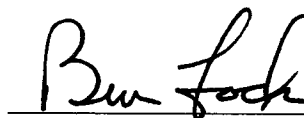


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Attachment 2	TTU Student Handbook and Code of Student Conduct 2019-2020 with proposed revisions
Attachment 3	The TTUHSC El Paso Code of Professional and Academic Conduct of the Student Handbook 2019-2020 with proposed revisions
Attachment 4	ASU Authorize total project budget for the Angelo State University Mayer Museum project (CMR final GMP) PowerPoint
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Attachment 14	TTUS FY 2019 Prioritized Audit Plan

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 8-9, 2019.



Ben Lock
Secretary

SEAL

ANGELO STATE UNIVERSITY

Student Handbook 20198-202019

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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 Southern Association of Colleges and Schools 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.

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 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 President is the principal agency for the investigation and adjudication of Title IX cases while the Office of the Vice President for Student Affairs and Enrollment Management is the principal agency for the administration of student conduct and non-Title IX cases. 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 non-Title IX 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

In non-

Title IX cases aAn 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 may 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 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~~ may be appointed by the Executive Director of Student Affairs, Director of Title IX Compliance, 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 faculty or 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. For a hearing involving B.2. the Director of Title IX Compliance will appoint three (3) Administrative Hearing Officers. For all other student conduct hearings the Executive Director of Student Affairs or designee will appoint three (3) members chosen from the available pool. Typically, a non-Title IX Hearing Panel will be comprised of one student, one faculty member, and one staff member. 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 or Administrative Hearing Officers pool.

7. *Panel Quorum*

A quorum for the Panel Hearing consists of three (3) members. An Alternate is typically appointed and prepared to serve if needed.

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:

- A Representative from the Office of the Director of Title IX Compliance
- 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 Director of Title IX Compliance 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.

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. 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 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 with the Executive Director of Student Affairs or designee, located in 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 is less likely to 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, the Incident Report (IR) will ~~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 non-university agencies/officials such as: 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).

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, sponsoring department, or organization 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~~any Hearing process, 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. 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.

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 Officer 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.

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

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.
- 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 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.

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:

- 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.

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;

- b. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent;
- c. Sexual voyeurism;
- d. Inducing another to expose one's genitals or private areas;
- e. Prostituting another; or
- 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 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.

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, sharing, furnishing, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person~~prescription medications contrary to a valid prescription~~, 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~~prescription medications contrary to a valid prescription, 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, 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.
- i. Selling items including but not limited to: stolen items, student identification cards, and/or any item which may be used as a form of false identification.

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~~ the University 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/

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 Regents' 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)
- i. ASU Athletics

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 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~~ Reporting Party(ies) 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 recurrence, 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, 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 may result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension 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, 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 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.

4. The Conduct Process

a. Notice of Investigation/Notice of Involvement/Notice to Appear

A student will be given notice of his or her investigation in an alleged violation of the *Code of Student Conduct* by the receipt of a "Notice of Investigation/Notice of Involvement" Letter. (**Note: 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 this 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 a non-Title IX

notification to appear letter 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 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 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. The Student Conduct Officer/Investigator will not accept investigative materials, statements, evidence, etc. directly from an advisor and will not communicate with the advisor on behalf of the student. -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 suspended may not serve as an advisor during their suspension, and students who have been expelled may not serve as an Advisor advisors. 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 Conduct Officer/Investigator.

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. If a student chooses not to provide information or provides only limited information during the investigation, they will not be allowed to provide new information during the Hearing. The student will only be permitted to speak to the information that they 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 investigation process which could disadvantage the other party. ***A student's choice not to participate in the investigation process will not stop the investigation or hearing process.***

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.

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.

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 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 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 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 (**Note students are not utilized in a Title IX Hearing Panel*). 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.

5. 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. (*Note: In a Title IX Hearing the Reporting Party must participate in the investigation process and Panel Hearing in order to move forward with disciplinary actions.) 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 Classifications 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 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~~ Simultaneous notification 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~~ Simultaneous 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.*

6. 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, 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 assessment/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-; and/or
- 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.

7. 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. The Hearing Body may provide a response to the appeal upon request of the appellate officer.

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.

8. 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 ~~Ppolicy warning~~ Clarification 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 ~~Ppolicy warning~~ Clarification 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 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, 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

A student organization will be given notice of the organization's investigation in an alleged violation of the *Code of Student Conduct* by receipt of a "Notice of Investigation/Notice of Involvement" letter or direct contact by a Student Organization or Greek Life staff member, the Executive Director of Student Affairs or the Director of Title IX Compliance or his/her designee.

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 investigation process. When an organization leaders are expected to be prompt, cooperative, and forthcoming with information to assist in the inquiry, it can reduce conduct findings and sanctions for review by the Executive Director of Student Affairs or the Director of Title IX Compliance or designee(s). Organizations should be aware that information gathered during this initial contact is documented for use during conduct proceedings the investigation process. Organizations that fail to comply with or respond to a notice issued as part of conduct procedures investigation process and/or fail to appear at a Hearing 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 or Regional Headquarters (if relevant)

In most cases (with the exception of low-level concerns), Greek Life staff will notify representatives of the international 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 and regional organization staff to resolve concerns. These international 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 and regional organizations when recurring 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 Victim’s Advocate, a parent or legal guardian, a relative, or 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. 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;
- e. Know if they have been issued any allegations of misconduct;
- f. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
- g. Know the 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 or regional organization headquarters staff to assist with collaborative investigations.
- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

Student organization responsibilities include:

- j. Be responsive to all communications from the University;
- k. Provide information relevant to the incident or situation;
- l. Be honest and provide true and accurate information during the investigation;
- m. If a student or student organization needs additional time to gather information, please inform your 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.
- 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 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 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 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.

10. Investigation Report is Completed by Conduct Officer/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~~ Clarification will be issued to the organization and the ~~incident~~ file will 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~~ will 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 President and his/her Advisor(s) for the student organization will 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 Conduct Officer/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, the President and his/her Advisor(s) for the 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, the President and his/her Advisor for the 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 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, 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 will be held notwithstanding the student's preference.
- e. In cases requiring a Hearing Panel, the Student Conduct Officer/Investigator will share the list 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

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.

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 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 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 (**Note: The Reporting Party/Parties must participate in the investigation process and Panel Hearing in order to move forward with disciplinary actions*).

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.

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

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 international 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.

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.

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 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 Clarifications 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 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 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 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 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 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, age, disability, 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

Discriminatory Harassment is harassment based on a person's protected class under this policy is a form of discrimination. Unlawful harassment is verbal, 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 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.

- 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 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. 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. 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 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/. 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/.

15. University Health Clinic Complaints

Angelo State University has partnered with Shannon Clinic for the operation of the ASU Health Clinic. The Associate Director of Special Events Facilities and Services, (325-942-2021, oversees the resolution of complaints related to the Health Clinic. Students with Health Clinic complaints may submit concerns to ASU through an online Incident Report Form or directly to Shannon Clinic by visiting <https://shannonhealth.com/contact-us/>.

16. 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

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 hall system includes a variety of living options and affordable housing for approximately 2218 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. Vanderventer 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.

- 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/. Information regarding residence hall policies can be found at:
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, DISCRIMINATION 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 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 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 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, 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 comprised of at least five (5) students enrolled at Angelo State University who voluntarily come together under a common mission. 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 registered by the 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 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 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 & 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 & 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 & 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 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 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 & 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 & 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 for review and a recommendation on registration. After receiving the recommendation of the Student Government Association, 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. 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 five (5) 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. 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 & 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 & 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 & 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 & 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 & Student Activities Programs. After review, the Director of the Multicultural & 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 & 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 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/.

Additionally, the University maintains a consumer information web page with links to data, support services and accreditation information. 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.

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 (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 1st 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 13th class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the 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.
- 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.

