Student Records) or at: ([www.angelo.edu/ferpa](http://www.angelo.edu/ferpa)).

## **10. Student Organizations**

Information gathered during an investigation of student organization misconduct, as well as any conduct findings and decisions, may be shared with the international or regional headquarters of organizations, as appropriate. This otherwise confidential information will not be shared with other students or the Greek community.

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

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

## **11. Reporting Criminal Behavior**

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

## **12. ~~12.~~ 12. Amnesty**

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

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

The University will not take any disciplinary action against a student who, in good faith, reports being the victim of, or witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the Code of Student Conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the disciplinary process regarding the incident.

Subject to the exceptions noted below, the University will not take any disciplinary action against a student enrolled at the University who in good faith reports to the university being the victim of, witness to, an incident related to Sexual Misconduct, for offering assistance to others by calling medical personnel or law enforcement, or bringing their own use, addiction, or dependency to alcohol, drugs, or other addiction to the attention of the University prior to any conduct incidents or reports.

The University reserves the right to investigate to determine whether a report related to Sexual Misconduct was made in good faith. After such investigation, the Director of Title IX Compliance/, Title IX and Conduct Officer/Title IX Coordinator or his/her designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.

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

Notwithstanding the foregoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Misconduct.

Although students eligible for amnesty may avoid formal disciplinary action under these amnesty provisions, amnesty does not preclude the University from requiring students to participate in directives such as counseling or educational opportunities relating to the conduct engaged in by students.

Abuse of these amnesty provisions by a student may result in a violation of the *Code of Conduct*.

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

- Victims of misconduct who were engaging in policy violations, such as underage drinking or drug use, at the time of the incident.

- ~~Students who offer assistance to others by calling medical personnel or law enforcement.~~
- ~~Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addiction to the attention of the University prior to any conduct incidents or reports.~~

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

### **13. Withdrawal**

A Responding Student facing an alleged violation of the Student Code of Conduct may have a hold placed on their transcript requiring them to contact the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee to request permission to withdraw from the University. While a student may be permitted to withdraw from the University, the hold will remain on the student's transcript until all allegations are resolved. The investigation into alleged conduct violations may continue regardless of the student's withdrawal or choice to participate in the investigation.

## **SECTION B: MISCONDUCT**

### **1. Academic Misconduct**

Academic misconduct includes cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, violations of published professional ethics/standards, and any act or attempted act designed to give unfair academic advantage to oneself or another student.

Additional information about academic misconduct is available in the Angelo State University Part II: Community Policies section.

#### **a. Cheating**

1. Copying from another student's academic work, test, quiz, or other assignment.
2. Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.
3. The use or possession of materials or devices during academic work, test, quiz or other assignments which are not authorized by the person administering the academic work, test, quiz, or other assignment.
4. Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an un-administered test, test key homework solution, or computer program/software.

5. Possession, at any time, of current or previous course materials without the instructor's permission.
6. Obtaining by any means, or coercing another person to obtain items including, but not limited to, an un-administered test, test key, homework solution or computer program/software, or information about an un-administered test, test key, homework solution, or computer program.
7. Transmitting or receiving information about the content of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority.
8. Substituting for another person, or permitting another person to substitute for oneself in order to take a course, take a test, quiz, or other assignment or sign in/register attendance.
9. Taking, keeping, misplacing, damaging, or altering the property of the University or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.
10. Falsifying research data, laboratory reports, and/or other academic work offered for credit.
11. Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment.

**b. *Plagiarism***

1. The representation of words, ideas, illustrations, structure, computer code, other expression, or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials.
2. Self-plagiarism which involves the submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.

**c. *Collusion***

The unauthorized collaboration with another individual to complete academic work, test, quiz, or other assignment, providing unauthorized assistance to another student, allowing another student access to completed academic work, and/or conspiring with another person to commit a violation of academic dishonesty.

**d. *Falsifying Academic Records***

1. Altering or assisting in the altering of any official record of the University and/or submitting false information.
2. Omitting requested information that is required for, or related to, any official record of the University.

**e. *Misrepresenting Facts***

1. Providing false grades, falsifying information on a resume, or falsifying other academic information,
2. Providing false or misleading information in an effort to injure another student academically or financially,

3. Providing false or misleading information or official documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, credit for attendance, and/or obtain an academic or financial benefit for oneself or another individual.

*NOTE: Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses, family and personal emergencies, and signing into class and failing to remain the entire time.*

**f. Violation of Professional Standards**

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

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

**g. Unfair Academic Advantage**

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

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

Any act, or attempted act, perpetrated against another person or persons including, but not limited to:

**a. Disruptive and/or Obstructive Conduct**

Intentional or reckless behavior that disrupts or obstructs the normal operation of the University, its students, faculty, staff and/or University visitors.

**b. Harmful, Threatening, or Endangering Conduct**

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

**1. Assault**

- a. Intentionally or recklessly causing physical harm or endangering the health or safety of another person.
- b. Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

**2. Threats**

Written or verbal acts that would cause significant distress or fear in a reasonable person or that a reasonable person would interpret as a serious expression of intent to inflict harm upon any person, group of people, or damage to any property.



3. *Intimidation*

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

4. *Bullying/Cyber Bullying*

- a. Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of speech will not be considered violations of the *Code of Student Conduct*.
- b. Severe, pervasive, and objectively offensive behaviors that intimidate or intentionally harm or control another person emotionally.

NOTE: Information related to the freedom of expression policy is available in Part II, Section P: (Use of University Space).

c. ***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.

1. *Interpersonal Violence*

~~An offense that meets the definition of domestic violence or dating violence:~~ For the purposes of this policy, interpersonal violence is:

- a. *Domestic Violence or Family Violence* - Abuse or violence, or threat of 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 cohabitating (or has cohabitated) 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. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

a.

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>).

- b. *Dating Violence* - Abuse or violence, or threat of 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. A Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintanceship nor ordinary fraternization socialization between two individuals does not in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence or family violence. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

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>).

## 2. *Public Indecency*

Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to:

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

## 3. *Sexual Assault*

\_\_\_\_\_ \_\_\_\_\_ Sexual contact or intercourse with a person without the person's consent, including

\_\_\_\_\_ sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. Sexual assault includes:

\_\_\_\_\_ 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.

- a. *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.
- b. *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 – 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 his/her temporary or permanent mental incapacity.
  - Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- NOTE: Refer to Appendix C for a comprehensive definition 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>).

#### 4. *Sexual Exploitation*

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

- a. Purposeful photography, video recording of another person in a sexual intimate, or private act without the person's full knowledge and consent;
- a.b. Purposeful distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent;
- b.c. Sexual voyeurism;
- e.d. Inducing another to expose one's genitals or private areas;
- d.e. Prostituting another; or
- e.f. Knowingly exposing someone to or transmitting a sexually transmitted disease without the person's full knowledge and consent.

#### 5. *Sexual Harassment*

Unwelcome sex based verbal, written, or physical conduct of a sexual nature  
when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
- b. Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or
- c. 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, the complained of conduct must be either severe, persistent, or pervasive.

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

- Sexual teasing, jokes, remarks, or questions;
- Sexual looks and gestures;
- 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.

#### 6. *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/SOTWDocs/PE/htm/PE.42.htm#42.072>).

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

**d. Hazing**

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

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

*NOTE: See Texas Education Code, Sections 37.151-37.155 and Section 51.936.*

**e. Discriminatory Harassment**

Conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive, or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

**f. Retaliatory Discrimination or Harassment**

Retaliation against a person who reports a potential violation of the *Code of Student Conduct*, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint 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. The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to University 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 procedure outlined in Part 1, Section A.6.

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.

**g. Complicity**

1. Assisting, via acts or omission, another student, individual, or group in committing or attempting to commit a violation of the *Code of Student Conduct*, specifically violations that constitute Actions Against Members of the University Community and Others.
2. Complicity with or failure of any organized group to address known or obvious violations of the *Code of Student Conduct* by its members, specifically Actions Against Members of the University Community and Others.

*NOTE: Actions involving free expression activities are covered in Part II: Community Policies, Section H (Freedom of Expression).*

**3. Alcoholic Beverages**

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

#### **4. Narcotics or Drugs**

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

#### **5. Smoking/Vaping/Tobacco**

Smoking, vaping, or use of smokeless tobacco products in unauthorized areas on University property as designated by the Angelo State University Smoke/Tobacco-Free Environment policy (OP 34.23 Smoke/Tobacco-Free Environment).

#### **6. Firearms, Weapons, and Explosives**

Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, ~~†Tasers~~ Tasers, or explosive or noxious materials on University premises that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. (University Operating Policy 02.10 Concealed Carry of Handguns on Campus).

*NOTE: See RESIDENCE HALL HANDBOOK (Housing and Residential Programs webpage/Living on Campus/Current Students/Documents/Rates) for specific approved devices allowed in the residence halls.*

#### **7. Flammable Materials/Arson**

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

#### **8. Theft, Damage, Littering, or Unauthorized Use**

- a. Attempted or actual theft of property or services of the University or of another.
- b. Possession of property known to be stolen or belonging to another person without the owner's permission.
- c. Attempted or actual damage to property owned or leased by the University, by other University students, other members of the University community, or campus visitors.
- d. Littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University, by other University students, other members of the University community, or campus visitors.

- e. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, OneCard account information and/or personal check, or other unauthorized use of personal property or information of another.
- f. Alteration, forgery, or misrepresentation of any form of identification.
- g. Possession or use of any form of false identification.
- h. Failure to meet financial obligations owed to the University, or components owned or operated by the University, including, but not limited to, the writing of checks from accounts with insufficient funds.

#### **9. Gambling, Wagering, Gaming, and/or Bookmaking**

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

#### **10. False Alarms, Emergency Equipment, and/or Terroristic Threats**

- a. Intentional sounding of a false fire alarm, falsely reporting an emergency in any form, and/or filing false police reports.
- b. Destruction or activation of fire sprinklers or improperly possessing, tampering with, or destroying fire equipment or emergency signs on University premises.
- c. Threats to commit any offense involving violence to any person or property with intent to:
  - Cause a reaction of any type to the threat by an official or volunteer agency organized to deal with emergencies;
  - Place any person in fear of imminent serious bodily injury;
  - Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the University Community has access, place of employment or occupation, University automobile, or other place of use to the University Community;
  - Cause impairment or interruption of University communications, University transportation, or other University service; or
  - Place the University in fear of serious bodily injury.

#### **11. Unauthorized Entry, Possession, or Use**

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



## 12. Failure to Comply

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

## 13. Abuse, Misuse, or Theft of University Information Systems

Unauthorized use of University information systems is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the *Code of Student Conduct*. Use of Angelo State University information systems may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information systems is also subject to Information Technology policies (OP Section 44), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information systems includes, but is not limited to the following:

- a. Unauthorized use of University information systems including, but not limited to, private information and passwords, including the unauthorized sharing of private information or passwords of individuals who otherwise have no authority to access University information systems.
- b. Use of University information systems for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).
- c. Using University information systems to violate Part I, Section B.2. (Actions Against Members of the University Community and Others).
- d. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Angelo State University information systems, compromising the privacy of another user or disrupting the intended use of Angelo State University information systems.
- e. Attempted or actual use of the Angelo State University information systems for unauthorized political or commercial purposes, or for personal gain.
- f. Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the written consent of the Department Chair. Discovery of obscene material, including child pornography, on any Angelo State University information resource must be reported to the Chief Information Officer immediately.
- g. Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University or another user or destruction of the integrity of computer-based information using Angelo State University information systems.

- h. Attempted or actual use of Angelo State University information systems to interfere with the normal operation of the University.
- i. Intentional “spamming” of students, faculty or staff (defined as the sending of unsolicited and unwanted electronic communications including, but not limited to, e-mails and text messages to parties with whom the sender has no existing business, professional or personal acquaintance) using Angelo State University information systems.

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

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

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

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

*NOTE: Refer to University Parking Services regulations at:*

[http://www.angelo.edu/services/parking\\_services/](http://www.angelo.edu/services/parking_services/)

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

Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, violations of University Operating Policies and Procedures and Texas Tech University System *Board of Regent's' Rules*.

- a. University Parking Services
- b. Housing and Residential Programs
- c. Student Life
- d. Multicultural and Student Activities Programs
- e. University Recreation
- f. Texas Tech University System Board of Regents' Rules
- g. Angelo State University Operating Policies and Procedures
- h. Community Policies of the Student Handbook (Part II)

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

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

### 18. Abuse of the Discipline System

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

## SECTION C: CONDUCT PROCEDURES FOR STUDENTS

Upon notice of an alleged violation of the *Code of Student Conduct*, the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will appoint a Student Conduct Officer/Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather, and review information about the reported student misconduct and will evaluate the accuracy, credibility, and sufficiency of the information.

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

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

When a Reporting Party is identified but is reluctant to participate in the investigative process and/or the student conduct process entirely, the University will make every attempt to follow the wishes of the Reporting Party while weighing the interests of the campus 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 the University pursuing conduct action with respect to the named Responding Party, the University will proceed with the student conduct process to the extent of the information available. If the Reporting Party does not want the University to pursue the report in any respect, the University will investigate further only if there is reason to believe that a significant continuing threat to the campus community exists.

NOTE: The Executive Director of Student Affairs, Director of Title IX Compliance, or designee may proceed with the conduct process (even if the complainant(s) chooses not to participate) on a case by case basis if the alleged behavior involves pattern, predation, threat, or violence (PPTV) that may significantly impact the campus community and others.

## **1. Remedies and Resources**

The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the Reporting Party and community prior to the initiation of formal investigation and/or formal conduct procedures. These immediate steps will be taken 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 on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

### **a. Resources**

Angelo State University has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to, assistance in reporting criminal behavior to the University Police Department or the San Angelo Police Department, counseling services, medical assistance, academic support referrals, and other support services. The Executive Director of Student Affairs, Director of Title IX Compliance, or designee are also available to help students understand the student conduct process and identify resources.

### **b. Interim Actions**

Under the *Code of Student Conduct*, the Executive Director of Student Affairs, Director of Title IX Compliance, or designee may impose restrictions and/or separate a student from the community pending the completion of the conduct process on alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others, that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property, and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community pending the completion of the conduct process on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, a student may be denied access to Housing and Residential Programs/or the University campus/facilities/events. As determined appropriate by the Executive Director of

Student Affairs, the Director of Title IX Compliance, or designee, this restriction may include classes and/or all the other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee and with the approval of, and in collaboration with, the appropriate Instructor(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the Responding Party. Students are informed of interim actions by the official notice procedures outline in Part I, Section A.3. in the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Reporting Party, Responding Party, and/or other members of the University Community. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim administrative action may result in additional allegations of the *Code of Student Conduct*.

1. *No Contact Order*

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 Executive Director of Student Affairs, the Director of Title IX Compliance, or designee via the student's official Angelo State University e-mail. 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, e-mail, 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 Executive Director of Student Affairs, the Director of Title IX Compliance, or designee. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension during pending the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

2. *Immediate Temporary Suspension – Students*

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the Executive Director of Student Affairs, the Director of Title IX Compliance or designee, or on recommendation of a Student Conduct Officer/Investigator, the physical or emotional well-being of a student or other students or members of the University community could be endangered or if the presence of the student could significantly disrupt the normal operations of the University. The Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) University business days from the date of Temporary Suspension.

Upon Immediate Temporary Suspension, the student may no longer attend classes, use University services and/or resources, and is not allowed to be on campus until the conduct proceedings have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Executive Director of Student Affairs, Director of Title IX Compliance, or designee and the University Police Department. Conduct, on or off-campus, that typically results in immediate temporary suspension:

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

3. *Other Interim Actions*

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

4. *Non-Student Interim Actions*

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

5. *Withdrawal of Consent*

- a. Grounds for Removal

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

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

If the Executive Director of Student Affairs, ~~or~~ the Director of Title IX Compliance, or designee concurs with the Student Conduct Officer/Investigator's recommendation, permission for the student to be on University premises will be withdrawn. This Withdrawal of Consent will not be longer than fourteen (14) calendar days and a Hearing must be held within these fourteen (14) calendar days to determine the student's status at the University. Permission to be on University premises must be coordinated through the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee and the University Police Department. The Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will notify all parties of the final decision using the written notification procedures outlined in Part I, Section A.3. within five (5) University business days.

b. Registration Hold Flag Following Withdrawal of Consent

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

NOTE: See Texas Education Code, Sections 51.233-51.244

## **2. Referral Meeting**

A University official may request a meeting with a student in order to discuss a referral made to the Office of Student Conduct, Office of Title IX Compliance or other administrative department when the referral may not be deemed a violation of the *Code of Student Conduct*, but when the Investigator or designee determines the referral warrants a discussion. The purpose of the discussion is to clarify concerns of the involved parties, to offer assistance to all involved parties, and to explain to the student that repeated referrals may warrant an investigation which may warrant adjudication.

### **3. Voluntary Resolution**

In any matter governed by the Code of Student Conduct, the parties (usually the Reporting Party and Responding Party) may mutually agree to attempt to resolve the matter prior to conclusion of the conduct process through a Voluntary Resolution process. The procedures utilized in the Voluntary Resolution process must be agreed upon by the parties with concurrence from the Executive Director of Student Affairs, Director of Title IX Compliance, or designee. The parties must mutually agree in writing to all aspects of any resolution reached through the Voluntary Resolution process, including any restrictions, sanctions, or conditions as may be agreed upon by the parties with concurrence from the Executive Director of Student Affairs, Director of Title IX Compliance, or designee, and any such resolution will be binding and final with no opportunity to appeal. Either party may withdraw from the Voluntary Resolution process at any time prior to final resolution, at which time the matter will proceed through the student conduct process as set forth in the Code of Student Conduct. Voluntary Resolution agreements will be maintained in accordance with University policies.

#### **42. The Conduct Process**

##### **a. ~~Notice of Involvement~~ Investigation/Notice of Involvement**

A student will be given notice of his or her ~~investigation involvement~~ in an alleged violation of the *Code of Student Conduct* by the receipt of a "Notice of ~~Investigation Involvement/~~Notice of Involvement" ~~Need to Talk~~ Letter. In cases involving Part I, Section B.1. (Academic Misconduct), the instructor of record will notify the student of the allegations. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Student Conduct Officer/Investigator or the instructor of record for allegations of Academic Misconduct. In addition to the possible sanctions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Student Conduct Officer/Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent a Student Conduct officer/Investigator from proceeding with the conduct process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violation and result in a charge of Failure to Comply.

##### **b. 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 Student Conduct Officer/Investigator. The Students 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~~ only 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 the right to:

1. A prompt, fair, and equitable process.
2. Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student not otherwise involved in the case), 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 student is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend the Hearing on behalf of the University. Students are responsible for presenting their own information; therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer/Investigator. 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 a Student Conduct Officer/Investigator ~~upon written request five (5) University business days in advance of the scheduled Hearing date.~~ The Executive Director of Student Affairs, Director of Title IX Compliance, or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an Advisor during their suspension, and students who have been expelled may not serve as an Advisor.
3. Refrain from making any statement relevant to the investigation. Students are expected to cooperate in the University conduct process, but may elect not to participate in the investigation process, either in part or entirely. However, a student's refusal to participate in the investigation, in whole or in part, lasts for the duration of the conduct process. In other words, if a student chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Student Conduct Officer/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 investigate process.*

4. The opportunity to provide information and evidence in support of their case.
5. Know if they have been issued any allegations of misconduct.
6. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred.
7. Know the Angelo State University conduct policies and procedures, and where to find them.
8. Know that any information provided by the student may be used in a conduct proceeding.
9. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

It is the student's responsibility to:

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

**c. Investigation**

The Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will appoint a Student Conduct Officer/Investigator who will conduct a thorough, reliable, and impartial investigation of the reported allegation. In cases involving Part I, Section B.1. (Academic Misconduct), the instructor of record will conduct the initial inquiry/investigation. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary.

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

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 Student Conduct Officer/Investigator may compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Student Conduct Officer/Investigator will document any physical or electronic evidence in a manner that is conducive and unobstructive to concurrent or forthcoming police investigations. A student will have access to review the completed Investigation Report and/or investigative materials relevant to the investigation after the Investigative process has concluded. ~~In order to protect confidentiality, however, students are not given copies of Investigation Reports and/or investigative materials.~~

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

**d. Informal Resolution**

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the *Code of Student Conduct* which may be outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Student Conduct Officer/Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal. In cases involving Part I, Section B.1. (Academic Misconduct), the instructor of record can assign sanctions in Part I, Section C.4.h.

Additional sanctions in Part I, Section C.4.a.-g. can also be assigned on a case-by-case basis by the Executive Director of Student Affairs, Director Title IX Compliance, or designee.

In cases involving another student (a Reporting Party) and/or a violation of Part I, Section B.2. (Actions Against Members of the University Community and Others) of the *Code of Student Conduct*, both the Reporting Party and the Responding Party must agree to both the finding and the sanctions as recommended by the Student Conduct Officer/Investigator. The case will only be reopened if new material, previously unavailable, is presented. ~~The Informal Resolution, while not considered mediation, will also not be utilized to resolve cases of sexual assault and interpersonal violence.~~

Written notification of the outcomes and sanctions, if applicable, of the Informal Resolution will be provided to the student and appropriate University Administrators within five (5) University business days of the effectuation of the Informal Resolution. All cases involving Part I, Section B.1. (Academic Misconduct) will be reported to the Executive Director of Student Affairs or designee by the instructor of record if the student chooses the Informal Resolution.

**e. Pre-Hearing Process**

In cases involving an Administrative or Panel Hearing, the Pre-Hearing Process will be followed. Once the investigative process is complete, the Reporting Party and Responding Party will be given notice of a Pre-Hearing Meeting scheduled outside of the student's academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of charges and the completion of an Administrative or Panel Hearing. During this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and/or other documents/materials to be used in the Administrative or Panel Hearing. Other documents/materials reviewed may include notification of ~~Respondent's~~ the Responding Party's allegations, Panel composition, and Hearing Script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in Part I, Section A.3., of a date, time, and location of the Hearing.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or Panel Hearing, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be

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

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

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

Students may indicate whether an Administrative Hearing ~~or~~ Panel Hearing or Sanction Only Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing Panel Hearing or Sanction Only Hearing ~~Hearing~~ Panel will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Student Conduct Officer/Investigator will share the list of Panel members which consists of faculty, staff, and students trained for Panel Hearings. Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Executive Director of Student Affairs, Director of Title IX Compliance, or designee will schedule the Panel Hearing.

At the discretion of the Executive Director of Student Affairs, Director of Title IX Compliance, or designee, a review of the conduct case may occur at any point during the investigation or conduct process for clarification of procedural processes and may remand to investigation or adjudication if deemed necessary.

### **53. Hearings**

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

student accepts responsibility for the allegations issued in the investigation Report, the student may request a Sanction Only Hearing.

Hearings are closed to the public. In cases involving another student (a Reporting Party) and/or a violation of Part I, Section B.2. (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Reporting Party and the Responding Party have the right to be present at the Hearing; however, they do not have the right to be present during deliberations. Arrangements can be made so that Reporting and Responding Parties do not have to physically be in the Hearing room at the same time. To request changes in the scheduled Hearing time, students should contact the Office of Student Affairs or the Office of Title IX Compliance prior to the scheduled Hearing.

The University will attempt to facilitate reasonable questioning of involved parties throughout the investigation and conduct process.

An In Absentia decision may be rendered by the appointed hearing body after proper notice has been given to the student, and the student has failed to respond within the allotted timeframe to meet with an investigator.

**a. Administrative Hearing**

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report or Administrative Hearing Officer assigned by the Executive Director of Student Affairs, Director of Title IX Compliance, or designee. In cases involving Part I, Section B.1. (Academic Misconduct), the Administrative Hearing Officer will be the Academic Dean of the college housing the course where the violation occurred or designee with assistance from the Executive Director of Student Affairs or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, as appropriate.

Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University business days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section C.5.

**b. Panel Hearing**

For each Panel Hearing a panel of three (3) Hearing Panel members will be chosen from the available pool by the Executive Director of Student Affairs, Director of Title IX Compliance, or designee. Typically, the Hearing Panel will be comprised of one student, one faculty member, and one staff member. Availability may determine a different composition for the Panel. For allegations involving Part I, Section B.1.

(Academic Misconduct), the Hearing Panel will be comprised of only students and faculty members. For cases involving Part I, Section B.2. (Actions Against Members of the University Community and Others) or other sensitive issues, the Director of Title IX Compliance or designee will appoint three (3) Administrative Hearing Officers for the Hearing Panel.

Administrative Hearing Officers who served as Investigators for the case being heard by a Hearing Panel may not serve as either a voting member of the Hearing Panel or as the non-voting Resource Person and will only participate as the Investigator in the Panel Hearing.

All Hearing proceedings, excluding deliberations of the Hearing Panel, will be recorded by the University.

During the Panel Hearing, a designated Resource Person will facilitate the Hearing process.

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee will appoint a Panel Resource Person to serve as a non-voting participant in the Panel Hearing. The Panel Resource Person will be a trained University staff member who may:

- Prepare the Panel Hearing materials;
- Record the Panel Hearing proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the Panel Hearing;
- Ensure the procedural soundness of the Panel Hearing;
- Provide student conduct history as well as any documented Policy Warnings issued to the Responding Party, during the sanctioning phase, if necessary;
- Transcribe the findings of the Hearing Panel;
- Compile the post-Hearing documentation;
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. Both the Reporting Party and Responding Party have the right to add or make additional comments about the facts of the case. The Hearing Panel may question the Student Conduct Officer/Investigator, Reporting Party, Responding Party, and any witnesses. The Reporting Party and Responding Party ~~do not have the right to question each other or witnesses directly~~ but may not question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the

Resource Person removes a student due to misconduct (Reporting Party, Responding Party, or witnesses), the alleged misconduct will be forwarded to the Executive Director of Student Affairs, Director of Title IX Compliance or designee.

Following the Hearing, the Hearing Panel will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, if applicable. Should the Hearing Panel have any questions for the Student Conduct Officer/Investigator, the Reporting Party, and/or the Responding Party, the Hearing Panel will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

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

**c. Sanction Only Hearing**

If the student accepts responsibility for the allegations issued in the Investigation Report, the student may request a Sanction Only Hearing, by either a Hearing officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing Panel by the Investigator. During presentation of the Investigation Report and finding, the Reporting and Responding Party are not allowed to dispute the facts or details of the case. Both the Reporting and Responding Party may be present and both the Reporting and Responding Party may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the Responding Party and may be considered by the Hearing Panel. Written notification of the outcome of the Sanction Only Hearing will be provided to the student(s) within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions." A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.

**64. Sanctions**

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or Hearing Panel may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or Hearing Panel, when a student is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid at: <http://www.angelo.edu/student-handbook/appendices/sanctioning-grids.php>. The grid, mentioned above, is provided only as a guideline for administering sanctions by the Student Conduct Officer/Investigator, Administrative Hearing Officer, or the Hearing Panel. The Student Conduct



Officer/Investigator, Administrative Hearing Officer, and/or the Hearing Panel may deviate from the grid for sufficient reason.

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Resolution Process are final upon effectuation of the Informal Resolution. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Upon the judgment of the Executive Director of Student Affairs, Director of Title IX Compliance, or designee, some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process. Findings and sanctions agreed upon through the Informal Resolution Process are final and cannot be appealed.

All records related to the disciplinary process will remain on file in Room 112 of the Houston Harte University Center for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, Administrative Hearing, ~~or~~ Hearing Panel, Sanction Only Hearing, and/or Disciplinary Appeal Procedures in Part I, Section C.5. All records related to the disciplinary process resulting in suspension and/or expulsion will remain on file indefinitely.

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

**a. *Disciplinary Reprimand***

The Disciplinary Reprimand is an official written notification using the notice procedures outlined in Part I, Section A.3. (Notice) to the student that the action in question was misconduct.

**b. *Disciplinary Probation***

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

**c. *Deferred Disciplinary Suspension***

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

**d. *Time-Limited Disciplinary Suspension***

Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class or University related activities. The status of disciplinary suspension will be shown on the student's academic record, including the transcript. Time-Limited Disciplinary Suspension is noted on the student's transcript by the phrase "Disciplinary Suspension" and will include the period of time in which the student is/was suspended from the University. The notation of disciplinary suspension will remain on the transcript indefinitely. Notification of disciplinary suspension of a student will indicate the date on which it begins and the earliest date the application for student readmission will be considered. The Student Conduct Officer/Investigator may deny a student's readmission, if the student's misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any sanction that was imposed prior to application for readmission, the Student Conduct Officer/Investigator may deny readmission to a student. On denial of a student's readmission, the Executive Director of Student Affairs, Director of Title IX Compliance, or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student record to prevent registration during the Disciplinary Suspension.

***e. Disciplinary Expulsion***

Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. The status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase "Disciplinary Expulsion" and the date in which the student's expulsion was effective. An administrative hold will be placed on the student record by the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee to prevent future registration.

***f. Conditions***

A condition is an educational or personal element that is assigned by Student Conduct Officer/Investigator, Administrative Hearing Officer, or Hearing Panel. Costs associated with conditions may be the responsibility of the student and will be billed to the student's account. Some examples of conditions include, but are not limited to:

- Personal and/or academic counseling intake session.
- Discretionary educational conditions and/or programs of educational service to the University and/or community.
- Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities.
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement.
- Monetary assessment owed to the University.

- Completion of an alcohol or drug education program.
- Referral to the Alcohol & Drug Abuse Council for the Concho Valley (ADACCV) for assessment, <http://www.adaccv.org/>.

***g. Restrictions***

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

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

***h. Academic Penalties***

In cases involving violations of Part I, Section B.1. (Academic Misconduct) an academic penalty may be imposed by the referring party. Academic penalties include, but are not limited to:

- Assignment of a grade for the relevant assignment, exam, or course.
- Relevant make-up assignments.
- No credit for the original assignment.
- Reduction in grade for the assignment and/or course.
- Failing grade on the assignment.
- Failing grade for the course.
- Dismissal from a departmental program.
- Denial of access to internships or research programs.
- Loss of appointment to academically-based positions.
- Loss of departmental/graduate program endorsements for internal and external fellowship support and employment opportunities.
- Removal of fellowship or assistantship support.

***i. Parental Notification***

Violations of Part I, Sections B.3. (Alcoholic Beverages) or B.4. (Narcotics or Drugs) may result in notification to the parents/guardians of dependent students under the age of 21.

**75. Disciplinary Appeal Procedures**

A student may appeal the finding or the sanction(s) imposed in an Administrative Hearing or Panel Hearing by submitting a written petition to the designated appeal

officer within five (5) University business days of the delivery of the written decision. An appeal may not be filed on behalf of the student by a third party.

The Vice President for Student Affairs and Enrollment Management or designee will be the designated appeal officer in each conduct case. The Provost and Vice President for Academic Affairs or designee will be the designated appeal officer for cases involving Academic Misconduct. The designated appeal officer will be a trained University staff or faculty member who did not serve as the Student Conduct Officer/Investigator or the Administrative Hearing Officer in the original Conduct Process and will render a neutral, impartial, and unbiased decision.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

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

In cases involving alleged misconduct involving Part I, Section B.2. (Actions against Members of the University Community and Others), either the Reporting Party or Responding Party may appeal the decision of the Hearing Panel. In such cases, the Vice President for Student Affairs and Enrollment Management or designee will provide the request for appeal to the other party and provide opportunity for response.

The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.

If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error, or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Hearing Panel. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, he or she may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- Remand the case to the original Hearing Panel;

- Remand the case to a new Hearing Panel.

The Office of the Vice President for Student Affairs and Enrollment Management, Academic Dean, or designee shall make all reasonable efforts to notify the student(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) of the result of their appeal using the written notification procedures outlined in Part I, Section A.3. (Notice) within ten (10) University business days. If necessary, the designated appeal officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

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

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

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

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

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

Upon notice of an alleged violation of the *Code of Student Conduct* by a student organization, the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will appoint a Student Conduct Officer/Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather and review information about the reported student organization misconduct and will evaluate the accuracy, credibility, and sufficiency of the information.

Incidents will be forwarded for investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Reporting Party's statement. If it is determined that the information reported does not

warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question.

### **1. Initial Inquiry**

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

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

If it is determined that the information reported and available does not warrant an allegation of a conduct violation, a policy warning letter may be issued to clarify the policy in question. This may happen in situations where reports received are from anonymous sources with no ability to validate the credibility of the concern and the initial inquiry identifies little to no other information to support the report.

### **3. Remedies & Resources to Reporting Parties/Responding Parties**

- a. The University will take immediate action to eliminate hostile environments, prevent ~~recurrence~~reoccurrence, and address any effects on the Reporting Party and community prior to the initiation of formal investigation and/or formal conduct processes. These immediate steps will be taken to minimize the burden on the 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,~~ and modifications to on-campus housing, modifications to parking permission, and modification to academic schedule. Remedies will be evaluated on a case-by-case basis.
- b. Assistance and resources are provided to the Reporting Party in order to help them understand the options available to them when making a report, to determine what resolution the reporting party is seeking, to identify university and community resources to support the reporting party, and to stop any current inappropriate behavior. Resources include, but are not limited to, assistance in reporting criminal behavior to the University Police Department or San Angelo Police Department, counseling services, medical assistance, academic support referrals, and other support services. This is handled by the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee taking the initial report. This staff member may or may not be the person to investigate the complaint.

#### 4. Interim Actions

Under the *Code of Student Conduct*, the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee may impose restrictions and/or temporarily suspend the registration of a student organization pending the scheduling of a campus Hearing on alleged violation(s) of the *Code of Student Conduct* when the student organization represents a threat of serious harm to others, that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Examples of conduct or incidents that may result in interim suspension are hazing; conduct or incidents at organization events and activities resulting in allegations of sexual misconduct; behavior that results in criminal felony charges, severe disruption, and/or retaliatory harassment; alcohol/drug policy violations occurring during recruitment or social events; and cease and desists directives from inter/national or regional organizations. A student organization who receives an interim suspension may request a meeting with the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of the meetings, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, the student organization is not able to access the benefits of being a registered student organization during this time period, and organization activities should cease in order to prevent additional misconduct. Student organizations are informed of interim actions by the official notice procedures outlined in Part I, Section A.3. of the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Reporting Party, Responding Party, and other members of the University Community, the University, and/or property. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim actions may result in additional allegations of violations of the *Code of Student Conduct*.

#### 5. **Notice of Investigation/Notice of Involvement** ~~Involvement~~

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

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

In most cases, the appropriate Student Organization or Greek Life, Student Affairs, or Office of Title IX Compliance staff will ask the student organization President and Faculty/Staff Advisor or Alumni Advisor for an initial response to the information received within a prompt timeframe. At this time, student organization officers and members accused of conduct violations will also receive information about resources that can assist them during the conduct proceedings. When organization leaders are prompt, cooperative, and forthcoming with information to assist in the inquiry, it can reduce conduct findings and sanctions. Organizations should be aware that information gathered during this initial contact is documented for use during conduct proceedings.

Organizations that fail to comply with or respond to a notice issued as part of conduct procedures and/or fail to appear will not prevent the continuation of the conduct process. Likewise, a student organization that ignores requests for information, misrepresents information, or conceals information can face additional allegations of misconduct and increased sanctions.

**7. Notification of the ~~International~~Inter/National or Regional Headquarters (if relevant)**

In most cases (with the exception of low-level concerns), Greek Life staff will notify representatives of the ~~international~~inter/national or regional headquarters of the complaint received and of the process for reviewing the complaint. Angelo State University believes in an active partnership with ~~international~~inter/national and regional organization staff to resolve concerns. These ~~international~~inter/national and regional staff and volunteers are often better able to identify opportunities to address concerns and may be conducting their own investigation and conduct process. Angelo State University staff will specifically contact ~~international~~inter/national and regional organizations when ~~recurring~~reoccurring concern indicates a climate issue for the organization, when the response of the organization is not compliant or timely, when there is an immediate threat to member or other's safety, or when the organization has already participated in conduct processes for concerns.

**8. Rights & Responsibilities**

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

- a. A prompt, fair, and equitable process;
- b. Be accompanied by an advisor at any conduct or related proceeding.
  - An “advisor” can be any of the following: a member of the Angelo State University community (faculty, staff, or student not otherwise involved in the case), a ~~v~~victim's ~~A~~advocate, a parent or legal guardian, a relative, or, ~~in situations involving criminal legal proceedings,~~ an attorney.
  - An advisor's role is that of support – he or she may not speak on behalf of the organization and does not have an active, participatory role in the conduct process. If an advisor for the organization is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend on behalf of the University.
  - In the case of a student organization conduct proceeding, the President of the student organization is asked to make a response on behalf of the organization. During these processes, the President is also encouraged to include the faculty/staff advisor for the student organization. In many cases, the President may not be able to speak on behalf of the local advisory board to the student organization, so the inclusion of a local alumni advisor is also allowed.



- In the case of student organizations, the current President of the organization is responsible for presenting information during the formal hearing. ~~The roles of the advisors during formal hearings should be for support and guidance, not to speak or participate directly in the formal hearing unless authorized. Advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer/Investigator.~~
- Student organizations should select an advisor whose schedule allows attendance at the meeting, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the investigator and with advanced notice. The Executive Director of Student Affairs or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an Advisor during their suspension, and students who have been expelled may not serve as an Advisor.

- c. Refrain from making any statement relevant to the investigation. Student organizations are expected to cooperate with the University conduct process, but may elect not to participate in the investigation process, either in part or entirely. However, a student organization's refusal to participate in the investigation, in part or whole, lasts for the duration of the conduct process. In other words, if a student organization chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student organization provides only limited information during the investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student organization will only be permitted to speak to the information provided with no additional commentary. The rationale for this policy is to prevent parties from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.

NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.

- d. The opportunity to provide information and evidence in support of the case;
  - d.
- e. Know if they have been issued any allegations of misconduct;
  - e.
- f. f.——Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
- g. g.——Know the Angelo State University conduct policies and procedures and where to find them;
- h. Know that any information provided by the student organization may be used in a conduct proceeding;

- Any information provided by a student during an investigation may be used in formal conduct processes related to allegations against the student organization, the student, or other students.
  - Student and student organization records are subject to the Federal Education Rights & Privacy Act (FERPA). Information collected during an investigation will be compiled into an investigation report and is considered student or student organization records. The investigation report may be shared with the assigned student conduct hearing panel members or administrative officers assigned to adjudicate concerns as officials with legitimate educational interest and without written consent for release. Student and student organization records can be subpoenaed in accordance with criminal processes which could include the release of the investigation report to law enforcement officials. The investigation report may also be shared with the ~~international~~inter/national or regional organization headquarters staff to assist with collaborative investigations.
- 
- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

Student organization responsibilities include:

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

## 9. Investigation

- a. The Executive Director of Student Affairs, the Director of Title IX Compliance, or designee will appoint a Student Conduct Officer/Investigator to conduct a thorough, reliable, and impartial investigation of the reported ~~allegation~~concern.
- b. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. In student organization incidents there is potential for three or more separate investigations to be occurring in a similar time frame:
  - Angelo State University Student Organization Conduct Investigation.
  - Criminal Investigation by the University, San Angelo, or Other Police Departments.

- International~~Inter/National~~ or Regional Headquarter Investigation.
  - Local Student Organization Advisory Board Investigation.
- c. When initial inquiry indicates that another concurrent investigation is occurring alongside the Angelo State University student conduct investigation, the appointed investigator(s) will, where possible, collaborate with the other entities conducting investigations. Elements of a collaborative investigation may include coordinated or joint interviews, evidence sharing, and investigation report sharing within the limits of student records policies.
- d. Investigations of student organization conduct may include the requirement for student organization members to attend an investigation meeting as a group or as individuals. Students may be asked to complete written questionnaires related to the investigation. Regardless of the nature of the investigation, students and student organizations should be aware of their rights and responsibilities in the conduct process and recognize that any information shared during the course of the student conduct investigation may be used in formal conduct processes against the student organization or the individual student. Students can always decline to participate in a collaborative investigation meeting and meet only with the student conduct investigator instead of meeting together with other investigators.
- e. During the investigation process, student organization representatives are responsible for providing all information or evidence that they believe should be considered. Once the investigative process is complete, the Student Conduct Officer/Investigator will compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from the interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and ~~unobstructed~~unobstructive to concurrent or forthcoming police investigations.
- f. Student organizations will be asked to provide information about any actions occurring voluntarily by the organization and/or to address concerns or actions occurring related to other conduct processes (~~international~~inter/national or regional actions, local alumni board actions). This information is used to afford the opportunity for an organization to be eligible for informal resolution processes or the sanctioning portion of a formal hearing if an organization is found responsible for a policy violation.
- g. A student organization will have access to a completed Investigation Report and/or investigative materials relevant to the allegation(s) after the investigative process has concluded.
- ~~In order to protect confidentiality, however, student organizations are not given copies of the Investigation Reports and/or investigative materials.~~

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

- a. Once the investigation report is completed, the President and his/her advisors for the student organization will be given notice of a Pre-Hearing Meeting. During this

meeting, the representatives will be given an opportunity to review the Investigation Report and other documents or evidence that would be used in a formal hearing. If new or previously unavailable information is now available, the Investigator will make a determination about the inclusion of the information in the report.

- If there is not sufficient evidence to proceed to a hearing, a Policy Warning would be issued to the organization and the incident would be closed.
  - If there is sufficient evidence to proceed to a hearing, the investigation report will outline the formal allegations against the student organization.
  - A discussion would occur around the opportunity for an informal resolution or a formal hearing.
- b. In cases proceeding to a formal hearing, the student organization representative(s) would review the formal hearing script and the pool of faculty, staff, and students trained for the Hearing Panel.

### **11. Informal Resolution**

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

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

- a. In cases involving an Administrative or Panel Hearing, the Pre-Hearing Process will be followed. Once the investigative process is complete, the student organization will be given notice of a Pre-Hearing Meeting. Should student organizations not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative or Panel Hearing. During this meeting, student organizations will be given the opportunity to review the Investigation Report, relevant evidence, and/or other documents/material to be used in the Administrative or Panel Hearing. Other documents may include notification of Responding Party's allegations, Panel composition, and Hearing Script. Following the Pre-Hearing, student organizations will be notified, via the notification procedures outlined in Part I, Section A.3. (Notice) of a date, time, and location for the Hearing.
- b. While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless

that information, in the judgment of the Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or Panel Hearing, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties~~d~~ would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative or Panel Hearing.

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

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

- d. Student organizations may indicate whether an Administrative Hearing, ~~or~~ Panel Hearing, or Sanction Only Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing, ~~or~~ Panel Hearing, or Sanction Only Hearing will be held notwithstanding the student's preference.
- e. In cases requiring a Hearing Panel, the Student Conduct Officer/Investigator will share the list~~pool~~ of faculty, staff, and students trained for Hearing Panels. Student organization representatives will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student organization representative must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Executive Director of Student Affairs, Director of Title IX Compliance, or designee will schedule the Panel Hearing.
- f. At the discretion of the Executive Director of Student Affairs, Director of Title IX Compliance, or designee, a review of the conduct case may occur at any point during the investigation or conduct process for clarification of procedural processes and may remand to investigation or adjudication if deemed necessary.

### 13. Hearings

- a. Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student organization, the University may proceed to conduct either an Administrative or a Panel Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative Hearing or Panel Hearing may be held and a decision made, regardless of whether the student organization responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student organization fail to attend the Administrative or Panel Hearing, the Student Conduct Officer/Investigator or the Hearing Panel may consider the information contained in the Investigation Report, relevant evidence, and/or other documents/materials and render a decision. Student organization conduct processes are typically adjudicated by a Panel Hearing. If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing.
- b. Hearings are closed to the public. In cases involving another student (a Reporting Party) and/or a violation of Part I, Section B.2. (Actions Against Members of the University Community and Others) of the Code of Student Conduct, both tThe Reporting Party and Responding Party have the right to be present at the formal hearing; however, they do not have the right to be present during deliberations. Arrangements will be made so that the Reporting Party and Responding Party are not present in the hearing room at the same time do not physically have to be in the Hearing room at the same time. To request changes in the scheduled Hearing time, students should contact the Office of Student Affairs or the Office of Title IX Compliance prior to the scheduled Hearing

The University will attempt to facilitate reasonable questioning of involved parties throughout the investigation and conduct process.

An In Absentia decision may be rendered by the appointed hearing body after proper notice has been given to the student organization, and the student organization has failed to respond within the allotted timeframe to meet with an investigator.-

e.—Student organizations are typically represented by the current President and an advisor.

d.—In situations where the organization no longer has a current student representing the organization, the conduct process will continue with the information available at the time. Organizations with internationalinter/national, regional, or local advisory staff or volunteers with a long-term interest in the organization's recognition at the University may be allowed to participate in the resolution of conduct processes when a current student is no longer able to represent the organization.

e. **a. Administrative Hearing**

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student

Conduct Officer/Investigator that completed the Investigation Report, or an Administrative Hearing Officer assigned by the Executive Director of Student Affairs, Director of Title IX Compliance, or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns a sanction, as appropriate.

Written notification of the outcomes of the Administrative Hearing should be provided to the student within five (5) University business days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section C.5.

e. **b. Panel Hearing**

For each Panel Hearing a panel of three (3) Hearing Panel members will be chosen from the available pool by the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee. Typically, the Hearing Panel will typically be comprised of one student, one faculty member, and one staff member. Availability may determine a different composition for the Hearing Panel. For allegations involving Part I, Section B.1. (Academic Misconduct), the Panel will be comprised of only students and faculty members. For cases involving Part I, Section B.2. (Actions Against Members of the University Community and Others) or other sensitive issues, the Director of Title IX Compliance or designee will appoint three (3) Administrative Hearing Officers from the pool of available members for the Hearing Panel.

Administrative Hearing Officers who served as Investigators for the case being heard by a Hearing Panel may not serve as either a voting members of the Hearing Panel or as the non-voting Resource Person and will only participate as the Investigator in the Panel Hearing.

All Hearing proceedings, excluding deliberations of the Hearing Panel, will be recorded by the University.

During the Panel Hearing, a designated Resource Person will facilitate the Hearing process.