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

The term "Policy Clarification" refers to written 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: 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 voluntary, 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 C: SANCTIONING GRID

Violation	Code of Student Conduct Sections	Possible Sanctions Finding
Academic Misconduct	Subsection 1.	
Cheating		Possible Sanctions
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

Plagiarism		
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
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.	B.1.c.	Reprimand-Expulsion
Falsifying Academic Records		
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
Misrepresenting Facts		
Providing false grades, falsifying information on a résumé, 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
Violation of Professional Standards		
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
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	B.1.g.	Reprimand-Expulsion

disadvantage for another student that is not enumerated in items a-f.		
Actions against Members of the University Community and Others	Subsection 2.	Possible Sanctions
Any act, or attempted act, perpetrated against another person or persons including, but not limited to:		
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.2.a.	Reprimand-Expulsion
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:	B.2.b.	
Assault		
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
Threats		
Written or verbal acts that would cause significant distress or fear in a reasonable person or that a reasonable person would interpret as a serious expression of a intent to inflict harm upon any person, group of people, or damage to any property.	B.2.b.2	Reprimand-Expulsion
Intimidation		
An implied threat or act that causes a reasonable fear of harm in another.	B.2.b.3.	Reprimand-Expulsion
Bullying/Cyber Bullying		
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
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,	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>		
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.	B.2.c.1.a.	Probation-Expulsion
<i>Dating Violence</i>		
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.	B.2.c.1.b.	Probation-Expulsion
<i>Public Indecency</i>		

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.	B.2.c.2.	Probation-Expulsion
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.	B.2.c.3.	
Non-Consensual Sexual Contact		
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 these body parts; or any other intentional bodily contact in a sexual manner.	B.2.c.3.a.	Deferred Suspension-Expulsion
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.	B.2.c.3.b.	Suspension-Expulsion
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. b. Purposeful distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent; c. Sexual voyeurism; d. Inducing another to expose one's genitals or private areas; e. Prostituting another; or f. Knowingly exposing someone to or transmitting a sexually transmitted disease without the person's full knowledge and consent.	B.2.c.4.	Deferred Suspension-Expulsion
Sexual Harassment		
Unwelcome verbal, written, or physical conduct of a sexual nature when:	B.2.c.5.	Reprimand-Expulsion

<p>a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;</p> <p>b. Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or</p> <p>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.</p>		
Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;	B.2.c.5.a.	Reprimand-Expulsion
Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or	B.2.c.5.b.	Reprimand-Expulsion
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.	B.2.c.5.c.	Reprimand-Expulsion
Stalking		
<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>	B.2.c.6.	Probation-Expulsion
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.	B.2.d.	Reprimand-Expulsion

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:		
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 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.	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
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 is adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.	B.2.e.	Reprimand-Expulsion
Retaliatory Discrimination or Harassment		
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
Complicity		
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
Alcoholic Beverages	Subsection 3.	Possible Sanctions
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
Narcotics or Drugs	Subsection 4.	Possible Sanctions
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	B.4.c.	Reprimand-Expulsion

other controlled substance that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.		
Smoking/Vaping/Tobacco	Subsection 5.	Possible Sanctions
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
Firearms, Weapons, and Explosives	Subsection 6.	Possible Sanctions
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
Flammable Materials/Arson	Subsection 7.	Possible Sanctions
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
Theft, Damage, Littering, or Unauthorized Use	Subsection 8.	Possible Sanctions
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	B.8.e.	Reprimand-Expulsion

account information and/or personal check, or other unauthorized use of personal property or information of another.		
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
Gambling, Wagering, Gaming, and /or Bookmaking	Subsection 9.	Possible Sanctions
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
False Alarms, Emergency Equipment, or Terroristic Threats	Subsection 10.	Possible Sanctions
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"> • 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. 	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
Failure to Comply	Subsection 12.	Possible Sanctions
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
Abuse, Misuse, or Theft of University Information Systems	Subsection 13.	Possible Sanctions
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	B.13.d.	Reprimand-Expulsion

another user or disrupting the intended use of Angelo State University information systems.		
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
Providing False Information or Misuse of Records	Subsection 14.	Possible Sanctions
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
Skateboards, Rollerblades, Scooters, Bicycles, or Similar Modes of Transportation	Subsection 15.	Possible Sanctions
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: http://www.angelo.edu/services/parking_services/	B.15.	Reprimand-Expulsion

Violation of Published University Policies, Rules, or Regulations	Subsection 16.	Possible Sanctions
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
<u>ASU Athletics</u>	B.16.i	Reprimand-Expulsion
Violation of Federal, State, Local Law, and/or University Policy	Subsection 17.	Possible Sanctions
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
Abuse of the Discipline System	Subsection 18.	Possible Sanctions
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 D: 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 LanguagesA 010
Department of HistoryA 210
Department of Political Science and PhilosophyRAS 213
Department of Security Studies and Criminal JusticeHAR 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 StudiesRAS 227
Department of Management and Marketing.....RAS 212

College of Education

Dean of the College of EducationCARR 104
Department of Curriculum and Instruction.....CARR 151
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.....HHS 202
Department of Health Science Professions.....HHS 222
Department of Kinesiology Ben Kelly CHP 201
Department of NursingHHS 318
Department of Physical Therapy.....HHS 224
Department of Psychology and Sociology.....A 204
Department of Social Work.....HHS 224

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.....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).....	AD 204
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

**TEXAS TECH UNIVERSITY STUDENT
HANDBOOK 2018-2019 2019-2020**

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Services Reporting Concerns
- Section GF: Financial Responsibility
- Section HG: Freedom of Expression
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- Section KJ: Solicitations, Advertisements and Printed Materials
- Section LK: Student Identification
- Section ME: Student Involvement & Representation
- Section NM: Student Organizations
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General Purpose

FOREWARD

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

The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students are responsible for knowing the information, policies and procedures outlined in this document. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the Undergraduate Catalog and other official University publications, as well as the Texas Education Code. Student organizations also agree to follow these standards, rules, and/or policies. The University or its representative may amend this document at any time without notice. ~~Neither this handbook or~~ Neither this handbook nor the Code of Student Conduct constitutes a contract.

The University reserves the right to make changes to this *Code* as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online [<http://www.depts.ttu.edu/dos/handbook/>] for the updated versions of all policies and procedures.

Students are also informed of changes to the *Code of Student Conduct* by electronic notification outlets and/or official campus publications. The Student Handbook was approved by the Board of Regents on May 17, 2018-2019 to be effective Monday, May 21, 2018-2019.

Membership in the TTU Community

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

Texas Tech University Vision

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

Texas Tech University Mission

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

Approved by the Texas Tech University Board of Regents on May 14, 2010.

Texas Tech Statement of Ethical Principles

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

School of Law and Texas Tech University Health Sciences Center

Students enrolled in, and student organizations registered with, the Texas Tech University School of Law are subject to the *Code of Student Conduct*. In addition to the *Code of Student Conduct*, Tech Law students and registered organizations are also subject to the Honor Code of the School of Law. In specific situations, students may find themselves in violation of either the *Code of Student Conduct* or the Honor Code of the School of Law, or both.

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

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

PART I

CODE OF STUDENT CONDUCT

SECTION A: STUDENT CONDUCT MISSION AND POLICIES

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

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

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

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

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

1. Disciplinary Authority

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

The Dean of Students, Managing Director of the Office of Student Conduct and the Title IX

Administrator, herein after referred to as the Managing Director or designee, will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

a. Investigator

An Investigator is a trained University staff member whose role is to conduct a thorough, reliable, and impartial investigation and compile the information that they gathered into an Investigation Report. In most cases heard by a Hearing Panel, the Investigator will present the information and evidence obtained through the investigation to the Panel, which will make a determination of responsible or not responsible and, and assign a sanction. In non-Title IX cases heard through the Administrative Hearing process, or completed via an Informal Resolution, the I

Investigator may issue allegations, may render findings and may issue sanctions. In Sanction Only Hearings for non-Title IX cases, the Investigator will issue allegations and the finding and may issue the sanction(s) but may at times only issue the allegations and the finding.

Investigators are assigned to cases by the Dean of Students, the Managing Director or designee, or Title IX Administrator. Investigators may be staff members in the Office of Student Conduct, or trained staff in other departments such as the Office for Student Rights &and Resolution, the Office of the Dean of Students, Center for Campus Life, and University Student Housing. The investigator may assist the Resource Person or Committee Chairperson during the hearing.

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. In non-Title IX cases, the Administrative Hearing Officer may be the Investigator who completed the Investigation/Investigation Report, or an Administrative Hearing Officer assigned by the Managing Director or designee.

c. Hearing Panel

The Hearing Panel will conduct disciplinary Panel Hearings. The Panel will be composed of full-time faculty members, full-time students, full-time staff, and Administrative Hearing officers.

1. Hearing Panel Appointments

The Managing Director or designee will be responsible for assembling and training the Hearing Panel annually. Students, faculty and staff may apply to serve to serve on the Hearing Panel pool by contacting the Office of Student Conduct. The Hearing Panel will consist of students, faculty, and staff members, according to the following guidelines:

a. Student Recommendations

The President of the Student Government Association, Graduate Student Advisory Council, and the President of the Residence Halls Association, and Associate Academic Deans are invited to make recommendations for student members to serve on the Hearing Panel. Upon recommendation, student members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, selected student members will be appointed by the Managing Director or designee. To be

eligible for appointment, undergraduate students must be considered full-time students, be in academic good standing and have completed 12 hours of Texas Tech University academic credit with a cumulative GPA of at least 2.5, be in good standing with the Office of Student Conduct throughout the semester(s) in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the Panel. Graduate students must be in academic good standing and have completed 6 hours of Texas Tech University academic credit with a cumulative GPA of at least 3.0, and be in good standing with the Office of Student Conduct throughout the semester in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the Panel. A serious history of misconduct could disqualify a student for service. Students must submit a letter of recommendation from a faculty member or administrator from within the University community.

b. Faculty Recommendations

The President of the Faculty Senate and Associate Academic Deans are invited to make recommendations for faculty members to serve on the Hearing Panel. Upon recommendation, faculty members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, faculty members will be appointed by the Managing Director or designee.

c. Staff Appointments

The President of the Staff Senate is invited to make recommendations for staff members to serve on the Hearing Panel. Upon recommendation, staff members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, staff members will be appointed by the Managing Director or designee, in consultation with the Dean of Students. Staff who served as Investigators will not serve as a Resource Person or Panel Member in a Hearing.

d. Administrative Hearing Officer Appointments

An Administrative Hearing Officer may be appointed as member of the Hearing Panel ~~members of the Hearing Panel are appointed by the Managing Director or designee and are selected from the 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 or as the non-voting Resource Person, 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 by the Managing Director or designee. Members may be re-appointed for consecutive one-year terms, but must complete the Hearing Panel training each year.

3. Hearing Panel Composition

For each Panel Hearing, a Panel of three (3) members will be chosen from the available pool by the Managing Director or designee. The Hearing Panel will usually be comprised of one student, one faculty member, and one staff member or

Administrative Hearing Officer. Availability may determine a different composition for the Panel. In cases involving Part I, section B.1 (Academic Misconduct), the Hearing Panel will be comprised only of students and faculty. In cases involving Part I, section B.2 (Actions against Members of the University Community and Others), or other sensitive issues, the Managing Director or designee will appoint three Hearing Panel members~~Administrative Hearing Officers~~ for the Panel. A Hearing Panel Chair may be selected in order to assist the Resource Person in conducting an orderly hearing. A Hearing Panel Chair may not be a student.

4. Resource Person

The Managing Director or designee appoints a Resource Person in each Panel Hearing. The Resource Person is a non-voting participant and assures that University/College procedures are followed throughout the Panel Hearing. The Resource Person is responsible for composing the Panel's decision, assisting the Panel in composing the rationale, assisting the Panel in drafting the decision letter, providing clarification on policy and procedure and providing clarification on appropriate sanctions, if assigned.

5. Removal of a Hearing Panel Member

The Managing Director 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 the Panel. The Hearing Panel member may recuse themselves on a case by case basis if there is a conflict of interest. Additionally, the Complainant or Respondent may request the removal of a Panel Member whose ability to be impartial is in question. The Managing Director or designee will review and approve or deny student requests for removal of a Panel Member.

6. Panel Hearings

The Office of Student Conduct will establish meeting dates and times during which cases will be heard and ~~will also~~will provide for scheduling special meetings as needed. Panel Hearings will be conducted by a subgroup of the Hearing Panel Members.

7. Panel Hearing Deliberation

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

8. Additional Hearing Panel Members

The Managing Director for the Office of Student Conduct 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 disciplinary action within the University. The additional member(s) of the Hearing Panel will complete the same training, have the same duties and Responsibilities, and the same authority as the original Hearing Panel member.

9. Hearing Panel Orientation & Training

Prior to serving in a Hearing, members of the Hearing Panel will be required to participate in an orientation and training program facilitated by the Office of Student Conduct. 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 in conjunction with the Office of Student Conduct, University Student Housing, Dean of Students, and the ~~Associate~~ Vice Provost for Student Affairs. The *Code of Student Conduct* Review Committee will conduct an annual review of the *Code of Student Conduct* and make recommendations to the ~~Associate~~ Vice Provost for Student Affairs regarding omissions, clarifications, constructive changes and other matters relevant to the proper interpretation and operation of the *Code of Student Conduct*. The ~~Associate~~ Vice Provost for Student Affairs will then present the *Code of Student Conduct* for review and consideration by the Board of Regents.

1. Committee Appointment

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

2. Committee Composition

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

- a. Full-time faculty;
- b. Full-time staff;
- c. Full-time undergraduate student(s);
- d. Full-time graduate student(s).

3. Committee Removals

The Managing Director or designee may remove a member from this committee when, in their judgment, the member has failed or refused to serve and perform the duties and functions of this committee.

4. Committee Meetings

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

5. Committee Quorum

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

6. Additional Committee Members

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

2. **Jurisdiction**

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

The University community has developed standards of behavior pertaining to students and to student organizations. Students and student organizations are subject to conduct action

according to the provisions of the *Code of Student Conduct*. The University respects the rights and responsibilities of students and will consider each violation of University policy and each violation of federal, state and/or local law on a “case-by-case” basis and will further attempt to initially use educational options and subsequent intervention and/or prevention options to assist students.

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

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

Proceedings under the *Code of Student Conduct* may be carried out prior to, independent of, concurrent with or following civil or criminal proceedings. Misconduct which may constitute a violation of federal, state, local laws, and/or Texas Tech University policy will be considered a violation of this policy, and will be investigated and adjudicated through the University conduct system and standard of proof. A lack of conviction in any criminal proceeding will not, in and of itself, serve as evidence in a University conduct proceeding. Determinations made and/or sanctions imposed as a result of University disciplinary proceedings will not be subject to change because criminal charges arising out of the same facts that resulted in the violation of University rules were dismissed, reduced, or resolved in favor of or against a criminal law defendant.

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 reenroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied prior to reenrollment eligibility. In the event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student’s degree. -The University reserves the rights to address and adjudicate behavior of previously enrolled students when there is a continued University interest if there is a willful demonstration of violations following a hearing decision.
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The *Code of Student Conduct* may be applied to behavior conducted online, via email, or

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

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

3. **Notice**

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

Student organizations are provided notice through the organization's spokesperson via the notification procedures described above. In most cases, the organization's spokesperson is the President of the organization. However, organizations may appoint an alternate spokesperson to formally represent the organization. A student organization spokesperson must be a currently enrolled Texas Tech University student who is a member of the responding organization. The spokesperson may not be an alumni advisor, chapter advisor, faculty/staff advisor, national or international headquarters volunteer or staff member, or coach. Student organizations may only appoint one spokesperson for each case and must inform the University in the event that the appointed spokesperson is not the President of the organization.

4. **Timelines**

It is recommended that reports of alleged violations of the *Code of Student Conduct* should

be received by the Office of Student Conduct and/or the Office ~~of~~ for Student Rights ~~&~~ and Resolution within ten (10) University working days of the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incidents.

The Office of Student Conduct and/or the Office ~~for~~ of Student Rights ~~&~~ and Resolution will make every effort to complete the process as quickly as possible. 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 file allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online incident report form. The written allegation should describe the action or behavior in question. Individuals may also file a report in person at the Office of Student Conduct, located in suite 211 of the Student Wellness Building. Staff are also available in the Office of the Dean of Students to take initial reports of allegations and assist with conduct processes. The Office of Student Conduct also regularly reviews reports submitted from Texas Tech University faculty and staff, University Student Housing, and the Texas Tech Police Department.

To submit a concern regarding a student organization or to file an allegation of misconduct against a student organization or its members, individuals (faculty, staff, students, organization members, parents, community members or other parties) may complete an online form. Individuals may also file a report in person with the Center for Campus Life, 201 Student Union. Staff are also available in the Office of the Dean of Students and Office of Student Conduct to discuss reports of misconduct against student organizations.

Student organization leaders, members, and/or advisors are encouraged to self-report organization or member behavior, including future events that may be considered violations of TTU policy.

To file allegations of misconduct against a student or student organization that involves gender or sex based harassment, the individual(s) should complete an online incident report form~~incident report form~~. The written allegation should describe the action or behavior in question. Individuals may also file a report in person at the Office ~~for~~ of Student Rights ~~&~~ and Resolution Student Union Building Room 232E.