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee will appoint a Panel Resource Person to serve as non-voting participant in the Panel Hearing. The Panel Resource Person will be a trained University staff member who may:

- Prepare the Panel Hearing materials.
- Record the Panel Hearing proceedings.
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials.
- Ensure proper decorum throughout the Panel Hearing.
- Ensure the procedural soundness of the Panel Hearing.

- Provide student conduct history as well as any documented Policy Warnings issued to the Responding Party, during the sanctioning phase, if necessary.
- Transcribe the findings of the Hearing Panel.
- Compile the post-Hearing documentation.
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. Both the Reporting Party and Responding Party have the right to add or make additional comments about the facts of the case. The Hearing Panel may question the Student Conduct Officer/Investigator, Reporting Party, Responding Party, and any witnesses. The Reporting Party and Responding Party ~~do not have the right to~~ may not question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the Resource Person of the Hearing Panel removes a student due to misconduct (Reporting Party, Responding Party, or witnesses), the alleged misconduct will be forwarded to the Executive Director of Student Affairs, the Director of Title IX Compliance, or designee for additional processing as appropriate.

Following the Hearing, the Hearing Panel will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, if applicable. The Investigator will provide information during sanctioning related to any previous conduct history, self-sanctioning occurring with the organization, and general information about the organization's activities and participation at Angelo State University to help the panel determine appropriate sanctioning.

Should the Hearing Panel have any questions for the Student Conduct Officer/Investigator, the Reporting Party, and/or the Responding Party, the Hearing Panel will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

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

**c. Sanction Only Hearing**

If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing, by either a Hearing Officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Student Conduct Officer/Investigator. During presentation of the Investigation Report and



finding, the Reporting Party and Responding Party are not allowed to dispute the facts or details of the case. Both the Reporting Party and Responding Party may provide impact statements prior to sanctioning. Mitigating factors as well as character statements may be presented by the student organization spokesperson and may be considered by the Hearing body. Written notification of the Sanction Only Hearing will be provided to the student organization within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the student organizations by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C. 5. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions." A student organization may choose a Hearing Panel for Sanction Only Hearing for potentially separable offenses.

#### **14. Sanctions**

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or Panel Hearing, when a student organization is found responsible. The potential sanctions are listed in the Student Organization Sanctioning Grid in the Student Handbook, Appendix C. The grid is provided only as a guideline for administering sanctions by the Student Conduct Officer/Investigator, Administrative Hearing Officer, or the Hearing Panel. The Student Conduct Officer/Investigator, Administrative Hearing Officer, and/or the Hearing Panel may deviate from the grid for sufficient reason.

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

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Resolution Process are final upon effectuation of the Informal Resolution. When sanctions are final, appropriate University Administrators may be notified of the student organization's sanctions. Upon the judgment of the Executive Director of Student Affairs, Director of Title IX Compliance, or designee some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process. Findings and sanctions agreed upon through the Informal Resolution Process are final and cannot be appealed.

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

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

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

**b. *Disciplinary Probation***

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

**c. *Deferred Disciplinary Suspension***

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

**d. *Time-Limited Disciplinary Suspension***

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

**e. *Disciplinary Expulsion***

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

***f. Conditions***

A condition is an additional component of a disciplinary sanction, usually an educational element assigned to occur in conjunction with a period of probation or deferred suspension or assigned to occur prior to returning from time-limited suspension. Examples include, but are not limited to:

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

***g. Restrictions***

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

- Revocation of organization benefits such as eligibility for funding, eligibility to reserve rooms, and eligibility to solicit or hold events on campus; or
- Denial of participation or restrictions associated with participation in University activities as a student organization such as homecoming, recreational activities, and recruitment activities.

***h. Required Notifications***

Some organization misconduct requires additional notifications. Texas Education Code, Chapter 51.936 indicates that institutions of higher education shall distribute to each student during the first three weeks of each semester a list of organizations that have been disciplined for hazing or convicted for hazing on or off the campus of the institution during the preceding three (3) years.

**15. Disciplinary Appeals Procedures**

- a. A student organization may appeal the decision of a hearing or the sanction(s), condition(s), and restriction(s) imposed following a formal hearing by submitting a written petition for appeal to the designated appeal officers within five (5) University business days of receiving the written decision.
- b. The Vice President for Student Affairs and Enrollment Management or designee will select an appeal officer in each case. The designated officer will be a trained University staff or faculty member who was wholly uninvolved in the original Conduct Process and will render a neutral, impartial, and unbiased decision.
- c. Petitions for appeal must clearly identify the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal.
- d. The only proper grounds for appeal are as follows:
  - A procedural [or substantive] error occurred that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
  - The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
  - The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- e. In cases involving alleged misconduct involving Part I, Section B.2. (Actions Against Members of the University Community and Others), either the Reporting Party or Responding Party may appeal the decision of the Hearing Panel. In such cases, the Office of the Vice President for Student Affairs and Enrollment Management or designee will provide the request for appeal to the other party and provide opportunity for response.
- f. The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.
- g. If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Panel Hearing. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, he or she may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
  - Remand the case to the original Hearing Panel;
  - Remand the case to a new Hearing Panel.
- 
- h. The Vice President for Student Affairs and Enrollment Management or designee shall make all reasonable efforts to notify the student organization of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student organization of the result of their appeal using written notification procedures outlined in Part I, Section A.3.-within ten (10) University business days. If necessary, the designated appeal officer will notify the student organization should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.
  - i. If the designated appeal officer remands the decision to a new Hearing Panel, the decision of that Hearing Panel is final and may not be appealed.

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

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

## **PART II: COMMUNITY POLICIES**

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

#### **1. Beverage Provisions in the Code of Student Conduct**

Alcoholic Beverages violations are outlined in Part I, Section B.3. of the *Code of Student Conduct*.

### **SECTION B: ACADEMIC INTEGRITY**

#### **1. Angelo State University Statement of Academic Integrity**

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

#### **2. Academic Dishonesty Definitions**

Students must understand the principles of academic integrity, and abide by them in all classes and/or course work at the University. Academic Misconduct violations are outlined in Part I, Section B.1. of the *Code of Student Conduct*. If there are questions of interpretation of academic integrity policies or about what might constitute an academic integrity violation, students are responsible for seeking guidance from the faculty member teaching the course in question.

#### **3. Instructor Responsibilities**

Any person ~~becoming~~ aware of alleged violations of academic integrity should report the allegation to the instructor of record in the course. The instructor in a course is responsible for initiating action in each case of dishonesty or plagiarism that occurs in that class. The instructor should contact the Executive Director of Student Affairs or designee to discuss the nature of the violation and the student's record of academic integrity violations. Instructions for reporting allegations of academic dishonesty are available in the *Code of Student Conduct*. The instructor will notify the student of the alleged misconduct and attempt to discuss the matter with the student and receive a response from the student about the allegations. Then, the instructor may notify the student of possible academic sanctions including, but not limited to, assigning a paper or research project related to the academic integrity;

assigning a make-up assignment that is different than the original assignment; issuing no credit for the original assignment; reducing the grade for the assignment and/or course; issuing a failing grade on the assignment; and/or issuing a failing grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Executive Director of Student Affairs or designee as a central clearinghouse of violations. The Executive Director of Student Affairs or designee will review the case and may impose additional sanctions if warranted as outlined in the *Code of Student Conduct*.

#### **4. Withdrawal and Assignment of Grades**

- a. Once a student has been notified of an academic integrity allegation, the student may not drop the course until the academic integrity processes are complete. If a student drops or withdraws, the student will be reinstated to the course in question. A student should continue attending class and participating in course work until the disciplinary process is complete. If it is determined that the student was not responsible for academic integrity violations and/or the referring faculty member allows the student to withdraw from the course, the student may file a request with the Provost and Vice President for Academic Affairs for approval to drop the course or withdraw from the University retroactively.
- b. If a referring faculty member must submit a final course grade before an Academic Integrity Violation allegation is resolved, the faculty member should notify the Department Chair and the Academic Dean of the intention to assign a grade of F and/or leave the final grade blank. The involved student may be given a temporary grade of X by the Registrar's Office, which does not affect the student's GPA, until the academic integrity adjudication process is complete. When the academic integrity adjudication process is complete, the final grade will be assigned through the appropriate academic channels and the completion of a grade change form. All appeals related to academic integrity violations should follow the process outlined in Part I, Section C.5. (Disciplinary Appeals Procedures).

#### **5. Academic and Disciplinary Penalties**

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

#### **6. Referrals to the Executive Director of Student Affairs**

In addition to the assignment of academic sanctions by the instructor of record, a referral of the academic integrity violation should also be made to the Executive Director of Student Affairs or designee for the assignment of disciplinary sanctions. Instructions for reporting academic dishonesty violations are available in the *Code*

*of Student Conduct.* A student referred to the Executive Director of Student Affairs or designee for alleged violations of academic misconduct is entitled to all substantive and procedural guarantees provided in the *Code of Student Conduct*. Instructors of record of the course where the alleged violation occurred and the Academic Dean of the college where the student is enrolled or of the college housing the course where the alleged violation occurred may participate in the adjudication of the violation and assignment of additional sanctions with the Executive Director of Student Affairs or designee as outlined in the *Code of Student Conduct*.

*NOTE: Additional Academic Integrity information is available from the Office of Student Affairs.*

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

The University does not tolerate discrimination or harassment based on or related to sex, including pregnancy, race, color, religion, national origin, religion, age, disability, protected veteran status, genetic information, status as a protected veteran, or other protected 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 this basis. This policy and complaint procedure is available in Angelo State University Operating Policy 16.02 Non Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws.

### **1. Harassment**

a. Discriminatory Harassment is harassment based on a person's protected class under this policy is a form of discrimination. Unlawful harassment is verbal, or physical, or written conduct that shows hostility toward an individual based on or related to sex, race, national origin, religion, age, disability, sexual orientation, gender identity, genetic information, or other protected categories, classes, or characteristics that and is severe, persistent, or pervasive such that it creates an intimidating, hostile, or offensive educational environment; has the purpose or effect of unreasonably interfering with a student's educational performance; adversely affects a student's educational opportunities or environment to the point of interfering into the student's ability to realize the intended benefits of the University's resources and opportunities.

~~Create an intimidating, hostile, or offensive working or educational environment.~~

~~Have the purpose or effect of unreasonably interfering with an employee's or a student's educational performance.~~

~~Adversely affect an employee's employment opportunities or student's educational opportunities.~~

~~1. Is severe or p~~

~~b.a. Examples of inappropriate behavior that may constitute unlawful harassment include, but are not limited to:~~



1. Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race.
2. Display of explicit or offensive calendars, posters, pictures, drawings, cartoons, screen savers, e-mails, internet, or other multi-media materials in any format that reflects disparagingly upon a class of persons or a particular person in a protected category.
3. Derogatory remarks about a person's sex, national origin, race, or other ethnic characteristic.
4. Disparaging or disrespectful comments if such comments are made because of a person's protected status.
5. Loud or angry outbursts or obscenities in the workplace directed toward another employee, student, customer, contractor, or visitor.
6. Disparate treatment without a legitimate business reason.
7. Other threats, discrimination, hazing, bullying, stalking, or violence based on a protected category, class, or characteristic.

## 2. 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, and any other form of sexual misconduct, sexual violence, or other misconduct based on sex. See University Operating Policy 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure for matters concerning Sexual Misconduct.

## 3. Reporting Concerns

- a. Students wishing to report an incident of discrimination or harassment, including gender-based discrimination, sexual harassment, or sexual assault, should contact the Director of Title IX Compliance/Title IX Coordinator. Additional information on reporting can be found at:  
<https://www.angelo.edu/services/title-ix/> or in University Operating Policy 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure for matters concerning Sexual Misconduct. An online reporting form is also available at:  
<https://www.angelo.edu/services/title-ix/file-a-complaint.php>.
- b. Students reporting discrimination or harassment in their employment capacity should contact the ASU Office of Human Resources at (325)942-2168 or Texas Tech University's Office of Equal Employment Opportunity at (806)742-3627.

## 4. Office for 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 for Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100 or Customer Service Hotline (800) 421-3481 or <http://www2.ed.gov/about/offices/list/ocr/index.html>.

## 5. Retaliation

- a. 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. The University 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.
  - b. 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.

## 6. 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 discrimination or violations of law, to protect the University Community, and to the extent allowed by law. The willful and unnecessary disclosure of confidential information by anyone, including the Reporting Party or Responding Party, may affect the integrity of the investigation.

## 7. Complaint and Investigation Process

For additional information regarding the complaint and investigation process involving other students, employees (whether faculty, staff, or students), or non-University individuals see University Operating Policy 16.02, Non Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws and University Operating Policy 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure for matters concerning Sexual Misconduct.

## SECTION D: CLASS ABSENCES

### 1. Class Absences

Responsibility for class attendance rests with the student. Regular and punctual attendance at all scheduled classes is expected, and the University reserves the right to deal at any time, with individual cases of non-attendance. In case of an illness requiring an absence from class for more than one week, the student should notify his/her academic dean and/or the Executive Director of Student Affairs or designee. Angelo State University Operating Policy 10.04, Academic Regulations Concerning Student Performance provides complete information regarding class attendance and reporting student illness and emergencies.

## 2. Religious Holy Day Absences

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. More information is available in University Operating Policy 10.19, Student Absences for Observance of Religious Holy Days.

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

- a. ~~According to the Undergraduate and Graduate Catalog~~, Faculty, department chairpersons, directors, or others responsible for a student representing the University on officially approved trips should notify the student's instructors of the departure and return schedules in advance of the trip. The instructor so notified must not penalize the student, although the student is responsible for material missed. Students absent because of the University business must be given the same privileges as other students (e.g., if other students are given the choice of dropping one of four tests, then students with excused absences must be given the same privilege).
- b. According to University Operating Policy 10.04, Academic Regulations Concerning Student Performance, students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip.

## SECTION E: COMPLAINT PROCESSES

### 1. Complaints

Angelo State University has various procedures for addressing written student complaints. Students may seek assistance from the Executive Director of Student Affairs, Director of Title IX Compliance, or designee as they go through a written complaint process. The Executive Director of Student Affairs, Director of Title IX Compliance, or designee help students understand all of the steps of the process as well as what information they may want to include in their written complaint.

### 2. Academic Status Complaints

- a. Policies and processes related to academic status are found in the Undergraduate/Graduate Academic Catalog as well as in University Operating Policy 10.07, Undergraduate Academic Status, University Operating Policy 10.11, Grading Procedures, and University Operating Policy 10.04, Academic Regulations Concerning Student Performance.
- b. Undergraduate students on academic probation or suspension should refer to University Operating Policy 10.07, Undergraduate Academic Status for specific instructions regarding returning to good academic standing or reinstatement to the University. Graduate students may appeal to the Graduate School for review.

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

Conduct of University Faculty is outlined in University Operating Policy 06.05, Conduct of University Faculty. The processes for complaints against faculty are outlined in the policy

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

**4. Conduct Complaints against Other Students and Student Organizations**

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

**5. Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure**

The University 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. The University has established policies and grievance procedures providing for prompt and equitable resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of sexual misconduct. In the event a student believes their rights under Title IX or other laws have been violated, Angelo State University Operating Policies set forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. These policies and complaint procedures are available in University Operating Policies: OP 16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws and OP 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure.

a. *Faculty/Staff and Student Relationships:*

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

**6. Disability-Related Complaints**

a. Complaints related to disabilities are guided by University Operating Policy 10.15, Providing Accommodations for Students with Disabilities and Operating Policy 16.02, Non-

Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws.

- b. Any students seeking remedy on the basis of a disability must register as a disabled student with Student Disability Services and must provide all required documentation of a disability. Students who are denied services or denied a specific accommodation request by Student Disability Services may appeal the decision to the Executive Director of Student Affairs or designee. The ADA Campus Coordinator for Students is the Director of Student Disability Services, located in the Office of Student Affairs, ~~room~~ Room 112, Houston Harte University Center, (325) 942-2047.

**7. Student Record Complaints & FERPA**

Guidelines governing student access to personal records and the procedures for challenging information in these records are contained in the student records policy that is detailed in the Angelo State University Student Handbook Part II, Section O. The Registrar's Office provides oversight for student records and student record complaints.

**8. Disciplinary Action**

The University conduct procedure for students is outlined in the Angelo State University Student Handbook Part I, Section C. The University conduct procedure for student organizations is outlined in Part I, Section D.

**9. Employment**

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with her or her immediate supervisor or the person in charge of the department may contact the Office of Human Resources in accordance with the grievance procedures outlined in the University Operating Policy 52.17, Staff Employee Complaint Procedure and University Operating Policy 16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws.

**10. Grades**

The assignment of a grade in a course is the responsibility of the faculty member and is based on the professional judgment of the faculty member. Except for issues of computation, discrimination, equal treatment, or reasonable accommodation when a documented student need is present in accordance with the Americans with Disabilities Act of 1990 (ADA) guidelines, the faculty member's grade determination is final. The complete student grade appeal policy and procedure is listed in University Operating Policy 10.03, Grade Grievance. Also, if Academic Misconduct is involved, refer to the Angelo State University Student Handbook Part I, Section B.1. (Academic Misconduct).

**11. Parking Citations**

Students may appeal a campus parking citation online at: [http://www.angelo.edu/services/parking\\_services/](http://www.angelo.edu/services/parking_services/). Parking Services rules and a description of the three-tiered appeals process is described in the links on the Parking Services home page (web address as above).

## **12. Graduate School Requirements**

- a. Graduate student complaints related to academic standing and performance follow processes outlined in University Operating Policy 42.01, Admission to the College of Graduate Studies and Research, University Operating Policy 42.02, College of Graduate Studies and Research Enrollment Policy, University Operating Policy 42.03, Graduate Students Employed as Teaching Assistants, Graduate Assistants, and Graduate Research Assistants, and University Operating Policy 42.04, Academic Status (Graduate Students). Such matters include, but are not limited to: disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, and graduate assistantships.
- b. Appeals of course grades are made through the department chair of the college in which the course is offered and are guided by the process in University Operating Policy 10.03, Grade Grievance.

## **13. Housing Complaints**

Housing regulations and processes are outlined in University Operating Policy 60.02, Housing Policy. The Director of Housing and Residential Programs, Centennial Village Residence Hall office, (325)942-2035 oversees the resolution of complaints related to student housing.

## **14. Online and Distance Student Complaints**

Students enrolled in distance learning courses utilize the same complaint procedures as students enrolled in traditional courses. In accordance with the Higher Education Opportunities Act of 2008, Angelo State University provides a web-link related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at the Office of Student Affairs website: [http://www.angelo.edu/services/student\\_services/](http://www.angelo.edu/services/student_services/).

## **15. Tuition, Fee, and Financial Aid Complaints**

Tuition, fee, and financial complaints are guided by the Student Accounts and Bursar's Office and Student Financial Aid processes. Students with complaints related to tuition and fees may contact the Student Accounts and Bursar's Office at (325) 942-2008. Students with financial aid complaints may submit concerns through an online system found on the Financial Aid website: <http://www.angelo.edu/content/forms/413-feedback-form>.

## **SECTION F: FINANCIAL RESPONSIBILITY**

### **1. Financial Responsibility of Students**

- a. Students must meet all financial responsibilities due to the University. The writing of checks on accounts with insufficient funds, issuance of stop pays, disputed credit card chargebacks, or the nonpayment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University are considered a lack of financial responsibility. Financial irresponsibility may subject the student to

additional fees, fines, suspension of check writing, denial of registration, withholding of grades and transcripts and adjudication under the *Code of Student Conduct*. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, by the due date may be prohibited from registering for classes until full payment is made. Students should understand that consequences may result from not resolving one's financial obligations to the University.

- b. Generally, failure to meet financial obligations to the University may result in:
  - Cancellation of the student's registration if tuition and registration fees are not paid by the dates provided by Student Accounts and Bursar's Office or if a returned check given in payment of tuition and fees is not redeemed by that time.
  - Possible criminal prosecution for writing insufficient fund checks.
  - A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term.
  - A hold preventing future registration placed on a student's academic records.
  - A hold on receiving official University transcripts until the obligation is paid.
- c. The University may report individual student financial obligations to a credit reporting agency or a collection agent. A student is responsible for all collection costs charged to Angelo State University including reasonable attorney's fees.
- d. Before registering or requesting a transcript, students may check for holds by accessing their records at: <http://ramport.angelo.edu/cp/home/displaylogin> (Registration tab, then click on the Check Holds tab at the top of the page).
- e. For more information, please visit the Student Accounts/Bursar's Office website at: [http://www.angelo.edu/services/controller/sa\\_welcome.php](http://www.angelo.edu/services/controller/sa_welcome.php)

## **SECTION G: FREEDOM OF EXPRESSION**

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

Information related to freedom of expression policy is available in the Angelo State University Student Handbook Part II, Section P: (Use of University Space).

## **SECTION H: HOUSING REQUIREMENTS**

### **1. Housing Information**

- a. The Angelo State University residence halls system includes a variety of living options and provides convenient and affordable housing for approximately 2218446 students. Living/Learning Communities provide students with the opportunity to live with others of similar interests or major. Our current Living/Learning Communities are housed in Plaza Verde Residence Hall, Texan Hall, Centennial Village and Carr Hall. Centennial Village, which is arranged in two-bedroom/one bath units or four-bedroom/two bath units, offers private bedrooms in a suite-style setting. Likewise, Texan Hall offers private bedrooms with a shared common area in a suite-style setting. Carr Hall offers suite-style accommodations.

Most suites are comprised of two double-occupancy rooms adjoined by a shared bathrooms. Carr Hall includes a limited number of private suites with two single-occupancy rooms adjoined by a shared bath. Vanderverter Apartments offer fully furnished apartment style living with full kitchens and an on-site free laundry room. Plaza Verde, Mary Massie and Robert Massie Residence Halls all house residents in a double-occupancy room with its own bath. ~~Concho Hall offers suites with two double-occupancy rooms adjoined by a shared bath.~~

- b. Ethernet computer connections are provided in each room. All halls have WiFi. However, students are encouraged to utilize Ethernet connections for quizzes, homework, etc. Other services include laundry rooms, vending machines, and 24-hour professional staff.
- c. An experienced and trained staff of Area Coordinators, Student Hall Directors, and Resident Assistants manage each residence hall. Each residence hall office provides assistance to residents with concerns, including maintenance requests, room and roommate assignments, and resource information.
- d. The interests of students living on campus are promoted through the Residence Hall Association. The Residence Hall Association sponsors social, cultural, educational, and recreational activities and participation in the activities is a wonderful way for students to be engaged in their community.
- e. Complete information regarding campus housing can be found at: [http://www.angelo.edu/dept/residential\\_programs/](http://www.angelo.edu/dept/residential_programs/). Information regarding residence hall policies can be found at: [https://www.angelo.edu/dept/residential\\_programs/Housing\\_Requirements/housing\\_requirements\\_exemptions.php](https://www.angelo.edu/dept/residential_programs/Housing_Requirements/housing_requirements_exemptions.php)

## 2. Housing Policy

In support of the Strategic Plan of Angelo State University, the University requires all first-time students who are not residents of Tom Green County to live in the University residence halls for the first year, two long semesters of enrollment, regardless of total credit hours. Compliance with the University Housing Policy is a condition of enrollment, as set forth in the Angelo State University Student Handbook and the Undergraduate and Graduate Catalog and approved by the Board of Regents.

## 3. Housing Requirements

- a. Subject to verification and authorization by Housing and Residential Programs, students who meet one or more of the following criteria may be given permission to live off campus prior to moving in:
  - A student who graduated from a Tom Green County high school.
  - A student is residing and continues to reside in the established primary residence of her/his parent(s) (or legal guardian), grandparent(s), or sibling(s), if it is within a 70-mile radius of Angelo State University. The parents must have established their primary San Angelo residency at least one year prior to the request for an exemption. Legal guardianship must have been established by a court of law at least one year prior to the request.



- A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for Financial Aid.
  - A student is married or has dependent children living with the student.
  - A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.
  - A transfer student has successfully completed the equivalent of the one year live on requirement. If the college or university did not require the student to reside on campus, and the student successfully completed two long semesters, they will be exempted.
  - A student has served six months or more in active military service, as verified by a discharge certificate (DD214).
  - A student presents sufficient evidence of an extreme medical condition, as documented by his/her treating physician for which on-campus accommodations cannot be made.
  - A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.
  - A student is enrolled in on-line classes only.
  - A student is taking less than 12 hours during the academic year.
- b. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement may be grounds for disciplinary action. Violations will be reported through the Student Conduct Office.
- c. Students sign a Residence Hall Contract for the summer session or the academic year (fall and spring semesters). Any student wishing to move from the residence halls should consult the Residence Hall Contract for the provisions applicable to cancellation of the contract.
- d. Signing a lease for off-campus housing does not relieve the student of contractual obligations with the University for housing in the residence halls. The student is responsible for complying with all provisions of the Angelo State University Housing and Residential Programs Contract.
- e. The student is responsible for updating any incorrect information including place of residence with the Registrar's Office.

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

- a. Room and dining plan fees are due and payable by the semester and will be billed by Student Accounts and Bursar's Office. Room and dining plan fees become a part of the student's bill, and as such, payment plans are available. Payments must be made by the scheduled due dates to avoid delays in registration. Additional remedies available to the University for non-payment of room and dining plan fees include withholding the student's transcript of grades, diploma, and other academic records, and cancellation of enrollment.
- b. Students with academic year contracts are charged 50 percent of the academic year room and dining plan rate for the fall semester and 50 percent for spring semester.

Students entering the residence halls for the spring semester with an academic year contract are charged 50 percent of the academic year rate.

## **SECTION I: GENDER-BASED HARASSMENT, SEXUAL MISCONDUCT, DISRIMINATION AND TITLE IX POLICY AND COMPLAINT PROCEDURE**

ASU has established policies and grievance procedures providing for prompt and equitable resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of sexual misconduct. In the event a student believes their rights under Title IX or other laws have been violated, Angelo State University Operating Policies 16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws and 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure set forth procedures for filing, investigating, and resolving complaints of harassment, sexual misconduct, discrimination. Additional information regarding gender-based harassment, sexual misconduct, discrimination, and Title IX can be found at:  
<https://www.angelo.edu/services/title-ix/>.

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

### **1. General Policy**

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

### **2. Definitions**

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

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

- a. The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Director of Communications and Marketing, or any unauthorized use of University documents, records or seal is prohibited. Information is also available in University Operating Policy 26.07, University Name Seal and Logo.

#### 4. Jurisdiction

- a. All solicitation requests should be directed to the ~~Executive Director of Student Affairs~~ Director of Business Services or designee for review. Requests should be submitted online using the Solicitation/Sales Request Form. Requests must be submitted at least ten (10) University business days before intended use. Solicitation requests regarding food/beverage items on campus are subject to the approval of the Director of Business Services and are submitted via the Solicitation/Sales Request Form.
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the ~~Executive Director of Student Affairs~~ Director of Business Services or designee.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Vice President for ~~Student Affairs and Enrollment Management~~ Finance and Administration or designee.
- d. All regulations pertaining to on-campus solicitations by academic departments and faculty shall be administered by the Provost and Vice President for Academic Affairs or designee.
- e. Solicitation of all gifts, donations, and non-contractual grants from private philanthropic sources (e.g., individuals, foundations, and corporations) are administered by the Vice President for Development and Alumni Relations or designee in accordance with University Operating Policy 32.03, Solicitation of Gifts and Grants from Private Philanthropic Sources.

#### 5. Solicitation Processes

- a. Solicitations by registered student organizations and students are prohibited on Angelo State University grounds and facilities except for:
  - Activities supporting the educational mission of the institution.
  - Promotion of organizational activities consistent with organization mission.
  - Recruitment of members or membership drives.
  - Accepting donations on behalf of altruistic or charitable projects.
  - Scholarship and/or fundraising projects in support or organization mission.
  - The regulating offices may grant special permission for solicitation purposes or places not listed above in exceptional circumstances.
- b. Permission will not be granted for any activity which promotes the use of alcoholic beverages, infers sponsorship by Angelo State University or violates any federal, state and/or local laws and/or University policies.
- c. In order to solicit in University buildings, authorization is required via the Solicitation/Sales Request Form.
- d. Registered student organizations may use the University's registered marks when used in connection with a student organization activity, provided items are acquired from a licensed vendor. A sample or drawing needs to be provided showing how the University's registered marks are to be used before production of the merchandise can proceed. This sample will be submitted by the licensed vendor selected by the registered student organization. For additional information on licensing and use of Angelo State University registered names, logos, and trademarks, refer to University Operating Policy 30.07, Licensing and Use of ASU Registered Names, Logos, and

Trademarks on the University website and also to the University Operating Policy 26.07, University Name Seal and Logo.

- e. Requests for permission to solicit are granted for a specified period. To be eligible to solicit, an individual must present current student identification and submit a reservation request online at: <http://reservations.angelo.edu>. Permission to solicit may be revoked if the solicitation violates any of the regulations pertaining to solicitations and advertising or sale, display, or distribution of printed materials.
- f. Decisions by the Executive Director of Student Affairs, ~~or~~ the Director of Business Services, or designee rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the Vice President for Student Affairs and Enrollment Management or designee.
- g. A written appeal describing the objections to the denial addressed to the Vice President for Student Affairs and Enrollment Management or designee must be filed no later than five (5) University business days after the receipt of notice of denial from the Executive Director of Student Affairs, the Director of Business Services, or designee.
- h. The Executive Director of Student Affairs will convey the appeal decision, in writing, to the student or registered student organization or to the Director of Multicultural and Student Activities Programs or the Director of Business Services within five (5) University business days from the receipt of the written appeal.
- i. The student or registered student organization may not appeal beyond the Vice President for Student Affairs and Enrollment Management.

## 6. Advertisements

- a. Advertisements by commercial organizations, either as groups or through student representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co-sponsorship which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.
- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the University Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Director of Business Services.
- e. The only approved posting location on campus by non-University guests is located within the Houston Harte University Center with the Director of Business Services review and approval for a two (2) week period on approved posting boards.

## 7. Printed Materials & Digital Signage

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

- a. Only individuals affiliated with the University (i.e. students or student organizations) may distribute handbills, leaflets, or any other type of printed materials, except as provided by law.
- b. Students and registered student organizations do not need prior approval concerning the content or distribution of materials such as leaflets and handbills; however, students may be required to provide verification of current student status upon request.
- c. Solicitation and Advertising materials must conform with the provisions stated above.
- d. Student election campaign literature must conform to the procedures outlined in the Student Election Code of the Student Government Association.
- e. Use of the Angelo State University campus that results in the need to utilize University personnel for litter collection, crowd control, repair/replacement of University property, etc., may necessitate repayment to the University by the responsible party.
- f. Printed materials may not be placed on vehicles parked in the University parking lots or on vehicles in motion without permission of the vehicle owners.
- g. Printed materials such as handbills and leaflets may not be distributed within University buildings unless approved in advance by the building manager.
- h. Printed materials and digital signage content shall not violate any local, state, or federal law.
- i. Printed materials shall not include the use of obscenities, libelous statements, or "fighting words" as defined by law.
- j. Registered student organizations and University departments are allowed to hang banners within the Houston Harte University Center at the discretion of the Director of Business Services. A list of requirements regarding the banners is available in the Office of Special Events located in the Houston Harte University Center.
- k. Use of University trademarks, such as the name or logo, on visual materials or digital signage must follow the University's Visual Identity Guidelines:  
<http://www.angelo.edu/collegiate-licensing/identity-guidelines/>.

## 8. Use of Bulletin Boards & Digital Signage

- a. Posters, signs, and announcements may be displayed only on University announcement bulletin boards and approved digital signage designated specifically for use by students and registered student organizations. The University announcement bulletin boards and approved digital signs may be used only by students, registered student organizations, and University departments. Bulletin boards will be cleared periodically. A list of designated University announcement bulletin boards and digital signs is maintained in the Office of Special Events.
- b. Posters, signs, and announcements shall not exceed a maximum size of 18" x 24" digital signage requirements will differ per location and are available via the coordinator of that signage.

- c. Posters, signs, and announcements shall not promote the use of alcoholic beverages, tobacco, or illegal drugs.
- d. Posters, signs, and announcements shall not promote unauthorized sponsorship by Angelo State University.
- e. Posters, signs, and announcements shall not violate any local, state, or federal law.
- f. Bulletin boards belonging to academic and administrative departments are for official University use only. Posters, signs, and announcements may not be displayed without consent of the appropriate department.
- g. Posters, announcements, banners, cards, or other campaign material for any individuals seeking student government office may be posted in accordance with the rules and regulations of the Student Government Association.
- h. Use of University trademarks, such as the name or logo, on visual materials or digital signage must follow the University's Visual Identity Guidelines:  
<http://www.angelo.edu/collegiate-licensing/identity-guidelines/>.

## 9. Violations

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

## SECTION K: STUDENT IDENTIFICATION

### 1. Student Identification

The official Angelo State University ID card, the ASU OneCard, is the key to accessing services throughout the campus and also serves as the campus meal card for students who have purchased a meal plan. The first card is issued at no charge and there is no charge to replace lost or stolen cards. However, if a student wants a temporary card to use on-campus while waiting for a replacement card, there is a \$5.00 fee for the temporary card. Students should carry the ASU OneCard with them at all times.

- a. The ASU OneCard is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.
- c. Students shall not alter their ASU OneCards in any way.
- d. On request, students must present their student identification to any member of the University faculty, staff, administration, or police.

For more information about the features of the ASU OneCard, student should visit the website at: <http://www.angelo.edu/services/asuone/>.

## SECTION L: STUDENT INVOLVEMENT & REPRESENTATION

### 1. Student Government Association

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

## 2. Student Media

The major campus publication at Angelo State University is the RAM PAGE, a weekly newspaper containing articles of interest to the University community. General supervision for the University's student campus publication rests with the Publications Council, which is responsible for ensuring that the publication maintains high professional standards and fulfills the educational objectives for which it has been established. The ten-member council is made up of students, faculty, and staff. One of the chief responsibilities of the council is to appoint the editor each spring for the campus publication, based upon recommendations submitted by the chair of the Publications Council.

Copies of the University publications policies are available in the offices of the chair of the Department of Communication and Mass Media, who serves as Director of Publications, and the Director of Student Life. See University Operating Policy 04.10, Student Media.

Students preparing for careers in the media industry, train as videographers, editors, and on-air personalities by producing content for the campus television and radio stations. RAM TV and RAM RADIO highlight aspects of Angelo State University to the San Angelo Community and beyond.

RAM TV features live productions, symposia, lectureships, administrative forums, performing arts, athletics, exhibitions of student work, and events sponsored by departments on campus as well as local human-interest stories and public service announcements for non-profit organizations in San Angelo. This material is broadcast on the University educational access channel and the San Angelo local FOX affiliate, KIDY.

RAM RADIO is an Internet radio station that streams music, campus news and events, and community stories, 24 hours a day, 7 days a week. RAM RADIO also offers students the opportunity to produce programming for National Public Radio (NPR) through the Texas Tech University Public Radio Station.

## 3. Affiliated Military and Veterans Services

The Affiliated Military and Veteran Services Center is here to assist veterans, active duty or reserve service members, and their dependents in their pursuit of higher education. To that end, the University works in cooperation with the U.S. Department of Veterans Affairs (VA) and other off-campus resources including the Texas Veterans Commission to ensure top-notch support for service member students. The Affiliated Military and Veteran Services Center acts as a central point of intake and processing for the following educational benefits:

- a. VA Education Benefits (Montgomery GI Bill; Post-9/11 GI Bill, Dependents Educational Assistance, and Vocational Rehabilitation).
- b. Tuition Assistance for all active duty and reserve military personnel.
- c. Texas Veterans Commission Hazlewood Tuition Exemption Program.

The Affiliated Military and Veteran Services Center also helps students transition to campus by offering a stress-free environment with support services such as peer tutoring, counseling, and relaxed social interaction for service member students and staff.

## SECTION M: STUDENT ORGANIZATIONS

### 1. Registered Student Organizations

- a. A registered student organization is a group (~~president, treasurer and a minimum of eight (8) other members~~) comprised of at least five (~~5-10~~) students enrolled at Angelo State University who voluntarily come together under a common mission purpose. A president, vice president, and treasurer are the only officers needed. A parliamentarian, risk management officer, and historian are recommended. The purposes and activities of the organization shall be lawful and not in conflict with the policies, rules, regulations and standards of the University and/or federal, state and/or local statutes.
- b. Generally, student groups broadly fall under one of the following categories: Academic/Professional, Boards and Councils, Greek Social Organizations, Honor Societies, Multicultural/International, Club Sports, Spiritual Life, Service, and Special Interest.
- c. All student organization registration is administered by the Office of Multicultural ~~&~~ Student Activities Programs.

### 2. Club Sports

- a. The Angelo State University Club Sports program is ~~administered~~ registered by the Office of Multicultural ~~&~~ Student Activities Programs department and administered by University Recreation. This program is designed to provide opportunities for students to participate in a variety of sports activities. This program exists to promote and develop interest in sports. Club Sports members learn new skills, engage in competition and enjoy the recreational and social fellowship of sport.
- b. A group seeking Club Sports status must first be a registered student organization, subject to the rules and regulations of the University. Typically, a student organization must be registered with the Office of Multicultural and Student Activities Programs for at least an academic year before full consideration for Club Sports status.
- c. Following the organization registration process, a group should request a meeting with ~~Multicultural and Student Activities Programs~~ University Recreation to initiate the application process for Club Sports affiliation. After obtaining Club Sports status, groups must also comply with the guidelines of the Multicultural ~~&~~ Student Activities Programs department and ~~facility usage with~~ University Recreation.

### 3. Social Fraternities/Sororities

- a. The Center for Multicultural ~~&~~ Student Activities Programs is responsible for the oversight of Angelo State University Greek Life Programs (Fraternities and Sororities). A group seeking social fraternity or sorority status should first contact



the Center for Multicultural ~~&and~~ Student Activities Programs to discuss their interest and the specific (if any) national organization with which they wish to affiliate. Students should understand that the decision to bring a new sorority or fraternity to campus is a joint decision made by the students, the University, and the national organization. All parties must work in concert for the relationship to be successful. A group seeking social fraternity or sorority status must be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.

- b. All student organizations registering as a social fraternity or social sorority must show proof of their Title IX exemption by attaching to the registration application a letter from their national affiliate with their IRS 501 (c) number.

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

- a. Membership in the organization shall be open only to students enrolled at Angelo State University. A student organization is eligible for registration if it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, or gender expression, except that: a registered student organization created primarily for religious purposes may restrict the right to vote or hold office to persons who subscribe to the registered student organization's religious beliefs; and a registered student organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972.
- b. Faculty and staff may hold associate memberships to the extent allowed by the student organization's constitution.
- c. The organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is substantiated with the Center for Multicultural ~~&and~~ Student Activities Programs.
- d. All funds allocated to a registered student organization from University- controlled sources must be maintained in a registered student organization bank account. Additional resources acquired by fundraising may be kept in an off-campus organizational account. Resources acquired by the club may be kept in non-university or alternate accounts. It is recommended that the advisor either co-sign the organization's checks or be a reviewer of the account. If an account becomes dormant due to an inactive club, it is recommended that the remaining funds be remitted to the ASU Foundation and placed in the Ram Family Student Scholarship Endowment. Please see the Center for Multicultural and Student Activities Programs website for a list of financial best-practices.
- e. The student organization shall show initiative in effectively meeting its stated purpose and be lawful and peaceful in its activities. The Center for Multicultural ~~&and~~ Student Activities Programs is available to assist in organizational development.
- f. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve

the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Angelo State University.

- g. Only organizations that are an official part of the University and receive direct funding by the University or organizations that are an extension of an academic department may use the name, logo, or symbols of the University as part of its name or in its ~~publications~~ print, online and on social media with approval from the Director of Communications and Marketing. Registered student organizations may use the complete statement "a registered student organization at Angelo State University." Approval for the use of logos, symbols, and names protected by Angelo State University is handled through the oversight of the Office of Communications and Marketing. In addition, the organization shall not advertise or promote events or activities in a manner that suggests sponsorship by the University, unless specifically authorized to do so.
- h. Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials from the ~~Center for Multicultural and Student Activities Programs~~ Office of Special Events. Any student organization wishing to solicit on-campus must follow the policies and procedures listed in the current Angelo State University Student Handbook.
- i. All registered student organization resources must be used to advance and support the organization's purpose, identified goals, and/or mission.
- j. All registered student organizations must comply with University rules, standards, and policies.
- k. Student organization registration does not imply University approval of either the organization or its functions or activities.

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

- a. New and/or re-forming student groups that desire to become a registered student organization should contact the Center for Multicultural ~~&and~~ Student Activities Programs to discuss the process of forming or re-forming an organization.
- b. A student group seeking to form a new organization may file the Student Organization Registration/Renewal Form and a Student Organization constitution with the Student Organizations/Activities Coordinator. The initial constitution must follow the template provided by the Center for Multicultural ~~&and~~ Student Activities Programs. Once both forms are filed, a pending student organization is permitted to use University facilities and post notices and flyers in accordance with established University posting regulations. A proposed group may apply for registration only once per semester.
- c. Following the submission and review of all required documents and verification of member eligibility, the materials will be sent to the Angelo State University Student ~~Government Association~~ Senate for review and a recommendation on registration. After receiving the recommendation of the Student ~~Government Association~~ Senate, the Student Organizations/Activities Coordinator will make the final decision on registering the new organization and will notify the organization of the decision.

- d. A group which has been a registered student organization in the past and which became inactive may apply to reinstate the organization by submitting a Student Organization Registration/Renewal form, a proposed constitution that is in compliance with current requirement, and a letter explaining why the organization should be reinstated.

**6. Annual Registration and Renewal Process**

- a. The Multicultural & Student Activities Programs department must receive a complete Student Organization Registration/Renewal form by the deadline of the first month of the semester. A complete Student Organization Registration/Renewal form must be received by the Center for Multicultural and Student Activities Programs by the deadline each September. The form will include the names and contact information for the organization officers and the president of the organization must certify that the organization still has at least ~~fiveten~~ (510) full-time students who are in good standing with the University.
- b. The organization must also submit an updated copy of the local constitution and by-laws (if applicable) and the constitution and by-laws of any other local, state, or national affiliate organization (if applicable).
- c. The organization shall also furnish the signature, title, campus address, telephone number, and e-mail address of a full-time Angelo State University faculty or unclassified staff member indicating the person's agreement to serve as the organization's advisor.
- d. The organization must also agree to comply with all University standards, rules, and/or policies as well as all federal, state, and/or local laws.
- e. Executive officers of registered student organizations must have at least a 2.0 cumulative grade point average at the time of election, must earn at least a 2.0 grade point average each semester during their term of office, must maintain full-time student status throughout their term of office, and must remain in good standing (academic and disciplinary) throughout their term of office. Student organizations may establish higher eligibility requirements for their executive officers.

**7. Benefits of Registered Student Organizations**

- a. Benefits include: Meeting room reservations on campus, organization information published online, posting on campus, leadership training, ready references and access to training materials and resources in the Center for Multicultural & Student Activities Programs, ~~and a free web link~~. Registered student organizations may apply for funding through the Student Organization Leadership Fund (SOLF) administered through the Center for Multicultural & Student Activities Programs.
- b. Club sports are entitled to all the benefits of a registered student organization. In addition, club sports may receive administrative support and guidance from University Recreation.

**8. Faculty or Staff Advisor**

- a. Each registered student organization shall have a full-time University faculty or unclassified staff advisor available to the officers and members for consultation

regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning and decision-making and the advisor should work directly with the student organization regarding the financial best practices located online within the Center for Multicultural ~~&and~~ Student Activities Programs website. The advisor must oversee adherence to University standards, rules, and/or policies as well as the organization's constitution and by-laws. Regarding club finances, the advisor should be a co-signer of the organization's account or be a reviewer of the account. If a student organization travels, the advisor is the responsible party for submitting travel requests, for obtaining any travel advances, and for reconciling the travel expenses after the trip in accordance with University procedures. The Center for Multicultural ~~&and~~ Student Activities Programs sponsors various advisor training programs throughout the year to assist advisors in working with their organizations. A training program on risk management is mandated by State law and organization advisors must attend this program. Specific information on complying with this training requirement is available in the Center for Multicultural ~~&and~~ Student Activities Programs.

- b. Registered student organizations may have additional advisors, i.e. coaches (typical of club sports) or alumni advisors, to the extent permitted by their constitution and/or by-laws; however, one advisor must be a full-time Angelo State University faculty or staff member as required and identified in the registration packet. Only current ASU students can benefit from SOLF funding.
- c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Angelo State University employee should also be included when filling out the registration application complete with names, addresses, telephone numbers and e-mails.
- d. Registered student organizations have ten (10) University business days to formally notify the Center for Multicultural ~~&and~~ Student Activities Programs with the name, address, telephone number, and e-mail address of any new or replacement full-time University faculty or staff member appointed as their advisor. Failure to do so may result in suspended privileges. In cases where the club is experiencing difficulty securing a replacement, the club leadership should notify the Center for Multicultural ~~&and~~ Student Activities Programs. After review, the Director of the Multicultural ~~&and~~ Student Activities Programs or designee may appoint a temporary advisor for the club for no more than an additional thirty (30) University business days while the club secures a replacement advisor. Failure of the club to secure a replacement advisor by the end of the additional thirty (30) University business days may result in suspended privileges.
- e. Certain student organizations do not choose their advisor(s); rather, they are assigned a full-time faculty or staff person by the academic department to oversee the administration of those areas, groups and resources.
- f. Established full-time University faculty or staff members, who reduce employment hours below full-time status, and maintain an office on-campus, may continue to function as the "Primary" advisor of a student organization with the approval of the Center for Multicultural ~~&and~~ Student Activities Programs.

- g. Student organization advisors should complete advisor risk management training set by the Center for Multicultural ~~&~~ Student Activities Programs.

## 9. Prerequisites for Maintaining Registration

To maintain its active registration status throughout the academic year, a registered student organization must meet or submit the following criteria to the Center for Multicultural and Student Activities Programs:

- a. File a list of its current officers within ten (10) University business days from the day of elections and file notification of the subsequent changes when such occur.
- b. File a list of its current advisor(s) within ten (10) University business days of the acceptance of the full-time faculty or staff advisor to the position. Notification of advisor changes should also be made within ten (10) University business days.
- c. Submit all changes in documents on file relating to the organization (i.e., revisions to the constitution, changes in statement of purpose, procedures for handling organization funds or membership requirements). Registered student organizations shall be responsible for updates and revisions to their local and affiliate constitutions. These changes must be registered with the Center for Multicultural ~~&~~ Student Activities Programs within ten (10) business days of any changes. Should an organizational dispute occur that involves University intervention, registered student organizations are bound by their constitution and by-laws on file with the Center for Multicultural ~~&~~ Student Activities Programs.
- d. Conduct its affairs in a lawful manner as a collaborative entity in accordance with the constitution and by-laws it has on file, in addition to applicable policies, rules, regulations, and standards of the University and/or federal, state, and/or local statutes.
- e. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the ~~Center for Multicultural and Student Activities Programs~~ Office of Special Events.
- f. Ensure off-campus individuals or organizations whose appearance on campus is sponsored by the organization observe all applicable policies, rules, regulations, and standards of the University.
- g. Attend annual risk management training programs provided by the Center for Multicultural ~~&~~ Student Activities Programs. A minimum of one organization officer, the president, vice president, or chairperson in charge of risk management, is required to attend. The officers are then responsible for conveying the information to their student organization members and completing a Risk Management Statement of Completion.
- h. Ensure off-campus individuals or organizations (whose appearance on campus is sponsored by the organization) observe all applicable policies, rules, regulations, and standards of the University.
- i. The Executive Director of Student Affairs, Director of Multicultural ~~&~~ Student Activities Programs, or designee may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the current Angelo State University Student Handbook.

## **10. Conduct Procedures for Student Organizations**

- a. Student organization conduct procedures are outlined in Part I *Code of Student Conduct*, Section D, including processes for the temporary suspension and denial of registration for student organizations.

## **SECTION N: STUDENT RIGHT TO KNOW**

The University Police Department compiles and publishes campus crime and fire data to comply with the Clery Campus Security Act. Information about crimes that have occurred on-campus and in the immediately surrounding community is published annually and a link to the Campus Crime and Safety Report can be found on the Angelo State University Student Affairs web page: [http://www.angelo.edu/services/student\\_services/](http://www.angelo.edu/services/student_services/).

Additionally, the University maintains a consumer information web page with links to data, support services and accreditation information. [https://www.angelo.edu/consumer\\_info/](https://www.angelo.edu/consumer_info/)

## **SECTION O: STUDENT RECORDS**

### **1. General Policy**

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from the 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 Angelo State University 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 Angelo State University.

### **2. Address of Record**

Students must maintain an accurate permanent address with the Registrar's Office. The address is used for official notifications including billing and official University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at: [http://www.angelo.edu/services/registrar\\_office/registrar\\_forms.php](http://www.angelo.edu/services/registrar_office/registrar_forms.php).

### **3. Student Access to Education Records**

- All current and former students of the University have the right to access their educational records as provided by law.
- Students may obtain copies of records relating to themselves at their expense. The reproduction charge shall not exceed the actual cost to the University.

- The University will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.
- A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.
- Personally identifiable information such as , personal conduct, class schedule, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the consent of the student.

#### **4. Records Not Accessible to Students**

The following are records not accessible to students:

- a. Instructional, supervisory and administrative personnel records and the student's educational personnel records in the sole possession of the author and not revealed to any person other than a substitute (i.e. grade books, notes of observation and notes for recollection purposes).
- b. Employment records of a University employee who is not a student.
- c. Medical records are maintained for students visiting University Health Clinic and Counseling Services. Information contained in the medical record is privileged and will not be released to another person or institution without written permission of the student, unless otherwise authorized by law. Students needing to request a copy of their medical records may contact University Health Clinic and Counseling Services at (325)942-2171. While not considered "education" records under the Family Educational Rights and Privacy Act of 1974, as amended, the mentioned statute still allows the patient, in most instances, access to his/her records. The general rule of confidentiality contains an exception when the patient or someone authorized to act on his/her behalf submits a written consent. Consent must be in writing and signed by the patient (or a parent or legal guardian if the patient is a minor). A physician shall furnish copies of medical records requested in accordance with the consent provided, except if the physician determines that access to the information would be harmful to the physical, mental, or emotional health of the patient.
- d. Medical and/or psychological information submitted for the purpose of determining eligibility for services are not releasable. Students may obtain the original information from the sources.

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

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

- a. Officials, faculty, and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends or seeks to enroll if the student is notified of what is being released and given a copy if desired.

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

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

Students have the right to challenge records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal procedures are described in the Angelo State University Student Handbook, Part II, Section E.10. The challenge is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed for an appropriate challenge.

- a. Any student wishing to challenge records or information directly relating to him or her must notify the individual responsible for maintaining the records. The notice must be in writing and specifically identify the item challenged and the basis for the custodian of the challenged records.
- b. All initial meetings will be informal and participants will include: the custodian of the challenged records or information, the student, and the author (if appropriate) of the material.
- c. If any of the participants (record custodian, student or author) are not satisfied with the results of the informal meeting, a formal Hearing will be conducted. The student may present evidence relevant to the content of the educational records to demonstrate how they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.



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

- a. The following student information is considered Angelo State University Directory Information:
  - Student name
  - Permanent and local addresses
  - Hometown
  - Classification
  - Major and minor fields of study
  - Dates of attendance
  - Degrees, awards, and honors received
  - Specific enrollment status
  - Photograph
  - Team photographs
  - Participation in officially recognized sports and activities
  - Height/weight of member of athletic teams
  - Previous institution(s) attended
  - Degree candidate
- b. This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld in writing in the Registrar's Office, room 200 of the Dorsey B. Hardeman Building.
- c. The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail address or telephone number, is confidential and not subject to disclosure under Section 552.201, Government Code.

## **8. Destruction of Records**

The University constantly reviews the "educational records" it maintains and periodically destroys certain records. The University will not destroy records if prohibited by state or federal law. The student's basic scholastic record is kept and maintained permanently in the Registrar's Office. Disciplinary records are maintained for at least seven years in the Office of Student Affairs. Student Disability Services records are maintained for ~~seven~~ <sup>three</sup> (7) years after the last date of enrollment. In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely.

## **9. Letters of Recommendation**

- a. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
- b. Under the Family Educational Rights and Privacy Act of 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.

## **10. Proxy**

When a student reaches the age of 18 **OR** is attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student. Parents of Angelo State University students may not receive non-directory information unless the student creates a FERPA/Proxy Authorized User from their secure RamPort account. Online FERPA/Proxy information can be found on the Registrar homepage at: <http://www.angelo.edu/ferpa/online-ferpa-proxy.php>

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

### **1. General Policy**

With the exception of free expression activities outlined below, the space and facilities of the University are intended primarily for the support of the instructional programs of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is encouraged for activities that have as their purpose, service or benefit to the Angelo State University community, and that are sponsored by registered student organizations.

University buildings, grounds, or property may be available for use by outside groups in accordance with and subject to the provisions of the University policy, to the extent that the programs and activities of these groups do not conflict or interfere with normal University functions or the activities of campus organizations. An individual who is not a student, faculty, or staff member may attend functions or activities held on University property, but to be eligible for the use of campus facilities, the function or activity must be sponsored by and affiliated with a University department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person. Outside groups desiring use of University facilities must obtain approval for their program or activity from the Director of Business Services. The Director of Business Services is responsible for making certain that the proposed program and activity is within the *Regent's Rules* and University policies. Reservation requests must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>. Appropriate rental charges shall be charged to outside groups using University facilities. State law requires that University facilities and property be used only for state purposes and not for private gain.

## 2. Reservation Requirements

- a. Reservations must be made for the use of buildings and grounds under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. The procedures for requesting use of the University facilities are available online at: <http://reservations.angelo.edu>. Reservation requests must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code, Chapter 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space of facility will be confirmed.

## 3. Use of Facilities by Student Organizations

- a. Student organizations must be registered to use University facilities or grounds.
- b. A student organization that has petitioned the Center for Multicultural and Student Activities Programs for registration status may hold up to three meetings in the Houston Harte University Center pending action on the petition. These meetings must be held within a 25 calendar-day time period from the date the petitioning organization filed its intent to register. Other campus facilities or space may be reserved by "petitioning" student organizations for one meeting only, if their full-time faculty or staff advisor agrees to be present at their event. Additional reservations will not be approved until the student organization is registered.

## 4. Procedure and Priorities for Designated Facilities

### a. *Houston Harte University Center*

The facilities, services, and programs of the Houston Harte University Center have been designed to support the total educational mission of the University. In addition to recreational and dining facilities, the University Center provides a wide range of facilities and services for ASU students and their registered organizations. The meeting rooms in the University Center may be reserved for departmental/faculty/staff meetings and educational conferences. Co-sponsored conferences and meetings are provided for the cost of expenses incurred (rental fees for said events may be waived by following procedures outlined in the rules and regulations). The Facilities Fee Waiver form is located at: <http://reservations.angelo.edu> (under the Links tab).

### b. *Academic Buildings*

Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Office of Special Events. All requests must be submitted with the agreement of a full-time faculty or unclassified staff advisor for the student organization using the online request form at: <http://reservations.angelo.edu>.

All use of academic space is “as is” (group is responsible for own set-up) and the full-time faculty or staff advisor assumes responsibility for accessing the space, supervising the meeting, and securing the space in same condition it was found. For-credit academic use requests may supersede not-for-credit reservations. Recurring space assignments may be made for one semester only. All space assignments are made on the basis of use consistent with the purposes of the University and of available space. Academic use by departments and colleges has priority over others uses and organizational assignments may be changed or canceled if conflicts with regular academic programs develop.

Academic Space will be assigned on a limited basis if:

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

c. *Residence Halls*

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

d. *Intercollegiate Athletic Facilities*

The Junell Center/Stephens Arena, LeGrand Stadium at 1<sup>st</sup> Community Credit Union Field and other athletic fields are owned and maintained by the University for the primary use and benefit of the intercollegiate athletic programs of the University, of allied non-University athletic activities consistent with such programs and of official academic events of the University. The use of these facilities shall be limited to these purposes unless otherwise authorized by the Director of Business Services or designee. Requests for use of all intercollegiate athletic facilities must be made to the Office of Special Events online at: <http://reservations.angelo.edu>.

e. *Recreational Facilities*

The Ben Kelly Center for Human Performance, intramural fields, tennis courts, racquetball courts and basketball court are intended primarily for student recreational and instructional use on an organized group and individual basis. University Recreation is responsible for scheduling the use of these facilities for University Recreation programs and services. A hammock farm was installed between Robert and Mary Massie Residence Halls and this is the only approved campus location for hammock use. Hammocks are available for check-out in the Ben Kelly Center for Human Performance building. Other University departments, organizations, and off-campus guests may request use of the recreational facilities from the Office of Special Events using an online form located at: <http://reservations.angelo.edu>.

*f. Pavilion*

The Pavilion is designed to meet the recreational needs of students, faculty and staff and to provide programming opportunities for the University and its registered student organizations. Reservation requests may be submitted to the Office of Special Events online at <http://reservations.angelo.edu>. The Pavilion may also be rented according to University policy governing this privilege.

*g. Lake Facility*

The Angelo State University Lake Facility, located at 1925 Beaty Road, is open and operated seasonally by University Recreation for general use by Angelo State University students, faculty and staff. The Lake Facility is also available for University department and registered student organization events as well as private rental events (based on date availability). Reservation requests for the Lake Facility must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>.

**5. Use of Campus Grounds**

- a. Selected grounds areas (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, staff, and students. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop. Reservation requests must be submitted to the Office of Special Events online at <http://reservations.angelo.edu>.
- b. Students or registered organizations using a designated area are subject to the following requirements:
  - Use of amplification equipment must comply with the guidelines in Item 8. Use of Amplification Equipment (below).
  - A structure may not be erected on campus grounds without prior written approval that will include arrangements for cleaning up after the event.
  - If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a University account number before the activity can be approved by the Director of Business Services.
  - Violations of these campus grounds use regulations are subject to the disciplinary sanctions and procedures outlined in the *Code of Student Conduct*.
  - Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the Environmental Health, Safety, and Risk Management Office, Senior Executive Assistant to the President and General Counsel, or other University departments as necessary prior to approval from the Director of Business Services.
  - Participants in, and/or sponsors for, events may be required to sign a "Hold Harmless" release.
  - The sponsor should refer to procedures provided by the Environmental Health, Safety, and Risk Management Office to make necessary arrangements for any event that includes food handling or food service on Angelo State

University property by anyone other than the contracted campus food service provider.

- The sponsor should contact Parking Services to make necessary parking arrangements for the event.
- If the use of University grounds is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

#### **6. Appeals of Campus Grounds Use Request Denials**

Students or registered student organizations whose requests for the use of University grounds are denied may appeal to the Director of Business Services as follows:

- a. A written appeal describing the objections to the denial presented to the Director of Business Services must be filed no later than five (5) University business days after the receipt of notice of the denial from the Assistant Director for Special Events.
- b. The Director of Business Services will convey the appeal decision, in writing, to the student or registered student organization within a reasonable time from the receipt of the written appeal.

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

- a. The open exchange of information, opinions, and ideas between students is an essential element of the campus experience. These policies are intended to protect the interests of all students as well as other members of the University community. These policies presume that students are generally free to engage in freedom of expression activities in those outdoor areas of campus that are common and accessible to all students (such as park-like areas and sidewalks) without the need of prior approval of the University.
- b. Although the Angelo State University campus is generally an open campus for purposes of student freedom of expression activities, students are encouraged, and persons and groups not affiliated with the University are required, to use the Forum Areas of the campus for freedom of expression activities.
- c. The Forum Area on the Angelo State University campus is the student gathering area located between the Porter Henderson Library and the Houston Harte University Center. Additional free speech areas may be designated at any time by the University.
- d. Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:
  - The location selected for the activity is inadequate for the purpose for which it will be used (either too close to buildings, not big enough for the event, etc.).
  - The activity substantially interferes with either vehicular or pedestrian traffic.
  - The activity blocks the ingress or egress to buildings.

- The space is not available due to prior reservation.
  - The activity conflicts with a previously planned University activity.
  - The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University.
  - The activity presents an unreasonable danger to the health or safety of the applicant or other individuals.
  - The activity is prohibited by local, state, or federal law.
  - The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on campus.
- e. Students engaged in freedom of expression activities may be subject to discipline under the *Code of Student Conduct* for the following actions:
- Activities which are illegal.
  - Activities that deny the rights of other students, faculty, and staff of the University.
  - Activities that substantially obstruct or restrict the free movement of persons on any part of the University campus, including the free entry or exit from University facilities.
  - Activities that deny the use of office or other facilities to the students, faculty, staff, or guests of the University.
  - Activities that threaten or endanger the health or safety of any person on the University campus.
  - Activities that include the use of obscenities, libelous statements, or “fighting words” as defined by law.
  - Activities that result in damage to or destruction of University property.
  - Activities that attempt to prevent a University event or other lawful assembly by the threat or use of force or violence.
  - Signs, banners, posters, and other displays used for freedom of expression activities must be handheld and must remain in the hands of individuals engaged in the expressive activities at all times.

## **8. Use of Amplification Equipment**

- a. Use of Amplification Equipment for freedom of Expression Activities:
- Use of amplification equipment in Forum Areas: Students and registered student organizations may use amplification equipment for freedom of expression activities within the designated Forum Areas from 8:00 am to 5:00 pm Monday through Friday.
  - Use of Amplification Equipment in All Other Outdoor Areas: Students and registered student organizations may use amplification equipment for freedom of expression activities in all other outdoor areas of the campus after 5:00 pm Monday through Friday.
  - Use of amplification equipment is subject to all rules concerning the time, place, and manner of freedom of expression activities and Forum Areas as set forth in Section 6 of this policy.
  - Only handheld amplification devices are permitted.

- No amplification of sound is permitted during the week prior to or the week of final exams.
  - The volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
  - Use of amplification equipment shall not create a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University community.
- b. Other Use of Amplification Equipment:
- The use of loudspeakers, any other type of amplification equipment (e.g. portable stereo devices, portable studios, etc.), or amplified musical instruments on University grounds by students and/or registered student organizations for any purpose other than expressive activities as set forth in Section 6, above, is by permission only.
  - Applications from individuals, departments, and organizations for permission to use amplification equipment must be submitted as a reservation request to the Office of Special Events online at: <http://reservations.angelo.edu>.
  - Applications must be submitted at least two weeks before the intended use.
  - The Director of Business Services or designee may prescribe rules concerning scheduling, maximum sound levels, location and direction of speakers, and other rules to facilitate the use of amplified sound to mediate any conflict with University functions, classes in session, examinations, other nearby activities, and the campus environment.
  - The use of amplification equipment for solicitation purposes must conform to all campus grounds use provisions, as well as policies governing solicitation and commercial activities.
  - The use of such equipment or loudspeakers is not permitted in the vicinity of classrooms during regularly scheduled class hours without written permission from the Director of Business Services or designee.
  - Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
  - Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Director of Business Services or designee.
  - Requests for outdoor dances utilizing sound amplification devices must be submitted as reservation requests to the Office of Special Events online at: <http://reservations.angelo.edu>. Bands may use their own equipment on such dates.
- c. Academic Use:
- The appropriate use of loudspeakers for official University activities inside academic buildings, or on the campus as a part of the academic instructional



program, is determined and approved by the Office of the Provost and Vice President of Academic Affairs.

- Permission for use of the carillon bells in the Sol Mayer Administration Building must be requested through the Office of the President at least three (3) University business days before time of intended use. Use of the bells must not interfere with the normal function and programs of the University.

## **SECTION Q: WITHDRAWALS**

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

- a. According to the Undergraduate and Graduate Catalog, students who find it necessary to withdraw from the University during a semester or summer term must apply to the Registrar's Office prior to the term withdrawal deadline. A student wishing to drop to zero hours must withdraw from the institution. If a student withdraws on the 13<sup>th</sup> class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the Center for International Studies as a part of the withdrawal procedure. Student athletes must receive clearance from the Director of Athletic Academic Services.
- b. Students considering withdrawal for medical reasons may contact the Office of Student Affairs to discuss additional University resources and services.
- c. There may be financial implications to withdrawal. If a student receives financial aid or is living in Angelo State University student housing, he/she should first contact those offices before applying for the withdrawal.
- d. Refunds  
The Undergraduate and Graduate Catalog indicates that students withdrawing to zero hours at their request or those who have been withdrawn due to University action may be eligible to receive a refund of paid tuition and fees. A tuition and fee refund schedule is listed in the Undergraduate and Graduate Catalog and at: [http://www.angelo.edu/services/registrar\\_office/withdrawals\\_refunds.php](http://www.angelo.edu/services/registrar_office/withdrawals_refunds.php).
- e. Returning to the University after a Voluntary Withdrawal  
Application materials and deadlines for former Angelo State University students are available at: <https://myfuture.angelo.edu>. Official transcripts from all institutions attended subsequent to Angelo State University reenrollment must be submitted by the application deadline. All returning students must have a minimum of a 2.0 GPA on work taken since leaving Angelo State University.

### **2. Involuntary Withdrawals**

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

- of reasonable accommodations where required, a student may be involuntarily withdrawn from the University.
- c. Notice regarding students who may be direct threats (both self-reports and third-party reports) should be made to the Executive Director of Student Affairs or designee.
  - d. A “direct threat” means:  
There is a high probability (not just a slightly increased, speculative, or remote risk) of substantial harm and based on observation of a student’s conduct, actions, and statements.
  - e. The Executive Director of Student Affairs or designee will review the information presented in the notice including what attempts, if any, have been made to reduce or eliminate the direct threat such as the student’s voluntary compliance with medical or counseling assistance.
  - f. The Executive Director of Student Affairs or designee will notify the student of the concern.
  - g. The Executive Director of Student Affairs or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled within five (5) University business days in order to determine whether the student poses a direct threat to him/herself or others. The meeting may include, but is not limited to discussion of:
    - Involvement of parents or significant others.
    - Academic progress.
    - Living arrangements.
    - Previously granted accommodations.
    - Confidentiality waivers.
    - Other possible accommodations, care and support resources including medical or counseling assistance.
    - Withdrawal implications such as financial aid, health insurance, visas, and academic timelines.
  - h. If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via Certified Mail to the student’s last known official, local address as provided by the student to the Registrar’s Office and/or electronically to the student’s University e-mail account. Students not responding to requests for meetings or assessments may be referred to the Executive Director of Student Affairs or designee for allegations of failure to comply with reasonable directive and/or requests of a University official acting in the performance of his or her duties.
  - i. Temporary Suspensions  
During the involuntary withdrawal process, if the Vice President for Student Affairs and Enrollment Management or designee determines that an immediate direct threat exists or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending a final decision on the involuntary withdrawal as long as the student has received notice of the concern, had an opportunity to address the concern, and the student was afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may

not attend classes, use University services and/or resources (except those expressly permitted by the Executive Director of Student Affairs or designee), and may not be on campus until the proceedings have been resolved. If the student needs to return to campus, the visit must be coordinated through the Executive Director of Student Affairs or designee and the University Police Department.

j. Involuntary Withdrawal Assessment

An individualized, objective assessment will be completed to determine whether a direct threat exists, and if so, whether the student should be permitted to remain enrolled at the University. The assessment will be based on reasonable medical judgment, using current medical knowledge, or the best available objective information, to assess the student's ability to safely participate in the University's programs. The assessment will be in the form of a written report containing the findings and recommendations of the medical and other professionals performing the assessment.

Within five (5) University business days from the initial meeting with the student or five (5) University business days from the date of notice regarding the meeting, the student will be scheduled for an assessment with a medical doctor, a licensed counseling or clinical psychologist, and other professionals as appropriate. If applicable, this assessment would include a licensed professional counselor from University Counseling Services. The student may provide information from other medical professionals as part of the assessment.

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

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

k. Involuntary Withdrawal Committee

The assessment report will be forwarded to the Involuntary Withdrawal Committee for review. The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Academic Dean, Director of the Student Counseling Services, Assistant Director of Student Conduct, Senior Executive Assistant to the President and General Counsel, and the Executive Director of Student Affairs. If the student resides in campus housing, the Director of Housing and Residential Programs will also serve as a voting member of the committee. If the student is receiving disability accommodations the Director of Disability Services will also serve as voting member of the committee. The Executive Director of Student Affairs will chair the committee. A non-voting resource person may be assigned by the Executive Director of Student Affairs to present information and assist the committee. The Involuntary Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be

permitted an opportunity to attend the Hearing, address the evidence being considered by the Involuntary Withdrawal Committee, and present information on his or her behalf. The student may be accompanied by one or more advisors. The Hearing will be scheduled by the Executive Director of Student Affairs or designee within five (5) University business days of the completion of the individualized assessment. The student will be provided the information to be considered at the Hearing by the Executive Director of Student Affairs or designee in advance of the Hearing. When deliberating a decision, the Involuntary Withdrawal Committee will meet in closed session with only voting members and the resource person present. Following the Hearing, the Executive Director of Student Affairs or designee will determine one of the following:

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

l. Review of Committee Recommendation

The Executive Director of Student Affairs or designee will notify the student in writing of the decision within five (5) University business days.

m. Appeals Process

The student may appeal the decision of the Executive Director of Student Affairs by submitting a written appeal to the Vice President for Student Affairs and Enrollment Management within five (5) University business days. The student will be notified in writing of the final decision within five (5) University business days of receipt of the appeal.

n. Final Decision

Upon completion of the appeal process or with no receipt of an appeal, the student who is involuntarily withdrawn may not attend class or use University facilities, must vacate University housing within 24 hours and may not return to campus unless approved by the Executive Director of Student Affairs. Referrals will be made for the student upon request to appropriate community resources, i.e. medical care and housing. The student may be entitled to refunds or prorated tuition, fees, and room and board charges as a result of involuntary withdrawal. A registration hold will be placed on the student's record at the direction of the Executive Director of Student Affairs or designee, limiting any subsequent registration until approval is given by the Executive Director of Student Affairs.

o. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year from the withdrawal date. At that time, the student should present documentation to the Executive Director of Student Affairs or designee for review. Documentation may include, but is not limited to, current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon re-enrollment. Readmission requests and documentation must be presented at

least 30 University business days prior to the beginning of the semester that the student wishes to attend. Readmission will be contingent upon demonstration or documentation that the student is no longer a direct threat, and upon meeting admission deadlines and requirements.

## APPENDIX A: DEFINITIONS

### **Academic Work, Test, Quiz, or Other Assignment**

The terms “academic work, test, quiz, or other assignment” includes any required or optional academic work that is assigned. Examples include, but are not limited to: exams, quizzes, tests, homework, case studies, essays, research papers, group work, extra credit assignments, class attendance, experiential learning activities, internship or externship components, resumes, comprehensive exams, and thesis and dissertation drafts and submissions.

### **Administrative Hold**

The term “administrative hold” refers to the indicator placed on a student’s record preventing access to such University procedures as registration, release of transcripts, and course add/drops until the student meets the requirements of the University office placing the indicator as described in the Undergraduate/Graduate Catalogs.

### **Reporting Party**

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

### **Responding Party**

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

### **Conduct History**

The term “conduct history” is a compilation of documents related to any student or student organization’s behavior that resulted in a finding of Responsible through the University conduct process outlined in the *Code of Student Conduct*. The student’s academic progress may be considered in the sanctioning phase of an Informal Resolution or Formal Hearing.

### **Consent**

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

One partner can revoke consent at any time, so long as it is clearly communicated to the other partner. Revocation of consent may be communicated verbally and/or non-verbally. Once a partner has revoked his or her consent, the sexual activity must stop. If one partner continues the sexual activity after the other partner has revoked his or her consent, a sexual assault has occurred.

### **Coercion**

Sexual coercion is defined as the use of violence or threats of violence against a person or the person's family or property; depriving or hindering a person by any means, substance, object, or clothing; attempting to intimidate a person by threats or force; or when committed with the intent to compel a person to do or abstain from doing an act that the person has the right to do or abstain from doing. Coercion is more than an effort to persuade, entice, or attract another person to have sex. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

Consent is also defined in the context of criminal sexual assault in the Texas Penal Code, Chapter 22, Section 22.011

<http://codes.findlaw.com/tx/penal-code/penal-sect-22-011.html>.

### **Disciplinary Good Standing**

The term "disciplinary good standing" is defined as a student not currently on disciplinary probation, deferred disciplinary suspension, or any level of disciplinary suspension/expulsion.

### **Discipline Body**

The term "discipline body" means any University official or group of officials authorized by the Executive Director of Student Affairs to determine whether a student has violated the *Code of Student Conduct* and to recommend imposition of sanctions.

### **Hearing Body**

A "hearing body" is the individual or individuals that make the determination of responsible or not responsible and issue sanctions upon a responsible finding in an Administrative Hearing or Panel Hearing.

### **Investigation Report**

An "investigation report" is a formal or informal report of all of the evidence and/or information gathered by the Student Conduct Officer/Investigator.

### **Member of the University Community**

The term "member of the University community" includes any person who is a student, faculty or staff member, University official, any person employed by the University, or a campus visitor.

### **Official Academic Record**

The term "official academic record" includes, but is not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials grade change forms, and reporting forms used by the Registrar's Office.

## **Policy**

The term “policy” is defined as the written regulations, standards and/or rules of the University.

## **Policy Clarification Warning**

The term “Policy Clarification Warning” refers to a verbal or written reminder to a student or student organization regarding a *Code of Student Conduct* provision. A student or student organization’s history of Policy Warnings may be considered in the sanctioning phase of an Informal Resolution or Formal Hearing. notice to a student when it is determined that the information reported does not warrant an allegation but may warrant notice to the involved parties to clarify the policy in question.

## **Preponderance of Evidence**

The term of “preponderance of evidence” is the standard of proof used by Student Conduct Hearing Officers, Office of Title IX Compliance, Office of Student Affairs and the Office of Housing and Residential Programs. It is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

## **Religious Holy Day**

The term “religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Texas Tax Code §11.20.

## **Retaliation**

“Retaliation” is defined as any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in an investigation and/or conduct process, civil rights grievance proceeding, or other protected activity.

## **Sponsorship and/or Co-sponsorship**

The term “sponsorship and/or co-sponsorship” is defined as minimally including, but not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.

## **Student**

The term “student” includes all persons admitted to or enrolled in courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, and/or those who attend postsecondary educational institutions other than Angelo State University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students”.

## **Student Conduct Officer/Investigator**



The term “Student Conduct Officer/Investigator” means a University designee authorized by the Vice President for Student Affairs and Enrollment Management, Executive Director of Student Affairs, the Director of Title IX Compliance, and /or the Director of Housing and Residential Programs pursuant to the *Code of Student Conduct* to adjudicate alleged violations of the *Code of Student Conduct*.

**Student Organization**

The term “student organization” means any number of students who have complied with the formal requirements for University registration.

**University**

The term “University” means Angelo State University.

**University Official**

The term “University official” includes any person employed by Angelo State University while performing assigned administrative or professional responsibilities.

**University Premises**

The term “University premises” includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the University (including adjacent streets and sidewalks).

# **Appendix B: Student's Rights and Responsibilities**

## **NOTICE OF STUDENT'S RIGHTS AND RESPONSIBILITIES**

Angelo State University  
*Office of Student Affairs*

### **Introduction**

~~When conducting an investigation, the Office of Student Affairs will inquire, review, and gather information about the reported student misconduct and will evaluate the accuracy, credibility, and sufficiency of information. It is our intention to resolve this matter and address this complaint as quickly as possible for all individuals concerned. Angelo State University takes all allegations and complaints very seriously.~~

### **Statement of Student Rights and Responsibilities**

~~In any student conduct proceeding, the student or student representing a student organization has the right to:~~

- ~~1. A prompt, fair, and equitable process;~~

~~— Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student not otherwise involved in the case), 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 student is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend the Hearing on behalf of the University. Students are responsible for presenting their own information; therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer/Investigator. 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 a Student Conduct Officer/Investigator upon written request five (5) University business days in advance of the scheduled Hearing date.~~

~~The Executive Director of Student Affairs, Director of Title IX Compliance, or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an Advisor during~~

their suspension, and students who have been expelled may not serve as an Advisor.

~~2.~~

- ~~3. Refrain from making any statement relevant to the investigation. Students are expected to cooperate in the University conduct process, but may elect not to participate in the investigation process, either in part or entirely. However, a student's refusal to participate in the investigation, in whole or in part, lasts for the duration of the conduct process. In other words, if a student chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the investigation (i.e., answering some of the Student Conduct Officer/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 for details on inclusion of new, previously unavailable information after conclusion of the investigative process.~~

- ~~4. The opportunity to provide information and evidence in support of his/her case;~~
- ~~5. Know if they have been issued any allegations of misconduct;~~
- ~~6. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;~~
- ~~7. Know the Angelo State University conduct policies and procedures, and where to find them;~~
- ~~8. Know that any information provided by the student may be used in a conduct proceeding;~~
- ~~9. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action;~~

It is the student's responsibility to:

- ~~1. Be responsive to all correspondence from the University;~~

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

## **FERPA**

Angelo State University will respond to all requests for explanations and interpretations of records or information if the response does not violate the Family Educational Rights and Privacy Act of 1974 (as amended). The Executive Director of Student Affairs or designee reserves the right to contact parents or guardians of students who are under twenty one (21) years of age and found responsible for an alcohol or drug violation.

## **Records Retention**

Disciplinary records are maintained in room 112 of the Houston Harte University Center and both electronic and paper records are destroyed after seven (7) years from the date the case is completed.

## **Important Reminders**

- Discussing this investigation may result in policy violations and in some situations, lawsuits for defamation.
- Any and all forms of retaliation will be dealt with seriously.

## **Retaliation**

Retaliation against a person who reports a potential violation of the *Code of Student Conduct*, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint 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. The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to University 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 procedure outlined in Part I, Section A.6. (Reporting Allegations of Misconduct) of the *Code of Student Conduct*.

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.

## **APPENDIX B: CONSENT AT ANGELO STATE**

- Community members engaging in sexual activity must have clear, knowing, and voluntary consent from their sexual partner prior to and during each sexual activity.
- Consent is defined as mutually understandable words or actions, clearly communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.
- It is the responsibility of the initiator of any sexual activity to obtain their partner's verbal or non-verbal consent for each sexual activity.
- To obtain valid consent:
  - It must be expressed by each partner through words or actions.
  - It must be actively expressed by both partners. Consent is not passive or implied.
  - Each partner must be informed about each sexual activity and knowingly consent to participate in each sexual activity.
  - Consent is given voluntarily and freely by each partner for each sexual activity.
  - Each partner must have capacity to consent to sexual activities.
- Silence cannot be assumed to express consent.
- A partner may use non-verbal cues to indicate their lack of consent for sexual activity. Some examples of non-verbal communication that demonstrate lack of consent include:
  - Resistance: Pushing hands away, pulling away from partner;
  - Body going limp or freezing up;
  - Crying;
  - Wincing
- Revocation of Consent: One partner can revoke their consent at any time, so long as it's clearly communicated to the other partner. Revocation of consent may be communicated verbally and/or non-verbally. Once a partner has revoked his or her consent, the sexual activity must stop. If one partner continues the sexual activity after the other partner has revoked his or her consent, a sexual assault has occurred.
- A prior existing sexual relationship between consenting adults does not imply future consent to engage in sexual activities. At any time in a relationship, one partner may revoke his or her consent to sexual activities with the other partner. This is true even in marriage or other long-term sexual relationships. Consent for one sexual activity does not equal consent for other sexual activities.
- Consent cannot be compelled. Compelled sexual activity is by definition non-consensual. Compelling someone into engaging in sexual activities by the use of physical force, threats, intimidation, or coercion invalidates consent, even if it's

eventually given, and thus constitutes a violation of the ASU sexual misconduct policies.

- A person cannot consent to sexual activity when they are incapacitated. Engaging in sexual activity with someone you know or reasonably should know is incapacitated is a violation of the Code of Conduct. Incapacitation occurs when a person lacks the ability to make informed, rational decisions due to impairment, which may be temporary or permanent.
- The question of whether the Responding Party should have known that the Reporting Party was incapacitated is objectively based on what a reasonable person, sober and exercising good judgment, would have known about the condition of the Reporting Party.
- There are three types of incapacitation:
  - Age: A minor, in Texas is defined as under the age of 17 cannot consent to sexual activity.
  - Mental Disability: A person with a mental disorder or other cognitive issue which prohibits them from making an informed decision lacks capacity to engage in sexual activity.

Physical Incapacitation: A person who is asleep, unconscious, and/or intoxicated to the point of no longer understanding or controlling their actions cannot consent to engage in sexual activity.

## APPENDIX CC: SANCTIONING GRID

Violation	Code of Student Conduct Sections	Possible Sanctions Finding
<b>Academic Misconduct</b>	<b>Subsection 1.</b>	
<b><i>Cheating</i></b>		<b>Possible Sanctions</b>
Copying from another student's academic work, test, quiz, or other assignment.	B.1.a.1.	Reprimand-Expulsion
Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.	B.1.a.2.	Reprimand-Expulsion
The use or possession of materials or devices during academic work, test, quiz, or other assignment which are not authorized by the person administering the academic work, test, quiz, or other assignment.	B.1.a.3.	Reprimand-Expulsion
Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an un-administered test, test key, homework solution, or computer program/software.	B.1.a.4.	Reprimand-Expulsion
Possession, at any time, of current or previous tests materials without the instructor's permission.	B.1.a.5.	Reprimand-Expulsion
Obtaining by any means, or coercing another person to obtain items including, but not limited to, an un-administered test, test key, homework solution or computer program/software, or information about an un-administered test, test key, homework solution or computer program.	B.1.a.6.	Reprimand-Expulsion
Transmitting or receiving information about the contents of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority.	B.1.a.7.	Reprimand-Expulsion
Substituting for another person, or permitting another person to substitute for oneself in order to take a course, take a test, quiz, or other assignment or sign in/register attendance.	B.1.a.8.	Reprimand-Expulsion
Taking, keeping, misplacing, damaging, or altering the property of the University or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.	B.1.a.9.	Reprimand-Expulsion
Falsifying research data, laboratory reports, and/or other academic work offered for credit.	B.1.a.10.	Reprimand-Expulsion
Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment.	B.1.a.11.	Reprimand-Expulsion

<b>Plagiarism</b>		
The representation of words, ideas, illustrations, structure, computer code, other expression or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials.	B.1.b.1.	Reprimand-Expulsion
Self-plagiarism which involves the submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.	B.1.b.2.	Reprimand-Expulsion
<b>Collusion</b>		
The unauthorized collaboration with another individual to complete academic work, test, quiz, or other assignment, providing unauthorized assistance to another student, allowing another student access to completed academic work, and/or conspiring with another person to commit a violation of academic dishonesty.	B.1.c.	Reprimand-Expulsion
<b>Falsifying Academic Records</b>		
Altering or assisting in the altering of any official record of the University and/or submitting false information.	B.1.d.1.	Reprimand-Expulsion
Omitting requested information that is required for, or related to, any academic record of the University.	B.1.d.2.	Reprimand-Expulsion
<b>Misrepresenting Facts</b>		
Providing false grades, falsifying information on a resumé, or falsifying other academic information.	B.1.e.1.	Reprimand-Expulsion
Providing false or misleading information in an effort to injure another student academically or financially.	B.1.e.2.	Reprimand-Expulsion
Providing false or misleading information or official documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, credit for attendance and/or obtain an academic or financial benefit for oneself or another individual. Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses family and personal emergencies, and signing into class and failing to remain the entire time.	B.1.e.3.	Reprimand-Expulsion
<b>Violation of Professional Standards</b>		
Any act or attempted act that violates specific Professional Standards or a published Code of Ethics. Students are held accountable under this policy based on their college or school of enrollment, declared major, degree program, and/or pre-professional program.	B.1.f.	Reprimand-Expulsion
<b>Unfair Academic Advantage</b>		
Any other action or attempted action that may result in creating an unfair academic advantage for oneself or may result in creating an unfair academic advantage or	B.1.g.	Reprimand-Expulsion



disadvantage for another student that is not enumerated in items a-f.		
<b>Actions against Members of the University Community and Others</b>	<b>Subsection 2.</b>	<b>Possible Sanctions</b>
Any act, or attempted act, perpetrated against another person or persons including, but not limited to:		
<b><i>Disruptive and/or Obstructive Conduct</i></b>		
Intentional or reckless behavior that disrupts or obstructs the normal operation of the University, its students, faculty, staff and/or University visitors.	B.2.a.	Reprimand-Expulsion
<b><i>Harmful, Threatening, or Endangering Conduct</i></b>		
Intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of others, including but not limited to:	B.2.b.	
<b><i>Assault</i></b>		
Intentionally or recklessly causing physical harm or endangering the health or safety of another person.	B.2.b.1.a.	Reprimand-Expulsion
Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.	B.2.b.1.b.	Reprimand-Expulsion
<b><i>Threats</i></b>		
Written or verbal acts that would cause significant distress or fear in a reasonable person or that a reasonable person would interpret as a serious expression of a intent to inflict harm upon any person, group of people, or damage to any property.	B.2.b.2	Reprimand-Expulsion
<b><i>Intimidation</i></b>		
An implied threat or act that causes a reasonable fear of harm in another.	B.2.b.3.	Reprimand- Expulsion
<b><i>Bullying/Cyber Bullying</i></b>		
Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of speech will not be considered violations of the <i>Code of Student Conduct</i> .	B.2.b.4.a.	Reprimand-Expulsion
Severe, pervasive, and objectively offensive behaviors that intimidate or intentionally harm or control another person emotionally.	B.2.b.4.b.	Reprimand-Expulsion
<b><i>Sexual Misconduct</i></b>		
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,	B.2.c.	

interpersonal violence, sexual violence, and any other misconduct based on sex.		
<i>Interpersonal Violence</i>		
An offense that meets the definition of domestic violence or dating violence:	B.2.c.1.	
<i>Domestic Violence or Family Violence</i>		
<del>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 cohabitating (or has cohabitated) 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.</del> <u>Abuse or violence, or threat of 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 cohabitating (or has cohabitated) 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. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.</u>	B.2.c.1.a.	Probation-Expulsion
<i>Dating Violence</i>		
<del>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 contact</del>	B.2.c.1.b.	Probation-Expulsion

<p><del>shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence. Abuse or violence, or threat of 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 type and length of the relationship and the frequency of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary socialization between two individuals does not constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence or family violence. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.</del></p>		
<p><i>Public Indecency</i></p>		
<p>Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to: exposing one's genitals or private area(s), public urination, defecation, and/or public sex acts.</p>	<p>B.2.c.2.</p>	<p>Probation-Expulsion</p>
<p><i>Sexual Assault</i></p>		
<p><del>Sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. 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.</del></p>	<p>B.2.c.3.</p>	
<p><i>Non-Consensual Sexual Contact</i></p>		
<p>Intentional sexual touching, however slight and 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</p>	<p>B.2.c.3.a.</p>	<p>Deferred Suspension-Expulsion</p>

these body parts; or any other intentional bodily contact in a sexual manner.		
<i>Non-Consensual Sexual Intercourse</i>		
Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.	B.2.c.3.b.	Suspension-Expulsion
<i>Sexual Exploitation</i>		
Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. <u>Prohibited behavior includes, but is not limited to:</u> <u>a. Purposeful photography, video recording, of another person in a sexual, intimate, or private act without the person's full knowledge and consent.</u> <u>b. Purposeful distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent;</u> <u>c. Sexual voyeurism;</u> <u>d. Inducing another to expose one's genitals or private areas;</u> <u>e. Prostituting another; or</u> <u>f. Knowingly exposing someone to or transmitting a sexually transmitted disease without the person's full knowledge and consent.</u> Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:	B.2.c.4.	<u>Deferred Suspension-Expulsion</u>
Purposeful recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent;	B.2.c.4.a.	Deferred Suspension-Expulsion
Sexual voyeurism;	B.2.c.4.b.	Deferred Suspension-Expulsion
Inducing another to expose one's genitals or private areas;	B.2.c.4.c.	Deferred Suspension-Expulsion
Prostituting another; or	B.2.c.4.d.	Deferred Suspension-Expulsion
Knowingly exposing someone to or transmitting a sexually transmitted disease.	B.2.c.4.e.	Deferred Suspension-Expulsion
<i>Sexual Harassment</i>		
Unwelcome verbal, written, or physical conduct of a sexual nature when: <u>a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;</u> <u>b. Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education;</u> <u>or</u>	B.2.c.5.	<u>Reprimand-Expulsion</u>

<p><u>c. 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, the complained of conduct must be severe, persistent, or pervasive.</u></p>		
<p>Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;</p>	<p>B.2.c.5.a.</p>	<p>Reprimand-Expulsion</p>
<p>Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or</p>	<p>B.2.c.5.b.</p>	<p>Reprimand-Expulsion</p>
<p>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, the complained of conduct must be either severe or pervasive.</p>	<p>B.2.c.5.c.</p>	<p>Reprimand-Expulsion</p>
<p><b><i>Stalking</i></b></p>		
<p>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.</p>	<p>B.2.c.6.</p>	<p>Probation-Expulsion</p>
<p><b><i>Hazing</i></b></p>		
<p>Intentional, knowing, or reckless act directed against a student by one person acting alone or by more than one person occurring on or off University premises that endangers the mental or physical health or safety of a student for the purpose of pledging or associating with, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose membership consists of students. Consent and/or acquiescence by a student or students subjected to hazing is not a reasonable defense in a disciplinary proceeding. Hazing includes but is not limited to:</p>	<p>B.2.d.</p>	<p>Reprimand-Expulsion</p>

Any type of physical brutality, such as whipping, beating, using a harmful substance on the body or similar activity.	B.2.d.1.	Reprimand-Expulsion
Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics.	B.2.d.2.	Reprimand-Expulsion
Any Activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.	B.2.d.3.	Reprimand-Expulsion
Any activity that intimidates or threatens a student with ostracism, that subjects a student to extreme mental stress, shame or humiliation, adversely affects the mental health or dignity of a student, or discourages a student from entering or remaining enrolled at the University, or may reasonably be expected to cause a student to leave the organization or the University rather than submit to acts described above.	B.2.d.4.	Reprimand-Expulsion
Any activity in which a person solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; intentionally, knowingly or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred <u>or may occur; witnesses or participates in a specific hazing incident.</u> -and knowingly fails to report the incident in writing to the Office of Student Affairs.	B.2.d.5.	Reprimand-Expulsion
Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates, or alumni of the organization of committing or assisting in the commission of hazing.	B.2.d.6.	Reprimand-Expulsion
Any activity that involves coercing a student to consume an alcoholic beverage, liquor, or drug, or creates an environment in which the student reasonably feels coerced to consume any of those substances. See <u>Texas Education Code</u> , Sections 37.151-37.155 and Section 51.936.	B.2.d.7.	Reprimand-Expulsion
<b><i>Discriminatory Harassment</i></b>		
Conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive that is adversely affects the victim's education or creates an	B.2.e.	Reprimand-Expulsion

intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.		
<b>Retaliatory Discrimination or Harassment</b>		
Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant (or supporter of a participant) in a conduct process, civil rights grievance proceeding, or other protected activity.	B.2.f.	Reprimand-Expulsion
<b>Complicity</b>		
Assisting, via acts or omission, another student, individual, or group in committing or attempting to commit a violation of the <i>Code of Student Conduct</i> , specifically violations that constitute Actions Against Members of the University Community.	B.2.g.1.	Reprimand-Expulsion
Complicity with or failure of any organized group to address known or obvious violations of the <i>Code of Student Conduct</i> by its members, specifically Actions Against Members of the University Community. Actions involving free expression activities are covered in Part II: Community Policies, Section H.	B.2.g.2.	Reprimand-Expulsion
<b>Alcoholic Beverages</b>	<b>Subsection 3.</b>	<b>Possible Sanctions</b>
Use, possession, sale, delivery, manufacture or distribution of alcoholic beverages that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.	B.3.a.	Reprimand-Expulsion
Being under the influence of alcohol and/or intoxication as defined by federal, state, local law, and/or Angelo State University policy.	B.3.b.	Reprimand-Expulsion
<b>Narcotics or Drugs</b>	<b>Subsection 4.</b>	<b>Possible Sanctions</b>
Use, possession, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound or other controlled substance or drug paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.	B.4.a.	Reprimand-Expulsion
Possession of drug-related paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.	B.4.b.	Reprimand-Expulsion
Being under the influence of narcotics, drugs, medicine prescribed to another person, chemical compound or other controlled substance that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.	B.4.c.	Reprimand-Expulsion
<b>Smoking/Vaping/Tobacco</b>	<b>Subsection 5.</b>	<b>Possible Sanctions</b>