If after an initial report has been made a student experiences a subsequent concern or continued incident(s) of alleged misconduct, a student may file an additional report pursuant

to the procedures in this section (Part I, section A.6).

7. Confidentiality

Texas Tech University is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support. Information about the TTU Student Counseling Center can be found at www.depts.ttu.edu/scc/.

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

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

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

8. Anonymity

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

9. Family Educational Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued

subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense concerning the final results of a disciplinary Hearing.

NOTE: Additional information on Student Records is available in The Student Handbook, Part II, Section PΘ.

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 student organization's Headquarters, sponsoring department, or organization as appropriate. This otherwise confidential information will not be shared with other students or the Greek community.

Student organization records do not ~~impact~~affect 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, any Hearing process, and/or conduct appeal processes.

11. Reporting Criminally

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

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

~~—In investigations into matters of Actions Against Members of the~~
University Community and Others, all involved parties may be reviewed fall under this amnesty provision.

- ~~_____~~
- 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.
- Students or Student Organizations who voluntarily and in good faith reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident.
- A student may not receive amnesty for reporting the student's own act of hazing of at least one or more others.
- A student may not receive amnesty if the student reports an act of hazing in bad faith or with malice.

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 ~~impart~~influence 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, and other requirements.~~ The Office for Student Rights ~~&and~~ Resolution may also ~~can~~ assist with questions related to amnesty provisions, but the final determination regarding amnesty will be made by the Managing Director of the Office of Student Conduct or designee.

13. **Withdrawal**

A responding student facing an alleged violation of the *Code of Student Conduct* may have a hold placed on their transcript requiring them to contact the Managing Director 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. The University reserves the right to reinstate a student who withdraws at any point during the conduct process.

NOTE: For information pertaining to withdrawing from a course involving Academic Integrity allegations, see Part II Community Policies Section Academic Integrity item d. Withdrawal and Assignment of Grades.

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

2. Actions against Members of the University Community and Others

Any act, or attempted act, perpetuated 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 University operations including the cessation or temporary cessation of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus.~~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 self or others, including but not limited to:

1. Assault

- a. Intentionally, ~~or~~ recklessly, or knowingly causing physical harm to another individual.
- b. Intentionally, recklessly, or ~~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

An act or communication a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon a specific individual(s).

- a. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
- c. A threat, including but not limited to, threats of mass violence, issuing a bomb threat, constructing mock explosive devices, etc., against any person, group of people, or property.

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

Terroristic Threats

~~Any terroristic threat in any form, including but not limited to, threats of mass violence, issuing a bomb threat, constructing mock explosive devices, etc., against any person, group of people, or property.~~

~~3. Intimidation~~

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

4.3. Intimate partner / relationship violence/dating violence

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 to the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse, or the threat of such abuse, and does not include acts covered under the definition of domestic violence, or abuse, verbal or physical, by a person in an intimate and/or dating relationship with another.

- a. Domestic violence is violence committed by a (1) current or former spouse or intimate partner of the Responding Party, (2) person with whom the Reporting Party shares a child in common, (3) person who is cohabitating with the Reporting Party as a spouse or intimate partner, (4) person similarly situated to a spouse of the Reporting Party under state/local law, or (5) any other person against an adult or youth who is protected by that person's acts under the state/local domestic or family violence laws.
- b. a. —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.

5.4. Bullying / cyber bullying

Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of expression will not be considered violations of the *Code of Student Conduct*. NOTE:

Information related to freedom of expression policy is available in Part II, Section QP Use of University Space.

6.5. Stalking

A A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety/safety of others or would cause the 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 the person’s property.

6. Mutual Combat

Any incident between two or more individuals in which violence or the threat of violence is mutual.

NOTE: Claims of self-defense will be evaluated as a mitigating factor on a case-by-case basis and may still be investigated by the Office of Student Conduct.

c. Sexual Misconduct

1. Sexual Harassment

Unwelcome sex-based verbal, written, or physical conduct when: (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education; (2) Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or (3) Such conduct has the purpose or effect of interfering with the individual’s work or educational performance or of creating an intimidating, hostile, or offensive working or educational environment. To constitute an intimidating, hostile, or offensive working or educational environment, the complained of conduct must be either severe, persistent, or pervasive

2. Sexual Exploitation

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

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

3. Public Indecency

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

4. Nonconsensual Sexual Contact

Intentional sexual touching, however slight and with any object or part of one’s body,

of another's private areas without consent. Private area includes butt, breasts, mouth, genitals, groin area, or other bodily orifice.

5. Nonconsensual 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. This can include intentional removing of a condom or other protective measure during intercourse without the consent of the partner.

NOTE: Refer to Appendix B-: 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 primarily 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 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 humiliation, sleep deprivation, exposure to the elements, confinement ~~in a small space~~, personal servitude, ~~or~~ calisthenics.
3. Any activity that involves consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance, other than as described by item 4 below, 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 induces, causes, or requires the student to perform a duty or task that involves coercing a student to consume a drug, an alcoholic beverage, or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, ~~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 Conduct.
6. Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates or alumni of the organization of committing or assisting in the commission of hazing.
7. 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, gender, 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**

Any intentional, adverse action taken by an ~~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.

g. **Complicity or Knowingly Present**

1. Assisting via acts or omissions 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.

~~2. Community and others.~~

~~— Any person who is knowingly present for the commission of a violation of the *Code of Student Conduct* and does not take steps to remove themselves from the location of the violation.~~

~~3.~~

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

3.4. Alcoholic Beverages

Unlawful or unauthorized possession, use, distribution, delivery, or sale of alcohol and/or public intoxication; consumption that endangers oneself; or operating a vehicle while intoxicated or under the influence of alcohol.

4.5. Narcotics or Drugs

Possession, use, sharing, furnishing or distribution of illegal drugs, intoxicants, controlled substances and/or drug paraphernalia; including the distribution, use or possession of prescription medications contrary to a valid prescription; being under the influence of illegal drugs, intoxicants, and/or controlled substances.

5.6. Smoking or Vaping

Smoking or vaping in unauthorized areas on University property as designated by the

Texas Tech University smoke-free and tobacco-free environment policy.

6.7. Firearms, Weapons and Explosives

Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals or use of any item, in a manner that attempts to harm others.

NOTE: *See Texas Tech University Operating Policy related to Campus Carry at <http://www.depts.ttu.edu/opmanual/> and University Student Housing Contract Guide for specific approved devices allowed in the residence halls.*

7.8. Flammable Materials/Arson

- a. Use of items or materials to ignite, spread, or intensify flames for fire, or the attempt to ignite, spread, or intensify flames for fire, except as expressly permitted by University officials, such as the Outdoor Events Coordinating Committee.
- b. Attempting to ignite and/or the action of igniting University and/or personal property on fire either by intent or through reckless behavior that results, or could result, in personal injury or property damage of University premises.

8.9. Theft, Damage, Littering or Unauthorized Use

- a. Attempted or actual theft of property or services, including, but not limited to property or services of the University, other University students, other members of the University community, campus visitors or others.
- 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 including, but not limited to property owned or leased by the University, by other University students, by other members of the University community, by campus visitors or others
- 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, campus visitors, or others.
- e. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, eRaider account information and/or personal check, or other unauthorized use of personal property or information of another.
- e.
- f. 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.
- g. Alteration, forgery or misrepresentation of any form of identification.
- h. Possession or use of any form of false identification.
- i. ~~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.~~
- j.i. Selling items including but not limited to: stolen items, student identification cards and/or any item which may be used as a form of false identification.

9.10. Gambling, Wagering, Gaming and/or Bookmaking

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

11. False Alarms or Terroristic

10. Intentional sounding of a false fire alarm or falsely reporting an emergency. The destruction or activation of fire sprinklers, filing false police reports, or improperly possessing, tampering with, or destroying fire equipment or emergency signs on University premises. Threats

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

11.12. Unauthorized Entry, Possession or Use

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

12.13. Failure to Comply

- a. Failure to comply with reasonable directives of a University official acting in the performance of their duties.
- b. Failure to present student identification on directive or identify oneself to any University official acting in the performance of their duties.
- c. Failure to comply with the sanctions imposed by the University ~~an Investigator~~ under the *Code of Student Conduct* the Student Handbook.

NOTE: Examples include but are not limited to directives from the Office of the Dean of Students staff, Office of Student Conduct staff, Title IX staff, University Student Housing staff, Texas Tech University Police Department, Athletic staff, and others.