Smoking or the use of smokeless tobacco products in unauthorized areas on University property as designated by the Angelo State University Smoke/Tobacco-Free Environment policy.	B.5.	Reprimand-Expulsion
<b>Firearms, Weapons, and Explosives</b>	<b>Subsection 6.</b>	<b>Possible Sanctions</b>
Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, Tasers, or explosive or noxious materials on University premises that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. See <i>RESIDENCE HALL HANDBOOK (Housing and Residential Programs webpage/Living on Campus/Current Students/Documents/Rates)</i> for specific approved devices allowed in the residence halls.	B.6.	Reprimand-Expulsion
<b>Flammable Materials/Arson</b>	<b>Subsection 7.</b>	<b>Possible Sanctions</b>
Use or possession of flammable materials, including incendiary devices or other dangerous materials, or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by University officials.	B.7.a.	Reprimand-Expulsion
Attempting to ignite and/or the action of igniting University and/or personal property on fire either by intent or through reckless behavior that results, or could result, in personal injury or property damage of University premises.	B.7.b.	Reprimand-Expulsion
<b>Theft, Damage, Littering, or Unauthorized Use</b>	<b>Subsection 8.</b>	<b>Possible Sanctions</b>
Attempted or actual theft of property or services of the University or of another.	B.8.a.	Reprimand-Expulsion
Possession of property known to be stolen or belonging to another person without the owner's permission.	B.8.b.	Reprimand-Expulsion
Attempted or actual damage to property owned or leased by the University, by other University students, other members of the University community, or campus visitors.	B.8.c.	Reprimand-Expulsion
Littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University by other University students, other members of the University community, or campus visitors.	B.8.d.	Reprimand-Expulsion
Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, OneCard account information and/or personal check, or other unauthorized use of personal property or information of another.	B.8.e.	Reprimand-Expulsion



Altercation, forgery or misrepresentation of any form of identification.	B.8.f.	Reprimand-Expulsion
Possession or use of any form of false identification.	B.8.g.	Reprimand-Expulsion
Failure to meet financial obligations owed to the University, or components owned or operated by the University, including, but not limited to, the writing of checks from accounts with insufficient funds.	B.8.h.	Reprimand-Expulsion
<b>Gambling, Wagering, Gaming, and /or Bookmaking</b>	<b>Subsection 9.</b>	<b>Possible Sanctions</b>
Gambling, wagering, gaming, and bookmaking as defined by federal, state, local laws, and/or Angelo State University policy are prohibited on University premises involving the use of University equipment or services.	B.9.	Reprimand-Expulsion
<b>False Alarms, Emergency Equipment, or Terroristic Threats</b>	<b>Subsection 10.</b>	<b>Possible Sanctions</b>
Intentional sounding of a false alarm, falsely reporting an emergency in any form, and/or filing false police reports.	B.10.a.	Reprimand-Expulsion
Destruction or activation of fire sprinklers or improperly possessing, tampering with, or destroying fire equipment or emergency signs on University premises.	B.10.b.	Reprimand-Expulsion
Threats to commit any offense involving violence to any person or property with intent to: <ul style="list-style-type: none"> <li>• Cause a reaction of any type to the threat by an official or volunteer agency organized to deal with emergencies;</li> <li>• Place any person in fear of imminent serious bodily injury;</li> <li>• Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the University Community has access, place of employment or occupation, University automobile, or other place of use to the University Community;</li> <li>• Cause impairment or interruption of University communications, University transportation, or other University service; or</li> <li>• Place the University in fear of serious bodily injury.</li> </ul>	B.10.c.	Reprimand-Expulsion
Unauthorized use of the University name, logo, registered marks, symbols; however, registered student organizations are permitted to use the complete statement "a registered student organization at Angelo State University."	B.11.c.	Reprimand-Expulsion
Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University.	B.11.d.	Reprimand-Expulsion

<b>Failure to Comply</b>	<b>Subsection 12.</b>	<b>Possible Sanctions</b>
Failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties.	B.12.a.	Reprimand-Expulsion
Failure to present student identification on request or identify oneself to any University official acting in the performance of his or her duties.	B.12.b.	Reprimand-Expulsion
Failure to comply with the sanctions imposed by a Student Conduct Officer/Investigator under the <i>Code of Student Conduct</i> or the Student Handbook.	B.12.c.	Reprimand-Expulsion
<b>Abuse, Misuse, or Theft of University Information Systems</b>	<b>Subsection 13.</b>	<b>Possible Sanctions</b>
Unauthorized use of University information systems is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the <i>Code of Student Conduct</i> . Use of Angelo State University information systems may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information systems is also subject to Information Technology policies (OP Section 44.00), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information systems includes, but is not limited to, the following:	B.13.	Reprimand-Expulsion
Unauthorized use of University information systems including, but not limited to, private information and passwords, including the unauthorized sharing of private information or passwords with individuals who otherwise have no authority to access University information systems.	B.13.a.	Reprimand-Expulsion
Use of University information systems for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).	B.13.b.	Reprimand-Expulsion
Using University information systems to violate Part I, Section B.2. (Actions Against Members of the University Community and Others).	B.13.c.	Reprimand-Expulsion
Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Angelo State University information systems, compromising the privacy of another user or disrupting the intended use of Angelo State University information systems.	B.13.d.	Reprimand-Expulsion

Attempted or actual use of the Angelo State University information systems for unauthorized political or commercial purposes, or for personal gain.	B.13.e.	Reprimand-Expulsion
Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the written consent of the Department Chair. Discovery of obscene material, including child pornography, on any Angelo State University information system must be reported to the Chief Information Officer immediately.	B.13.f.	Reprimand-Expulsion
Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University or another user or destruction of the integrity of computer-based information using Angelo State University information systems.	B.13.g.	Reprimand-Expulsion
Attempted or actual use of Angelo State University information systems to interfere with the normal operation of the University.	B.13.h.	Reprimand-Expulsion
Intentional "spamming" of students, faculty or staff (defined as the sending of unsolicited and unwanted electronic communications including, but not limited to, e-mails and text messages to parties with whom the sender has no existing business, professional or personal acquaintance) using Angelo State University information systems.	B.13.i.	Reprimand-Expulsion
<b>Providing False Information or Misuse of Records</b>	<b>Subsection 14.</b>	<b>Possible Sanctions</b>
Knowingly furnishing false information to the University, to a University official in the performance of his or her duties, or to an affiliate of the University, either verbally or through forgery, alteration or misuse of any document, record, or instrument of identification.	B.14.	Reprimand-Expulsion
<b>Skateboards, Rollerblades, Scooters, Bicycles, or Similar Modes of Transportation</b>	<b>Subsection 15.</b>	<b>Possible Sanctions</b>
Use of skateboards, rollerblades, scooters, bicycles, or other similar modes of transportation in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property. Refer to University Parking Services regulations at: <a href="http://www.angelo.edu/services/parking_services/">http://www.angelo.edu/services/parking_services/</a>	B.15.	Reprimand-Expulsion
<b>Violation of Published University Policies, Rules, or Regulations</b>	<b>Subsection 16.</b>	<b>Possible Sanctions</b>

Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, violations of University Operating Policies and Procedures and Texas Tech University System Board of Regents' Rules.	B.16.	
<u>University Parking Services</u>	B.16.a.	Reprimand-Expulsion
<u>Housing and Residential Programs</u>	B.16.b.	Reprimand-Expulsion
<u>Student Life</u>	B.16.c.	Reprimand-Expulsion
<u>Multicultural and Student Activities Programs</u>	B.16.d.	Reprimand-Expulsion
<u>University Recreation</u>	B.16.e.	Reprimand-Expulsion
<u>ASU Student-Athlete Handbook</u>	B.16.f.	Reprimand-Expulsion
<u>Texas Tech University System Board of Regents' Rules</u>	B.16.g.	Reprimand-Expulsion
<u>Angelo State University Operating Policies and Procedures</u>	B.16.h.	Reprimand-Expulsion
<u>Community Policies of the Student Handbook (Part II)</u>	B.16.i.	Reprimand-Expulsion
<b>Violation of Federal, State, Local Law, and/or University Policy</b>	<b>Subsection 17.</b>	<b>Possible Sanctions</b>
Misconduct which may constitute a violation of federal, state, local laws, and/or Angelo State University policy will be considered a violation of this policy and will be investigated and adjudicated through the University conduct system and standard of proof. A lack of conviction in any criminal proceeding will not, in and of itself, serve as evidence in a University conduct proceeding.	B.17.	Reprimand-Expulsion
<b>Abuse of the Discipline System</b>	<b>Subsection 18.</b>	<b>Possible Sanctions</b>
Failure of a student to respond to a notification to appear before a Student Conduct Officer/Investigator during any stage of the conduct process.	B.18.a.	Reprimand-Expulsion
Falsification, distortion, or misrepresentation of information in disciplinary proceedings.	B.18.b.	Reprimand-Expulsion
Disruption or interference with the orderly conduct of a disciplinary proceeding.	B.18.c.	Reprimand-Expulsion
Filing an allegation known to be without merit or cause.	B.18.d.	Reprimand-Expulsion
Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.	B.18.e.	Reprimand-Expulsion
Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding.	B.18.f.	Reprimand-Expulsion

## APPENDIX DD: CAMPUS RESOURCES

### Office of Academic Affairs

Provost and Vice President for Academic Affairs.....AD 204

### College of Arts and Humanities

Dean of the College of Arts and Humanities.....CARR 146  
 Department of Communication and Mass Media.....LIB B309  
 Department of English and Modern Languages .....A 010  
 Department of History .....A 210  
 Department of Political Science and Philosophy .....RAS 213  
 Department of Security Studies and Criminal Justice .....HAR 202  
 Department of Visual and Performing Arts.....CARR 139

### College of Business

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

### College of Education

Dean of the College of Education .....CARR 104  
 Department of Curriculum and Instruction.....CARR  
 1514  
 Department of Teacher Education.....CARR 145

College of Graduate Studies and Research.....AD 109

### Archer College of Health and Human Services

Dean of the Archer College of Health and Human Services.....VIN  
 175HHS 202  
 Department of Health Science Professions.....HHS 222  
 Department of Kinesiology .....Ben Kelly CHP 201  
 Department of Nursing .....HHS  
 318VIN 268  
 Department of Physical Therapy.....HHS 224  
 Department of Psychology and Sociology.....A  
 204VIN 267  
 Department of Psychology, Sociology and Social  
 Work.....HHS 224A-204

### College of Science and Engineering

Department of Agriculture.....VIN 212  
 Department of Biology.....CAV 101  
 Department of Chemistry and Biochemistry.....CAV 102L

Department of Computer Science.....	MCS 205
David L. Hirschfeld Department of Engineering.....	West
<del>Annex 106</del> VIN 268	
Department of Mathematics.....	MCS 220
Department of Physics and Geosciences.....	VIN 114

**Administrative Staff**

Athletic Director (Academic, Athletic, and Health Records of Student Athletes).....	Junell Center 226
Chief of University Police (Incident Reports and Police Investigations).....	Reidy Building
Clinic Director (Medical Records).....	University Clinic
Director of Admissions (Admissions Files).....	HAR 101
Director of Affiliated Military & Veteran Services.....	UC 113
Director of Career Development (Career Files).....	UC 107
Director of Counseling Services (Counseling Records).....	University Clinic
Director of Financial Aid (Financial Aid and Scholarship Records).....	HAR 101
Director of Housing and Residential Programs (Housing Records).....	Centennial Village
Director of Multicultural Programs/Student Activities Center (Student Organization Records).....	UC 114
Director of Registrar Services (Permanent Academic Record Files).....	HAR 200
Director of Scholarship Programs (Scholarship Records).....	HAR 215
Director of Student Disability Services (ADA Records).....	UC 112
Director of Student Life.....	UC 001
Director of Title IX Compliance (Title IX Records).....	UC
<del>112AD 204</del>	
Director of University Recreation.....	Ben Kelly CHP 121
Executive Director of Enrollment Management.....	HAR 100A
Executive Director of Student Affairs (Discipline and Conduct Records).....	UC 112
Vice President for Student Affairs and Enrollment Management.....	AD 205











**FIVE-YEAR CAPITAL PROJECTS PLAN**  
 Texas Tech University Health Sciences Center  
 May 17, 2018 / UPDATED 06-27-18

Priority	Item No.	Project Description	GENERAL PROJECT INFORMATION					FINANCIAL INFORMATION														
			Project Type	Square Footage	Project Budget	HEAR - Board	Funding Source (Millions)	Other	Tuition Revenue	State Revenue	Federal Grants	Grants	Gifts	Other	Other	Other	Other	Other	Other	Other		
1	IN	Real Property Purchase - Dallas		0	0	000000	\$	12,400,000	\$12,400												\$	-
2	601	SWSOP Dallas Renovation	X	38,300	25,000	0	512001	\$	5,500,000	\$ 5,500											\$	-
3	601	SWSOP Dallas Renewals & Repairs	X	63,000	41,000	0	512001	\$	2,000,000	\$ 2,000											\$	-
4	New	Amarillo Clinic Building (includes a 2nd floor - Growth)	X	39,000	23,400	0	511201	\$	20,500,000												\$	20,500
5	New	Amarillo Facilities and Administration Building	X	40,000	26,000	0	516000	\$	18,000,000												\$	18,000
6	IN	Lubbock Infrastructure Improvements	X	0	0	0	835900	\$	6,900,000												\$	6,900
7	1000	Facility Research Lab Modernizations - Phase I	X	68,000	44,200	0	511201	\$	22,000,000												\$	22,000
8	1001	Lubbock Preston Smith Library Basement Build-Out	X	16,232	7,142	0	735900	\$	8,650,000												\$	8,650
9	1005	Clinical & Academic Expansion (HCC)	X	42,000	18,480	0	511201	\$	23,500,000												\$	23,500
10	1000	Lubbock LARC Expansion & Upgrades	X	39,000	16,380	0	511201	\$	13,500,000												\$	13,500
11	IN	Lubbock Upgrading CHACP II (adding chillers)	X	0	0	0	835900	\$	5,000,000												\$	5,000
12	NEW	Abilene LARC	X	6,000	4,000	0	511201	\$	5,600,000												\$	5,600

**FIVE-YEAR CAPITAL PROJECTS PLAN**  
 Texas Tech University Health Sciences Center  
 May 17, 2018 / UPDATED 06-27-18

GENERAL PROJECT INFORMATION			FINANCIAL INFORMATION											
Project No.	Project Description	Project Type	Square Footage		Project Budget	Funding Source (Millions)						Other	Total	
			Net	Gross		General Fund	Other Institutional Funds	Gifts/Donations	Investment Plant Funds	Legislative Appropriations	Phase Endorsement	Other		
13	NEW Midland Physicians Assistant (PA) Building	X		78,000	50,700	4	510812	\$ 65,000,000						\$ 65,000
14	1000 Facility Research Lab Modernizations - Phase II	X		68,000	442,000	0	511201	\$ 22,000,000						\$ 22,000
15	4001 Odessa Clinic Building 3rd Floor Expansion	X		6,100	2,684	0	511201	\$ 4,000,000						\$ 4,000
16	5002 Midland Jenna Welch Expansion	X		7,800	3,430	0	511201	\$ 5,700,000						\$ 5,700
17	1000 Facility Research Lab Modernizations - Phase III	X		68,000	44,200	0	511201	\$ 22,000,000						\$ 22,000
18	IN Real Property Purchase - Lubbock	X		0	0	5	000000	\$ 5,000,000						\$ 5,000
19	IN Real Property Purchase - Abilene	X		0	0	10	000000	\$ 5,000,000						\$ 5,000
20	IN Real Property Purchase - Amarillo	X		0	0	5	000000	\$ 3,000,000						\$ 3,000
21	IN Real Property Purchase - Permian Basin	X		0	0	5	000000	\$ 3,000,000						\$ 3,000
<b>TOTALS</b>								\$ 278,000,000	\$ 13,900,000					\$ 288,900,000

**TTU and TTUS: Approval of Purchasing Contracts**

Regents' Rules 07.12.3.a and 07.12.3.b

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Consideration	Estimated Term Consideration (includes renewals)	Start (or effective date)	End	Procurement Method
TTU	Converge One	VOIP Telephony Systems maintenance, services, and equipment	\$ 1,000,000	\$ 4,000,000	5/21/2018	5/20/2020 with 2 one-year renewal terms	DIR Agreement

Regents' Rules 07.12.3.c

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method	Verification that the solicitation and purchasing method and contractor selection process comply with State law and TTU System policies	Information on potential issues that may arise in the solicitation, purchasing, or contractor selection process.
TTUS	Academic Health Plans	Student health insurance	\$ 1,210,000	\$ 9,680,000	6/1/2015	5/31/2022	Bid/RFP	Confirmed	TTU has historically contracted with this vendor. No previous contract issues.
TTU	Lydick Hooks	Roofing services	\$ 1,000,000	\$ 8,000,000	7/1/2018	6/30/2026	Request for Proposal	Confirmed	TTU has historically contracted with this vendor. No previous contract issues.
TTUS	LEARN	Unmetered network services and annual membership	\$ 1,106,546	\$ 22,130,920	9/1/2018	8/31/2028	Proprietary Purchase	Confirmed	TTU has historically contracted with this vendor. No previous contract issues.

TEXAS TECH UNIVERSITY SYSTEM  
 OFFICE OF AUDIT SERVICES  
 PRIORITIZED AUDIT PLAN  
 Fiscal Year 2019

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	#REF!					
		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	15	(8)				9
		TTU, HSC, ASU: 2018 Statewide Federal Financial Audit		1	In Progress			1
		TTU: State Travel Card Use			In Progress			0
		ASU: HUB Program Compliance		5	In Progress			5
Required	ALL	CPRIT Grant Funds	10					10
Required	ALL	Contracting and Procurement Processes	200					200
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120					120
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	30					30
Required	TTUS	Risk Management Assessment	100					100
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	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	SACS Financial Statement Review	40					40
Required	HSC	Correctional Managed Health Care Contract	150					150
Required	HSC	Joint Admission Medical Program Grants – Lubbock SOM	60					60
Required	HSC/HSC-EP	Texas Higher Education Coordinating Board Residency Grants	50					50
Required	HSC-EP	Joint Admission Medical Program Grants – El Paso PLFSOM	60					60
Required	ASU	Carr Foundation Financial Statements	10					10
Required	ASU	ASU Foundation, Inc. Financial Statements	5					5
		TOTALS FOR REQUIRED AUDITS	2,105	-				2,105
		AUDITS IN PROGRESS AT AUGUST 1, 2018						
Prior Year	TTU	School of Law	292		In Progress			292
Prior Year	TTU	Office of the Registrar	282		In Progress			282
Prior Year	TTU	Office of Human Resources	317		In Progress			317
Prior Year	TTU	Financial Compliance of Grant Funds	469		In Progress			469
Prior Year	HSC	Permian Basin Campus Departments – Psychiatry	297		In Progress			297
Prior Year	HSC-EP	TAC 202 Information Technology Controls Compliance	232		In Progress			232
Prior Year	HSC-EP	Conflict of Interest Management Processes	5		In Progress			5
Prior Year	HSC-EP	Paul L. Foster School of Medicine Department of Pediatrics	322		In Progress			322
Prior Year	ASU	eLearning Governance and Security Controls	182		In Progress			182
Prior Year	ALL	Wrap-up on Audits Included in August BOR Report	52		In Progress			52
		TOTALS FOR AUDITS IN PROGRESS	2,450	-				2,450
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	4,200	0				4,200
		IN PROGRESS AT AUGUST 1, 2018						
Special		None						0
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	4,200	0				4,200
		HIGHEST PRIORITY						
	TTUS	LP&L Power Purchase Agreement	60					60
	TTUS	Office of Investments	400					400
	TTU	Time & Effort Reporting Processes	200					200
	TTU	Payroll Security and Processes	400					400
	TTU	Research Safety Governance	400					400
	HSC	Time & Effort Reporting Processes	200					200
	HSC	Department of Ophthalmology EyeDoc Express Application Controls	300					300
	HSC	Industrial Control Systems Security	350					350
	HSC-EP	Time & Effort Reporting Processes	200					200
	HSC-EP	Transmountain Campus Business Processes	350					350
	HSC-EP	IT Network Security	400					400
	ASU	Graduate Studies Tuition	300					300
	ASU	Grant Administration Processes	400					400
		HIGHEST PRIORITY TOTALS	3,960	-				3,960

TEXAS TECH UNIVERSITY SYSTEM  
 OFFICE OF AUDIT SERVICES  
 PRIORITIZED AUDIT PLAN  
 Fiscal Year 2019

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
<b>MODERATE PRIORITY</b>								
2	TTUS	Security Camera Policies	450					450
2	TTUS	Office of Institutional Advancement	350					350
2	TTU	College of Education	350					350
2	TTU	Intercollegiate Athletics	400					400
2	TTU	CS Gold Application Security	325					325
2	HSC	Office of Strategic Initiatives Revenue Cycle Unit	350					350
2	HSC	GE Centricity Business - Dictionary Change Management	400					400
2	HSC	Food and Entertainment Expenses	300					300
2	HSC-EP	PLFSOM Department Cash Controls	80					80
2	HSC-EP	Amazon Purchases	350					350
2	HSC-EP	GE Centricity EMR Application Controls	350					350
2	HSC-EP	PLFSOM Department of Emergency Medicine	400					400
2	ASU	Hispanic Serving Institution (HSI) Grants	200					200
2	ASU	Housing and Residential Programs	350					350
<b>MODERATE PRIORITY TOTALS</b>			<b>4,655</b>	<b>-</b>				<b>4,655</b>
<b>LOWER PRIORITY</b>								
3	TTUS	IT Risk Assessment Framework	200					200
3	TTU	School of Music Cash Controls	100					100
3	TTU	Costa Rica Campus	175					175
3	TTU	Student Success and Retention	425					425
3	HSC	School of Medicine - Permian Basin	400					400
3	HSC	Garrison Institute	250					250
3	HSC-EP	Library Cash Controls	80					80
3	HSC-EP	Data Loss Prevention Controls	250					250
3	ASU	Chrome River System Post-Implementation Review	200					200
<b>LOWER PRIORITY TOTALS</b>			<b>2,080</b>	<b>-</b>				<b>2,080</b>
<b>CONSTRUCTION PROJECT AUDITS</b>								
CBAC	TTUS	TTU Sports Performance Center			RSM US LLP		In Progress	0
CBAC	TTUS	TTU Experimental Sciences Building II			CBIZ Risk & Advisory Services		In Progress	0
CBAC	TTUS	TTU TCVPA Maedgen Theatre Addition			CBIZ Risk & Advisory Services		In Progress	0
CBAC	TTUS	TTU Weeks Hall Renovation			RL Townsend & Associates			0
CBAC	TTUS	TTU Womble Basketball Practice Facility			RL Townsend & Associates			0
CBAC	TTUS	HSC Education Research & Technology Building			CBIZ Risk & Advisory Services		In Progress	0
CBAC	TTUS	HSC Permian Basin Academic Facility			CBIZ Risk & Advisory Services		In Progress	0
CBAC	TTUS	HSC-EP Medical Sciences Building II			RSM US LLP		In Progress	0
CBAC	TTUS	ASU Centennial Village			RSM US LLP		In Progress	0
<b>CONSTRUCTION PROJECT TOTALS</b>			<b>0</b>	<b>-</b>				<b>0</b>
<b>OTHER VALUE-ADDED WORK</b>								
<b>Total Hours Budgeted for Other Value-Added Work</b>			<b>1,550</b>	<b>0</b>				<b>1,550</b>
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: UNC Chapel Hill, Cal. State Univ. System					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	
<b>OTHER VALUE-ADDED WORK TOTALS</b>			<b>1,550</b>	<b>-</b>				<b>1,550</b>
<b>TOTAL ENGAGEMENT HOURS</b>			<b>21,000</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>21,000</b>

TEXAS TECH UNIVERSITY SYSTEM  
 OFFICE OF AUDIT SERVICES  
 PRIORITIZED AUDIT PLAN  
 Fiscal Year 2019

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		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						
<b>Required</b>		Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.						
<b>Prior Year</b>		Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.						
<b>Special</b>		Unplanned special projects and investigations.						
<b>1</b>		Engagements that were deemed most critical per the risk assessment at August 1.						
<b>2</b>		Engagements that were deemed to be moderately critical per the risk assessment at August 1.						
<b>3</b>		Engagements that were deemed least critical per the risk assessment at August 1.						
<b>CPA</b>		Outsourced construction audits performed by independent CPA or consulting firms.						
<b>Other</b>		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, 2019

Kimberly F. Turner, CPA  
*Chief Audit Executive*

August 9, 2018

### 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.

## 2019 Areas of Focus



### Academics and Research

- All – Time & Effort Reporting Processes
- TTU – Research Safety Governance; Student Success and Retention; College of Education; School of Music
- TTUHSC – School of Medicine – Permian Basin
- TTUHSC EP – Department of Emergency Medicine
- ASU – Grant Administration Processes

### Financial Resources

- All – CPRIT Grant Funds
- TTUS – Office of Institutional Advancement; Office of Investments; Construction Audits; Texas Tech Foundation, Inc.
- TTU – Texas Tech Public Media; Costa Rica Campus; LP&L Power Purchase Agreement
- TTUHSC – Food and Entertainment Expenses, Garrison Institute; SACS Financial Statement Review
- TTUHSC EP – Transmountain Business Processes; Amazon Purchases
- ASU – Hispanic Serving Institution Grants; Housing and Residential Programs; Carr Foundation; ASU Foundation

### Compliance

- All – Contracting and Procurement Processes
- TTU – Intercollegiate Athletics
- TTUHSC – Correctional Managed Health Care Contract; Joint Admission Medical Program Grants; THECB Residency Grants
- TTUHSC EP – Joint Admission Medical Program Grants; THECB Residency Grants
- ASU – Graduate Studies Tuition

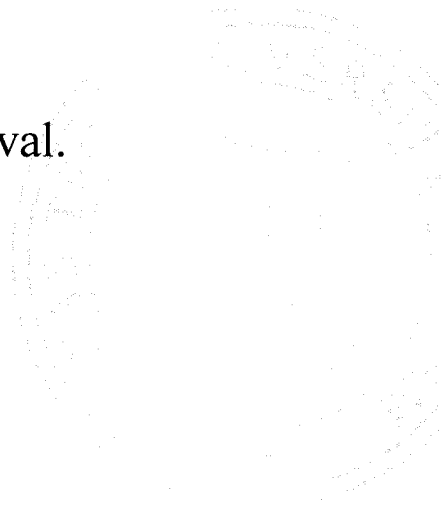
### Information Technology

- TTU – CS Gold Application Security; Payroll Security and Processes
- TTUHSC – GE Centricity Business Dictionary Change Management; EyeDoe Express Application Controls; Industrial Control Systems Security
- TTUHSC EP – GE Centricity EMR Application Controls; IT Network Security; Data Loss Prevention Controls
- ASU – Chrome River System Post-Implementation Review

## 2019 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 2018

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF JUL 31	ACTUAL HOURS	HOURS TO FY2019	BUDGET vs ACTUAL
		<b>TOTAL ENGAGEMENT HOURS AVAILABLE</b>	<b>20,868</b>					
		<b>REQUIRED AUDITS</b>						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	800		Complete	865		(65)
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects	20	(3)				17
		TTU: 2017 Statewide Federal Financial Audit			1 Complete	1		0
		TTU: Audit of Texas Grants			THECB Complete			0
		TTU: State Travel Card Use			State Comptroller's Office In Progress			0
		HSC-EP: Post-Payment Audit			State Comptroller's Office Complete			0
		HSC: Benefits Proportionality			SAO Complete			0
		ASU: HUB Program Compliance		2	In Progress	2		0
Required	ALL	CPRIT Grant Funds	10		External Complete	12		(2)
Required	ALL	Contracting and Procurement Processes	200		Compliance Complete	143		57
Required	ALL	Benefits Proportional by Fund	500		Compliance Complete	593		(93)
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120		External Complete	83		37
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	30		External Complete	52		(22)
Required	TTUS	Office of Audit Services Annual Report	30		Compliance Complete	20		10
Required	TTUS	Office of Audit Services Annual Plan	100		Compliance Complete	96		4
Required	TTUS	Office of Audit Services Quality Assurance Activities Review	60		Compliance Complete	17		43
Required	TTUS	Office of Audit Services Self-Assessment	120		Compliance Complete	126		(6)
Required	TTUS	Office of Audit Services External Quality Assessment	80		Compliance Complete	31		49
Required	TTUS	Multihazard Emergency Plan Safety and Security Audit	150		Compliance Complete	129		21
Required	TTU	Athletics Financial Agreed-Upon Procedures	5		External Complete	1		4
Required	TTU	Texas Tech Public Media Financial Statements	250		External Complete	254		(4)
Required	TTU	Football Attendance Certification	10		Compliance Complete	7		3
Required	HSC	Correctional Managed Health Care Contract	150		Compliance Complete	124		26
Required	HSC/HSC-EP	Texas Higher Education Coordinating Board Residency Grants	50		Compliance Complete	41		9
Required	HSC-EP	SACS Financial Statement Audit	40		External Complete	30		10
Required	ASU	Carr Foundation Financial Statements	10		External Complete			10
Required	ASU	Joint Admission Medical Program Grants	60		Compliance Complete	31		29
Required	ASU	ASU Foundation, Inc. Financial Statements	5		External Complete			5
		<b>TOTALS FOR REQUIRED AUDITS</b>	<b>2,800</b>	<b>-</b>		<b>2,658</b>	<b>-</b>	<b>142</b>
		<b>AUDITS IN PROGRESS AT AUGUST 1, 2017</b>						
Prior Year	TTU	Office of Vice President for Research	15		Financial/Operational Complete	12		3
Prior Year	HSC	Amarillo SIMCentral	277		Financial/Controls Complete	238		39
Prior Year	HSC	Student Business Services	259		Operational/Controls Complete	352		(93)
Prior Year	HSC	Collection Agency Processes	305	100	Financial/Controls Complete	593		(188)
Prior Year	HSC	Correctional Managed Health Care Contract	40		Compliance Complete	17		23
Prior Year	HSC-EP	Information Technology Help Desk Processes	226		IT/Operational Complete	348		(122)
Prior Year	HSC-EP	Paul L. Foster School of Medicine Department of Pathology	15		Financial/Operational Complete	117		(102)
Prior Year	HSC-EP	Contract Management Processes	241		Compliance/Operational Complete	290		(49)
Prior Year	ALL	Wrap-up on Audits included in August BOR Report	40		Complete	50		(10)
		<b>TOTALS FOR AUDITS IN PROGRESS</b>	<b>1,418</b>	<b>100</b>		<b>2,017</b>	<b>-</b>	<b>(499)</b>
		<b>UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS</b>						
		<b>Total Hours Budgeted for Special Projects &amp; Investigations</b>	<b>4,200</b>	<b>(6,480)</b>				<b>(2,280)</b>
		<b>IN PROGRESS AT AUGUST 1, 2017</b>						
Special	TTU	Texas Manufacturing Assistance Center			279 Complete	279		0
Special	TTU	Texas Tech Equestrian Team Investigation			323 Complete	323		0
Special	TTU	Institute for Measurement, Methodology, Analysis and Policy			158 Complete	158		0
Special	TTU	Political Science Bank Account			130 Complete	130		0
Special	TTU	Division of Diversity, Equity, and Inclusion			2,274 Complete	2,274		0
Special	TTU	Academic Department Deposit Review			246 Complete	246		0
Special	HSC	Amarillo Pediatrics Purchasing Card Investigation			546 Complete	546		0
Special	HSC	Department of Dermatology Cash Controls			36 Complete	36		0
Special	HSC-EP	Legacy Accounts Receivable Review			357 Complete	357		0
Special	ASU	Meat and Food Sciences Litigation Support			6 Complete	6		0
		<b>BEGUN AFTER AUGUST 1, 2017</b>						
Special	TTU	Conflict of Interest Committee: Department of Chemistry			47 Complete	47		0
Special	HSC-EP	Institutional Advancement Special			1,694 Complete	1,694		0
Special	TTU	Reach Across Texas Grant Special			54 Complete	54		0
Special	HSC-EP	Center of Emphasis in Infectious Diseases Grant Review			167 Complete	167		0
Special	ALL	Miscellaneous Hotline Projects			163 Complete	163		0
		<b>SPECIAL PROJECTS AND INVESTIGATIONS TOTALS</b>	<b>4,200</b>	<b>6,480</b>		<b>6,480</b>	<b>0</b>	<b>(2,280)</b>

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 JUL 31	ACTUAL HOURS	HOURS TO FY2019	BUDGET vs ACTUAL	
<b>HIGHEST PRIORITY</b>									
	TTU	Office of Human Resources	Operational/Controls	400	100	In Progress	183	317	0
	TTU	Office of Research Commercialization	Financial/Controls	350		Complete	278		72
	TTU	Building Control Systems Security	IT Security	400		Complete	396		4
	HSC	Conflict of Interest Management Processes	Compliance/Operational	350	(200)	Complete	70		80
	HSC	Electronic Medical Record Application Review	IT Security/Controls	400		Complete	454		(54)
	HSC	Procurement Card Processes	Financial/Compliance	350		Complete	255		95
	HSC-EP	Physical Plant	Financial/Controls	400	250	Complete	1,132		(482)
	HSC-EP	GE Centricity Business Application Security	IT Security/Controls	350		Complete	205		145
	HSC-EP	Conflict of Interest Management Processes	Compliance/Operational	350	(250)	In Progress	38	5	57
	ASU	Information Technology General Controls Review	IT/Controls/Compliance	500		Complete	441		59
	ASU	Procurement Processes	Operational/Compliance	300		Complete	267		33
		<b>HIGHEST PRIORITY TOTALS</b>		<b>4,150</b>	<b>(100)</b>		<b>3,719</b>	<b>322</b>	<b>9</b>
<b>MODERATE PRIORITY</b>									
2	TTUS	Office of Institutional Advancement	Management Advisory	350		CF to 2019			350
2	TTU	Costa Rica	Financial	175		CF to 2019			175
2	TTU	Intercollegiate Athletics	Compliance/Operational	325		Complete	537		(212)
2	TTU	School of Law	Financial/Controls	350		In Progress	58	292	0
2	TTU	Financial Compliance of Grant Funds	Compliance	400	150	In Progress	81	469	0
2	TTU	Office of the Registrar	IT/Operational/Controls	350		In Progress	68	282	0
2	HSC	Physical Plant and Support Services	Financial/Operational	400		Complete	332		68
2	HSC	Permian Basin Campus Departments - Psychiatry	Operational/Controls	400		In Progress	103	297	0
2	HSC	Amarillo Campus Departments	Operational/Controls	400	(400)	Cancelled			0
2	HSC	Department of Family Medicine	Financial/Operational	375		Complete	470		(95)
2	HSC-EP	Paul L. Foster School of Medicine Department of Internal Medicine	Financial/Operational	350		Complete	551		(201)
2	HSC-EP	TAC 202 Information Technology Controls Compliance	IT/Controls/Compliance	400		In Progress	168	232	0
2	ASU	Accounts Payable Processes	Operational/Controls	325		Complete	315		10
2	ASU	Center for International Studies Admission Processes	IT/Controls/Compliance	250		Complete	229		21
		<b>MODERATE PRIORITY TOTALS</b>		<b>4,850</b>	<b>(250)</b>		<b>2,912</b>	<b>1,572</b>	<b>116</b>
<b>LOWER PRIORITY</b>									
3	TTU	Scholarship Tracking System Security	IT Security	200		Complete	180		20
3	TTU	Student Media	Financial/Controls	200		Complete	209		(9)
3	HSC	Office of Strategic Initiatives Revenue Cycle Unit	Management Advisory	350		CF to 2019			350
3	HSC	Department of Obstetrics and Gynecology	Financial/Operational	375		Complete	287		88
3	HSC-EP	Transmountain Campus Business Processes	Financial/Controls	350		CF to 2019			350
3	HSC-EP	Paul L. Foster School of Medicine Department of Pediatrics	Financial/Operational	350	90	In Progress	118	322	0
3	ASU	eLearning Governance and Security Controls	IT/Governance	225		In Progress	43	182	0
3	ASU	ChromeRiver System Implementation Review	IT/Controls	100		Complete	123		(23)
		<b>LOWER PRIORITY TOTALS</b>		<b>2,150</b>	<b>90</b>		<b>960</b>	<b>504</b>	<b>776</b>
<b>CONSTRUCTION PROJECT AUDITS</b>									
EDAC	TTUS	TTUSA System Administration Building	RSM US LLP			Complete			0
EDAC	TTUS	TTU Sports Performance Center	RSM US LLP			In Progress			0
EDAC	TTUS	TTU Maedgen Theatre Selection Processes	Baker Tilly			Complete			0
EDAC	TTUS	TTU New Honors Residence Hall	RSM US LLP			Complete			0
EDAC	TTUS	TTU Experimental Sciences Building II	CBIZ Risk & Advisory Services			In Progress			0
EDAC	TTUS	TTU TCVPA Maedgen Theatre Addition	CBIZ Risk & Advisory Services			In Progress			0
EDAC	TTUS	TTU Weeks Hall Renovation	RL Townsend & Associates						0
EDAC	TTUS	TTU Womble Basketball Practice Facility	RL Townsend & Associates						0
EDAC	TTUS	HSC Education Research & Technology Building	CBIZ Risk & Advisory Services			In Progress			0
EDAC	TTUS	HSC Permian Basin Academic Facility	CBIZ Risk & Advisory Services			In Progress			0
EDAC	TTUS	HSC-EP Medical Sciences Building II	RSM US LLP			In Progress			0
EDAC	TTUS	ASU Archer College of Health and Human Services Building	RSM US LLP			Complete			0
EDAC	TTUS	ASU Centennial Village	RSM US LLP			In Progress			0
		<b>CONSTRUCTION PROJECT TOTALS</b>		<b>0</b>	<b>-</b>		<b>-</b>	<b>-</b>	<b>0</b>
<b>OTHER VALUE-ADDED WORK</b>									
		<b>Total Hours Budgeted for Other Value-Added Work</b>		<b>1,300</b>	<b>(1,709)</b>				<b>(409)</b>
Other	ALL	Continuous Monitoring Data Analysis				Ongoing	90		
Other	ALL	Fraud Prevention Training				Ongoing	309		
Other	ALL	Cash Handling and Control Environment Training				Ongoing	11		
Other	ALL	New Employee Orientation				Ongoing	22		
Other	TTUS	Enterprise Application Steering Committee, Council, and Work Group				Ongoing	7		
Other	TTU	Ethics Center Advisory Board				Ongoing			

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

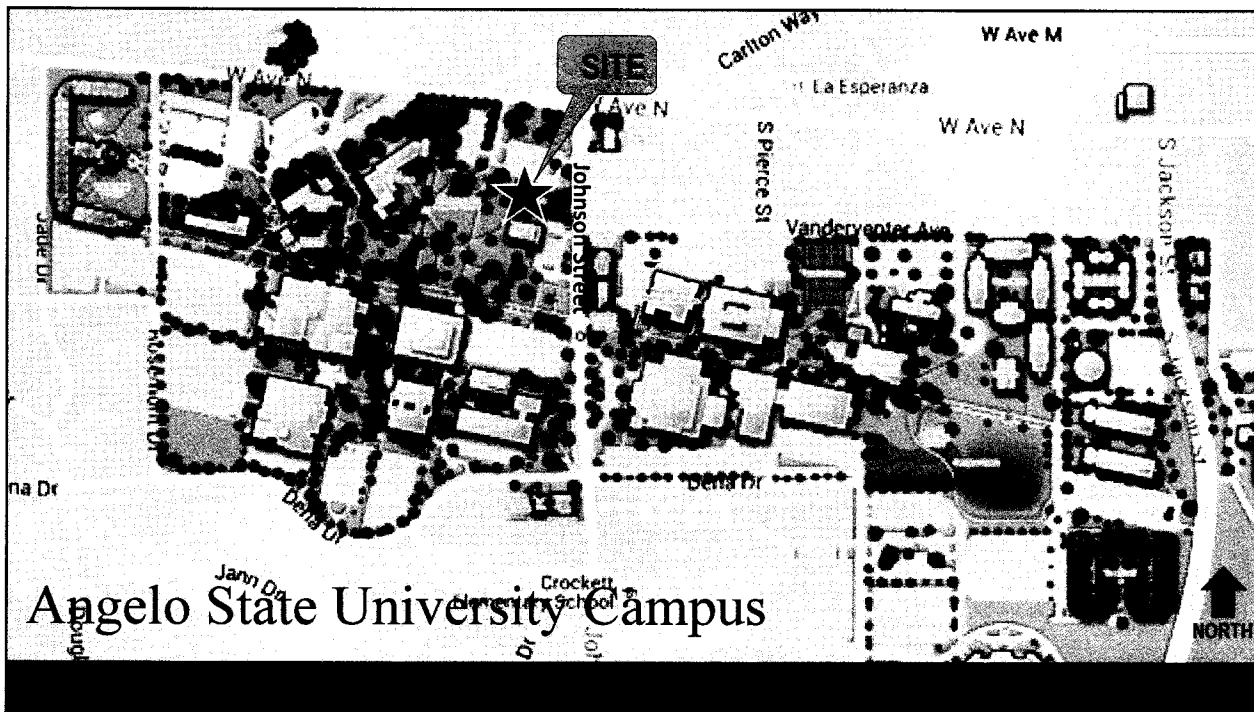
PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMTS	STATUS AS OF JUL 31	ACTUAL HOURS	HOURS TO FY2019	BUDGET vs ACTUAL
Other	HSC	President's Executive Council			Ongoing	13		
Other	HSC	Institutional Compliance Working Committee			Ongoing	13		
Other	HSC	Billing Compliance Advisory Committee			Ongoing	2		
Other	HSC	Enterprise Risk Management Committee			Ongoing	3		
Other	HSC	Performance Improvement Committee			Ongoing	2		
Other	ASU	Process Improvement Team			Ongoing	5		
Other	N/A	Quality Assurance (Peer) Reviews: UT Austin, UT Rio Grande Valley, Ector Co., U of H, Augusta			Ongoing	181		
Other	N/A	Big 12 Internal Audit Conference			Complete	45		
Other	N/A	Texas Tech Federal Credit Union Board and Committees			Ongoing	54		
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA, ACFE)			Ongoing	530		
Other	ALL	Other Miscellaneous Projects			Ongoing	422		
		<b>OTHER VALUE-ADDED WORK TOTALS</b>	<b>1,300</b>	<b>-</b>		<b>1,709</b>	<b>-</b>	<b>(409)</b>
		<b>TOTAL ENGAGEMENT HOURS</b>	<b>20,868</b>	<b>(160)</b>		<b>20,455</b>	<b>2,398</b>	<b>(2,145)</b>
*****								
		<b>KEY</b>						
	TTUS	Texas Tech University System and/or inclusive of multiple Texas Tech institutions						
	TTUSA	Texas Tech University System Administration						
	TTU	Texas Tech University						
	HSC	Texas Tech University Health Sciences Center						
	ASU	Angelo State University						
	HSC-EP	Texas Tech University Health Sciences Center El Paso						
	N/A	Work that is not attributable to a particular institution or campus						
<b>Required</b>	Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.							
<b>Prior Year</b>	Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.							
<b>Special</b>	Unplanned special projects and investigations.							
<b>1</b>	Engagements that were deemed most critical per the risk assessment at August 1.							
<b>2</b>	Engagements that were deemed to be moderately critical per the risk assessment at August 1.							
<b>3</b>	Engagements that were deemed least critical per the risk assessment at August 1.							
	Outsourced construction audits performed by independent CPA firms.							
Other	Other projects, including committee service, class development and instruction, professional organizations, etc.							

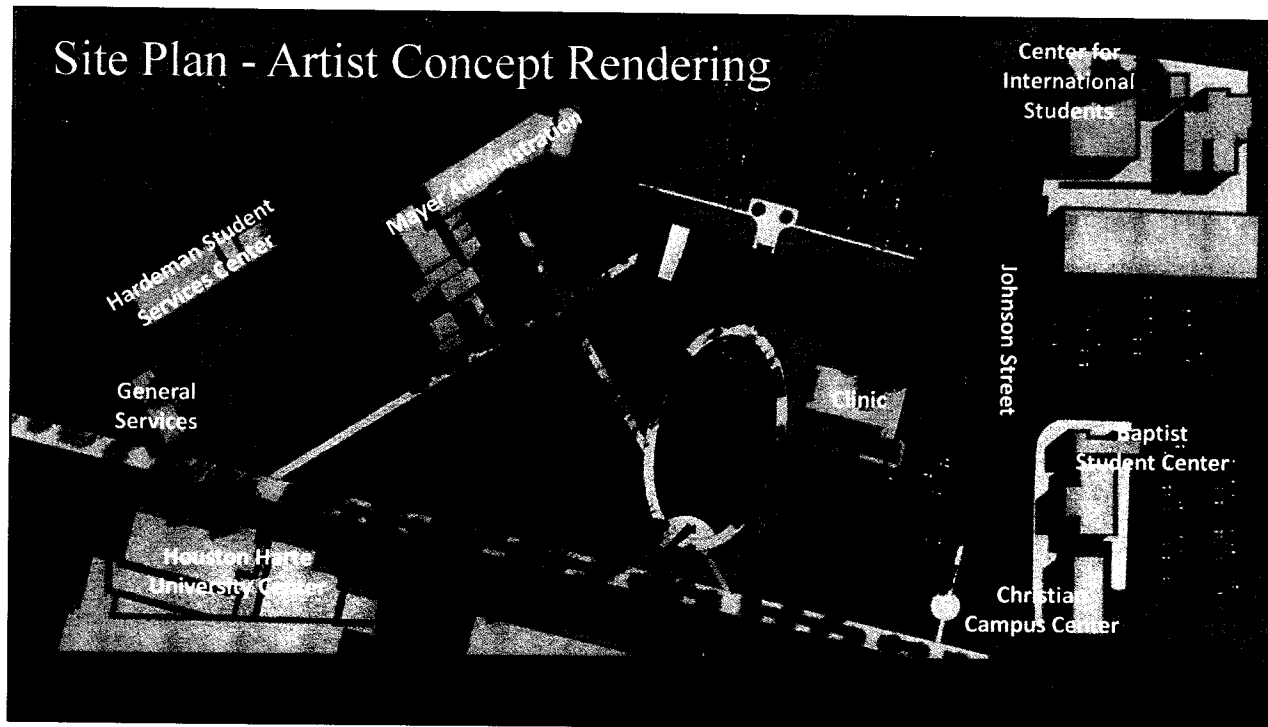
Angelo State University

Item 1

# Approve concept and Stage I budget for the new Angelo State University Art Museum building

*Billy Breedlove*





## Scope of Services

Item 1

- Preliminary approval by the board includes:
  - Project concept;
  - Project planning budget; and
  - Design Professional Stage I agreement to provide the following pre-construction services:
    - Programming phase;
    - Schematic Design phase;
    - Statement of Probable Cost; and
    - Project schedule.