13.14. Abuse, Misuse, or Theft of University Information Resources

"Information resources" means procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors (as defined by Texas Government Code §2054.003(7).) Per Texas statutes, TTU information

resources are strategic assets of the state of Texas that must be managed as valuable state resources. Unauthorized use of University information resources is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the *Code of Student Conduct*. Usage of TTU information resources may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information resources, regardless of location or method of access, is also subject to the Information Technology Security Policies (<http://depts.ttu.edu/infotech/security/>), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information resources includes, but is not limited to the following:

- a. Unauthorized use of University information resources including, but not limited to, confidential and/or sensitive information and passwords, including the unauthorized sharing of confidential and/or sensitive information or passwords with individuals who have not been granted access to University information resources.
- b. Use of University information resources:
 1. 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).
 2. To violate Part I, Section B.2 of the *Code of Student Conduct* (Actions against Members of the University Community and Others).
- c. Attempted or actual:
 1. Breach of the security of another user's account and/or computing system, depriving another user of access to TTU information resources, compromising the privacy of another user or disrupting the intended use of TTU information resources.
 2. Use of TTU information resources to interfere with the normal operation of the University.
 3. Use of TTU information resources for unauthorized political or commercial purposes, or for personal gain. This includes email signatures that promote personal or commercial gain or political agendas.
 4. Destruction, disruption, or modification of programs, records, or data belonging to or licensed by the University or another user, or destruction of the integrity of computer-based information using TTU information resources.
- d. Use of TTU information resources to interfere with the normal operation of the University.
 1. Use of TTU information resources for unauthorized political or commercial purposes, or for personal gain. This includes email signatures that promote personal or commercial gain or political agendas.
 2. Destruction, disruption, or modification of programs, records, or data belonging to or licensed by the University or another user, or destruction of the integrity of computer-based information using TTU information resources.
- e. 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 explicit approval by the TTU official processes regarding academic ethical issues. Discovery of obscene material, including child pornography, on any TTU information resource must be reported to the Information Security Officer or Chief Information Officer immediately.

- f. 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 relationship) using TTU information resources.

14.15. Providing False Information or Misuse of Records

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

164. Skateboards, Rollerblades, Scooters, Bicycles or Similar Modes of

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

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

16.17. Violation of Published University Policies, Rules or Regulations

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

- a. Transportation & Parking Services
- b. University Student Housing
- c. Recreational Sports
- d. Student Organization and Fraternity and Sorority Life
- e. Texas Tech University Board of Regents’ Rules
- f. Texas Tech University Operating Policies and Procedures
- g. Community Policies of the Student Handbook
- h. TTU Athletics

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

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

18.19. Abuse of the Discipline System

- a. Failure of a student to respond to a notification to appear before an 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 and/or after 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 or receipt of potential violation(s) of the *Code of Student Conduct*, The Dean of Students or the Managing Director or designee will appoint an Investigator who will inquire, gather and review information about the reported student misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

If it is determined that the information reported does not warrant an allegation, a Policy Clarification letter may be issued to involved parties to clarify the policy in question.

When an initial report of misconduct by a third party does not identify the involved parties or the involved parties are not available, the Investigator will investigate the reported incident to the fullest extent of the information available.

When a Complainant is identified, but is reluctant to participate in the investigative process and/or the student conduct process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing conduct action with respect to the named Respondent, the University will proceed with the student conduct process to the extent of the information available. If the Complainant 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. In Title IX cases, the Complainant must participate in the investigation and hearing processes in order for the University to move forward. In cases where the behavior is deemed severe, persistent, or pervasive, the University reserves the right to move forward. (STILL WAITING ON FINAL LANGUAGE FROM TITLE IX AND WORK GROUP).

NOTE: The Managing Director 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 may take immediate interim actions to eliminate hostile environments,

prevent reoccurrence, and address any effects on the Complainant and community prior to the initiation of formal Investigation and/or formal conduct procedures. These interim steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, 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

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

b. Interim Actions

Under the Code of Student Conduct, the Managing Director or designee may impose restrictions and/or separate a student from the community pending the completion of the conduct process for 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 pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim action(s) or interim suspension may request a meeting with the Managing Director or designee to demonstrate why an interim action(s) or suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a hearing. Through an interim action or during an interim suspension, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Managing Director or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Managing Director or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student. Students are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension are not sanctions. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim 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 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 Office of Student Conduct or Dean of Students via the student's official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension pending the completion of the conduct process. The term of a No Contact Order is "one year from the date of issuance, or the graduation of one or both parties, whichever comes first."

2. Immediate Temporary Suspension – Students

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the Managing Director or designee, or on recommendation of an 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 Managing Director or designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) University working days from the date of temporary suspension. Initiation of appropriate conduct proceedings includes but is not limited to informing parties that an investigation has begun via a "Notice of Involvement/Notice of Investigation" letter via the official notice procedures outlined in Part I, section A. 3. of the *Code of Student Conduct*.

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 or the Interim Action has been modified. Any instances whereby the student should need to return to campus must be coordinated through the Office of Student Conduct and the Texas Tech Police Department. Conduct, on or off campus that typically results in immediate temporary suspension:

- 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, and representing the University.

In the event an Immediate Temporary Suspension is issued, a student may request a review of the Immediate Temporary Suspension by the Managing Director or designee

A student may request a review of an Immediate Temporary Suspension or Interim Action for off campus courses and activities by the Managing Director or designee. At the discretion of the Managing Director or designee, modifications can be made to an Immediate Temporary Suspension or Interim Action that impacts off campus courses and/or activities on a case by case basis.

4. Non-Student Interim Actions

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

NOTE: Students of Texas Tech University may be held responsible for actions of their guests.

5. Withdrawal of Consent

a. Grounds for Removal

The Investigator or another University agent acting in accordance with his/her duties may recommend to the Dean of Students that, in accordance with the Texas Education Code, the student have his/her consent to remain on the campus withdrawn if, in the judgment of the Investigator and Dean of Students, 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 Dean of Students concurs with the 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 Dean of Students and the Texas Tech Police Department. The Dean of Students will notify all

parties of the final decision using the written notification procedures outlined in Part I, section A.3 within five (5) University working days.

b. **Registration Flag Following Withdrawal of Consent**

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

NOTE: See Texas Education Code, sections 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 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 respondent 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 Complainant and Respondent) 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 Managing Director 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 Managing Director 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.

4. The Conduct Process

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

A student will be given notice of their involvement in regard to a referral received by the University or once the University is put on notice by receipt of a "Notice of Investigation/Notice of Involvement" Letter. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with an Investigator. 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 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 an Investigator from proceeding with the conduct process. Likewise,

failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

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 Investigator. The Student Rights and Responsibilities document informs the student of their rights to be exercised before and during the investigative process. Information gathered during the course of the Investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student has the right to:

1. A prompt, fair, and equitable process;
2. Be accompanied by an advisor to any meeting or Hearing. An advisor can be any one of the following: a member of the Texas Tech Community (faculty, staff, or student), a parent or legal guardian, a relative, or ~~in situations involving criminal legal proceedings~~, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the Hearing on behalf of the University. The Complainant and/or the Respondent is responsible for presenting their own information, and therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor. The Managing Director 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 with the University conduct process, but may elect not to participate in the Investigation process, either in part or entirely. However, a student's refusal to participate in the Investigation, in whole or in part, lasts for the duration of the conduct process. In other words, if a student chooses not to provide information during the Investigation, they will not be allowed to present new information during the Hearing; similarly, if a student provides only limited information during the Investigation (i.e., answering some of the Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.

NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously

unavailable information after conclusion of the investigative process.

4. The opportunity to provide information and evidence in support of his/her case;
5. Know if they have been issued any allegations of misconduct;
6. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
7. Know the Texas Tech University conduct policies and procedures, and where to find them;
8. Know that any information provided by the student may be used in a conduct proceeding;
9. Know that if a student 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 Managing Director or designee will appoint an Investigator who will conduct a thorough, reliable, and impartial Investigation of the reported allegation. Reported allegations of misconduct under the *Code* have varying degrees of complexity and severity. Therefore, the Investigation procedures described below may vary.

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

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

Once the Investigation is complete, the Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and does not obstruct ~~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 Investigation has concluded. In order to protect confidentiality students may be given an electronic password protected copy of the investigation report which may be redacted.

Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigation at which point the 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. The Investigator may assign allegation(s) to the respondent based on the information that the Investigator collected without the student's participation, if appropriate.

1. Informal Resolution

If after the Investigation, the responding student accepts responsibility for the allegations of the *Code of Student Conduct* outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Investigator conducting the initial inquiry/Investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions._

If accepted, the process ends, the finding is final, and there is no appeal.

In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent must agree to both the finding and the sanctions as recommended by the Investigator. The case will only be reopened if new material, previously unavailable is presented.

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

2. Pre-Hearing Process

In cases involving an Administrative or Panel Hearing, the Pre-Hearing Process will be followed. Once the Investigation is complete, the involved parties will participate in the Pre-Hearing Process. During the Pre-Hearing Process, students will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or Panel Hearing. Other documents reviewed may include notification of Respondent's allegations, Hearing 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. Should students not participate in the Pre-Hearing Process, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative or Panel 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 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 Investigator immediately. If the new information is pertinent to the consideration of the case, the 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, Complainants and Respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Investigator, who will pose the questions and supplement the Investigation Report.

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

Students may indicate whether an Administrative Hearing, Panel Hearing or Sanction Only Hearing is preferred. However, the Dean of Students or Managing Director or designee has the sole discretion in all cases to designate whether an Administrative Hearing, Panel Hearing or Sanction Only Hearing will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Investigator will share the pool of faculty, staff, and students trained for Hearing Panels. 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 Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Investigator will schedule the Panel Hearing.

At the discretion of the Managing Director 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.

5. **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 Investigator or the Hearing Panel may consider the information contained in the Investigation Report 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. For Title IX cases, the Complainant must participate in both the Investigation and Hearing processes for the matter to move forward to adjudication. Arrangements can be made for the Complainant to participate electronically, from another room, etc., if

requested in advance of the Hearing date.

Hearings are closed to the public. In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent students 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 complaining and responding students 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 Conduct 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 time frame 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 Investigator that completed the Investigation Report, or Administrative Hearing

Officer assigned by the Managing Director or designee. The Investigator or 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 working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5.

b. Panel Hearing

For each Panel Hearing, a Panel of three (3) members will be chosen from the available pool by the Managing Director or designee. The Panel will usually be comprised of one student, one faculty member, and one staff member or an Administrative Hearing Officer. Availability may determine a different composition for the Panel. In cases involving Part I, section B.1 (Academic Misconduct), the Panel will be comprised only of students and faculty. In cases involving Part I, section B.2 (Actions against Members of the University Community and Others), or other sensitive issues, the Managing Director or designee will appoint three trained panel ~~Administrative Hearing Officer~~ members for the Panel.

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

~~All Hearing proceedings, excluding the deliberations of the Hearing Panel, will be~~

~~recorded by the University.~~

The Managing Director or designee shall appoint a Resource Person in each Panel Hearing who facilitates the Hearing. The Resource Person is a non-voting participant in the Hearing and is a staff member in the Office of Student Conduct~~selected from the pool of Administrative Hearing Officers~~. The Resource Person assures that University/College procedures are followed throughout the Hearing.

The Panel Resource Person may:

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

The Investigator will present the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent may make an opening statement about key points of the case. During the opening statement phase of the conduct process, the Complainant and the Respondent may not make character statements about themselves or others and may not make impact statements. Likewise, the Complainant and Respondent may make additional comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant,

Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Investigator. Should new evidence be presented without prior discussion with the 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 removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct for additional processing, as appropriate.

Following the Hearing, the Hearing Panel will deliberate and render a decision regarding the alleged misconduct, as well as determine any sanctions, if applicable. Should the Hearing Panel have any questions for the Investigator, the Complainant, and/or the Respondent during deliberations, the Hearing will reconvene so that all parties have the opportunity to hear and respond to other parties' responses. Simultaneous notification of oOutcomes of the Panel Hearing should be provided to the student(s) in writing within five (5) University working days, or as soon as practical, following the Panel Hearing. Decisions made through the Panel Hearing may be appealed by students utilizing the Disciplinary Appeal Procedures

outlined in Part I, section C.5.

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

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 body by the Investigator. During presentation of the Investigation Report and finding, the respondent and the Complainant are not allowed to dispute the facts or details of the case. Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the Respondent and may be considered by the Hearing body. ~~Simultaneous~~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.*

6. **Sanctions**

An 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 is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid at <http://www.depts.ttu.edu/studentconduct>. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer, or the Hearing Panel. The Investigator, Administrative Hearing Officer and/or the Hearing Panel may deviate from the grid for sufficient reason. Implementation of the disciplinary sanction(s) will begin immediately or as assigned.

In limited instances such as removal from University Student Housing, Suspension, or Expulsion, a student may submit an Intent to Appeal to the Managing Director or designee as soon after receipt of the hearing decision as possible and prior to the deadline to appeal (3 days). The student must clearly state an intent to appeal and must include the preliminary identification of the appropriate ground(s) of which the student believes an error occurred. Upon confirmation of receipt of the intent to appeal by the Managing Director or designee, the effective date of the student's sanction(s) will be delayed pending the outcome of the appeal. However, Students may request to have their sanctions held in abeyance through the appellate process. Students must provide written justification to the Managing Director or designee with regard to why they are asking for abeyance through the appellate process.

The Managing Director will notify the Respondent and Complainant (if applicable) if abeyance is granted. Upon the judgement of the Managing Director or designee, some cases (e.g. including but not limited to reasonable belief the student poses an active threat to at least one member of the University community) with sanctions of ~~resulting in sanctioning of housing removal, suspension, or expulsion~~ may begin prior to the completion of the disciplinary appeal process and may not be held in abeyance.

Note: an Intent to Appeal does not satisfy the need for the student to articulate and submit a written appeal request as detailed in Section 7 – Conduct Appeal Procedures below.

Both the Respondent and the Complainant (if applicable) will be simultaneously notified of the appellate officer's decision and sanctions as appropriate. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. 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 the Office of Student Conduct or University Student Housing for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, Administrative Hearing, or Panel 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 to the student that the action in question was misconduct.

b. Disciplinary Probation

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

c. 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, or be present on campus property.~~ The status of Disciplinary Suspension will be shown on ~~will be shown on~~ the student's ~~academic~~ academic record, including the transcript. ~~including the transcript.~~ ~~Time-limited dDisciplinary sSuspension is noted on the student's transcript by the phrase by the phrase "Disciplinary Suspension" and will include the period of time in which the student is/was suspended from the University.~~ "Disciplinary Suspension" and will include the period of time in which the student is/was suspended from the University. In most instances, tThe notation of dDisciplinary sSuspension will remain on the transcript permanently indefinitely. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Managing Director or designee determines that good cause exists to remove the notation. A Notification of dDisciplinary sSuspension of a student will indicate the date on which it the suspension

period begins and the earliest date the application for student readmission will be considered. The Managing Director or designee 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 ~~Investigator~~ Managing Director or designee may recommend denial of readmission to a student. On denial of a student's readmission, the Managing Director or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

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

d. Disciplinary Expulsion

Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. This 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, "Expulsion" and the date in which the student's expulsion became effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Managing Director or designee determines that good cause exists to remove the notation. ~~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 "Expulsion" and the date in which the student's expulsion was effective.~~ An administrative hold will be placed on the student's record to prevent future registration.

e. Conditions

A condition is an educational or personal element that is assigned by an Investigator, Administrative Hearing Officer, or Hearing Panel. Costs associated with conditions may be the responsibility of the student. 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 BASICS Program for assessment.

~~g.3.~~ 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.4. Academic Penalties

In cases involving violations of Part II, 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.5. 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.

NOTE: Any student at any time may request a review of the sanctions in place in writing to the Managing Director or designee.

7. Conduct 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 Managing Director or designee within three (3) University working days of the delivery of the written decision. If a student selects a Sanction Only Hearing, the student may appeal the sanction and can only appeal on the following grounds, "the sanction(s) imposed substantially varies from the range of sanctions normally imposed for similar infractions." The student may appeal by submitting a written petition to the designated appeal officer within three (3) University working days of delivery of the written decision. An appeal may not be filed on behalf of the student by a third party.

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

In cases involving alleged misconduct involving Part I, section B.1 (Academic

Misconduct), the designated appeal officer is the Associate Academic Dean of the college where the student is enrolled or the Associate Academic Dean of the college housing the course or program where the violation occurred. In situations where the Associate Academic Dean participated in the Hearing as the Investigator or Instructor of Record, the designated appeal officer is the Academic Dean.

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

- 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 varies from the range of sanctions normally imposed for similar infractions.

NOTE: Lack of participation at any part of the Investigation or conduct process does not constitute as new evidence.