## Proposed Project Overview

Item 1

- Program and design an approximate 30,775 GSF new Art Museum building to support the Bachelor of Arts program in Studio Art.
- The building will include:
  - Classrooms;
  - Specialized laboratories for graphic design, sculpture and ceramics programs;
  - Student gallery space;
  - Faculty and staff offices; and
  - Support spaces.
- The project will also include site utility infrastructure work, surface parking, landscape enhancements, and public art.

## Project Budget

Item 1

	BOR Approved 03-02-18
	\$ 425,000
Construction	\$ 0
Professional Services	\$ 372,312
FF&E	\$ 0
Administrative Costs	\$ 49,688
BOR Directed Fees (1% Public Art / 1% Landscape Enhancements)	\$ 3,000
Contingency	\$ 0

## Recommendation

Item 1

- Approve the concept for the project; acknowledge use of the Stage I budget of \$425,000 to provide planning and design services for the Angelo State University Art Museum building with an anticipated project budget of \$14,200,000; and award a Design Professional agreement.
- The Stage I budget was previously board authorized from Gift funds (\$425,000 cash).

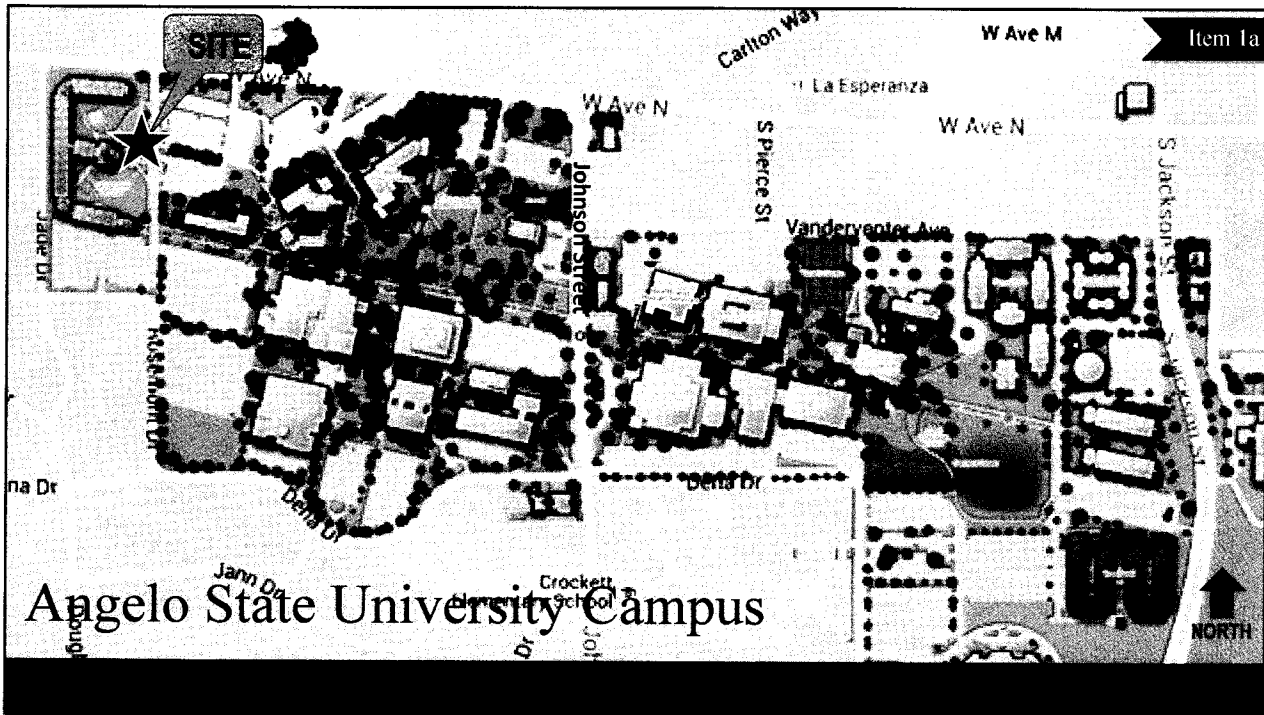


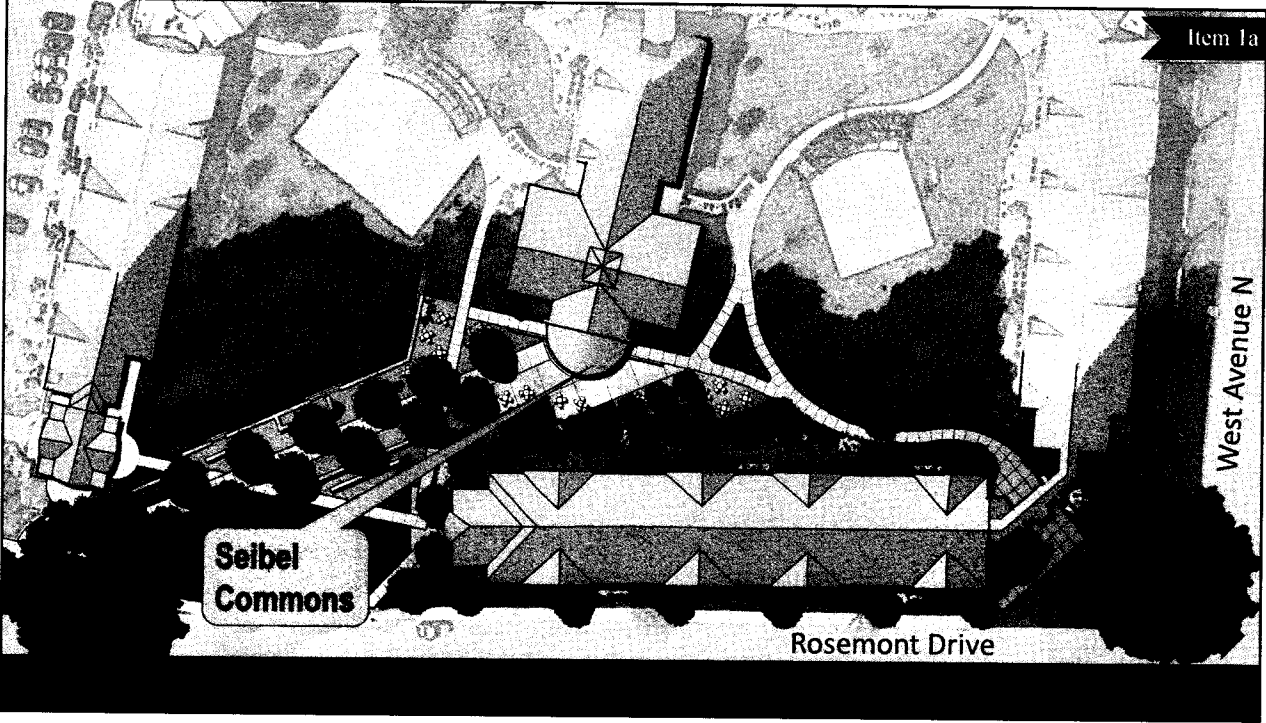
Angelo State University

Item 1a

# Approve name at the Centennial Village Residence Hall complex

*Patrick Kramer*





Seibel Foundation Commons Building

Item 1a



## Recommendation

Item 1a

- Approve the naming of the existing commons building at the Centennial Village Residence Hall complex the "Seibel Commons."
- The donor concurs with the naming of these facilities.
- Appropriate exterior signage will specify the approved name.

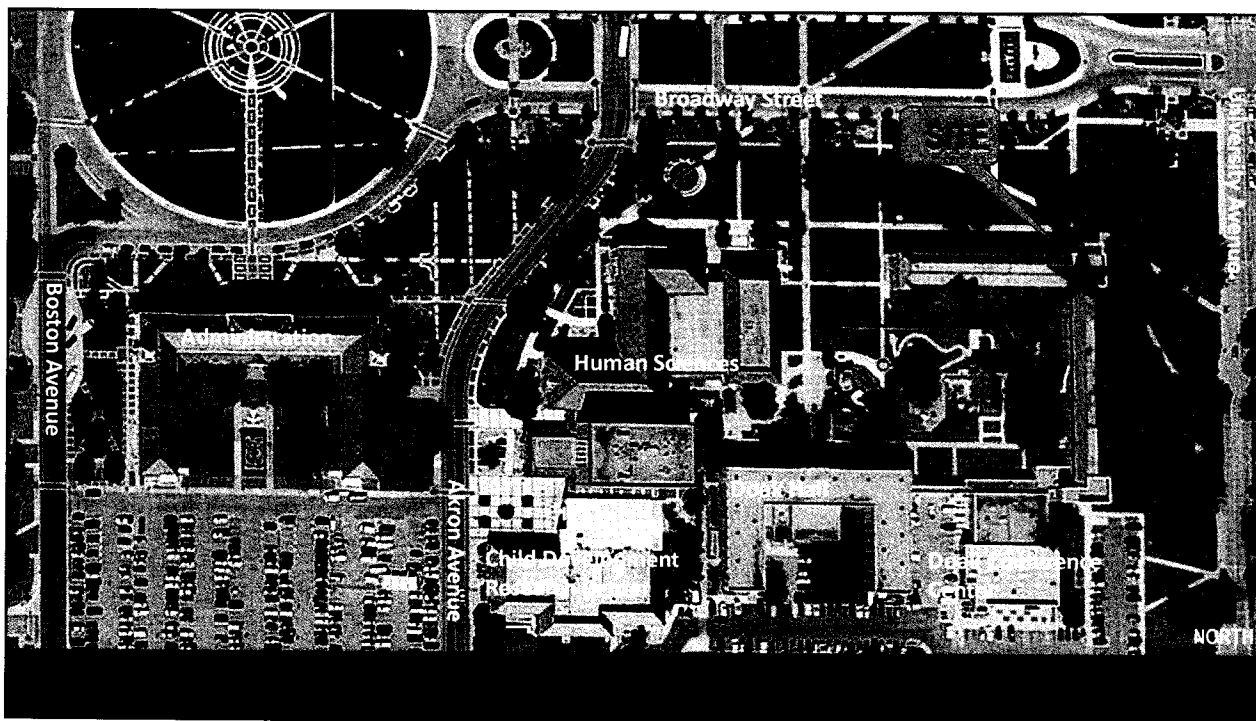


Texas Tech University

Item 2

# Approve Stage II budget for renovation of Weeks Hall

*Billy Breedlove*



## Scope of Services

Item 2

- Construction approval by the board includes:
  - Design Professional Stage II agreement to provide the following construction services:
    - Design Development Phase;
    - Construction Document Phase;
    - Construction Administration Phase;
    - Statement of Probable Cost; and
    - Project schedule.
  - Construction Manager at Risk agreement to provide ONLY:
    - The Weeks Hall Renovation Phase 1 - Abatement/Mold Remediation phase of the project.

## Proposed Project Overview

Item 2

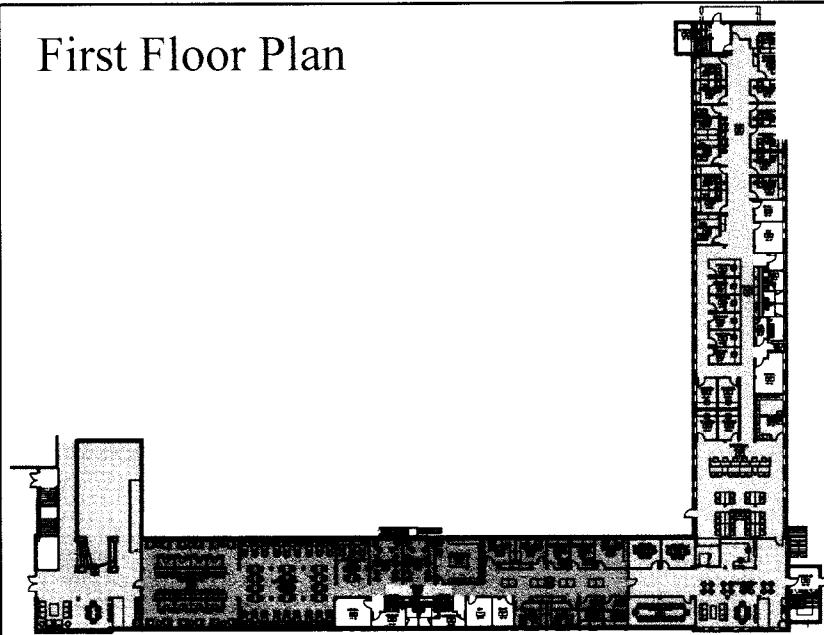
- Provide abatement and complete renovation of the existing three-story, 67,234 GSF Weeks Hall.
- Facility programmed to include:
  - Faculty, staff, and graduate student office space;
  - Full scale interior demolition and new interior finishes;
  - HVAC, lighting/electrical and plumbing;
  - Installation of a fire suppression and alarm system; and
  - Life safety upgrades, new elevator, and ADA modifications.
- Project also includes site utility infrastructure work, landscape enhancements, and public art.

# First Floor Plan

Item 2

## LEGEND

- STUDENT DISABILITY SERVICES  
CAMPUS ACCESS / INTERPRETER SERVICES
- STUDENT DISABILITY SERVICES  
TECHNIQUES CENTER
- SHARED SUPPORT

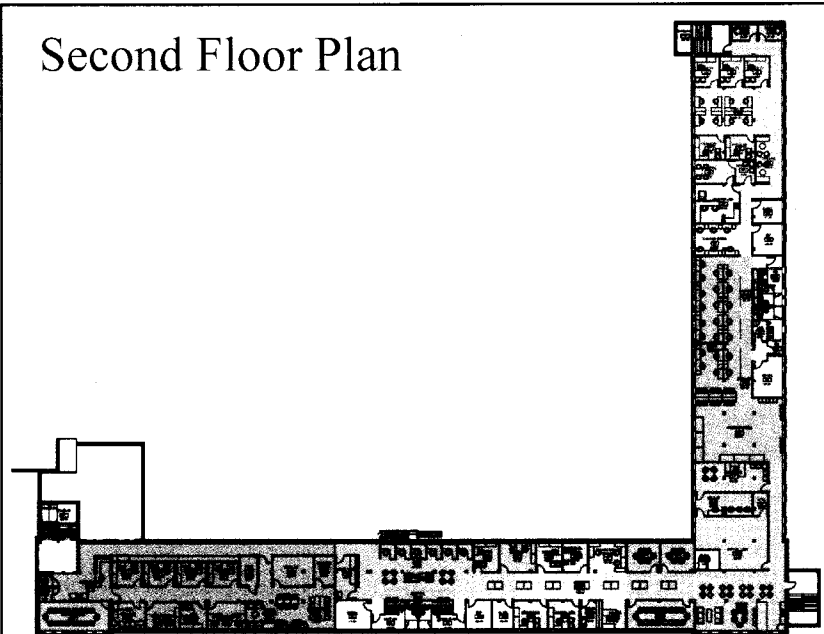


# Second Floor Plan

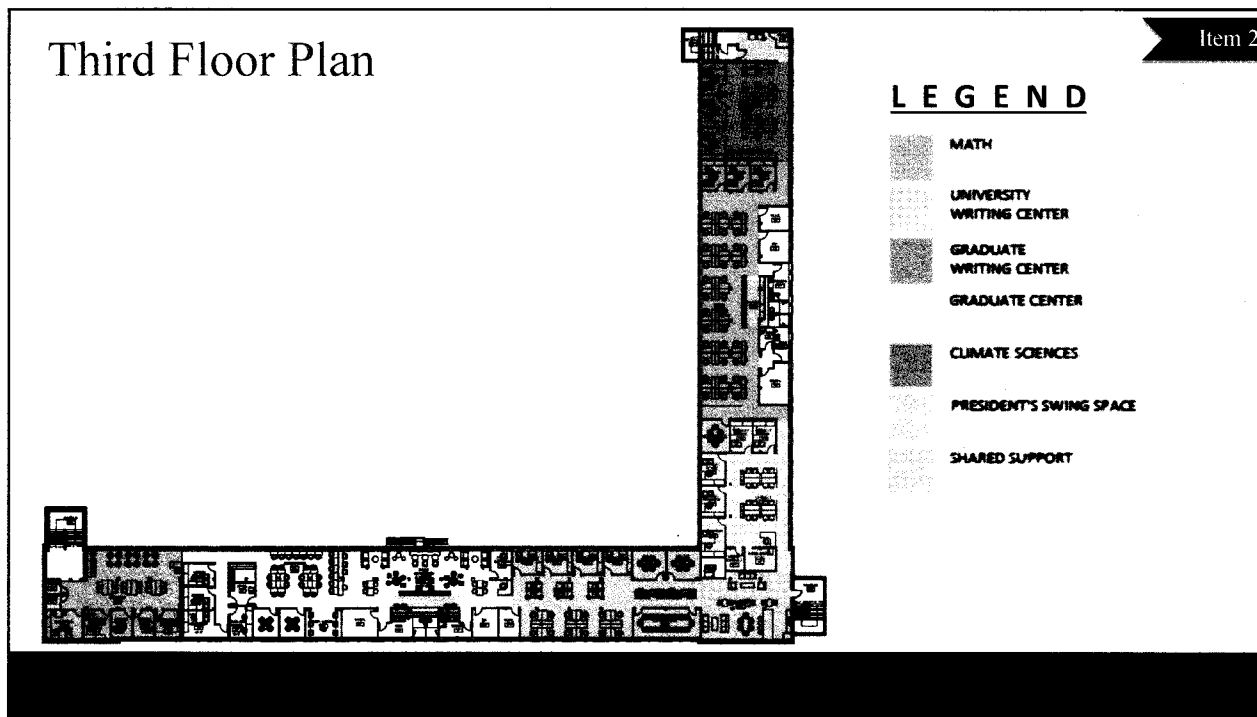
Item 2

## LEGEND

- COLLEGE OF HUMAN SCIENCES  
-HUMAN DEVELOPMENT & FAMILY STUDIES
- COLLEGE OF HUMAN SCIENCES  
-COMMUNITY & FAMILY ADDICTION SERVICES
- COLLEGE OF HUMAN SCIENCES  
-DEPARTMENT OF DESIGN
- COLLEGE OF HUMAN SCIENCES  
-HOSPITALITY & RETAIL MANAGEMENT
- HUMANITIES
- ARMY ROTC
- SHARED SUPPORT
- PRESIDENT'S SWING SPACE







### Project Budget

	BOR Approved 12-15-17 \$ 975,000	Additional Request \$ 2,627,176	Revised Budget \$ 3,602,176
Construction	\$ 90,000	\$ 999,322	\$ 1,089,322
Professional Services	\$ 855,000	\$ 1,532,929	\$ 2,387,929
FF&E	\$ 0	\$ 0	\$ 0
Administrative Cost	\$ 19,000	\$ 10,500	\$ 29,500
BOR Directed Fees (1% Public Art / 1% Landscape Enhancements / 2.4% FP&C)	\$ 11,000	\$ 84,425	\$ 95,425
Contingency	\$ 0	\$ 0	\$ 0

Item 2

## Recommendation

Item 2

- Authorize to establish a budget of \$3,602,176 to provide design and construction services for the renovation of Weeks Hall with an anticipated budget of \$24,800,000; amend the Design Professional agreement; and amend the Construction Manager at Risk agreement.
- The Stage II budget will be funded with Higher Education Assistance Funds (“HEAF”) cash.
- The Stage II budget includes the previously board authorized budget from HEAF funds (\$975,000 cash).

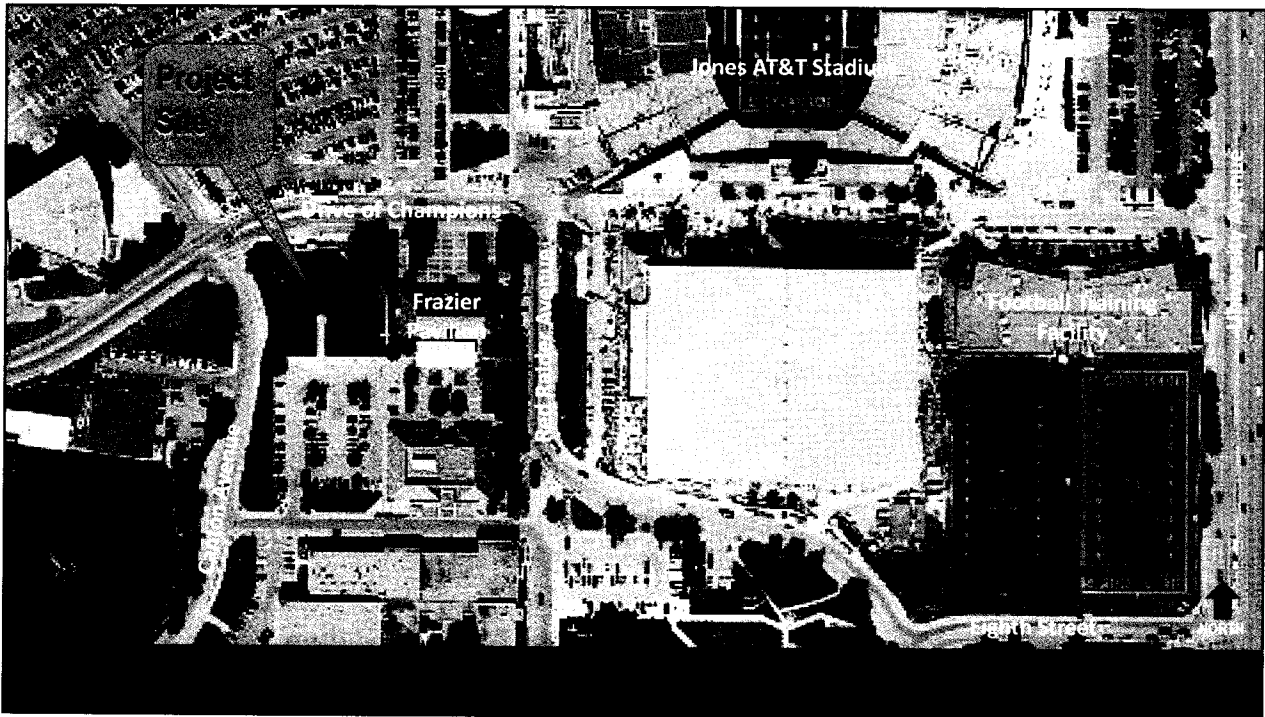


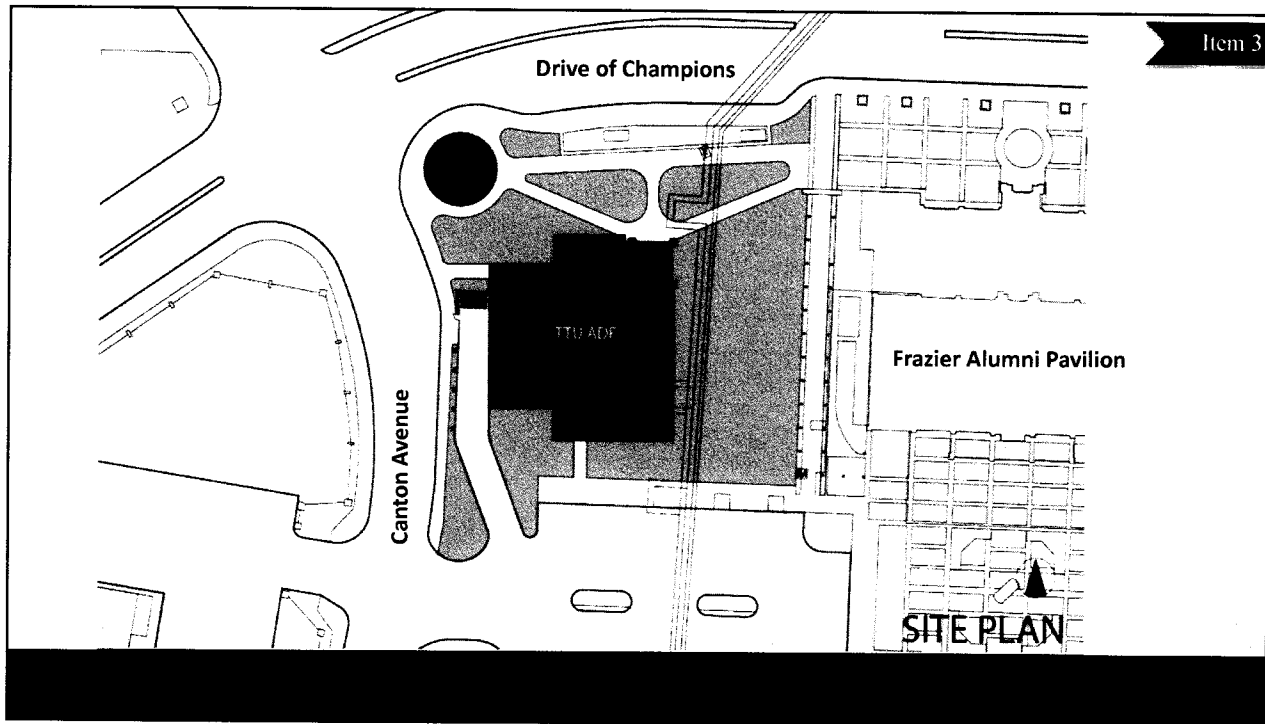
Texas Tech University

Item 3

# Approve Stage II budget for a new Athletic Dining Facility

*Billy Breedlove*





## Scope of Services

Item 3

- Construction approval by the board includes:
  - Design Professional Stage II agreement to provide the following construction services:
    - Design Development Phase;
    - Construction Document Phase;
    - Construction Administration Phase;
    - Statement of Probable Cost; and
    - Project schedule.

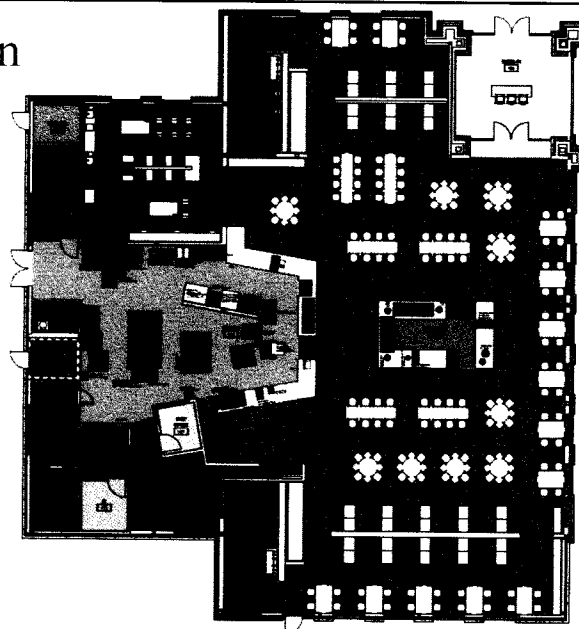
## Proposed Project Overview

Item 3

- Design of an approximate 9,000 GSF Athletic Dining Facility with 220 seats serving approximately 400 athletes.
- Facility to include:
  - Multiple dining environments;
  - Educational kitchen;
  - Full service kitchen with storage area, scullery, walk-in cooler and freezer;
  - Men's and women's restrooms;
  - Operations office area; and
  - Service drive.
- Project also includes site utility infrastructure work, landscape enhancements, public art, and relocation of the sundial.

## Floor Plan

Item 3



### LEGEND

■ AV	■ Mechanical Room
□ Check-In	■ Salad Bar
□ Chef Office	■ Restroom
■ Cooler	
■ Demo/Food Provider	
■ Dining	
■ Dish Wash	
■ Dry Storage	
■ Electrical Room	
■ Fire Riser	
■ Freezer	
■ IT Room	
■ Kitchen	

## Exterior Concept Rendering


Item 3



Project Budget			Item 3
	BOR Approved 03-02-18	Additional Request	Revised Budget
	\$ 224,970	\$ 373,388	\$ 598,358
Construction	\$ 34,970	\$ 0	\$ 34,970
Professional Services	\$ 190,000	\$ 320,888	\$ 510,888
FF&E	\$ 0	\$ 0	\$ 0
Administrative Cost	\$ 0	\$ 49,500	\$ 49,500
BOR Directed Fees (1% Public Art / 1% Landscape Enhancements)	\$ 0	\$ 3,000	\$ 3,000
Contingency	\$ 0	\$ 0	\$ 0

**Recommendation** Item 3

- Authorize to establish a Stage II budget of \$598,358 to provide design and construction services for a new Athletic Dining Facility with an anticipated budget of \$5,500,000; and amend the Design Professional agreement.
- The Stage II budget will be funded with Gift (cash).
- The Stage II budget includes the previously board authorized budget from Athletic Revenue (\$224,970 cash).

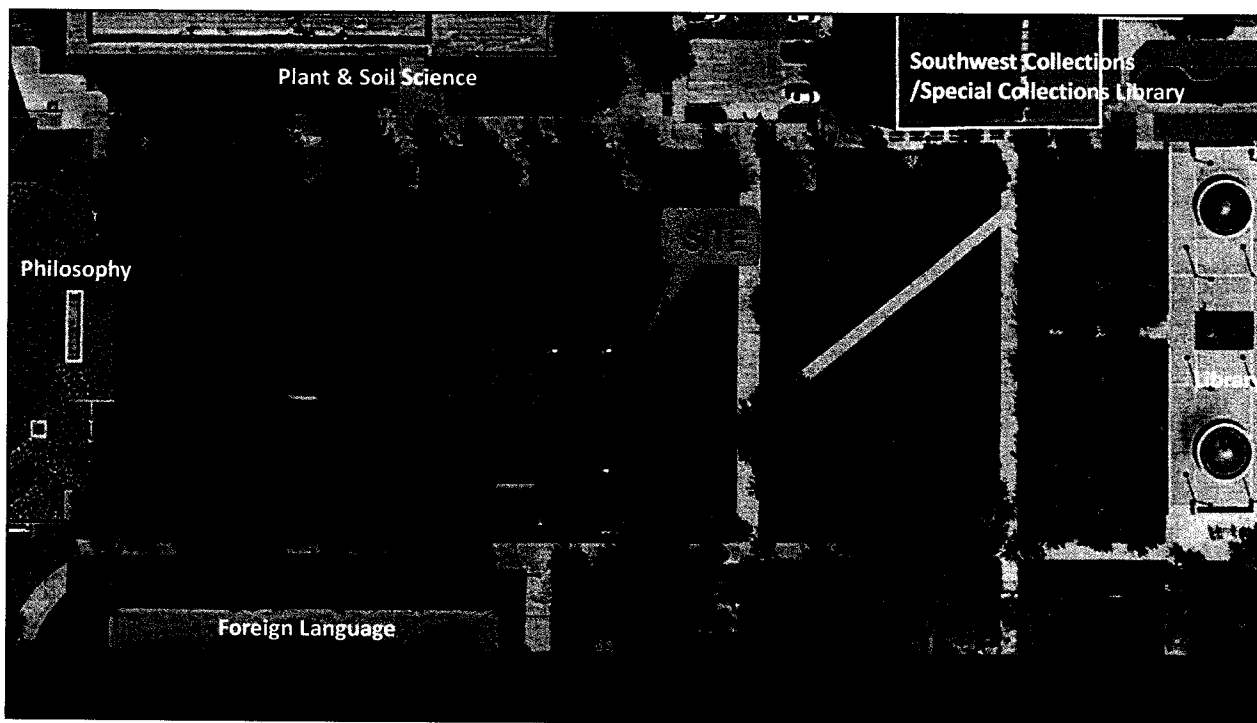


Texas Tech University

Item 4

# Approve concept and Stage I budget for Dairy Barn Renovation project

*Billy Breedlove*





Current Dairy Barn Photo

Item 4



Artist Concept Rendering

Item 4



## Scope of Services

Item 4

- Preliminary approval by the board includes:
  - Project concept;
  - Project planning budget; and
  - Design Professional Stage I agreement to provide the following pre-construction services:
    - Programming phase;
    - Schematic Design phase;
    - Statement of Probable Cost; and
    - Project schedule.

## Proposed Project Overview

Item 4

- Program and schematic design the renovation of the 8,000 GSF historic structure.
- Renovate and convert the entire structure to support TTU's collaborative learning environment with the creation of:
  - Studio Spaces,
  - Display area; and
  - Event space.
- Due to original function and date of this facility, the utility infrastructure to accomplish this initiative must be provided.

## Proposed Project Overview (cont.)

Item 4

- Design of a complete interior package is required along with:
  - Mechanical,
  - Electrical,
  - Lighting,
  - Plumbing,
  - Fire suppression,
  - Security,
  - Stairs, and elevator to support such renovation.
- Asbestos materials have been abated.
- The existing silo is not a part of the renovation project.

## Project Budget

Item 4

	\$ 123,650
Construction	\$ 0
Professional Services	\$ 102,150
FF&E	\$ 0
Administrative Costs	\$ 21,500
BOR Directed Fees (1% Public Art / 1% Landscape Enhancements)	\$ 0
Contingency	\$ 0

## Recommendation

Item 4

- Approve the concept for the project; authorize to establish a Stage I budget of \$123,650 to provide planning and design services for the Dairy Barn Renovation project with an anticipated project budget of \$2,600,000; waive the board directed fees for public art and landscape enhancements; and award the Design Professional agreement.
- The Stage I budget will be funded with Gifts (cash).
- The Stage I budget includes the previously authorized budget from Gifts (\$20,000 cash).

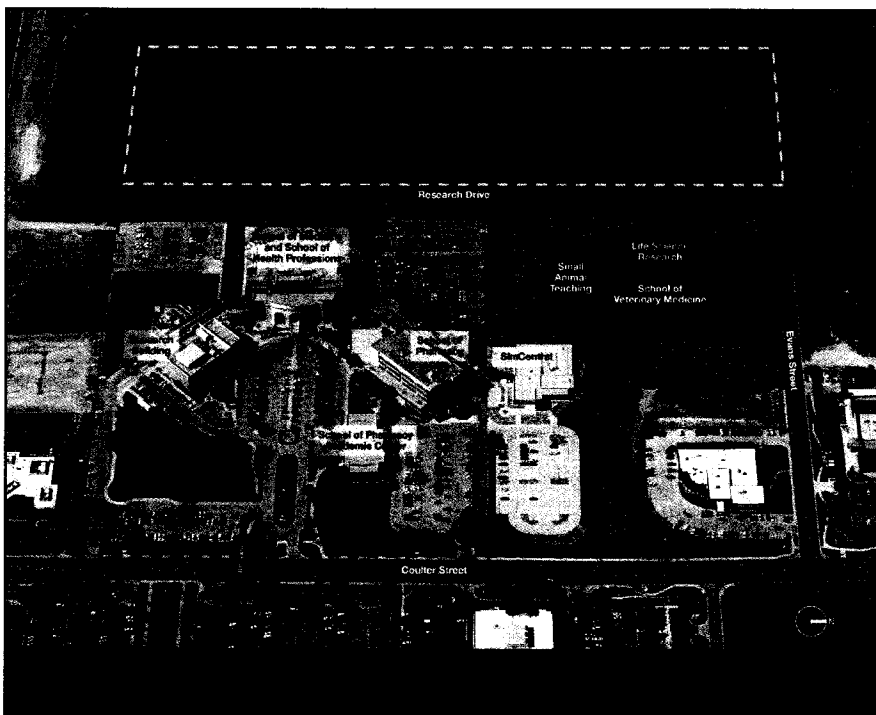


Texas Tech University

Item 5

# Approve concept and Stage I budget for a proposed new School of Veterinary Medicine

*Billy Breedlove*

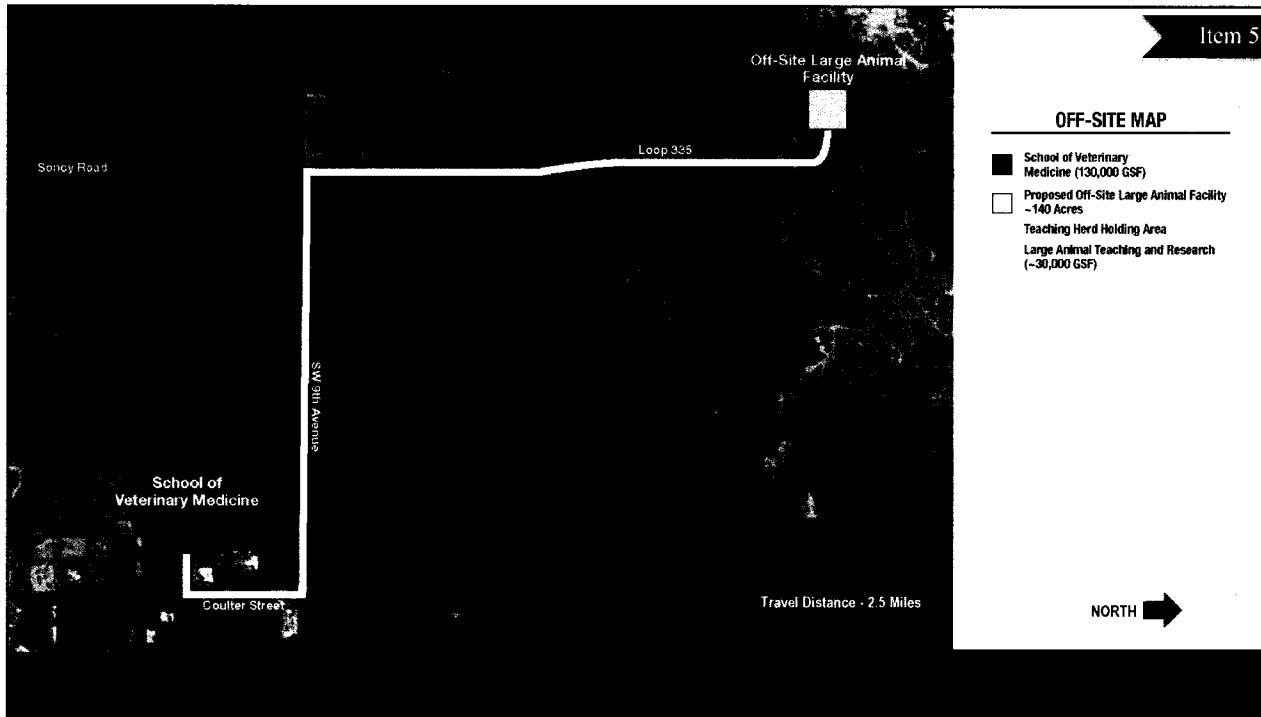


Item 5

### CAMPUS MAP

- School of Veterinary Medicine (130,000 GSF)
- Life Science Research (40,000 GSF)
- Small Animal Teaching (10,000 GSF)
- Future Land Request  
19.54 Acres
- TTUHSC Owned Property

NORTH →



## Scope of Services

Item 5

- Preliminary approval by the board includes:
  - Project concept;
  - Project planning budget; and
  - Design Professional Stage I agreement to provide the following pre-construction services:
    - Programming phase;
    - Schematic Design phase;
    - Statement of Probable Cost; and
    - Project schedule.

## Proposed Project Overview

Item 5

- Four-year School of Veterinary Medicine is expected to serve approximately 240 students, with an additional 150 to 200 non-DVM graduate students and an estimated FTE academic staff of 90.
- Provide program and schematic design of a primary high-tech veterinary teaching/research facility for both small and large animals.
- Program each facility to accommodate growth.

## Project Budget

Item 5

	Authorized Budget	Additional Request	Revised Budget
	\$ 242,300	\$ 1,129,803	\$ 1,372,103
Construction	\$ 0	\$ 0	\$ 0
Professional Services	\$ 240,300	\$ 1,019,406	\$ 1,259,706
FF&E	\$ 0	\$ 0	\$ 0
Administrative Cost	\$ 0	\$ 35,238	\$ 35,238
BOR Directed Fees (1% Public Art / 1% Landscape Enhancements / 2.4% FP&C)	\$ 0	\$ 37,159	\$ 37,159
Contingency	\$ 2,000	\$ 38,000	\$ 40,000

## Recommendation

Item 5

- Approve the concept for the project; authorize to establish a Stage I budget of \$1,372,103 to provide planning and design services for a proposed new School of Veterinary Medicine with an anticipated budget of \$89,820,000; and amend the Design Professional agreement.
- The Stage I budget will be funded with appropriated funds.
- The Stage I budget includes the previously authorized budget from appropriated funds (\$242,300).



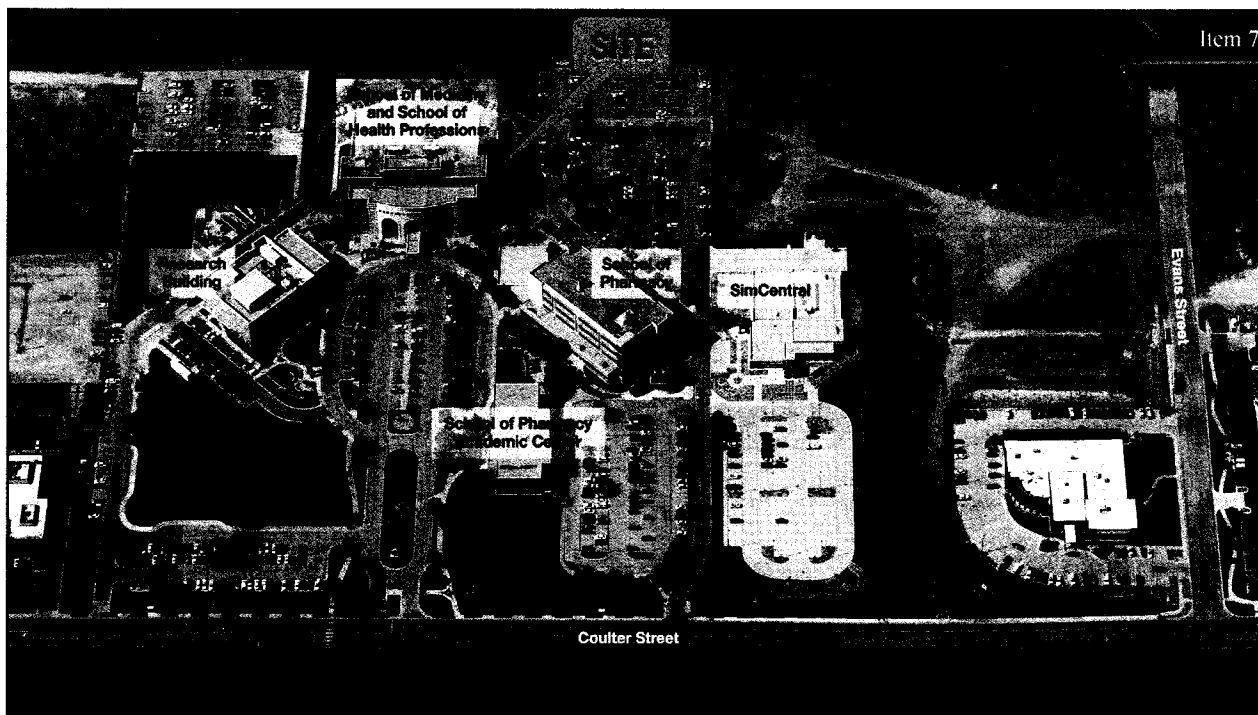


# Texas Tech University Health Sciences Center

Item 7

## Approve naming of the Pediatric Waiting Room at TTUHSC Amarillo campus

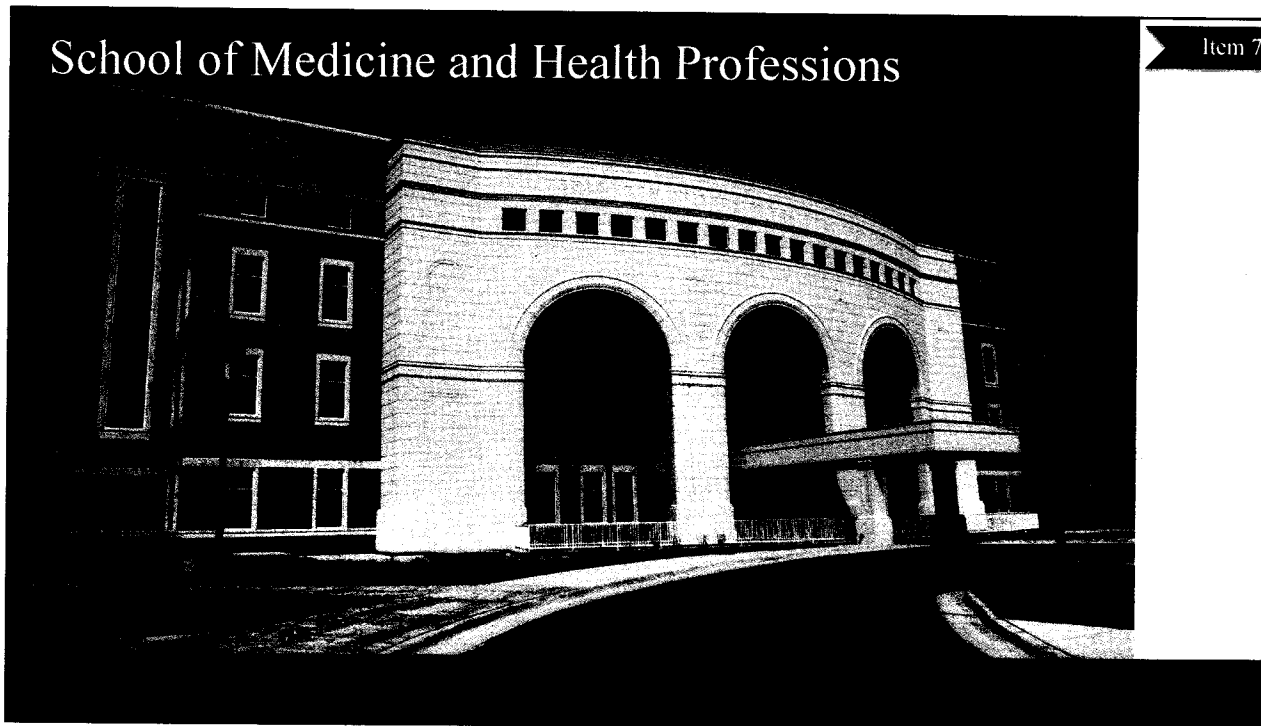
*Dr. Tedd L. Mitchell*



Item 7

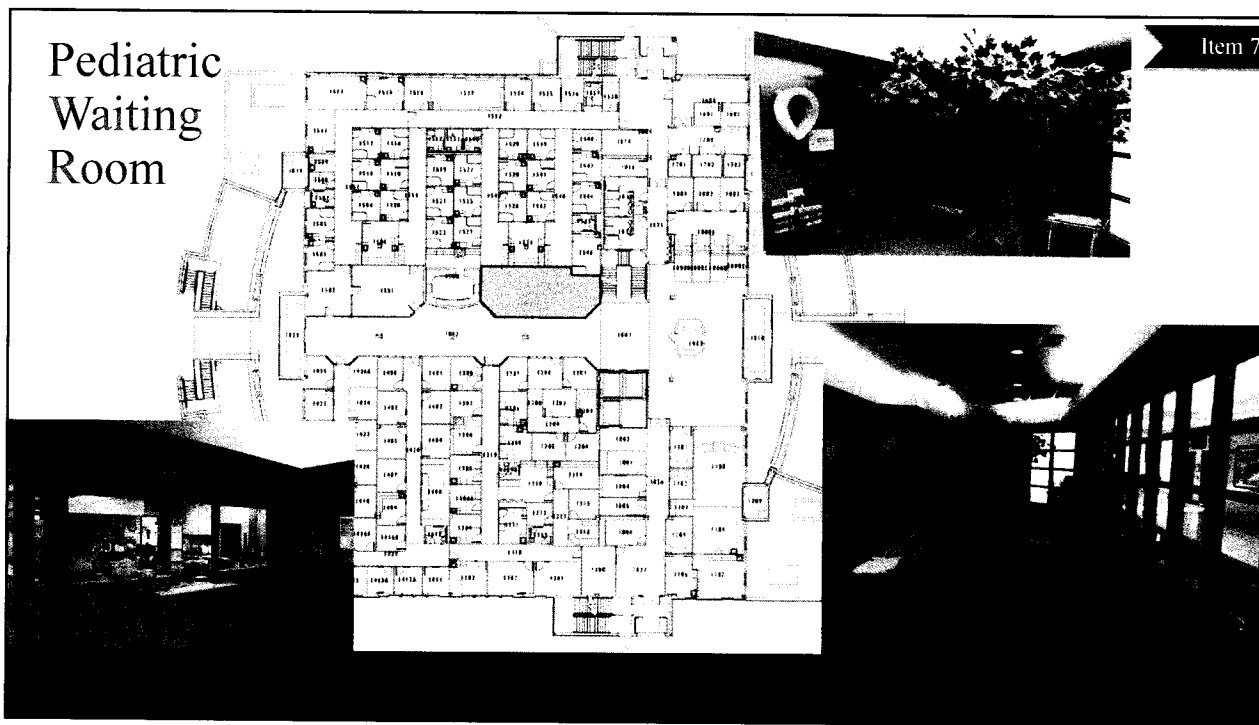
# School of Medicine and Health Professions

Item 7



# Pediatric Waiting Room

Item 7





## Recommendation

Item 7

- Approve the naming of the Pediatric Waiting Room located on the Texas Tech University Health Sciences Center Amarillo campus, to be named the "Beth Hance Hodges Pediatric Waiting Room."
- The donor concurs with the naming of this interior space.
- Appropriate signage for the suite will specify the approved name.

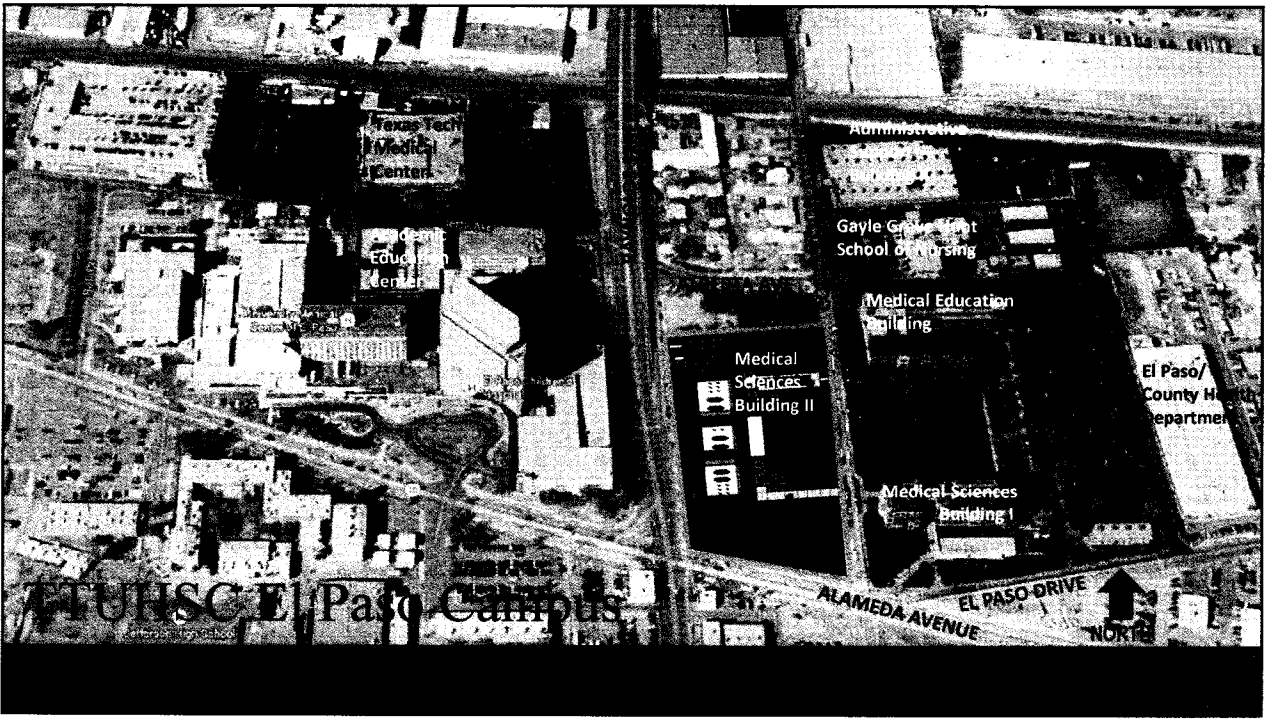


# Texas Tech University Health Sciences Center El Paso

Item 8

## Approve a Stage II budget for the new School of Dentistry – Dental Learning Center

*Billy Breedlove*



## Scope of Services

Item 8

- Construction approval by the board includes:
  - Design Professional Stage II agreement to provide the following construction services:
    - Design Development Phase;
    - Construction Document Phase;
    - Construction Administration Phase;
    - Statement of Probable Cost; and
    - Project schedule.

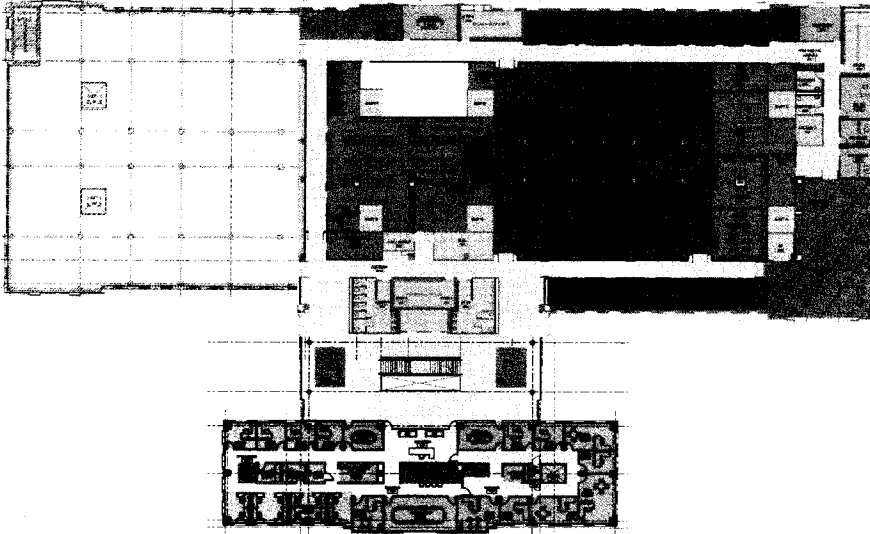
## Proposed Project Overview

Item 8

- Finish-out 25,845 GSF on the third floor of the Medical Sciences Building II currently under construction for the Dental Learning Center.
- Project will include:
  - Simulation lab with the associated support spaces:
    - Student locker room;
    - Radiological simulation room;
    - Dispensary;
    - CAD/CAM lab;
    - Dental stores/storage room; and
    - Faculty grading/conference room.
  - Dental administration suite containing waiting room, reception area, staff offices, conference room, copy/print/workroom and filing room; and
  - Other ancillary offices.

## Third Floor Plan

Item 8



### LEGEND

- Dental Learning Center
- Office Space
- Simulation Lab
- Lab Support Spaces
- Student Lounge
- Waiting/Break Areas
- Administrative Suite
- Ancillary Offices
- Shell Space
- Circulation Space
- Bldg Service Areas

## Project Budget

Item 8

	Authorized Budget	Additional Request	Revised Budget
	\$ 300,000	\$ 624,383	\$ 924,383
Construction	\$ 20,000	\$ 0	\$ 20,000
Professional Services	\$ 280,000	\$ 519,336	\$ 799,336
FF&E	\$ 0	\$ 0	\$ 0
Administrative Cost	\$ 0	\$ 42,604	\$ 42,604
BOR Directed Fees* (2.4% FP&C)	\$ 0	\$ 21,689	\$ 21,689
Contingency	\$ 0	\$ 40,754	\$ 40,754

\*1% Landscape & 1% Public Art included in Original Budget for MSBII

## Recommendation

Item 8

- Authorize to establish a Stage II budget of \$924,383 to provide design services for the new School of Dentistry – Dental Learning Center with an anticipated budget of \$11,500,000; amend the Design Professional contract.
- The Stage II Study budget will be funded with General Revenue funds (cash). The Stage II budget includes the previously board authorized budget from General Revenue funds (\$300,000 cash).



# Texas Tech University System

Item 9

## Report on Facilities Planning and Construction projects (project data as of 7/24/18)

*Billy Breedlove*



## ASU – Centennial Village – Phase II

Item 9

**Current Budget:** \$ 14,500,000

**Gross Square Feet:** 48,000 GSF

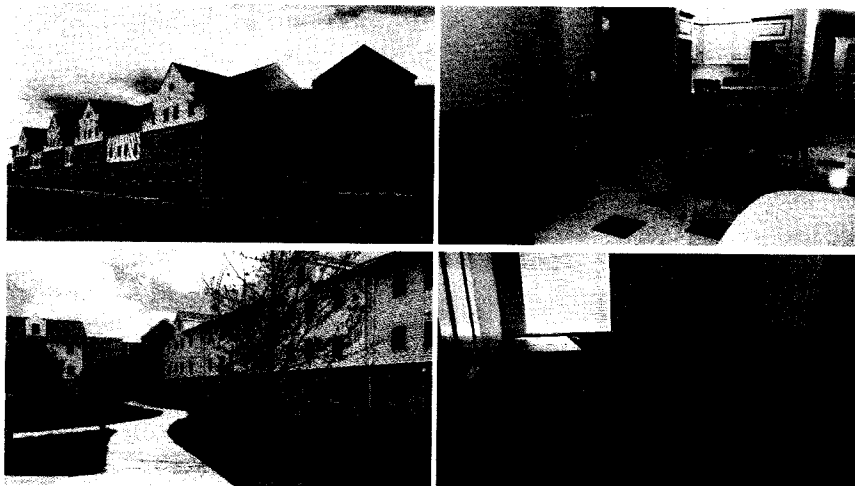
**Team / Status:**

- Design-Build Team:  
Whiting Turner Construction / Marmon Mok  
@ 91%
- Construction Manager Agent (CMAgent):  
Waived
- Artist:  
Frank Swanson / Aug / Sep 2018 Installation

**Substantial Completion Date:**

Original Date – June 2018

Actual Date – June 1, 2018





# ASU – Centennial Village – Phase II

Item 9

Construction Delivery: DB

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget ①	Current Budget ②	+(-) Change D-C	NOTES
	A	B	C	D		
	\$ -	\$ 14,500,000	\$ 14,500,000	\$ 14,500,000	\$ -	
<b>CATEGORY</b>						
Professional Services	\$ -	\$ 1,180,900	\$ 1,227,700	\$ 1,227,700	\$ -	
Administrative	\$ -	\$ 92,200	\$ 92,200	\$ 92,200	\$ -	
Regents' Rules	\$ -	\$ 290,000	\$ 290,000	\$ 290,000	\$ -	
<b>TOTAL</b>						

**PARTNERS**

- General Contractor: Whiting Turner Construction
- Design Professional: Marmon Mok
- CM Agent: Waived
- Tier 2 Auditor: RSM

① e-Builder 04/27/2018

② e-Builder (Project Management Software)

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

Item 9

**Current Budget:** \$ 23,000,000

**Gross Square Feet:** 52,727 GSF

**Team / Status:**

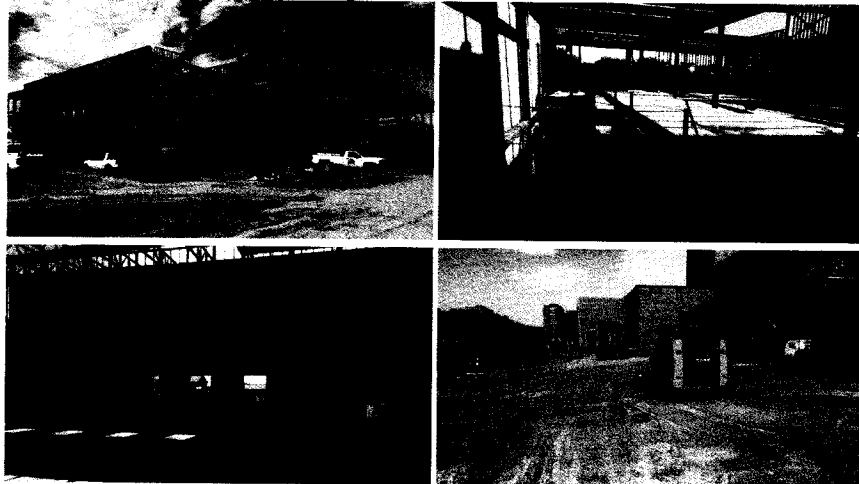
- Design Professional:  
BRW Architects @ 80%
- General Contractor:  
Teinert Commercial Building Services, Inc.  
@ 22%
- Construction Manager Agent (CMAgent):  
Parkhill, Smith & Cooper, Inc. @ 64%
- Artist:  
RDG Studio / December 2018 Installation

**Substantial Completion Date:**

Original Date – December 2018

Amended Date - March 2019

Actual Date – TBD



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

Item 9

Construction Delivery: CMR

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget <sup>①</sup>	Current Budget <sup>②</sup>	+(-) Change D-C	NOTES
	A	B	C	D		
	\$ -	\$ 23,000,000	\$ 23,000,000	\$ 23,000,000	\$ -	
<b>CATEGORY</b>						
Construction						
Professional Services	\$ -	\$ 2,737,473	\$ 2,774,099	\$ 2,774,099	\$ -	
FAE						
Administrative	\$ -	\$ 134,275	\$ 139,011	\$ 139,011	\$ -	
Project Contingency						
Regents' Rules	\$ -	\$ 999,049	\$ 999,049	\$ 999,049	\$ -	

**PARTNERS**

- General Contractor      Teinert Commercial Building Services, Inc.
- Design Professional      BRW Architects
- CM Agent (PM Assist)      Parkhill, Smith & Cooper, Inc.
- Tier 2 Auditor              CBIZ

- ① e-Builder 04/27/2018
- ② e-Builder (Project Management Software)

# TTU – Experimental Sciences Building II

Item 9

**Current Budget:** \$ 77,000,000

**Gross Square Feet:** 117,800 GSF

**Team / Status:**

- Design Professional:  
    TreanorHL @ 87%
- Construction Manager at Risk (CMR):  
    Flintco, LLC @ 57%
- Construction Manager Agent (CMAgent):  
    Project Control of Texas, Inc. @ 73%
- Artist:  
    Lead Pencil Studio / May 2019 Installation

**Substantial Completion Date:**

Original Date – June 2019

Actual Date – TBD



# TTU – Experimental Sciences Building II

Item 9

Construction Delivery: CMR

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget①	Current Budget②	+/(-) Change D-C	NOTES
	8/2015   ~150,000 GSF A	8/2018   120,000 - 140,000 GSF B	05/2018   117,800 GSF C	07/24/2018   117,800 GSF D		
	\$ 2,217,364	\$ 77,000,000	\$ 77,000,000	\$ 77,000,000	\$ -	
<b>CATEGORY</b>						
Professional Services	\$ 1,862,310	\$ 7,898,378	\$ 7,772,349	\$ 7,772,349	\$ -	
Administrative	\$ 104,730	\$ 541,884	\$ 343,734	\$ 343,734	\$ -	
Regents' Rules	\$ 51,969	\$ 3,344,688	\$ 3,344,688	\$ 3,344,688	\$ -	
<b>TOTAL</b>						

**PARTNERS**

General Contractor: Flintco, LLC  
 Design Professional: TreanorHL  
 CM Agent: Project Control of Texas, Inc.  
 Tier 2 Auditor: CBIZ

- ① e-Builder 04/27/2018
- ② e-Builder (Project Management Software)

# TTUHSC – Lubbock Education, Research & Technology + West Expansion

Item 9

**Current Budget** \$ 91,375,000

**Gross Square Feet:** 199,862 GSF

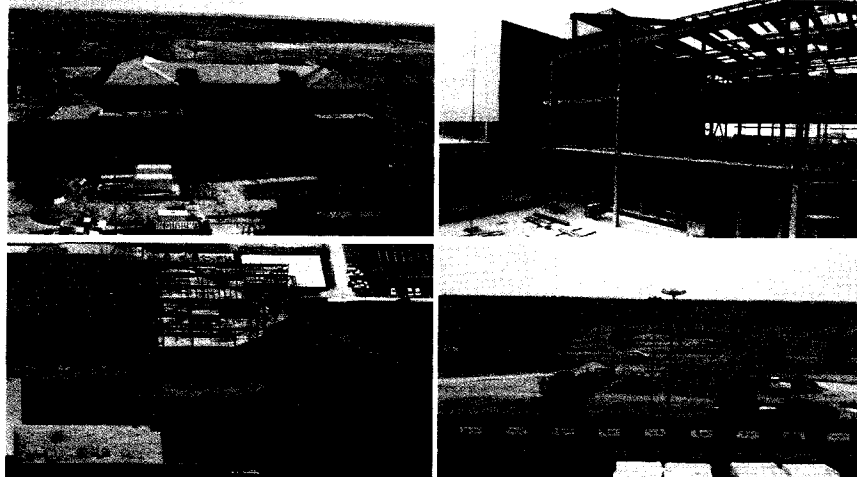
UC 62,258 GSF  
 WE 125,104 GSF  
 AEC 12,500 GSF

**Team / Status:**

- Design Professional:  
Perkins + Will @ 82%
- Construction Manager at Risk (CMR):  
Hill & Wilkinson General Contractors @ 33%
- Construction Manager Agent (CMAgent):  
Hill International @ 58%
- Artist:  
Interior Art: Adam Frank – February 2019  
Exterior Art: James Surfs – February 2019

**Substantial Completion Date:**

Original Date – March 2019  
 Amended Date – June 2019  
 Actual Date – TBD



# TTUHSC – Lubbock Education, Research & Technology + West Expansion

Item 9

Construction Delivery: CMR

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget①	Current Budget②	+(-) Change D-C	NOTES
	8/2015   ~ 200,000 GSF A	10/2016   183,218 GSF 10/2017   200,062 GSF B	05/2018   199,862 GSF C	07/24/2018   199,862 GSF D		
	\$ 2,403,613	\$ 91,375,000	\$ 91,375,000	\$ 91,375,000	\$ -	
<b>CATEGORY</b>						
Professional Services	\$ 2,035,360	\$ 9,842,401	\$ 10,177,546	\$ 10,219,148	\$ 41,800	Amendment to Perkins - Will for owner requested landscape changes and public art/landscape enhancements
Administrative	\$ 88,067	\$ 754,030	\$ 1,085,447	\$ 1,085,447	\$ -	
Regents' Rules	\$ 58,335	\$ 3,816,207	\$ 3,687,886	\$ 3,687,886	\$ -	
<b>TOTAL</b>						

**PARTNERS**  
 General Contractor Hill & Wilkinson General Contractors  
 Design Professional Perkins + Will  
 CM Agent Hill International  
 Tier 2 Auditor CBIZ

① e-Builder 04/27/2018  
 ② e-Builder (Project Management Software)

# TTUHSC – Permian Basin Academic Facility

Item 9

**Current Budget:** \$ 22,300,000

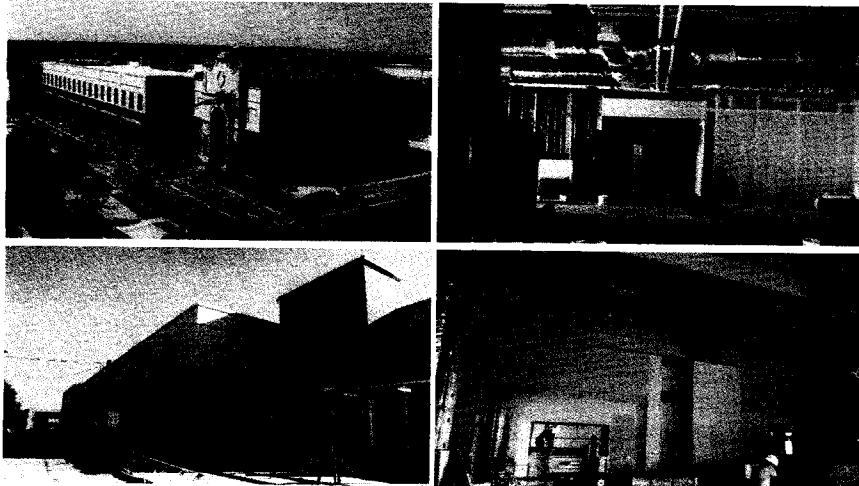
**Gross Square Feet:** 51,000 GSF

**Team / Status:**

- Design Professional: FKP Architects, Inc. @ 76%
- General Contractor: Flintco, LLC @ 77%
- Construction Manager Agent (CMAgent): Adams Management Services @ 85%
- Artist: Albert Paley / August 2018 Installation

**Substantial Completion Date:**

Original Date – July 2018  
 Actual Date – TBD



# TTUHSC – Permian Basin Academic Facility

Item 9

Construction Delivery: CMR

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget ①	Current Budget ②	+/(-) Change D-C	NOTES
	8/2015   54,000 GSF A	8/2016   51,000 GSF B	05/2018   51,000 GSF C	07/24/2018   51,000 GSF D		
	\$ 552,665	\$ 22,300,000	\$ 22,300,000	\$ 22,300,000	\$ -	
<b>CATEGORY</b>						
Construction	\$ 14,800	\$ 1,116,000	\$ 1,116,000	\$ 1,116,000	\$ -	
Professional Services	\$ 459,318	\$ 2,505,559	\$ 2,268,805	\$ 2,268,805	\$ -	
Administrative	\$ 28,347	\$ 123,145	\$ 61,650	\$ 61,650	\$ -	
Project Contingency	\$ 17,850	\$ 27,123	\$ 15,194	\$ 67,160	\$ 123,636	
Regents' Rules	\$ 12,953	\$ 969,159	\$ 969,159	\$ 969,159	\$ -	
<b>TOTAL</b>	<b>\$ 552,665</b>	<b>\$ 22,300,000</b>	<b>\$ 22,300,000</b>	<b>\$ 22,300,000</b>	<b>\$ -</b>	

**PARTNERS**

General Contractor Flintco, LLC  
 Design Professional FKP Architects, Inc.  
 CM Agent Adams Management  
 Tier 2 Auditor CBIZ

- ① e-Builder 04/27/2018
- ② e-Builder (Project Management Software)

# TTUHSC El Paso - Medical Sciences Building II

Item 9

**Current Budget:** \$ 84,400,000

**Gross Square Feet:** 219,900 GSF

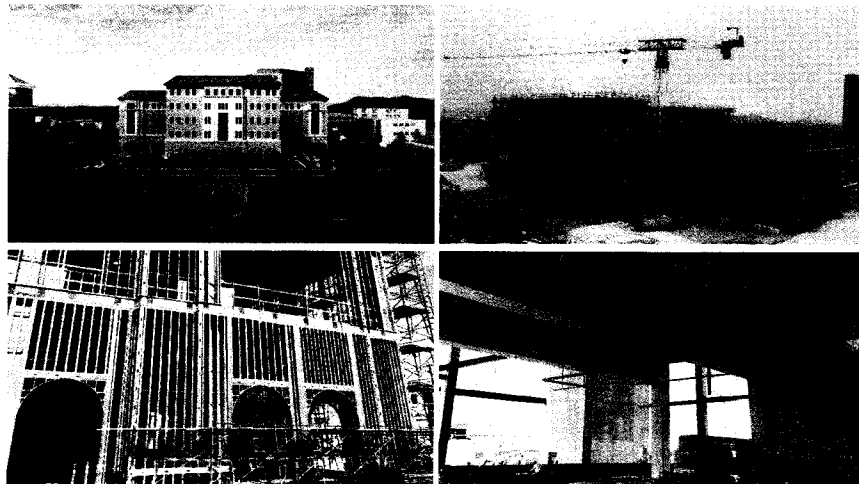
**Team / Status:**

- Design Professional:  
Perkins + Will @ 86%
- Construction Manager at Risk (CMR):  
Sundt @ 37%
- Construction Manager Agent (CMAgent):  
Broadus and Associates @ 62%
- Artist:  
Thomas Sayre / March 2019 Installation

**Substantial Completion Date:**

Original Date – March 2019

Actual Date – TBD



# TTUHSC El Paso - Medical Sciences Building II

Item 9

Construction Delivery: CMR

BUDGET	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget ①	Current Budget ②	+(-) Change D-C	NOTES
	9/2015   227,000 GSF A	12/2016   223,000 GSF B	05/2018   219,900 GSF C	07/24/2018   219,900 GSF D		
	\$ 2,412,064	\$ 84,400,000	\$ 84,400,000	\$ 84,400,000	\$ -	
<b>CATEGORY</b>						
	147,170					
Professional Services	\$ 2,019,315	\$ 9,749,196	\$ 8,311,485	\$ 8,311,485	\$ -	
		7,802,224	6,759,224	6,759,224		
Administrative	\$ 109,506	\$ 858,129	\$ 299,362	\$ 299,362	\$ -	
		758,567	559,567	559,567		
Regents' Rules	\$ 56,533	\$ 3,594,250	\$ 3,594,250	\$ 3,594,250	\$ -	

**PARTNERS**

General Contractor Sundt  
 Design Professional Perkins + Will  
 CM Agent Broadus and Associates  
 Tier 2 Auditor RSM

① e-Builder 04/27/2018

② e-Builder (Project Management Software)

# Texas Tech University System

Item 9

## Status of Public Art

## ASU – Archer College of Health & Human Services

Item 9

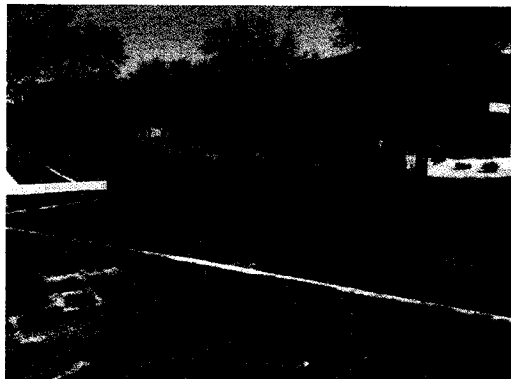
**Art Budget:** \$ 253,000

**Artist:** Owen Morrel  
Miami, FL

**Title:** Cube-i

**Status:** September 2018 Installation

**Artist Statement:** "Cube-i" will be a mirrored stainless-steel piece that is 24' long, 8' wide, and 11' tall. The artist wants to transform the site through this iconic and interactive sculpture. The strong geometry of the piece mimics the architecture of the Archer College of Health and Human Services building. The cube, a symbol of wholeness or oneness, has specific meaning within the context of this facility promoting and initiating overall wellness and wholeness. Mirrors reflect those who view the sculpture and the surrounding environment, including the building and the nature around it. The sciences heavily influence all the artist's work.



## ASU – Centennial Village II

Item 9

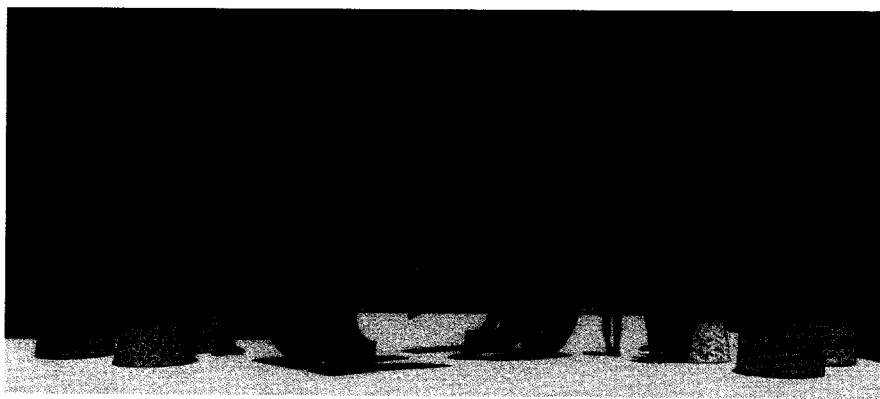
**Art Budget:** \$ 135,000

**Artist:** Frank Swanson  
Sedalia, CO

**Title:** Confluence

**Status:** August – September 2018  
Installation

**Artist Statement:** "Confluence" will be composed of two granite sculpture elements and six sculptural benches near the entrance of Centennial Village. The artist wants to enhance the entrance to the building by creating a unique environment that can be used for seating, as well as present a dynamic sculpture to interact with. The sculpture represents the melding of ideas that are brought together in a university setting. The central pieces of the sculpture, cut from the same block, are separate but interconnecting, representing the circles of conversations and ideas that are swirling amongst the faculty and students. The overall shape also mirrors two ram horns. This piece will be lit at night, allowing viewers to enjoy it any time they visit.



## TTU – New Honors Residence Hall

Item 9

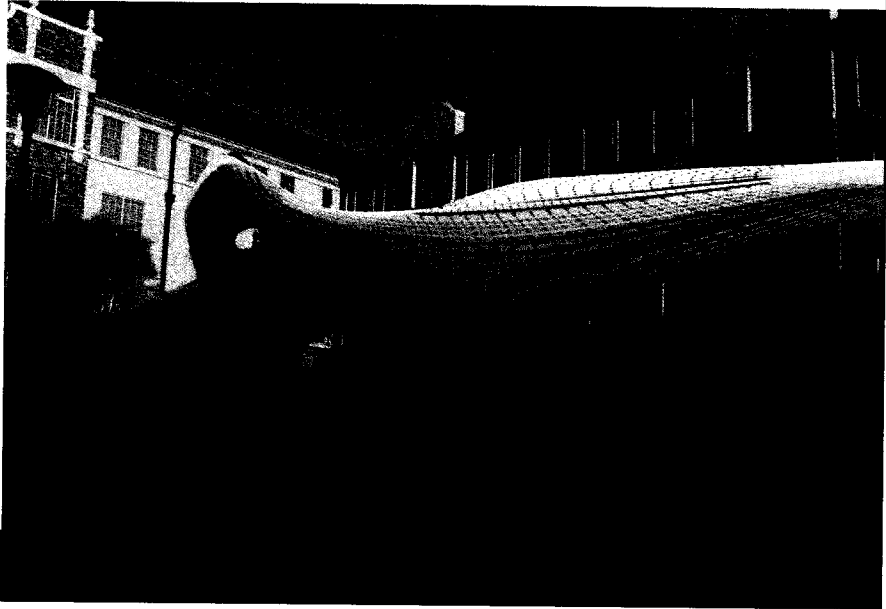
**Art Budget:** \$ 287,000

**Artist:** Marc Fornes / Theverymany  
New York, NY

**Title:** *Wandering*

**Status:** February – March 2019  
Installation

**Artist Statement:** "Wandering" will be a sculptural shade structure that is planned to be between 16 and 18' tall and 50' long. Marc Fornes' work is inspired by public art as an engaging space and a place for social interaction. The artist was inspired by the potential traffic flow patterns in the space to create the initial shape. He also used the Banyan tree as inspiration, although they have a large center trunk (represented by the university), they also drop many roots that flourish (students). The piece will be made of painted aluminum and will have a white and tan ombre color scheme. It will also change in appearance from many angles, including the views from the top floor of the dorm. Unique shapes will be imbedded in the piece, which will cast interesting shadows in the day, as well as when the piece is lit at night.



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

Item 9

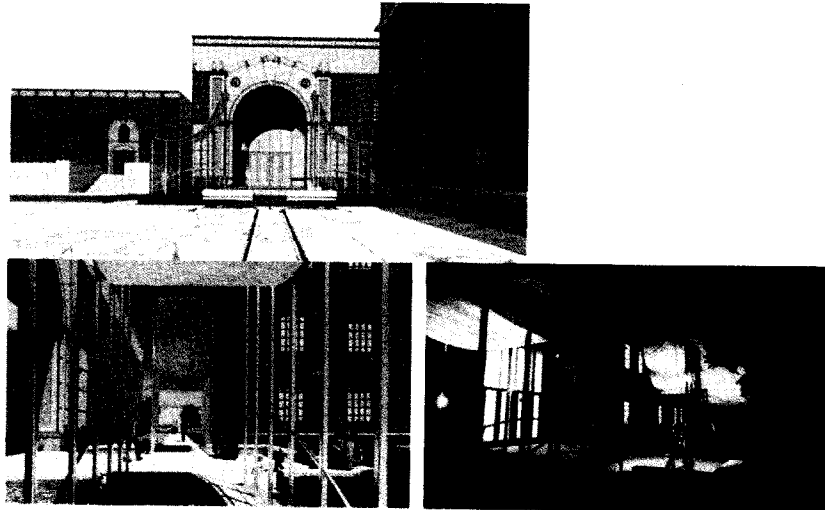
**Art Budget:** \$ 220,000

**Artist:** RDG Studio  
Des Moines, IA

**Title:** *Awaiting Artist Announcement*

**Status:** December 2018 Installation

**Artist Statement:** The proposed design is for a sculptural installation, reminiscent of the proscenium of a theatre stage, that will frame the entryway to the building. The structure will function on many levels, as a pergola or passageway, and suggestive of a gallery or stage left/stage right on either side of the entryway. The structure will create a ceremonial experience of entering the building where, for a moment, everyone is a performer on a stage. Laser-cut panels will suggest the opening of curtains; the overlap in the panels create a sense of movement and the folds of drapery. LED lighting will give the piece a red glow at night. The overall size and final design are still in process.





## TTU – Experimental Sciences Building II

Item 9

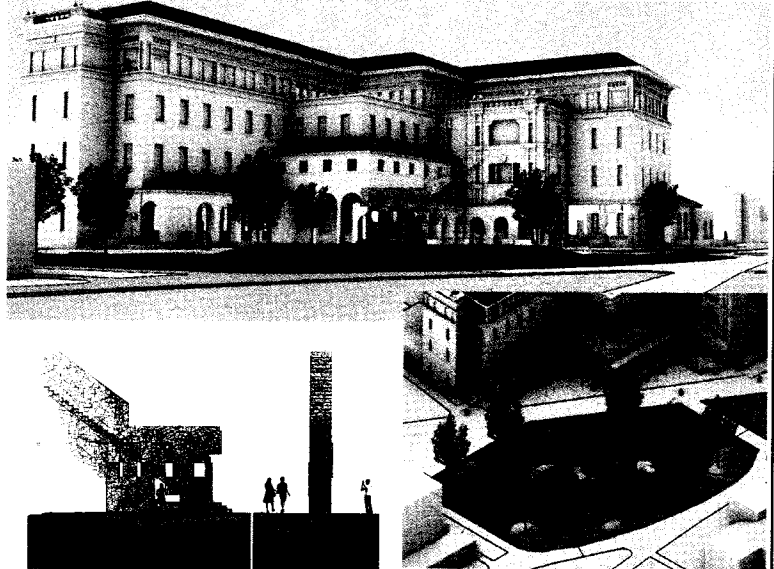
**Art Budget:** \$ 754,000

**Artist:** Lead Pencil Studio  
Seattle, WA

**Title:** Awaiting Artist Announcement

**Status:** May 2019 Installation

**Artist Statement:** The proposed design is for a 35' tall by 35' foot long by 7' wide sculptural installation created using cross-welded wire. The sculpture resembles "architecture in reverse" by taking the negative space that we normally don't see and turning it into art, directing viewers to a new way of seeing. Their proposal was inspired by the intertwined relationship between human imagination and rational thinking that takes place in the experimental sciences. The structure will create a sense of place and provoke dialogue by creating indefinite ends rather than asserting conclusions. The artists will work with TTU to create a site-specific work that also engages with the architecture and history of the campus. LED lighting will give the piece a subtle glow at night, while the unique material will create interesting shadows throughout the day.



## TTU – Museum Life Safety Upgrade and Air Management Replacement

Item 9

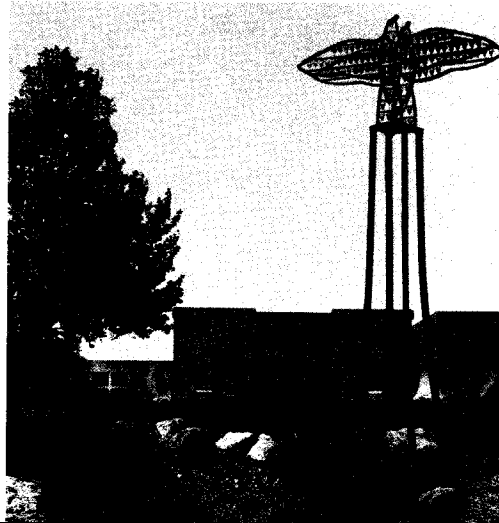
**Art Budget:** \$ 67,000

**Artist:** Peter Mangan  
Blanco, TX

**Title:** Awaiting Artist Announcement

**Status:** May 2019 Installation

**Artist Statement:** The selected design is for a 20' tall sculpture made of steel and fused glass. The sculpture represents a red-tailed hawk and will be placed within the ecogarden landscape planned for the Museum's entry; the base of the sculpture was created to mimic the unique shape of the Museum's building. The abstracted bird sculpture has a wingspan of 10', double that of a real red tail hawk and the colors of the interior fused glass pieces will be like the actual bird's feather coloring. The 136 pieces will also subtly move and shimmer, activated by the Lubbock winds. The piece will be lit at night with LED solar lighting.



## TTUHSC – Permian Basin Academic Facility

Item 9

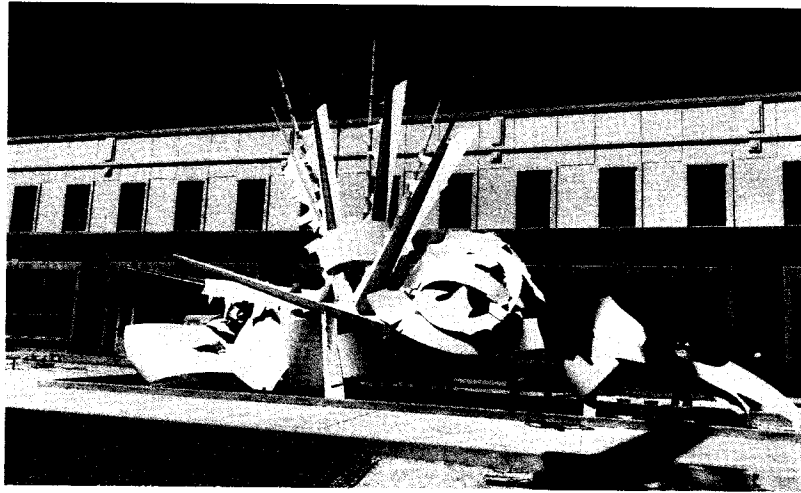
**Art Budget:** \$ 214,000

**Artist:** Albert Paley  
New York, NY

**Title:** Awaiting artist announcement

**Status:** August 2018 Installation

**Artist Statement:** The selected design is for a horizontal piece that is 50' in length and 21' in height that will be placed in front of the Permian Basin Academic Facility. The contrast of a geometric building and organic sculpture will allow the two forms to complement one another. The sculpture is non-literal but is meant to capture the essence of the West Texas landscape. The gestural nature of the sculpture relates to one's experience while traveling over the flat and stark land. Also represented is the wind, due to the flow of the shapes, and the taller elements represent sun rays. No one interpretation of what the viewer sees is incorrect. This will allow the sculpture to relate to many viewers in different ways, according to their own experience.



## TTUHSC – Lubbock Education, Research & Technology + West Expansion Interior

Item 9

**Art Budget:** \$ 300,000

**Artist:** Adam Frank  
New York, NY

**Title:** *Pulse*

**Status:** February 2019 Installation

**Artist Statement:** The proposed design, tentatively titled *Pulse*, is for an 11-foot-tall, 8-foot-wide LED screen that features an accurate simulation of the human circulatory system in the visual style of an MRI in the lobby of the University Center. As people enter the building, the heartbeat quickens. The more building occupants, the faster the beats and the blood flow. As people leave, the heart begins to slow and eventually settles to an average sleeping rate overnight. Each member of the TTUHSC community help to drive the heartbeat equally. *Pulse* will activate the lobby with an anatomically accurate MRI of the beating heart of the Health Sciences Center. This piece will help set the tone for campus visitors as an innovative and vibrant medical center.



## TTUHSC – Lubbock Education, Research & Technology + West Expansion Exterior

Item 9

**Art Budget:** \$ 530,500

**Artist:** James Surls  
Carbondale, CO

**Title:** *Complete Fragment*

**Status:** February 2019 Installation

**Artist Statement:** The proposed design, tentatively titled *Complete Fragment*, is for three bronze and stainless-steel sculptures, one 8'x 9'x 10', another 9.5'x 8'x 11', and the third 11'x 12'x 18' in size. Each sculpture represents the origin of life through the depiction of molecules, as well as growth as represented by flowers. The three separate pieces are meant to create one whole piece, allowing the viewer to stand in the middle of the sight and view a sculpture from any angle. Each sculpture has its own life, yet the power is that each is a part of the whole, representative of the connecting tissue of the human endeavor. These sculptures will be part of a landscaped park space where visitors can sit and find calm and healing, a respite from the busy life inside the buildings.



## TTUHSC El Paso - Medical Sciences Building II

Item 9

**Art Budget:** \$ 790,000

**Artist:** Thomas Sayre  
Raleigh, NC

**Title:** Awaiting artist announcement

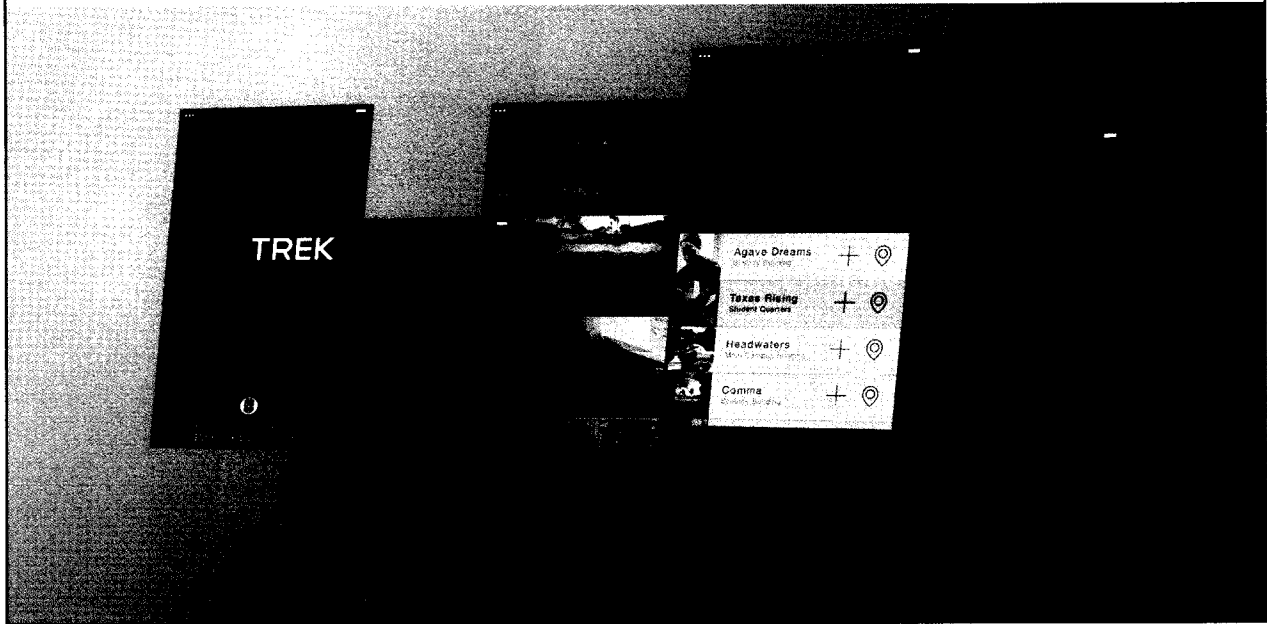
**Status:** March 2019 Installation

**Artist Statement:** The public art installation by Thomas Sayre, tentatively titled *Between Earth and Sky*, will sculpt the almost 15,000 square foot site into one large, sculptural environment, consisting of highly articulated ground plane terrain and an ever-changing array of kinetic wind sculptures hovering above it. The ground plane will be sculpted into a series of 20 earth berms ranging in height from 3 to 5 feet. Slicing through the berms will be a curving pathway bracketed by earthcast walls. Rising out of the terrain will be 23 wind activated sculptures, varying in height from 16-24 feet; each sculpture will have a unique pattern and a hand-blown glass ball that will be lit at night. The artist will work with faculty and researchers on the TTUHSC El Paso campus to determine unique patterns to use in the sculptures.