In cases involving alleged misconduct involving Part I, section B.2 (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Office of Student Conduct. In such cases, the Office of Student Conduct will provide the written appeal to the other party and provide opportunity for one response. Responses must be provided within three (3) university working days.

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. The Hearing Body and/or a representative of the Hearing Body may provide a response to the appeal upon request of the appellate officer within three (3) university working days.

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, they may:

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

The Office of Student Conduct shall make all reasonable efforts to simultaneously notify the parties(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days from receipt of all responses. 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 Body, the decision of that Hearing Body is final and may not be appealed.

NOTE: For information pertaining to an Intent to Appeal and delay of~~abeyance of~~ sanctions, please see sanction procedures.

5.8. 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 their records under this section must request readmission from the Managing Director or designee at least three (3) weeks prior to any Texas Tech University Office of Admissions application deadlines for the semester or summer session in which the student wishes to re-enroll. The student may be required by the Managing Director or designee to submit evidence in writing supportive of his/her present ability to return to the University. The University will evaluate the student's request and supporting documentation with primary consideration given to satisfying all conditions specified at the time of suspension or withdrawal. If approval is granted by the Managing Director for the Office of Student Conduct 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 Managing Director or designee will appoint an Investigator to review allegations of misconduct. The 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. If it is determined that the information reported does not warrant an allegation, a Policy Clarification Letter may be issued to involved parties to clarify the policy in question.

When an initial report of misconduct by a third party does not identify the involved parties or the involved parties are not available, the Investigator will investigate the reported incident to fullest extent of the information available.

When a Complainant is identified, but is reluctant to participate in the investigative process and/or the student organization conduct process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing conduct action with respect to the named Respondent, the University will proceed with the student conduct process to the extent of the information available. If the Complainant 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.

1. Remedies & Resources

The University may take immediate interim actions to eliminate hostile environments, prevent recurrence, and address any effects on the Complainant and community prior to the initiation of formal Investigation and/or formal conduct processes. These interim immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, and modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

a. Resources

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

b. Interim Actions for Student Organizations

Under the *Code of Student Conduct*, the Managing Director or designee may impose restrictions and/or impose an Interim Suspension of Student Organization Activities on a student organization pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct* when a 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. Interim actions can include Interim Suspension of Organization Activities or restrictions pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. A student organization that receives an interim action(s) or Interim Suspension of Student Organization Activities may request a meeting with the Managing Director to demonstrate why an interim action(s) or Interim Suspension of Student Organization Activities is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a campus Hearing. Through an interim action or during an interim suspension, a student may be denied access to University facilities/events. As determined appropriate by the Managing Director, or designee this restriction may include University activities or

privileges for which the student organization might otherwise be eligible. Student organizations are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section A.3 of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension of Student Organization Activities are not sanctions. Interim actions are taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; and are in effect only until the conduct process has been completed. However, violations of interim action may result in additional allegations of the *Code of Student Conduct*.

1-c. No Contact Order

When initial inquiry indicates persistent and potentially escalating conflict between 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 Office of Student Conduct or designee via the student's official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in an Interim Suspension of Student Organization Activities during the completion of the conduct process. The term of a No Contact Order is one year from the date of issuance, or the graduation of one or both parties, whichever comes first.

d. Interim Suspension of Student Organization Activities

Under the *Code of Student Conduct*, the Managing Director or designee may, when the student organization represents a threat or serious harm to others that is deemed a continuous threat, or is facing allegations of criminal activity, impose restrictions, including, but not limited to temporarily suspending the activities of a student organization pending the outcome of the University's and/or Headquarters, sponsoring department or organization (where applicable) conduct process. The purpose of an interim suspension of activities is to protect students, preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operation of the University.

Examples of conduct or incidents that may result in an Interim Suspension of Student Organization Activities, include but are not limited to, hazing, organization events and activities resulting in allegations of sexual misconduct, criminal felony charges, severe disruption, retaliatory harassment; alcohol/drug policy violations occurring during recruitment or social events; and cease and desist directives from inter/national or regional organizations. A student organization who receives an Interim Suspension of Student Organization Activities may request a meeting with the Managing Director or designee to discuss the rationale for the action. During an Interim Suspension of Student Organization Activities, the student organization is limited to minimal functions in order to conduct the Investigation only. Failure or refusal to follow the Interim Suspension of

Student Organization Activities may result in additional charges of misconduct. Student organizations will be informed of interim actions pursuant to the official notice procedures outlined in Part I, section A.3. of the *Code of Student Conduct*. An interim action is not considered a sanction.

In the event an Immediate Suspension of Student Organization Activities is issued, a student organization may request a review of the Immediate Suspension of Student Organization Activities by the Managing Director or designee.

2. Referral Meeting

A University official may request a meeting with a student organization spokesperson (in most cases, the President of the Organization) in order to discuss a referral made to the Office of Student Conduct 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 organization 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 Complainant and Respondent) 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 Managing Director. 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 Managing Director, 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.

4. The Conduct Process for Student Organizations

a. Notice of Investigation/Notice of Involvement

A student organization will be given notice of the organization's involvement in a referral or report received by the University related to the *Code of Student Conduct* by receipt of a "Notice of Investigation/Notice of Involvement" letter which will include an invitation for the student organization spokesperson to meet with an Investigator. In a case of a student organization's dangerous misconduct, serious injury, and/or death, The Managing Director or designee may issue an interim suspension of all organizational activities. In the event that a student organization fails to respond to written notification, interim actions and/or restrictions may be implemented by the Managing Director or

designee. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent an Investigator from proceeding with the conduct process. Likewise, failure of a student organization to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

The Investigator may notify a student organization's advisor, Headquarters, sponsoring department or organization (that a referral was received by the University).

The Managing Director or designee may proceed with the conduct process (even if the complainant 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.

b. Rights & Responsibilities

Prior to the formal Investigation process, the student organization spokesperson will be provided a Student Organization Rights & Responsibilities document to review and sign prior to an interview with the Investigator. Additionally, each individual student involved in any capacity with a student organization Investigation will be provided the Student Rights and Responsibilities document detailed in Part I, Section

C.3.b. The Rights & Responsibilities document informs the student organization of rights to be exercised before and during the conduct process. Information gathered during the course of the Investigation and student conduct process may be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student organization has the right to:

1. A prompt, fair, and equitable process;
2. Be accompanied by one advisor at any conduct or related proceeding. An "advisor" can be any one of the following: a member of the Texas Tech community (faculty, staff, or student), a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the organization and does not have an active, participatory role in the conduct process. If an advisor for the organization is an attorney, an attorney from TTU Office of General Counsel may attend on behalf of the University. 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. Student organizations are reminded that the organization's advisor of choice is only permitted to accompany a student in a conduct or related proceeding if they are chosen by that student as that student's advisor of choice.

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

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

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

It is the Student Organization's Responsibility to:

1. Appoint one organizational spokesperson. In most cases, the organization's spokesperson is the President of the organization. However, organizations may appoint an alternate spokesperson to formally represent the organization. A student organization spokesperson must be a currently Texas Tech University student who is a member of the responding organization. The spokesperson may not be an alumni advisor, chapter advisor, faculty/staff advisor, national or international Headquarters volunteer or staff member, or coach. Student organizations may only appoint one spokesperson for each case and must inform the University in the event that the appointed spokesperson is not the President of the organization. The student organization spokesperson is responsible for making all official responses on behalf of the organization during any student organization conduct proceeding. In the event

that the student organization spokesperson is not be able to speak on behalf of the local advisory board to the student organization, a representative from the local advisory board may speak on behalf of the local advisory board. Be responsive to all communications 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 Managing Director or designee will appoint an Investigator to conduct a thorough, reliable, and impartial Investigation of the reported concern. 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.

1. Partnership Process

At all times, the Managing Director or designee retains the discretion to investigate a referrals of student organization misconduct. However, in the initial meeting with the Investigator, a student organization may indicate their preference to conduct an internal Investigation as a part of a Partnership Process with the Office of Student Conduct and/or Center for Campus Life.

Student organizations participating in a Partnership Process must commit to the deadlines and formatting requirements provided by the Managing Director or designee Upon the conclusion of the internal Investigation, the student organization spokesperson shall present a written report of its internal Investigation findings to the Managing Director or designee If the Managing Director or designee determines that no further action is necessary, he/she may conclude the investigative process, and consider the matter closed.