# Public Art Collection – arTTrek App

Item 9









FACILITIES PLANNING AND CONSTRUCTION  
 Capital Project Budget Analysis  
 Fiscal Year 2010-2018

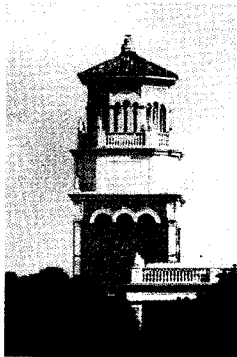
Project Name	BUDGET			Actual/Projected Cost (D)	VARIANCE A		VARIANCE B		BOR Adjustment Date	BUDGET ADJUSTMENTS
	Original Budget (Proposed M/P)	Board Approved A	Board Adjustment B		Internal Adjustment C	Adjusted Budget C	Actual/Projected Board Approved (Over/Under) [D-A]	Actual/Projected Adjusted Budget (Over/Under) [D-C]		
<b>TOTAL - System</b>	27,500,000	\$177,500,000	\$0	\$0	\$27,500,000	\$0	\$0	0%		
<b>TOTAL - ISC</b>	159,809,500	\$48,044,883	\$120,188,917	\$313,338	\$168,546,838	\$5,507,178	-\$281,150	-1%		
<b>TOTAL - ASU</b>	1,296,695,024	\$653,352,863	\$438,969,563	-\$8,570,694	\$1,083,751,732	\$10,615,770	-\$22,641,216	-2%		

Variance based on initial full project funding

Project Status:  
 In Progress  
 In Construction  
 Cancelled



TEXAS TECH UNIVERSITY SYSTEM



# Summary Operating Budgets

Fiscal Year 2019

**Chelle Hillis**

*Assistant Chief Financial Officer*

*August 9, 2018*

## FY 2019 Budget Drivers/Impacts



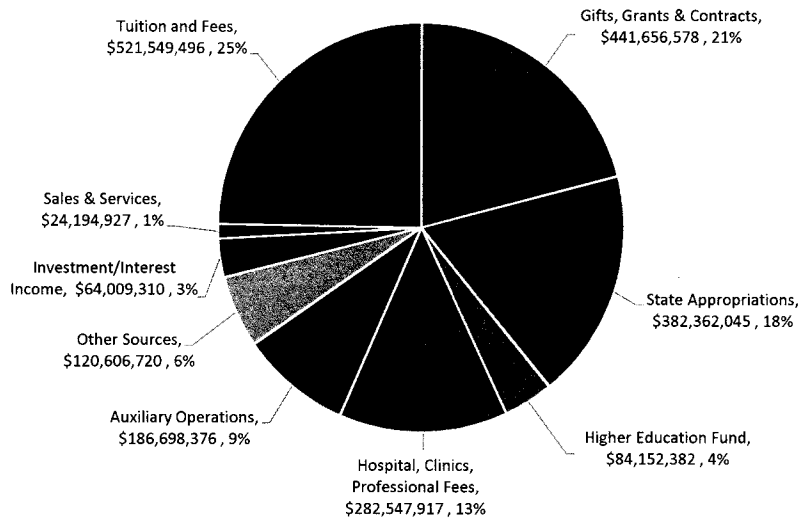
- **Chancellor's Directive to Presidents and CFOs**
  - Seek out cost efficiencies in our commitment to future success of our students and the State of Texas
  - Advance core mission of teaching, health care, research, and outreach
  - Approval of merit plan proposals
  
- **2nd Year of 85th Legislative Session**
  - No significant change in general revenue from 1st year of biennium
  - Higher Education Group Insurance (HEGI) shortfall
  - Non-formula Support Items
  
- **Overall budget increases reflective of increases in tuition rates and projected growth in enrollment**



## FY 2019 Total System Operating Sources



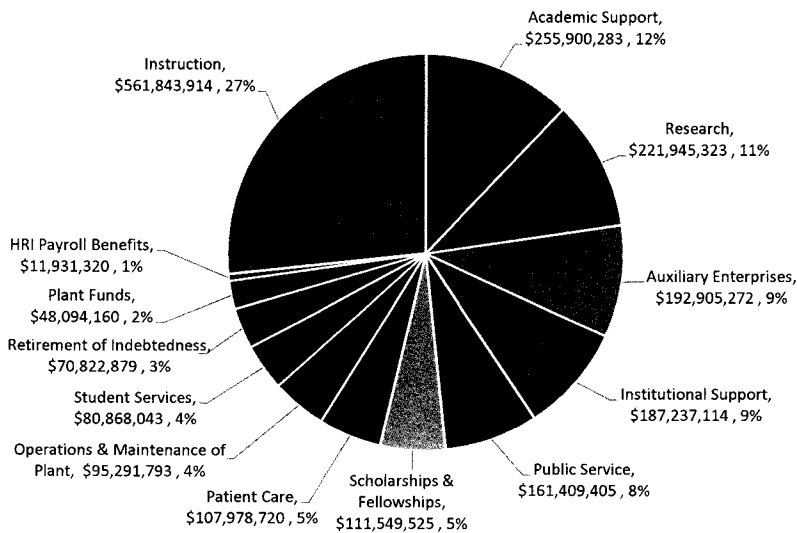
**Total Sources:  
 \$2.1 billion**



## FY 2019 Total System Operating Uses



**Total Uses:  
 \$2.1 billion**



## Texas Tech University



### TEXAS TECH UNIVERSITY SUMMARY OPERATING BUDGET FISCAL YEAR 2019

Fund Group	FY 2018 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	277,233,899	279,580,566	2,346,667	0.84%
DESIGNATED	345,229,917	368,889,707	23,659,790	6.85%
AUXILIARY	192,572,887	197,968,174	5,395,287	2.80%
CURRENT RESTRICTED	125,000,000	128,292,000	3,292,000	2.63%
<b>TOTAL</b>	<b>\$940,036,703</b>	<b>\$974,730,447</b>	<b>\$34,693,744</b>	<b>3.69%</b>

## Angelo State University



### ANGELO STATE UNIVERSITY SUMMARY OPERATING BUDGET FISCAL YEAR 2019

Fund Group	FY 2018 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	49,083,769	48,211,473	(872,296)	-1.78%
DESIGNATED	39,957,177	42,870,719	2,913,542	7.29%
AUXILIARY	29,760,130	31,331,987	1,571,857	5.28%
CURRENT RESTRICTED	1,198,980	1,125,822	(73,158)	-6.10%
<b>TOTAL</b>	<b>\$120,000,056</b>	<b>\$123,640,001</b>	<b>\$3,539,945</b>	<b>2.95%</b>

## Texas Tech University Health Sciences Center



### TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER SUMMARY OPERATING BUDGET FISCAL YEAR 2019

Fund Group	FY 2018 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	169,147,096	170,408,857	1,261,761	0.75%
DESIGNATED	306,841,998	302,893,986	(3,948,012)	-1.29%
AUXILIARY	696,675	739,675	43,000	6.17%
CURRENT RESTRICTED	224,900,000	235,900,000	11,000,000	4.89%
<b>TOTAL</b>	<b>\$701,585,769</b>	<b>\$709,942,518</b>	<b>\$8,356,749</b>	<b>1.19%</b>

## Texas Tech University Health Sciences Center El Paso



### TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO SUMMARY OPERATING BUDGET FISCAL YEAR 2019

Fund Group	FY 2018 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	74,731,349	74,667,642	(63,707)	-0.09%
DESIGNATED	168,212,506	178,948,826	10,736,320	6.38%
AUXILIARY	245,656	245,656	0	0.00%
CURRENT RESTRICTED	33,000,000	30,900,000	(2,100,000)	-6.36%
<b>TOTAL</b>	<b>\$276,189,511</b>	<b>\$284,762,124</b>	<b>\$8,572,613</b>	<b>3.10%</b>

## Texas Tech University System Administration



### TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION SUMMARY OPERATING BUDGET FISCAL YEAR 2019

Fund Group	FY 2019 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	5,289,837	5,289,837	0	0.00%
DESIGNATED	19,060,413	19,060,413	0	0.00%
<b>TOTAL</b>	<b>\$24,350,250</b>	<b>\$24,350,250</b>	<b>\$0</b>	<b>0.00%</b>

## Texas Tech University System



### TEXAS TECH UNIVERSITY SYSTEM BUDGET OVERVIEW (ALL FUNDS) FISCAL YEAR 2019

COMPONENT INSTITUTION	Estimated Expenditures	% of Total	Actual Expenditures	% of Total	Annual Change (\$)	Annual Change (%)
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	24,350,250	1.2%	24,350,250	1.2%	0	0.00%
TEXAS TECH UNIVERSITY LESS SYSTEM FUNDING	940,036,703 (4,616,943)	45.6%	974,730,447 (4,616,943)	46.0%	34,693,744	3.69%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER LESS SYSTEM FUNDING	701,585,769 (3,242,556)	34.0%	709,942,518 (3,242,556)	33.5%	8,356,749	1.19%
ANGELO STATE UNIVERSITY LESS SYSTEM FUNDING	120,000,056 (482,598)	5.8%	123,540,001 (482,598)	5.8%	3,539,945	2.95%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO LESS SYSTEM FUNDING	276,189,511 (1,205,492)	13.4%	284,762,124 (1,205,492)	13.5%	8,572,613	3.10%
<b>TOTAL</b>	<b>\$2,062,034,280</b>	<b>100.0%</b>	<b>\$2,107,777,751</b>	<b>100.0%</b>	<b>\$45,743,471</b>	<b>2.23%</b>



TEXAS TECH UNIVERSITY SYSTEM

Texas Tech University System Administration



TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION  
 SUMMARY OPERATING BUDGET  
 FISCAL YEAR 2019

Fund Group	FY 2018 Estimated Expenditures	FY 2019 Estimated Expenditures	Annual Change (\$)	Annual Change (%)
EDUCATIONAL & GENERAL	5,289,837	5,289,837	0	0.00%
DESIGNATED	19,060,413	20,821,506	820,402	4.30%
<b>TOTAL</b>	<b>\$24,350,250</b>	<b>\$26,111,343</b>	<b>\$820,402</b>	<b>3.37%</b>
S&T 'Alignment' - DESIGNATED	0	940,691	940,691	
<b>TOTAL</b>	<b>\$24,350,250</b>	<b>\$26,111,343</b>	<b>\$1,761,093</b>	<b>7.23%</b>

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ATTACHMENT 4-A ..... AS REVISED ON 08/09/2018

AMEND THE INVESTMENT POLICY STATEMENT FOR THE SHORT/INTERMEDIATE TERM INVESTMENT FUND, AS FOLLOWS:

**Texas Tech University System**

**INVESTMENT POLICY STATEMENT**

**Short/Intermediate Term Investment Fund**

***Dates Approved or Amended:***

- *Initial adoption of policy statement* ..... 02-26-2010
  - *Comprehensive rewrite*..... 03-02-2012
  - *Amendment to Sec. 5.2*..... 12-13-2013
  - *Comprehensive review/amendments* ..... 08-08-2014
  - *Amendment to Sec. 7.1.a*..... 10-14-2016
- 

**Section 1 Introduction.**

This policy statement shall guide the investment of the subset of institutional funds known as the Short/Intermediate Term Investment Fund (“SITIF”) of the Texas Tech University System (“TTU system”). As a pooled fund for the collective investment of the TTU system’s operating funds, the SITIF will consolidate cash and reserve balances to optimize system-wide liquidity management, improve diversification, and increase efficiencies with regard to investment pricing, custody, and administration.

All institutional funds not invested in the Long Term Investment Fund (“LTIF”) will be invested in accordance with this policy statement, excluding bond proceeds and certain gifted assets.

**Section 2 Roles and Responsibilities.**

- 2.1 **Board of Regents (the “Board”).** The Board will establish the investment [policies] policy, return objectives, risk tolerance, [broad-asset] pool allocation ranges (as defined in Section 4), and monitor performance. In addition, the Board will hire consultants, as necessary, to advise on the management of these funds. [Authority] The Board grants the authority to manage the SITIF in accordance with this policy [is granted] to the Vice Chancellor and Chief Financial Officer of the TTU system.

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- 2.2 **Vice Chancellor and Chief Financial Officer of the TTU system (“CFO”).** The CFO shall manage all operating funds in accordance with this policy under the oversight of the Finance and Administration Committee of the Board. The CFO is responsible for all cash management activities, and is authorized to set [asset] pool allocation targets within pre-approved ranges [~~select and terminate external investment managers, and execute security transactions~~]. The CFO [~~shall~~] may delegate [~~certain~~] investment and transaction responsibilities [~~for cash management and investment transactions~~] of the Cash Pool and Short Term Pool to the Assistant Vice Chancellor of Treasury [~~& Cash Management~~]. The CFO may delegate investment and transaction responsibilities of the Intermediate Pool to the Chief Investment Officer (“CIO”) under the guidance of the Investment Advisory Committee (“IAC”).

[~~At his or her discretion, the~~] The CFO [can] will establish an Operating Funds Investment Committee, comprised of financial officers from various system components. This committee will provide advice, guidance, and oversight for the management of operating funds.

- 2.3 **Operating Funds Investment Committee (“~~Committee~~ OFIC”).** The [~~Committee~~] OFIC will meet periodically to provide guidance and oversight regarding overall SITIF investment policy and strategic direction. [~~Also, the Committee must approve staff recommendations on asset allocation, investment structure, and external investment manager selection and termination.~~]

The CFO and the [~~Associate Vice Chancellor and Chief Investment Officer~~] Assistant Vice Chancellor of Treasury will be permanent members of the [~~Committee~~] OFIC. Other members will be appointed at the discretion of the CFO.

- 2.4 **Investment Advisory Committee (“IAC”).** The CFO may grant the IAC authority to provide guidance and oversight regarding Intermediate Pool asset allocation and investment. The IAC will have the ability to delegate asset allocation and/or investment decisions to the CIO.

The IAC is comprised of persons as described in Section 01.02.8(f), *Regents’ Rules* (the Bylaws of the Board of Regents of the TTU system).

- 2.5 [~~2.4~~] **Assistant Vice Chancellor of Treasury [~~& Cash Management~~] (“Treasurer”).** The Treasurer, under the supervision of the CFO, is charged with implementing and administering [~~this investment policy statement~~] the Cash Pool and Short Term Pool (defined in Section 4) in line with the rules and guidelines set forth in this Investment

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Policy Statement. The Treasurer is responsible for day-to-day portfolio management activities, investment [manager] vehicle recommendations, and operating procedures. In addition, the Treasurer shall be responsible for:

- a. Monitoring [external and internal asset managers] and reporting on the performance of investments in the Cash Pool and Short Term Pool.
- b. Recommending new investment managers and vehicles to the CFO and [Committee] OFIC.
- c. Evaluating the effectiveness of policies, procedures, objectives and strategy, and proposing, when appropriate, modifications for recommendation to the [Committee] IAC and the Board.
- ~~d. Providing quarterly reports to the Finance and Administration Committee of the Board.]~~

**2.6 Chief Investment Officer (“CIO”).** The CIO, under the supervision of the IAC, is charged with implementing and administering this investment policy statement in regards to the Intermediate Pool (defined in Section 4). The CIO is responsible for day-to-day portfolio management activities and operating procedures.

The CIO, in conjunction with the consultant, is authorized to hire managers, absent a majority negative consent from IAC members within 5 business days. The CIO is authorized to redeem from a manager. In addition, the CIO shall be responsible for:

- a. Monitoring external investment managers of the Intermediate Pool.
- b. Reporting performance, investment manager and fund updates to the IAC on a quarterly basis.
- c. Evaluating the effectiveness of policies, procedures, objectives and strategy, and proposing, when appropriate, modifications for recommendation to the IAC and the OFIC.

**2.7 [2.5] Investment Consultant.** The investment consultant’s primary responsibility is to provide independent information and advice to the Board, CFO, [Committee] OFIC, [Treasurer] IAC, and staff. Within its broad scope of services, the consultant will focus on the following:

- a. Investment policy development;



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- b. Strategic asset allocation studies;
- c. Assist in manager searches and selection;
- d. [~~e.~~] External investment manager due diligence;
- e. [~~d.~~] Monitor investment performance; and
- f. Provide investment education.
- g. [~~e.~~] Performance measurement and reporting with the assistance of the reporting administrator.

**2.8 [2-6] External Investment Managers.** External investment managers will invest SITIF assets in accordance with established guidelines but will apply their own judgment regarding security selection. External investment managers will be given full discretion, within established guidelines and policy limits, to select individual securities, and diversify their portfolios.

### Section 3 Investment Objectives.

The investment of funds for the SITIF shall provide incremental return to assist in meeting the operating needs of the TTU system. The SITIF shall employ a total return philosophy. [~~Under such a concept, realized gains and losses will be recorded.~~]

#### 3.1 Investment objectives of the SITIF.

*The plan is to, as soon as possible, divide the SITIF into two separate investment policy statements – one for the Cash and Short Term Pools and another for the Intermediate Term Pool. Separate policy statements then will allow each Pool to address its own very different investment objectives.*

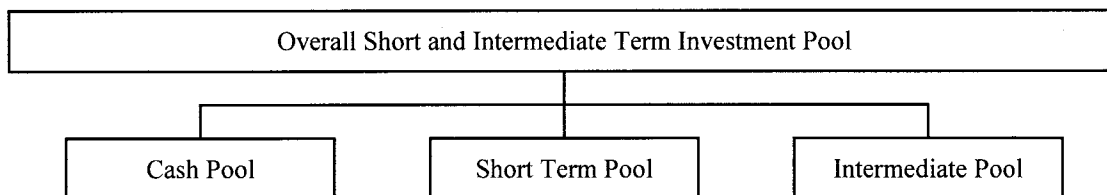
- a. The investment of funds shall consider asset diversification, total return, suitability, and the experience, quality, and capability of investment personnel. [~~It will~~] The total fund and each pool shall consider the relevant investment horizon and shall be governed by the following investment objectives, in the following order of priority:
  - (1) preservation and safety of principal;
  - (2) liquidity; and
  - (3) return.
- b. In determining whether the objectives in Section 3.1.a have been met, the following shall be taken into consideration:
  - (1) The investment of all funds, rather than a consideration as to the prudence of a single investment, [~~and~~]

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- (2) Whether the investment decision was consistent with this written policy.

#### Section 4 Investment Structure.

SITIF assets will be segmented into three tiers of liquidity based on the cash flow requirements of the TTU system.



The approved liquidity tiers and a general investment strategy for each are as follows:

- 4.1 **Cash Pool (Tier 1).** The ~~[cash pool]~~ Cash Pool is designed to meet the current operating needs of the TTU system. This tier is expected to offer the highest level of liquidity and protect the nominal value of principal. Funds should be available on a daily basis. These funds will be invested primarily in high quality money market funds or other instruments widely considered as cash equivalents, such as collateralized bank deposits, local government investment pools, and fully collateralized repurchase agreements.
- 4.2 **Short Term Pool (Tier 2).** The ~~[short term pool]~~ Short Term Pool is a contingency fund designed to provide a margin of safety in the unlikely event that the ~~[cash pool]~~ Cash Pool is insufficient to meet any current or unplanned expenditures. A secondary objective is to provide enhanced financial flexibility during any unexpected market disruptions, when commingled funds can be susceptible to redemption risk. This tier will seek preservation of capital and incremental investment income above money market fund yields. These funds will be invested only in fixed income securities issued by the United States government, or its agencies and instrumentalities, or the highest quality commercial paper. Only securities with maturities ranging between overnight and three years are eligible.
- 4.3 **Intermediate Pool (Tier 3).** The ~~[intermediate pool]~~ Intermediate Pool is a longer-term reserve fund designed to cover the needs of the TTU system over a time horizon of five years or greater. As such, these assets will be invested with a total return objective. This pool has an investment objective of growth with income, and will be invested in a diversified asset mix of liquid or semi-liquid securities. This pool will be more broadly diversified than either the ~~[cash pool]~~ Cash Pool or the ~~[short term pool]~~ Short Term Pool and will be structured to generate a higher return over longer periods while ~~[remaining]~~ retaining a profile that will be liquid enough to serve as a

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source of funds under extreme circumstances. Because of the very low likelihood that these funds would be needed to meet cash flow requirements, a greater degree of principal risk is acceptable in order to obtain a higher return.

The ~~[intermediate pool]~~ Intermediate Pool may be invested in any asset classes approved by the ~~[CFO and Committee]~~ IAC.

The ~~[intermediate pool]~~ Intermediate Pool, where possible and appropriate, can use the same external investment managers as the LTIF to take advantage of economies of scale and to achieve the most efficient use of staff resources. ~~[However, given the need for greater liquidity, commingled funds with illiquid assets and lock-up periods longer than one year are inappropriate for this tier.]~~

**Section 5 ~~[Asset]~~ Pool Allocation.**

~~[Asset]~~ Pool allocation ~~[is the primary determinant of investment performance and]~~, subject to the ranges specified herein, is the responsibility of the CFO, in consultation with the ~~[Committee]~~ OFIC. Changes to the asset allocation ranges and limitations are the responsibility of the Board and may be changed from time to time based on the economic and investment outlook.

5.1 **Allocation of Assets by Pool.** The allocation of operating funds among the ~~[cash pool, short term pool, and intermediate pool]~~ Cash Pool, Short Term Pool, and Intermediate Pool is the responsibility of the CFO.

5.2 **Target ~~[Asset]~~ Pool Allocation and Permissible Ranges.**

Table 1 – Asset Allocation by Pool

<b>Segments</b>	<b>Target Allocation</b>	<b>Permissible Ranges</b>
Cash Pool	10%	10% – 30%
Short Term Pool	40%	25% – 50%
Intermediate Pool	50%	30% – 70%

5.3 **Changes to ~~[Asset]~~ Pool Allocation.** The Board will approve any changes to the permissible ranges for each segment. The CFO is responsible for determining the appropriate asset allocation within each pool.

**Section 6 Rebalancing.**

6.1 **Rebalancing.**

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- a. It is the intent of the Board that the asset allocation for the SITIF remains within the permissible ranges and that the portfolio shall be rebalanced when the allocation deviates significantly from these ranges. Contributions to the SITIF should be applied to, and payments by the SITIF withdrawn from, asset classes in such a way so as to bring the asset allocation back toward its target ranges.
- b. The minimum and maximum allocations should not be exceeded, except in unusual circumstances. Rebalancing may occur before these limits.
- c. Intermediate Pool funds accounting for less than or equal to 5% of the Pool's asset value may be withdrawn upon the request of the CFO with 3 business days' notice. Withdrawals in excess of the 5% threshold will require up to 30 days' notice and 90 days for distribution.

## Section 7 Guidelines for Investments.

In today's rapidly changing and complex financial world, no list of types of categories of investments can provide continuously adequate guidance for achieving investment objectives. Any such list is likely to be too inflexible to be suitable for all market environments in which investment decisions must be made. Therefore, it is the process by which investment strategies and decisions are developed, analyzed, adopted, implemented, and monitored, and the overall manner in which investment risk is managed, which determines whether an appropriate standard of reasonableness, care, and prudence has been met for these investments.

The following list is indicative of the investment classes which are appropriate for each pool based on return objectives and liquidity requirements. It should not be construed as an exhaustive list of "allowable" asset types. Security types and/or strategies not specifically enumerated, but which the [Committee] OFIC determine are appropriate, may also be held.

- 7.1 **Cash Pool.** The [~~cash pool~~] Cash Pool will be invested primarily in money market funds and other cash instruments:
- a. Any money market fund or mutual fund that is AAA rated, or its equivalent, by at least two nationally recognized rating services. All funds in this category must be offered at a constant \$1.00 net asset value and comply with the diversification, quality, liquidity, and maturity requirements of SEC regulation 2a-7 under the Investment Company Act of 1940.
  - b. Collateralized bank deposits with a state or national bank domiciled in the State of Texas, provided:

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- (1) Such deposits must be insured by the Federal Deposit Insurance Corporation or its successor, with the remainder fully collateralized as required in the *Texas Education Code*, except that surety bonds are not authorized as collateral. The pledged collateral shall be placed in a custodian bank or banks named by the TTU system. Deposits will be collateralized in an amount equal to or greater than 102% of the amount of funds on deposit at the bank. In no event will the custodian be affiliated with the depository bank.
  - (2) On any given day, no depository bank shall have SITIF funds on deposit in an amount that exceeds any one of the following limits:
    - (a) 25% of the total funds available for investment by the TTU system;  
or
    - (b) based upon the bank's latest regularly published statement of financial condition: 15% of its total deposits; or an amount equal to the sum of its capital, permanent surplus, retained earnings, and reserves.
  - (3) The limitations in Section 7.1.b of this policy statement shall not be construed to establish a commitment and/or guarantee on the part of the TTU system to deposit any particular amount in any one bank.
- c. Local government investment pools, which are specialized money market funds designed to offer a convenient and cost-effective investment vehicle for public entities.
- d. Repurchase agreements.
- (1) For the purpose of this policy, a repurchase agreement is an investment transaction between an investor and a bank or securities dealer, in which the bank or dealer agrees to sell a particular instrument to the investor and simultaneously agrees to repurchase that investment at a certain date in the future at a market value of not less than the principal amount of the funds disbursed.
  - (2) A fully collateralized repurchase agreement is an authorized investment if the repurchase agreement is secured by U.S. Government Securities and require the securities being purchased to be pledged to the TTU system and deposited at the time the investment is made with a third party selected and approved by TTU system. The value of all collateral shall be maintained at 102% of the notional value of the repurchase agreement (valued daily). Repurchase agreements must be placed through a primary

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government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas.

- (3) There shall be no limitation on the amount invested, provided the vehicle is collateralized by U.S. government securities.
- (4) Reverse repurchase agreements are not permitted.

7.2 **Short Term Pool.** The ~~[short-term pool]~~ Short Term Pool will be invested in the following types of securities with maturities of 36 months or less.

- a. Obligations issued or guaranteed by the United States Federal Government, United States Federal Agencies, or United States government-sponsored corporations and agencies.
- b. “Prime quality” commercial paper with a maturity of one year or less, issued by domestic corporations (corporations organized and operating under the laws of the United States or any state thereof) provided that the issuing corporation, or its guarantor, has a short-term debt rating of no less than “A-1” (or its equivalent) by at least two of the national rating services.
- c. The weighted average duration of the ~~[short-term pool]~~ Short Term Pool should be 24 months or less.

7.3 **Intermediate Pool.** The ~~[intermediate pool]~~ Intermediate Pool will be structured as a total return portfolio. The investment strategy for this pool is that its time horizon, and flexibility, is such as to permit investments in a diversified mix of assets that will collectively offer greater returns than short term fixed income securities. The goal is to diversify investments across multiple asset classes, including equities, which will enhance total return over the long term, while avoiding undue risk concentrations in any single asset class or investment category.

The assets of the ~~[intermediate pool]~~ Intermediate Pool will be invested through external managers and/or commingled funds ~~[approved by the Committee]~~. The CIO, in conjunction with the consultant, is authorized to hire managers, absent a majority negative consent from IAC members within 5 business days. The CIO may terminate an investment manager if necessary and will notify the IAC of the changes.

~~[The Treasurer shall develop investment management guidelines for each external investment manager.]~~

~~All major sectors of the capital markets, with the exception of private equity, should be considered eligible for inclusion in the intermediate pool to diversify and minimize overall risk. Such asset classes may include, but are not limited to, cash instruments,~~

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~~publicly traded equities (U.S. equity, Non-U.S. equity and Emerging Markets equity); U.S. fixed income, Non-U.S. fixed income, high yield, convertible debt, inflation-linked bonds, emerging market debt, publicly traded real estate securities and alternative investments (hedge funds and commodities).]~~

The [~~Committee~~] CIO may recommend and the IAC may [~~select~~] approve any asset class or investment category it believes is appropriate for the [~~intermediate pool~~] Intermediate Pool, subject to the return objectives, risk tolerance, and liquidity needs of the overall [~~SITIF~~] Intermediate Pool.

~~[A report shall be provided each month to the Finance and Administration Committee of the Board of Regents. This report should provide information on actual asset allocation, asset allocation target, and manager performance.]~~

## Section 8 Use of Pooled Funds.

The use of pooled funds (e.g., commingled funds, mutual funds, common trust funds, etc.) is permitted when it is deemed to be in the best interest of the TTU system. These investment vehicles may have investment guidelines that are different than those described in the SITIF policy statement. In these cases, the CFO, CIO, and Treasurer are authorized to review and approve the investment documents, and these guidelines supersede those of the TTU system.

## Section 9 Performance Benchmarks.

A customized total portfolio benchmark will be designed by the investment consultant to measure the overall performance of the SITIF. This benchmark will blend the returns of the three benchmarks specified below, weighted according to the target allocation for each respective tier.

Table 2 – Asset Class Performance Benchmarks

Segments	Benchmark
Cash Pool	Barclays Capital 1-3 Month U.S. Treasury Bill Index
Short Term Pool	[ <del>Barclays Capital 1-3 Year U.S. Treasury Bond</del> ] ICE BofA Merrill Lynch 0-3 Year US Treasury & Agency Index
Intermediate Pool	Customized Benchmark

### 9.1 Return objectives.

- a. The total return goal for each category of investments is expected to match or exceed the performance of the appropriate benchmark index over a rolling three-year period.

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- b. ~~[The performance of each investment manager will be evaluated against a comparable index for its asset class and should outperform that index over a rolling three-year period. Managers underperforming over that period will be considered by the Committee for replacement.]~~ Each investment manager will be evaluated versus a benchmark and/or a peer universe, as defined by the CIO and approved by the IAC. Managers should rank above the median over a rolling three-year period.

## Section 10 Reporting.

The ~~[Treasurer]~~ CIO will prepare quarterly investment reports on the Intermediate Pool, which will be submitted to the CFO, ~~[Committee]~~ OFIC and the Finance and Administration Committee of the Board. The reports will summarize asset allocation, ~~[investment holdings,]~~ liquidity, performance, and risk characteristics.

The Treasurer will prepare quarterly investment reports on the Cash Pool and Short Term Pool, which will be submitted to the CFO, OFIC, and the Finance and Administration Committee of the Board. The reports will summarize asset allocation, liquidity, performance, and risk characteristics.

## Section 11 Selection of Investment Managers.

- 11.1 **External Investment Managers.** The CFO and CIO can appoint external investment managers to invest the SITIF assets under the terms of this policy. Investment managers will be delegated with discretion to manage the assigned assets to best achieve the objectives of the SITIF. Any investment manager hired to invest SITIF assets shall be a registered investment advisor under the Investment Advisors Act of 1940, or qualify to be exempt from registration.
- 11.2 **Manager Selection.** The manager selection process should incorporate review and analysis of the following factors:
- a. Ability of the firm to achieve ~~[SITIF]~~ return and risk objectives of the investment pool.
  - b. Length and quality of experience of key investment professionals.
  - ~~[c. Long-term track record evaluated on both a risk and return basis.]~~
  - c. ~~[d.]~~ Consistency of investment strategy and results.



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- d. [e-] Historical growth of, and future plans for, assets under management.
- e. [f-] Confidence that past performance can be sustained in the future.
- f. [g-] Existence of a clear, concise and effective decision-making process.
- g. [h-] Risk management tools and systems.
- h. [i-] Sufficient organizational depth and continuity of personnel.
- i. [j-] Adequate reporting, administration and back-office support.

## **Section 12 Responsibilities of Investment Managers.**

- 12.1 Invest the assets of the TTU system with the care, skill, prudence, and diligence that a prudent professional investment manager, familiar with such matters and acting in like capacity, would use in the investment of such assets, consistent with the guidelines outlined herein.
- 12.2 Adhere to the investment policies and guidelines prescribed by the TTU system and act in the best interest of the TTU system.
- 12.3 Each investment manager shall have full investment discretion with regard to security selection, consistent with this policy and the manager's established guidelines.
- 12.4 Make no material departures from the strategy for which the manager was hired.
- 12.5 Inform the ~~[Treasurer]~~ consultant and CIO about all significant matters pertaining to the investment of TTU system assets. These matters include the following:
  - a. Substantive changes in investment strategy or portfolio structure.
  - b. Significant changes in ownership, affiliations, organizational structure, financial condition and professional staffing of the investment management organization.
  - c. Any regulatory actions being pursued or taken against the firm or any of its employees.
- 12.6 All investment managers must report their performance on a monthly or quarterly basis, and the reporting methodology must be in compliance with the standards outlined by the CFA Institute.
- 12.7 Seek best price/execution when purchasing or selling securities at all times. Each investment manager must recognize that brokerage is an asset of the TTU system, not

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the investment manager. Also, investment managers must disclose any affiliated brokerage relationships.

- 12.8 Comply with CFA Institute Guidelines on Soft Dollar Standards.
- 12.9 Vote all proxies after careful assessment of the issues involved, with particular emphasis on items that might reduce the economic value of stockholders' rights of ownership and thereby adversely impact the performance of the TTU system's assets.
- 12.10 Meet with the [~~Treasurer~~] CIO and other investment staff on a regular basis, either in person or by teleconference.
- 12.11 Provide the number of new clients and clients that have terminated on a quarterly basis.
- 12.12 Securities or positions in a single company or issuer must not exceed 10% of the investment manager's portfolio measured at market value. However, money market funds and obligations issued by the U.S. federal government are exempt from this restriction.
- 12.13 Securities or positions in any one industry should not exceed 25% of the investment manager's portfolio at market value.
- 12.14 The market value of any single investment manager account may not exceed 10% of the [~~total SITIF~~] applicable pool.
- 12.15 Currency hedging decisions are at the discretion of the manager.

### **Section 13 Spending Policy.**

- 13.1 The Board recognizes the need for distributions to institutional funds comprising the SITIF. Distributions are to be made on a monthly basis.
- 13.2 For the [~~cash~~] Cash Pool and [~~short term pools~~] Short Term Pool of the SITIF, funds to be distributed will be current income earned on an accrual basis.
- 13.3 For the Intermediate [~~pool~~] Pool [~~of the SITIF~~], a spending [~~percentage~~] draw will have to be applied as it is managed on a total return basis. The following spending policy reflects an objective to distribute as much total return as is consistent with overall investment objectives defined herein while protecting the inflation-adjusted value of the principal. The following factors are considered in the spending policy:
  - a. the duration and preservation of the Intermediate [~~pool~~] Pool portion;

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- b. the purposes of the TTU system and the Intermediate [~~pool~~] Pool portion;
- c. general economic conditions;
- d. the possible effect of inflation or deflation;
- e. the expected total return from income and the appreciation of investments;
- f. other resources of the TTU system; and
- g. the overall investment policy.

~~[13.4] In order to provide for stability and predictability in distributions, funds to be distributed from the Intermediate pool will be based on an average of market value. Average market value will be determined at each month end based on the number of months from inception of the Intermediate pool, until the number of months reaches 36. From that point forward, the average will be a 36-month rolling average.~~

~~To provide for timely distributions coinciding with the closing of monthly accounting periods and account for when investment manager statements are normally received, the current month's market value will be determined with a one-month lag after accounting for cash inflows/outflows to the Intermediate pool.]~~

13.4 ~~[13.5]~~ The annual spending percentage applied to average market value shall not exceed 6% nor be less than 2%. The initial annual spending percentage is set at 3% and will be applied monthly by dividing the percentage by 12. The annual spending percentage will be reviewed and set each year by the [~~Operating Funds Investment Committee~~] OFIC based on inflation expectations and expected return.

#### **Section 14 Management Fee.**

- 14.1 The TTU system will assess and retain an investment management fee at the annual rate of 0.1% of the average market value of the [~~SITIF~~] Cash Pool and Short Term Pool.
- 14.2 The fee will be assessed on a quarterly basis, and average market value will be based on month-end values during the calendar quarter just ended. ~~[As in Section 13.4, Intermediate Pool values will be on a one-month lag, accounting for cash inflows/outflows.] [The fee rate will be reviewed annually, with any recommended changes submitted to the Board for approval.]~~
- 14.3 The Intermediate Pool will be charged an annual management fee of 35bps for fees and expenses associated with the management of the pool.

0.35%

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- 14.4 The TTUS Office of Investments (“TTUS OI”) shall be funded by a management fee assessed upon the endowments of the TTU system and the Intermediate Pool.
- 14.5 The management fee rate shall be reviewed annually by the IAC and the CFO, with any recommended changes submitted to the Board for approval.
- 14.6 If as the result of extraordinary and unexpected circumstances, the annual budgets may be amended by the Board.

### **Section 15 Securities Lending.**

The [SITIF] Cash Pool and Short Term Pool may not participate in securities lending unless approved by the [~~Operating Funds Investment Committee~~] OFIC. For funds managed in a separate account format, the Intermediate Pool may not participate in securities lending unless recommended by the CIO and approved by the IAC. Any authorization for securities lending in separate accounts must be reported in advance to the Board chair, the chair of the Finance and Administration Committee, and the IAC chair. Also, any such authorization shall be reported as an Information Agenda item at the next Board meeting. Commingled funds are exempt from this restriction.

### **Section 16 Amendment of Investment Policy Statement.**

The Board will review and, if necessary, update the SITIF investment policy statement on an annual basis.

### **Section 17 Effective Date.**

This investment policy statement, as amended, was approved [~~initially~~] by the Board on [~~March 2, 2012~~] August 10, 2018, and by the Texas Tech Foundation, Inc. on [~~May 11, 2012~~] \_\_\_\_\_.

*The SITIF investment policy statement will be updated as soon as the Texas Tech Foundation takes action to approve this amended statement.*

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ATTACHMENT 4-B

AMEND SECTION 09.02, *REGENTS' RULES*, REGARDING THE SHORT/INTERMEDIATE TERM INVESTMENT FUND, AS FOLLOWS:

09.02 **Short/Intermediate Term Investment Fund.** The policies for the investment of funds [for] in the Cash Pool, Short Term Pool, and Intermediate Pool of the SITIF shall be those outlined in the INVESTMENT POLICY STATEMENT FOR THE SHORT/INTERMEDIATE TERM INVESTMENT FUND.

~~09.02.1 — Investment authority. The *Texas Education Code* provides that the TTU system shall invest all funds in accordance with the prudent person standard. The prudent person standard requires making investments that prudent investors, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.~~

~~09.02.2 — Investment concept. The SITIF shall employ a total return philosophy. Under such a concept, realized gains and losses will be recorded.~~

~~09.02.3 — Authorized investment officers.~~

~~a. — The chief financial officer is the authorized investment officer. At each August meeting, the board will delegate its authority, as necessary, to authorize and approve the sale, purchase, and transfer of stocks, bonds, and other securities, or authorize investment agreements with approved investment managers, funded with assets that are owned or controlled by the TTU system as part of the SITIF, provided such action is approved by any two of the officers listed below:~~

~~(1) — chief financial officer;~~

~~(2) — Treasurer;~~

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~~(3) — CIO;~~

~~(4) — chief fiscal officers of the component institutions; or~~

~~(5) — designated investment staff.~~

~~b. — One of the following two officers must approve the sale of instruments contributed to the TTU system: vice chancellor for institutional advancement; or legal counsel for institutional advancement.~~

~~09.02.4 — Potential conflicts of interest. An investment officer referenced in Section 09.02.3.a, *Regents' Rules*, is not permitted to have a personal business relationship with an entity seeking to sell an investment to the TTU system. An investment officer referenced in Section 09.02.3.a, *Regents' Rules*, who is related within the second degree of affinity or third degree of consanguinity (see the chart in Section 03.01.8, *Regents' Rules*) to an individual seeking to sell an investment to the TTU system shall file a statement disclosing that relationship. A statement required under this section of the policy statement must be filed with the board and the Texas Ethics Commission.~~

~~09.02.5 — Securities dealer selection.~~

~~a. — The TTU system may rely on the information and advice of securities sales representatives concerning proposed investments, investment timing and pricing. It is essential that the TTU system have sufficient knowledge about the securities firms and personnel with whom they are doing business. Firms that are unwilling to provide complete and timely disclosure of their financial conditions will not be utilized.~~

~~b. — The following will be considered in the selection of securities firms:~~

~~(1) — The ability of the securities dealer to fulfill commitments as evidenced by capital strength, liquidity and operating results. This evidence shall be gathered from current financial data, annual reports, credit reports, and other~~

08/9-10/2018

~~sources of financial information. The securities dealer will exhibit a minimum capital requirement of \$50 million.~~

~~(2) The dealers' general reputation for financial stability and fair and honest dealings with customers.~~

~~(3) Information available from state or federal securities regulators and securities industry self-regulatory organizations, such as the National Association of Securities Dealers, concerning any formal enforcement actions against the dealer, its affiliates or associated personnel.~~

~~(4) A review of the background of the sales representative with whom business will be conducted in order to determine experience and expertise.~~

~~e. A copy of Section 09.02.5, *Regents' Rules*, shall be provided to all securities dealers seeking to conduct securities transactions with the TTU system.~~

~~d. The TTU system shall make reasonable, good faith efforts to include woman-owned and minority-owned businesses in its investment process. For purposes of this policy, a minority-owned business is a business entity in which 51% of the ownership interests in the entity are held by one or more minority group members, and a woman-owned business is a business entity in which at least 51% of the ownership interests in the entity are held by one or more women.~~

~~09.02.6 Investment training. The officers identified in Section 09.02.3.a, *Regents' Rules*, shall attend at least one training session per year that addresses the responsibilities of the investment officers. The training should include education in investment controls, security risks, strategy risks, market risks, and compliance with certain state statutes and this policy statement. The chief financial officer shall be notified of the completion of the required training by the investment officers.~~

08/9-10/2018

~~09.02.7 Internal management reports. Not less than quarterly, the chief financial officer shall prepare and submit to the chair, the chair of the Finance and Administration Committee, the chancellor, and the presidents of the component institutions a report of the status of investments.~~

~~a. The report shall:~~

~~(1) describe the investment position of the SITIF; and~~

~~(2) summarize the following:~~

~~(a) the beginning market value of the reporting period;~~

~~(b) additions and changes to the market value during the period;~~

~~(c) ending market value for the period;~~

~~(d) the book value and market value of investments at the beginning and the end of the reporting period by type of asset invested; and~~

~~(e) the compliance of the SITIF investments as they relate to this policy statement.~~

~~b. The chief financial officer shall, at the beginning of each fiscal year, present a report to the board of the investments of the TTU system during the preceding fiscal year. The report will summarize all investment activity for the year, including total investment income and annual investment rate of return.]~~

09.03 **Long Term Investment Fund (Endowment).** The policies for the investment of funds for the LTIF shall be those outlined in the INVESTMENT POLICY STATEMENT FOR THE LONG TERM INVESTMENT FUND.

*§09.03 provided to illustrate how the LTIF policy is handled in Chapter 09.*



[Reviewed, no changes: Minor revision: Approved by the Board of Regents, May 14, 2010]



## Angelo State University Operating Policy and Procedure

### OP 06.19: Regulations for Performance Evaluation of Tenured Faculty

**DATE:** ~~December 15, 2014~~ Upon approval

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish uniform guidelines and procedures for comprehensive performance evaluations of tenured faculty members.

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

### POLICY/PROCEDURE

#### 1. Background

In accord with VTCA, Education Code, Section 51.942 and the Board of Regents Guidelines for comprehensive performance evaluation of tenured faculty, each faculty member who is tenured at Angelo State University, excluding full-time academic administrators having tenure, is subject to a comprehensive performance evaluation. Each tenured faculty member must undergo a comprehensive performance evaluation once every six years following granting of tenure. The dean of the college initiates the evaluation process by notifying the faculty member of the comprehensive performance evaluation no later than September 1, the evaluation to begin no earlier than February 1 and end no later than May 1, all of the same academic year. The dean of the college simultaneously notifies the PVPAA and the faculty member's department chair. ~~According to a predetermined schedule, the initial evaluation of tenured faculty under this OP shall be completed no later than September 1, 2014.~~

#### 2. Procedures

Standardized procedures, including required peer review, directed toward the professional development of the faculty member will be followed by each department and college. These procedures include:

- a. The comprehensive performance evaluation is to be based on the professional responsibilities of the faculty member in teaching, ~~scholarly activity/creative endeavor,~~ research and creative works, leadership/professional service, administration (when applicable), and clinical service for faculty with clinical responsibilities. The evaluation must include peer review of the faculty member.
- b. Annual performance evaluation materials, including the Faculty Activity Report and Evaluation Form as well as the Department Peer Evaluation Form, conducted under the

[Reviewed, no changes: Minor revision: Approved by the Board of Regents, May 14, 2010]

terms of OP 06.28 Annual Performance Evaluation for Tenured and Tenure Eligible Faculty for the period since the previous comprehensive performance evaluation will comprise the primary elements in the comprehensive review process. For a tenured faculty member's initial comprehensive evaluation under this policy, annual performance evaluation materials for the past six years will be used, ~~including the Faculty Activity Report and Evaluation Form as well as the Department Peer Evaluation Form~~ including the Faculty Activity Report and Evaluation Form, the Department Peer Evaluation Form, and any departmental documents that outline faculty progress towards departmental-level performance criteria as specified in OP 06.23 Tenure and Promotion Standards and Procedures. The faculty member may submit additional supporting documentation as he or she deems relevant for the comprehensive performance evaluation, ~~to include such as:~~

- (1) complete vita, including a summary statement of professional accomplishments;
- (2) statement of professional goals; and
- (3) professional development plan; ~~and.~~
- (4) ~~any other material deemed appropriate by the faculty member.~~

c. The evaluation process will consist of the following steps:

- (1) Evaluation by faculty peers at the department level

The department chair initiates the department peer review process after receiving notification of the required review from the dean. The chair convenes a meeting of the tenured faculty, charges them with evaluating the faculty member, and specifies the date by which deliberations must be completed. The department chair will not participate in the discussion or vote. The tenured faculty will elect one of their number to serve as chair of the committee. The tenured faculty members, excluding the department chair, vote by secret ballot. In cases where the department does not have at least three tenured faculty members, the department chair will request evaluation from tenured members from other departments to provide a review committee of at least three people. The peer review committee is responsible for providing a summary rating (Performing Competently; Not Performing Competently) and providing constructive comments in narrative form when a rating of Not Performing Competently is identified. The elected chair will supervise the counting of ballots and fill out two copies of the evaluation form (Attachment A). The chair will destroy the ballots and forward one copy of the evaluation to the department chair and simultaneously forward the second copy to the faculty member.

A faculty member may meet with the peer review committee prior to its deliberations or upon receiving the committee's evaluation.

- (2) Evaluation by the department chair

The department chair adds his/her evaluation of the tenured faculty member's comprehensive performance (Performing Competently; Not Performing Competently) and provides constructive comments in narrative form when identifying a rating of Not Performing Competently. A copy of this evaluation will

[Reviewed, no changes: Minor revision: Approved by the Board of Regents, May 14, 2010]

be provided simultaneously to the dean and the faculty member. Both the department chair and faculty member will sign the evaluation.

(3) Evaluation by the direct supervisor of administrative duties (when appropriate)

The direct supervisor of a faculty member with administrative duties is responsible for providing a summary rating (Performing Competently; Not Performing Competently) and providing constructive comments in narrative form when identifying a rating of Not Performing Competently (Attachment B). The supervisor will forward simultaneously a copy of the form to the department chair, appropriate dean, and faculty member. Both the supervisor and faculty member will sign the evaluation.

(4) Evaluation by dean of the college

The dean will review each comprehensive evaluation, including that of the peer review committee, department chair, and direct supervisor (when appropriate). The dean adds his/her evaluation (Performing Competently; Not Performing Competently) to the evaluation form (Attachment A), including constructive comments when identifying a rating of Not Performing Competently, and simultaneously forwards a copy to the faculty member and all appropriate materials, including Attachment B if appropriate, to the PVPAA for review.

(5) Evaluation by the PVPAA

The PVPAA reviews all materials, adds his/her evaluation (Performing Competently; Not Performing Competently) to the evaluation form(s), including constructive comments when identifying a rating of Not Performing Competently and simultaneously forwards a copy to the faculty member. The PVPAA forwards written results of all evaluations as well as his/her recommendation to the president.

- d. At each level of review, an opportunity is provided for reconciliation of disagreement. In cases when the Department Peer Review Committee disagrees with the faculty member, reconciliation is left to the department chair. When the findings of the Department Peer Review Committee differ from those of the department chair, the dean of the college resolves the conflict. When the dean's report is in conflict with that of the department chair, the PVPAA is responsible for resolving the disagreement. When the direct supervisor for a faculty member's administrative assignment disagrees with the faculty member, reconciliation is left to the dean or PVPAA as appropriate.

### 3. Due Process and Rights to Appeal

The comprehensive performance evaluation process incorporates commonly recognized academic due-process rights, as specified in the Angelo State University Tenure and Promotion Policy. Due-process rights include notice of the timing, manner, and scope of the evaluation and, before a faculty member may be subject to disciplinary action on the basis of a comprehensive performance evaluation conducted under this policy, notice of specific charges and the right to a hear on those charges. In all such cases the burden of proof shall be on the university. In the case of a disputed peer review, the faculty member may request that additional reviews in writing be solicited from no more than three external specialists in the faculty member's area of teaching and/or scholarly activity/creative endeavor. These outside

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reviewers will be selected by mutual agreement between the faculty member and the department chair. The external specialist reviews shall be included with the evaluation materials forwarded to the responsible academic dean, the PVPAA, and the president and shall be considered in any administrative action that results from the comprehensive performance evaluation process.

#### 4. Actions

A faculty member may be placed in a development program as specified in OP 06.28, Section 3, or other appropriate disciplinary action, or subject to revocation of tenure if incompetency, neglect of duty, or other good cause is determined to be present. If termination is recommended by the appropriate parties as a result of the comprehensive performance evaluation, the faculty member shall be given the opportunity of referral of the matter to a non-binding alternative dispute resolution process as in Chapter 154 of the Civil Practices Code or another agreed upon dispute resolution method undergo developmental planning as specified in OP 06.28 Annual Performance Evaluation for Tenured and Tenure Eligible Faculty or appropriate actions as specified in OP 06.29 Faculty Non-Reappointment and Tenure Revocation. Termination will only be pursuant to conditions, including responsible parties, of the termination procedure specified in the Angelo State University Tenure and Promotion Policy, OP 06.23: Tenure and Promotion Standards and Procedures, Section 10, Termination Review Procedures for Tenure Revocation, Non-reappointment and Termination Cases.

#### 5. Application

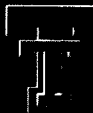
The annual comprehensive evaluation is not waived for any tenured faculty member but may be deferred for one year in the event that the review coincides with the comprehensive review for promotion or appointment to an endowed position. The PVPAA must approve any request for deferment.

#### 6. Notification

A copy of this policy and any amendments will be filed with the Texas Higher Education Coordinating Board on or before September 1 of each year.

*Attachment A: Comprehensive Tenured Faculty Performance Evaluation*

*Attachment B: Comprehensive Administrative Performance Evaluation*




TEXAS TECH UNIVERSITY  
HEALTH SCIENCES CENTER  
EL PASO

Woody L. Hunt School of Dental Medicine

Report on the Feasibility of a  
School of Dental Medicine

August 2018



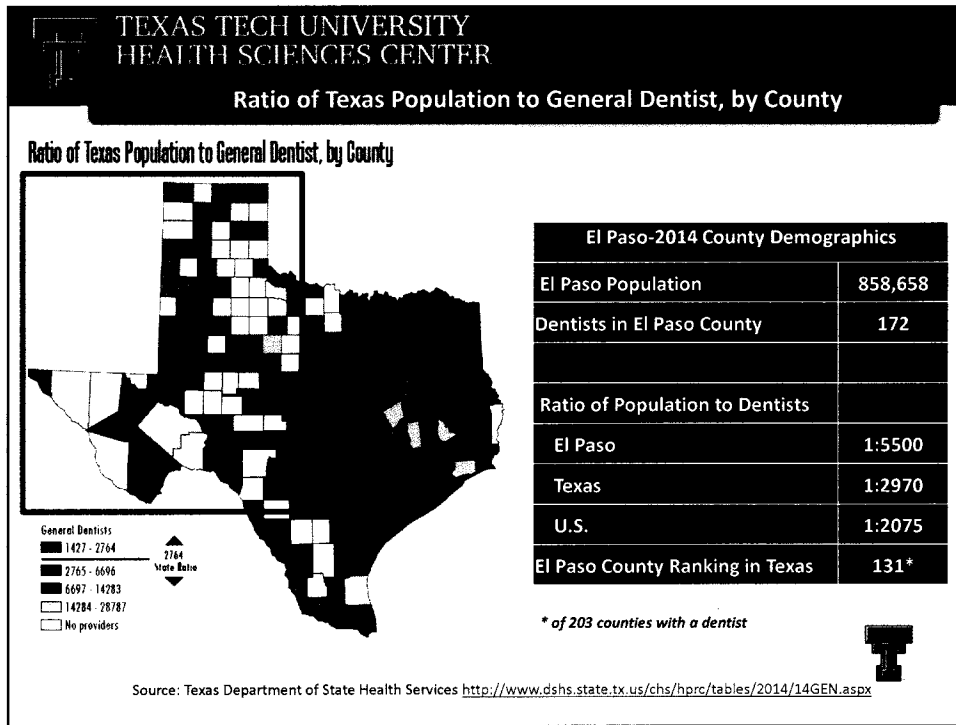
TEXAS TECH UNIVERSITY  
HEALTH SCIENCES CENTER  
EL PASO

## GOALS

**1) Improve the oral health of the people of Texas and the greater El Paso community**

- El Paso County has been designated as a Dental Health Professional Shortage Area by the U.S. Health Resources & Services Administration
- El Paso County's population is 840,410 and growing
- Poor dental care is linked to major chronic medical conditions (heart/lung disease, diabetes, cancer, stroke)
- Poor dental care in children is linked to malnutrition, school absences, and lower academic performance

2



**TEXAS TECH UNIVERSITY  
 HEALTH SCIENCES CENTER  
 EL PASO**

**El Paso Dentist Shortage**

**Dentists per 100,000 population**

- National = 48
- State = 36 (25% shortage)
- El Paso = 21 (56% shortage)

## GOALS

### 1) Improve the oral health of the people of Texas and the greater El Paso community

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### Poor Oral Health Affects Our Military's Readiness and National Security

"A SOLDIER WHO IS DENTALLY READY IS BETTER ABLE TO FOCUS ON AND ACCOMPLISH THEIR MISSION. THE ARMY DENTAL CORPS' FOCUS ON DENTAL READINESS NOT ONLY AFFECTS THE WELL-BEING AND QUALITY OF LIFE OF SOLDIERS, IT DIRECTLY FACILITATES MISSION SUCCESS ON THE BATTLEFIELD." --Army Dental Corps



#### DID YOU KNOW?

- 1 4-F is a classification given to a new U.S. military registrant indicating he or she is "not acceptable for service in the Armed Forces" due to medical, dental or other reasons. The term originated in the Civil War to disqualify recruits who did not have four front teeth with which to tear open gunpowder packages.
- 2 In 2008, nearly all (95.8%) Department of Defense recruits required some type of dental care and over half were considered to be Dental Readiness Class 3 (non-deployable, not medically/dentally ready).
- 3 The most common disqualifier for military service in the 20th century was not flat feet, but military personnel dental health and complications, such as acute necrotizing ulcerative gingivitis ("trench mouth").
- 4 The rampant dental problems of soldiers during World War II led to the National Dental Research Act in 1948. The Act established the National Institutes of Health's third institute, known today as the National Institute of Dental and Craniofacial Research.

#### Sources:

1. Calceira N. 4-F. Unfit for service because of your teeth? Directions in Dentistry, March 19, 2013.
2. 2008 Department of Defense (DoD) recruit oral health survey. Military Medicine, 176(8), August Supplement 2011, p. 1.
3. The military's proud history of oral disease prevention. Inside Dentistry, 7(3) 2011.
4. NIDCR turns sixty. National Institute of Dental and Craniofacial Research. Press release, June 24, 2008.



## GOALS

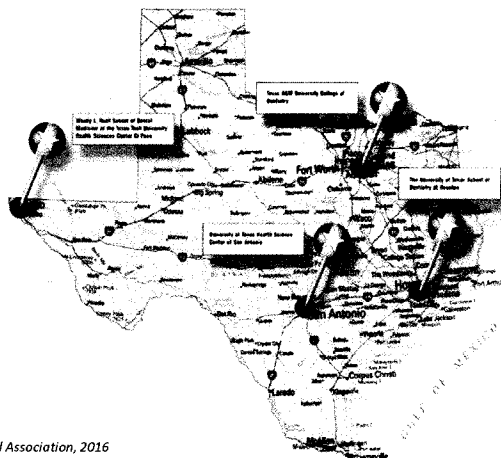
- 2) Address the dental provider shortage in El Paso and West Texas
- 3) Impact disparities in access to oral care in urban/rural and border/non-border regions
- 4) Provide opportunity for qualified students in Texas to attend dental school in Texas

7



## Educational Demand Feasibility Assessment

Existing and Proposed Dental Schools in Texas



Source: American Dental Association, 2016

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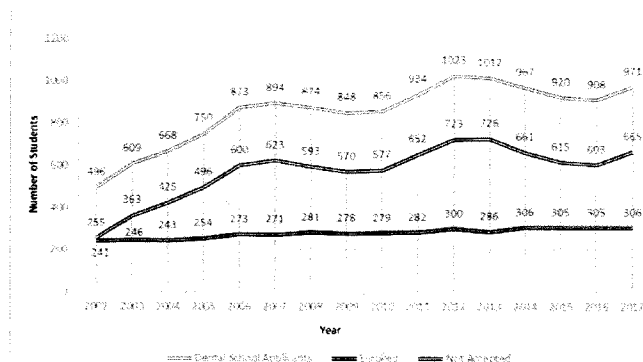


Analysis of data on dental school graduates shows that:

- 86% of Texas dental school students who graduated since 2007 are currently licensed in Texas;
- Approximately 75% of Texas dental school graduates establish their practice in proximity to their dental schools; and
- The ratio of dentists per capita is highest among Texas counties with a dental school.

## Educational Demand Feasibility Assessment

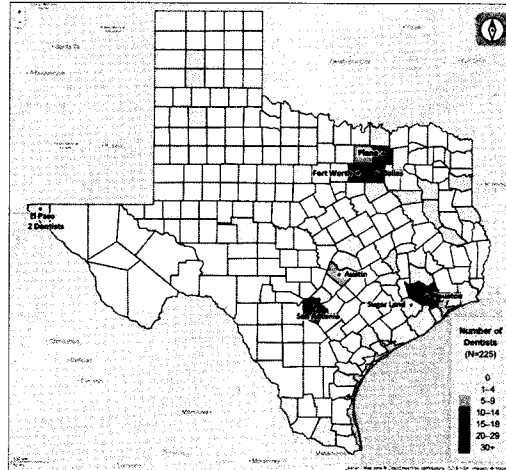
Incoming Class Enrollment Data at Texas Dental Schools





TEXAS TECH UNIVERSITY  
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 EL PASO

Texas Dental School Graduates by Practicing County:  
 Currently Active Dentists, Graduated 2017



Source: Texas Board of Dental Examiners, 2018

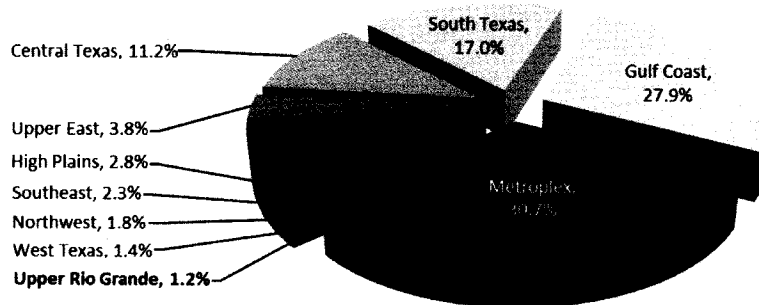
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Workforce Feasibility Assessment

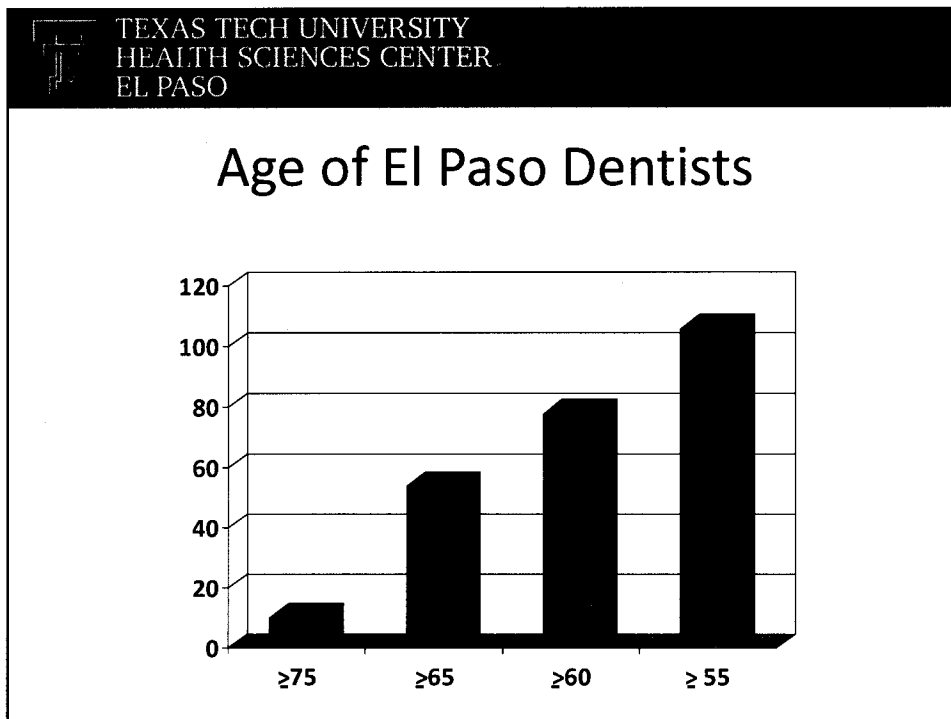
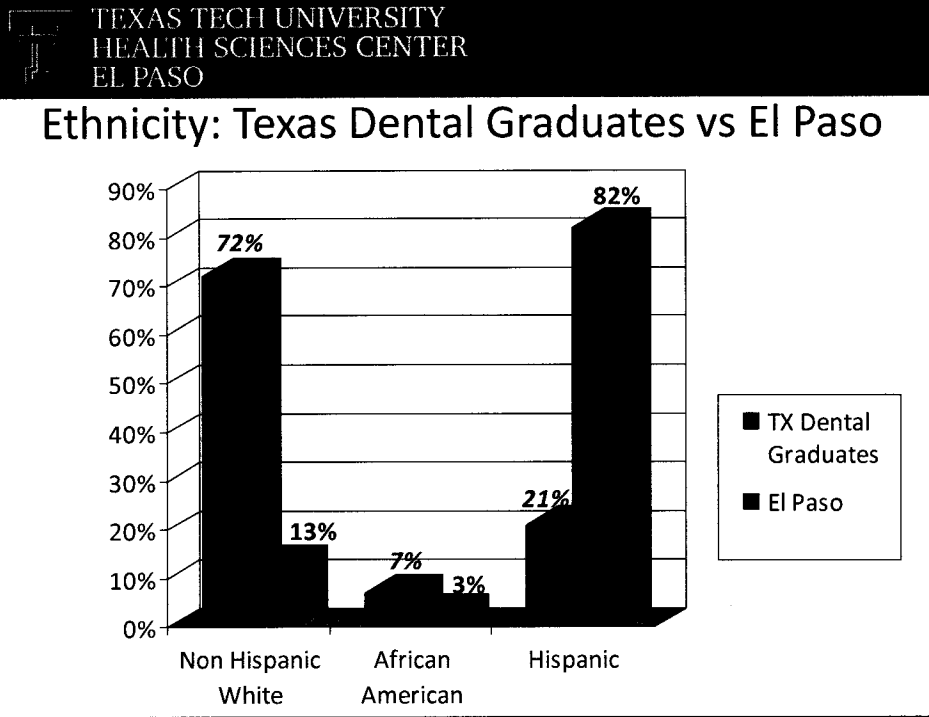
Texas Dental School Graduates by Practice Region

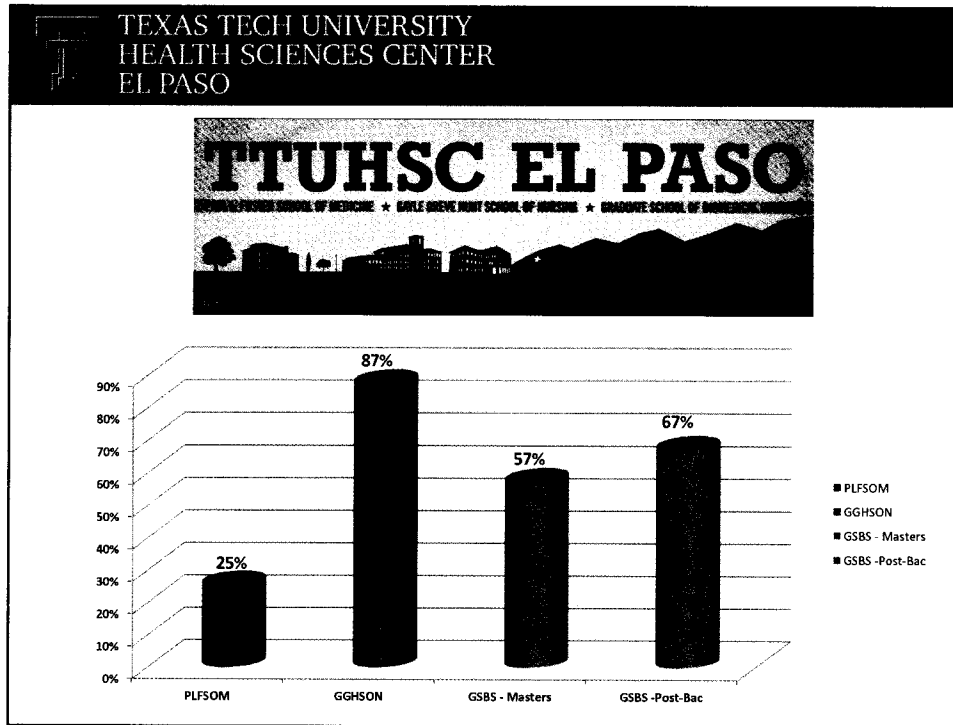


\*N = 9180

Source: Texas State Board of Dental Examiners, 2018

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TEXAS TECH UNIVERSITY  
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## Academic Feasibility Assessment

The WLHSDM mission is:

“...to improve the oral health of the people of Texas and the greater El Paso community by: a) focusing on the unique oral and overall health care needs of the border population; b) demonstrating excellence in education, research and patient care; and c) providing leadership to the practicing community and other area stakeholders.”

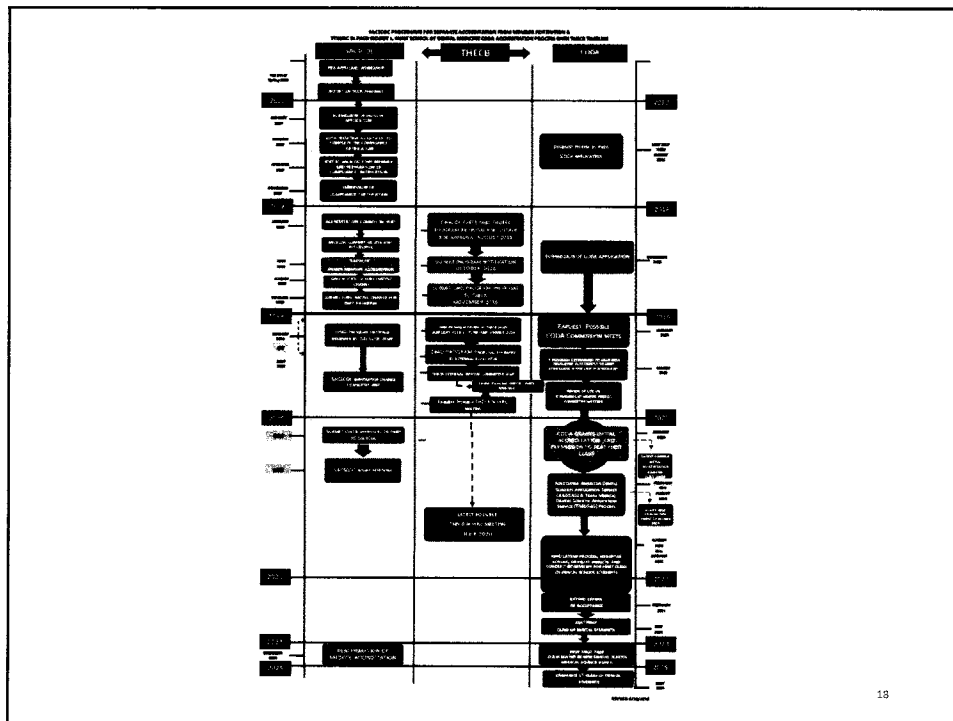
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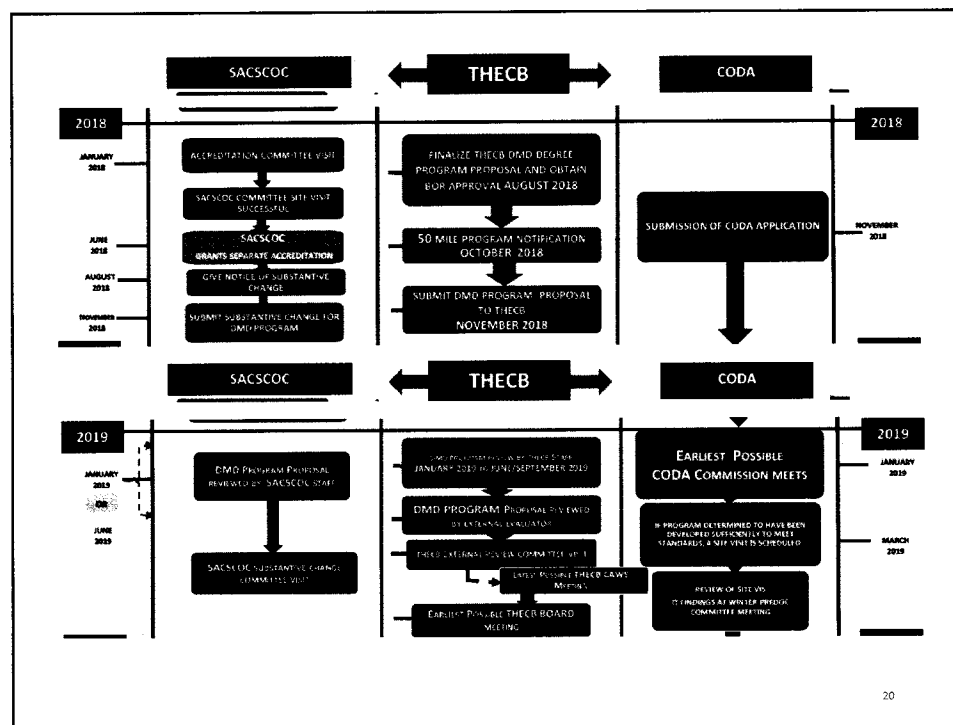
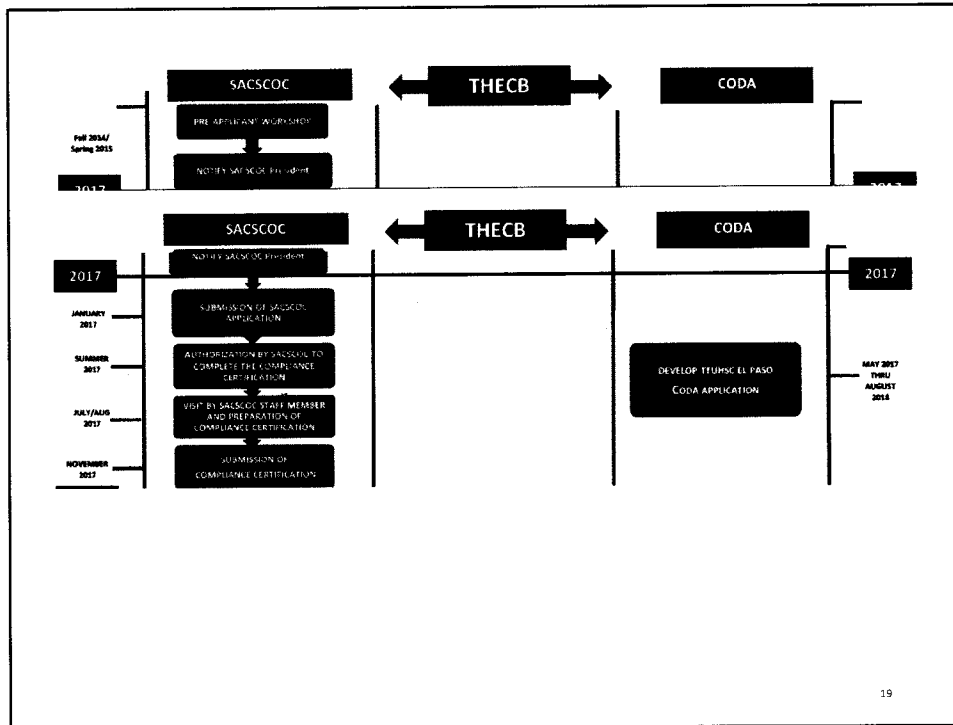


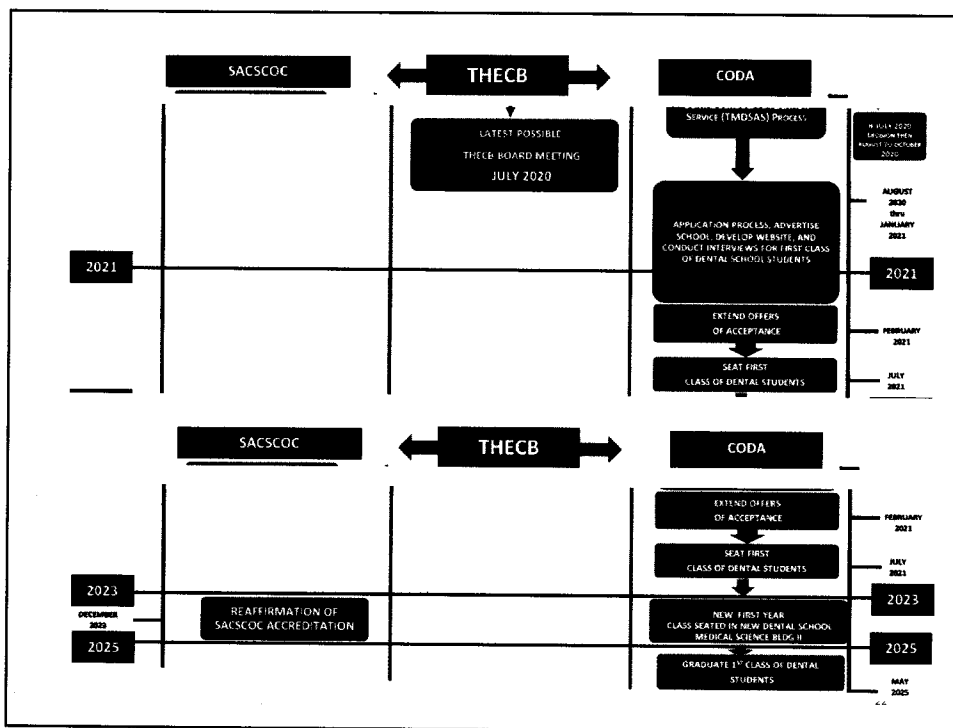
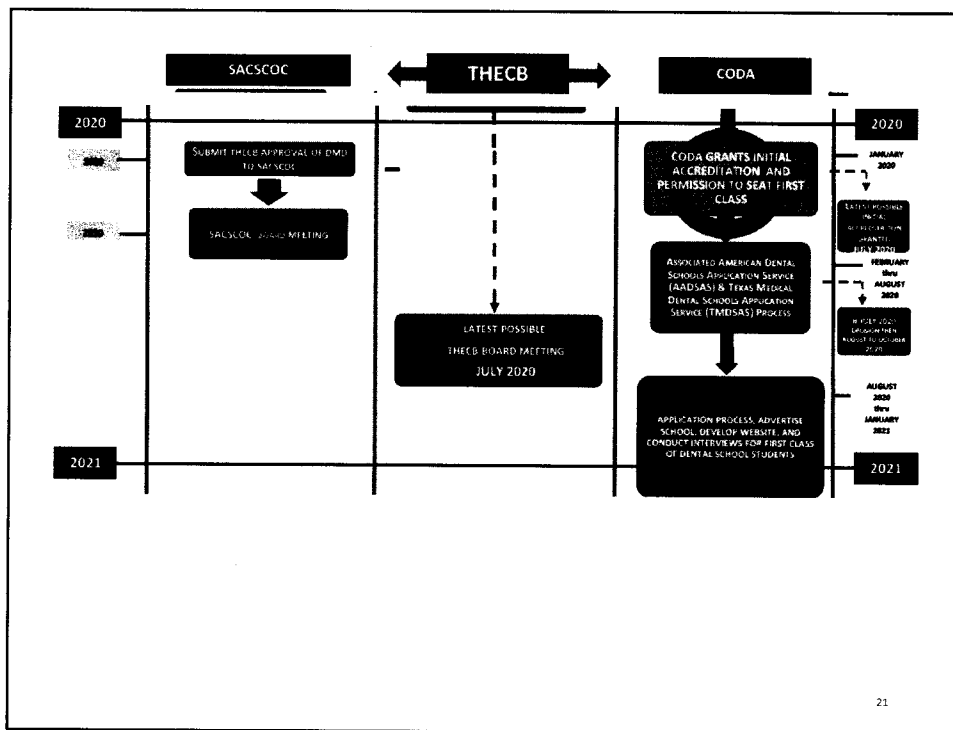
## Academic Feasibility Assessment

The WLHSDM dental education program will be delivered as a four-year academic curriculum, structured along six main domains:

1. Biomedical Sciences
2. Patient Care
3. Communication and Interpersonal Skills
4. Professionalism
5. Health Promotion
6. Practice Management and Informatics







## Conclusion

- Analyses demonstrate a significant need, job market demand and student interest for a fourth dental school in Texas
- TTUHSC El Paso is the first health-related institution (HRI) on the U.S.-Mexico border to be designated as a Hispanic Serving Institution (HSI)
- Our success in recruiting and retaining underrepresented students who practice in Texas has been demonstrated in the PLFSOM





## TEXAS TECH UNIVERSITY SYSTEM

### **2018 Strategic Planning Retreat *Summary Report to the Board of Regents***

Strategic Planning Sessions were conducted in February 2018 in El Paso with presentations from Texas Tech University Health Sciences Center El Paso and Angelo State University. The remaining three entities, Texas Tech University, Texas Tech University Health Sciences Center and the Texas Tech University System, presented during the May 2018 meeting.

Provided below is a summary of the information discussed during the sessions by each component with members of the Board. This document is shared with the Board of Regents and serves as a means for the Board to provide its direction, endorsement and formal adoption of these agreed-upon priorities during the August 2018 meeting.

Upon adoption of this summary report, the Chancellor and Presidents will work to address these priorities over the next year and into the future. 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**

Upon installation of the current administration, the TTU System has advanced a new executive leadership and management model that supports growth into a true system of higher education and discerns the autonomy of each institution, while also upholding accountability, building trust, earning respect and offering support and expertise. The introduction and implementation of sustainable practices and processes has strengthened operations for long-term prosperity and created tremendous harmony, collaboration and momentum to pursue a Broader Vision, comprised by the following strategic priorities for the System:

- **Endowment Growth.** In line with the flagship institution's 100<sup>th</sup> anniversary, benchmarks have been set and strategies are in motion for growing the endowment value to reach \$2 billion by 2023. Since FY 2015, the endowment value has increased more than \$150 million. Achieving this goal would not only enhance the TTU System's prominence, but it would also provide up to \$80 million in annual distributions to the component institutions.
- **State Legislative Program.** The TTU System is preparing for the 86<sup>th</sup> Texas Legislature by advancing an enhanced legislative strategy with additional staff support and engagement from university leadership. As legislative appropriations account for approximately 23 percent of the combined System budget, the TTU System is working to communicate the importance and value of its universities, as well as offer solutions for funding and governing challenges facing higher education.

*Summary Report to the Board of Regents  
2018 Strategic Planning Retreat*

- **Federal and Congressional Program.** A proactive and collaborative federal and congressional program has been established at the TTU System to help its component institutions obtain and sustain significant federal funding and support. While progress is ongoing, the strategy has yielded success in increased exposure and the fulfillment of four federal requests for FY18. For the FY19 funding cycle, the TTU System has submitted and continues to advance its 14 requests, the most in one cycle in System history. Work continues in developing institutional cultures to engage faculty and align strategy with long-term research opportunities and in monitoring timely, near-term opportunities for additional funding and support.
- **Sustained Philanthropy.** In coordination with the component institutions, the TTU System will continue to broaden its philanthropic program as a well-balanced structure that promotes sustainable fundraising through best practices and increases university ownership. More than \$571.4 million (as of July 23, 2017) has been raised during the current administration, and initial development of a System-wide, needs-driven philanthropic fundraising effort is underway to support university growth and prominence. New funding models for Institutional Advancement at the System and university levels are being recommended to support institutional needs and coordinated System services.
- **Budgetary and Fiscal Matters.** Mindful of its resources, the TTU System administration is working to right-size and reform its budget to support its maturity and continued growth, while also minimizing contributions provided by the component institutions. Additionally, new concepts and strategies, such as System Regulations and financing options for donor-funded capital projects, are being introduced to strengthen the System's financial position and maintain superior credit ratings and debt capacity.
- **Impactful Initiatives.** In accordance with its mission, the TTU System continues to support and help advance the development of several impactful initiatives identified as key priorities by its component institutions, including the Woody L. Hunt School of Dental Medicine, the School of Veterinary Medicine, and the Texas Tech Institute of Mental Health, among other areas. With the success of these initiatives, the TTU System will become just the ninth university or system in the U.S. and the first Non-Land Grant Institution to have undergraduate, medical, law, veterinary, nursing, pharmacy and dental education opportunities.

**Texas Tech University Health Sciences Center**

- **Academics - Provide innovative educational programs that prepare students to be competent and caring health care professionals and researchers.**

TTUHSC is focused on promoting innovative approaches in teaching and learning, providing meaningful interprofessional educational experiences for all students, and enhancing personal and professional development in order to graduate students who

will be better prepared professionally and personally for a career in the health care environment.

- **Research - Advance our research portfolio with emphasis on areas of strength and collaboration.**

TTUHSC is focused on developing an infrastructure plan that maximizes resources (i.e. Office of Sponsored Programs, Research Core Labs, Research Lab Space, IT and Library, LARC, etc.) and increases collaboration of research and scholarly activity in areas of strength, as well as exploring novel funding opportunities and other activities to increase research and enhance TTUHSC's visibility and reputation.

- **Service and Outreach - Improve overall health and access to health care for communities in our region through the provision of patient care services and community outreach.**

TTUHSC is focused on providing a positive and collaborative patient experience by leveraging our unique position as a comprehensive academic health care center, as well as making positive impacts through service, outreach and engagement driven by community needs and TTUHSC expertise.

Additionally, we look to further integrate telemedicine/telehealth into our service offerings to broaden access to health care in rural and underserved areas through telehealth services.

- **People - Create a sustainable, values-based culture.**

TTUHSC is focused on redefining our university environment by identifying and integrating values that forge our identity, and on investing in people growth and development to become the employer of choice in each of TTUHSC's markets. Further, we will implement a values-based approach to our recruitment, retention, reward and evaluation processes.

- **Operations - Ensure the operations and infrastructure effectively and efficiently support the mission of the institution.**

TTUHSC is focused on aligning our operations and infrastructure to support the university's core academic, service and research missions. Restructured operational divisions such as External Relations (Institutional Advancement and Communications & Marketing) provide opportunities to strengthen our brand in the health care and higher education markets and work collaboratively with key stakeholders. A new focus in Human Resources will bring about a redefined work environment established on a values-based culture. These along with restructured organization in areas of Finance, Information Technology, Facilities and Safety Services allows TTUHSC to better support the many initiatives carried out on a day-

to-day basis.

Additionally, new construction projects and renovations in existing buildings on all TTUHSC campuses will enhance academic and student support services across the institution.

### **Texas Tech University Health Sciences Center El Paso**

- **Woody L. Hunt School of Dental Medicine (WLHSODM).** TTUHSC El Paso will present a feasibility study to the Texas Higher Education Coordinating Board (THECB) in October 2018. The Legislature has provided authorization and funding to develop the WLHSODM. In June 2018, TTUHSC El Paso received full Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) accreditation, and upon approval from the Board of Regents, TTUHSC El Paso will submit a substantive change request to SACSCOC for the dental degree program. Additionally, we are completing the accreditation application for the Commission on Dental Accreditation (CODA) and will submit it in February 2019, pending approval of the Board of Regents and the THECB.
- **Gayle Greve Hunt School of Nursing.** TTUHSC El Paso continues toward its enrollment goal of 600 nursing students by 2020 and is implementing enhanced recruitment strategies and academic offerings. Additionally, the school's new dean, Stephanie Woods, Ph.D., M.S.N., began July 1, 2018.
- **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).
- **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 the 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 & Construction. The plan will reflect the new Medical Sciences Building II 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 its 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.

### Angelo State University

- **Enrollment, Retention & Graduation.** ASU has achieved record enrollment growth and has seen significant increases in retention and graduation rates.
- **Dual Credit Program.** This program continues to enhance ASU's influence and reputation. ASU is examining ways to maintain momentum and expand success of the program.
- **Academic Quality and Reputation.** ASU continues to evolve its academic programs such as mechanical engineering, health care administration specializations, along with new master's degree programs in social work and professional school counseling. The university is also working to increase its online presence and summer enrollment.
- **Partnership Development.** ASU is working on development of international academic partnerships in Vietnam and Taiwan. ASU is also expanding opportunities with Korea, as well as continuing its partnership with Shannon Clinic.
- **Facility Improvements.** ASU is preparing for campus and infrastructure improvements to accommodate academic growth and student needs, specifically focusing on engineering, housing, the green house and museum.

### Texas Tech University

- **TTU Strategic Plan.** TTU's updated strategic plan entitled "A Foundation for the Next Century," which provides priorities and goals to 2025 was completed last year and a copy was presented to the Board of Regents during a recent board meeting. After vetting the three priorities among focus groups consisting of the campus and Lubbock communities, the priorities were modified as follows:
  - **Educate and empower a diverse student body**
  - **Enable innovative research and creative activities**
  - **Transform lives and communities through strategic outreach and engaged scholarship.**

- **Educate and empower a diverse student body.**

Enhancing student quality is a priority along with the need for enrollment growth to support the expanding needs of the institution, which serves to provide students with the best possible educational experience. TTU has experienced a 30.2 percent enrollment increase over the last 10 years and continues to work on increasing retention and graduation rates, while also planning for an annual growth of approximately 2 percent to ultimately attain an enrollment of 44,500 students by 2025. Due to funding increases by the President's Office and support from the Chancellor's Council, the number of Presidential Scholars and National Merit Finalists has increased. TTU has experienced an increase in Hispanic enrollment of 48 percent in the last five years, which has allowed TTU to achieve status as a Hispanic Serving Institution (HSI). This measure along with increases in the growth of African-American students and first-generation students is a positive factor for our goal to increase TTU's diversity. TTU's regional site enrollment is progressively increasing at a moderate rate. Critical long-term goals by 2025 are:

- Graduate enrollment of 20 percent
- One-year retention rate of 90 percent and 6-year graduation rate of 70 percent
- Every student to have research/creative work or internship experience
- Expand opportunities for nontraditional students through e-learning and regional sites
- Increase the number of minority faculty
- Develop nationally recognized academic programs

- **Enable innovative research and creative activities.**

Recent performance measures include TTU's designated Carnegie Highest Research Activity status, as well as record Total Research Expenditures (TRE) and Restricted Research Expenditures (RRE) and National Science Foundation Higher Education Research Data. Our research commercialization is showing some positive growth in new licenses and patent applications.

Increasing our research expenditures, specifically in the federal sector, continues to be a major focus. Our goal is to achieve \$47 million in STEM Federal Research Expenditures by 2020 and \$120 million in RRE by 2025. These efforts along with continuing to increase publications and citations and doctorate degrees awarded will solidify our status as a top research institution.

TTU will strive to become a leader in:

- Water, land, food and fiber
- Energy
- Health, well-being, and quality of life
- Creative inquiry across the arts, humanities and sciences

To that end, we have recently been awarded a GURI in the amount of \$5 million from

the state of Texas, which TTU will match. This has allowed us to recruit a National Academy of Sciences member who will begin in Fall 2018 and will enhance TTU's national and global recognition. This critical hire will provide the opportunity for additional collaborations with industry. Additionally, we are looking to expand our national partnerships with such entities as Sandia National Lab, Scaled Wind Farm Technology and BP (formerly British Petroleum), and we will be seeking opportunities for educational and research collaborations with Midland-Odessa oil and gas industries.

The Texas Tech Institute of Mental Health (TTIMH) and School of Veterinary Medicine (SVM) are large initiatives which we will continue to work on. We are collaborating with TTUHSC on the TTIMH and have recently hired a director, Keino McWhinney, and the City of Amarillo has agreed to provide a large infusion of funds for the SVM. We continue to fundraise for this initiative.

Our long-term goals (2025) for our research enterprise are as follows:

- Achieve metrics that place TTU in the top 50 for Carnegie publics in TRE, publications, doctorates awarded and faculty awards
  - Achieve status as a top 50 public research universities by the Center for Measuring University Performance
  - Increase invention disclosures, patents and number of start-up companies
- **Transform Lives through Strategic Outreach and Engaged Scholarship.**

TTU will continue to promote an engaged campus community to develop a culture of outreach and engagement that spans the student experience, research and service. We have recently appointed an Assistant Vice President, Dr. John Opperman, who reports to the Provost and has oversight of this unit. They will continue to develop engagement with the community, which will enhance our ability to continue to receive the Carnegie Community Engagement Classification and maintain the APLU Innovation and Economic Prosperity University designation. Our annual assessment of engagement shows that external funding has increased by 40 percent in one year; over one million individuals from communities in 50 states and 89 countries were impacted; and faculty, staff and students were involved in 1,271 partnerships. TTU's goals are to partner with communities in solving complex problems, achieve a sustainable, coordinated outreach scholarship program, enhance communication processes to develop an understanding of this priority, and enhance recognition of faculty and staff who contribute to this priority. TTU's long-term goals include the following:

- Establish outreach and engaged scholarship that results in increases in external research, commercialization and funded activities
- Increase and strengthen collaborative community partnerships that stimulate creativity, innovation and economic development