Upon completion of the internal Investigation, the Managing Director or designee has the discretion to approve and/or adopt the internal investigative report, in whole or in part, as the Final Investigation Report. An internal Investigation may be rejected, in whole, or in part for reasons including, but not limited to, the following:

- The student organization obstructed the process, or provided false, incomplete, or inaccurate information;
- The student organization did not conduct its Investigation or provide a report in a timely manner;
- The student organization violated Interim Actions imposed by the Managing Director or designee; or
- The Office of Student Conduct receives additional referrals of misconduct against the student organization during the pendency of the internal Investigation.

If the internal Investigation Report is accepted by the Managing Director or designee the assigned Investigator may proceed to assign allegations of the *Code of Student Conduct* to the student organization. If information contained in the internal Investigation Report indicates that there is insufficient evidence to support organizational allegations, but that individual organization members may be responsible, the Investigator may proceed with the conduct process for individual students. In order to proceed with the conduct process for individual students, the names of individuals involved must be provided in the internal Investigation Report.

In the event the internal Investigation Report is rejected, in whole or in part, the Managing Director or designee may proceed with a University Investigation (Part I, Section D.3.c.2).

Student organizations conducting any internal Investigation may be subject to Interim Actions that may be imposed upon the student organization by the Managing Director or designee.

2. University Investigation Process

Should a student organization not complete the Partnership Process, the Managing Director or designee may proceed with the University Investigation Process.

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 Investigator instead of meeting together with other Investigators. The identities of individuals who issue statements in organizational conduct Investigations, may be withheld from Investigation Reports at the discretion of the Managing Director or designee.

During the investigative process, the student organization spokesperson is responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the 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 does not obstruct ~~unobstructive to~~ concurrent or forthcoming police Investigations. The student organization spokesperson 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, the student organization spokesperson may be given an electronic password protected copy of the investigation report which may be redacted. Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigation at which point the Investigator explains the options for resolution to the involved parties. Should a student organization not participate in the Investigative Process, the conduct process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student organization's participation, if appropriate.

The university will attempt to facilitate 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 representative, and the student organization representative has failed to respond within the allotted time frame to meet with an investigator.

d. Informal Resolution (Partnership Process)

If after the Investigation, the responding student organization accepts responsibility for the allegation(s) of *The Code of Student Conduct* outlined in the Final Investigation Report, the student organization may be eligible to resolve the issue informally. Student organizations participating in the Informal Resolution process must commit to the deadlines and formatting requirements of requested documentation and as provided by the "Managing Director" or designee. The student organization spokesperson is responsible for preparing the Informal Resolution, which will include proposed sanction(s), corrective actions, and educational enhancement plans for the student organization. The student organization spokesperson is encouraged to consult appropriate University staff in the Center for Campus Life, the Office of Student Conduct, the appointed Investigator, the Office of Student Conduct sanction grid, the student organization's officers, advisor, Headquarters, sponsoring department or organization, and/or governing council representative to develop an Informal Resolution that is appropriate, effective, and is proportionate to the severity of the incident and the cumulative conduct history of the student organization.

Upon timely receipt of the Informal Resolution, the Managing Director or designee may adopt, reject, or supplement, in whole or in part, the sanction(s) proposed in the Informal

Resolution presented by the student organization. ~~If there is a Complainant, the Complainant must also agree to all elements of the Informal Resolution.~~ In the event the proposed Informal Resolution is rejected, in whole or in part, the student organization's alleged violations of the *Code of Student Conduct* may be resolved pursuant to the Pre-Hearing process outlined in Part I, Section D.3.e and the Formal Hearing process as outlined in Part I, Section D.4.

There is no appeal of signed informal resolutions. Once completed, the informal resolution completes the conduct process for student organizations. The case will only be reopened if new materials, previously unavailable are presented.

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

Findings and sanctions agreed upon through the Informal Resolution Partnership Sanctioning Process, are final and cannot be appealed.

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 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 other documents to be used in the Administrative or Panel Hearing. Other documents include notification of Respondent's allegations, Hearing 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 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 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 Investigator immediately. If the new information is pertinent to the consideration of the case, the 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 conduct process is designed to be non-adversarial. Student organization representatives will be permitted to question the statements and evidence presented by the other involved parties, but may not do so directly. After reviewing the Investigation Report, during the Pre-Hearing, Complainants and Respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Investigator, who will pose the questions and supplement the Investigation Report.

Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Investigator may be rejected.

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

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

In cases requiring a Hearing Panel, the Investigator will share the 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 Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Investigator will schedule the Panel Hearing.

At the discretion of the Managing Director 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 back to investigation if deemed necessary.

5. Hearings

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 Investigator or the Hearing Panel may consider the information contained in the Investigation Report and render a decision. Student organization conduct processes are typically adjudicated by a Hearing Panel.

Hearings are closed to the public. Complainants and Respondents have the right to be present at the formal Hearing; however, they do not have the right to be present during

deliberations. Arrangements will be made so that complaining and responding students are not present in the Hearing room at the same time.

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

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 Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns a sanctions, as appropriate. Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary

Appeal Procedures outlined in Part I, Section D.14.

b. Panel Hearing

For each Panel Hearing, a Panel of three (3) members will be chosen from the available pool by the Managing Director or designee. The Panel will usually be comprised of one student, one faculty member, and one staff member or Administrative Hearing Officer. Availability may determine a different composition for the Panel. In cases involving Part I, section B.1 (Academic Misconduct), the Panel will be comprised only of students and faculty. In cases involving Part I, section

B.2 (Actions against Members of the University Community and Others), or other sensitive issues, the Managing Director or designee will appoint three Administrative Hearing Officers for the Panel.

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

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

The Director of the Office of Student Conduct, or designee, appoints a Resource Person in each Panel Hearing who facilitates the Hearing. The Resource Person is a non-voting participant in the Hearing and is selected from the pool of Administrative Hearing Officers. The Resource Person assures that University/College procedures are followed throughout the Hearing. The Panel Resource Person may:

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

The Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent have the right to make an opening statement about key points of the case. During the opening statement phase of the conduct process, the Complainant and the Respondent do not have the right to make character statements about themselves or others and do not have the right to make impact statements. Likewise, the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or

witnesses directly, but may pose questions through the Investigator. Should new evidence be presented without prior discussion with the 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 removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct for additional processing, as appropriate.

Following the Hearing, the Hearing Panel will deliberate and render a decision regarding the alleged misconduct, as well as decide any sanctions, if applicable. The Investigator would provide information during sanctioning related to any previous conduct history, self-sanctioning occurring with the organization, and general information about the organization's activities and participation at TTU to help inform sanctioning.

Should the Hearing Panel have any questions for the Investigator, the Complainant, and/or the Respondent during deliberations, the Hearing will reconvene so that all parties have the opportunity to hear and respond to other parties' responses.

Outcomes of the Panel Hearing will be provided to the student(s) in writing within five (5) University working days of the Panel Hearing. Decisions made through the Panel Hearing may be appealed by students 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 Investigator. During presentation of the Investigation Report and finding, the Respondent and the Complainant are not allowed to dispute the facts or details of the case. Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the student organization spokesperson and may be considered by the Hearing body. Written notification of the outcome 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 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 only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses. Prior to the sanctioning phase of a hearing, the complainant and/or respondent are allowed to give an impact statement. The investigator may assist the Resource Person or Committee Chairperson during the hearing

6. Sanctions

An 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 Sanction Grid in the Student Handbook Appendix. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer or the Hearing Panel.

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

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

If a student organization is found responsible for violating the Code of Student Conduct,

sanctions may be imposed and can include, but is not limited to the following:

d.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.

e.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.

—Time-Limited Disciplinary Suspension

c.

Time-Limited Disciplinary Suspension is a specific period of time in which a student organization's registration with the University is suspended, including the privileges and benefits of registration. All organizational activity, whether on or off campus, official or unofficial, must immediately cease until the conclusion of the suspension. 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. The suspension will not commence for purposes of calculating the end date of such suspension until all activity of the organization has completely ceased, and such end date will be extended for any time in which such activities resume and/or continue during the suspension. If an inter/national or regional organization suspends the charter of an organization, the time-limited suspension for the student organization will be 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 Managing Director or designee 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 Managing Director or designee may deny registration to the student organization. On a denial of student organization registration, the Investigator or Managing Director or designee will set a date when another application for registration may again be made.

f.d. 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.

g.e. Conditions

A condition is an additional component of a disciplinary sanction, usually an educational element assigned to occur in conjunction with a period of probation or deferred suspension or assigned to occur prior to returning from time-limited

suspension. Examples include, but are not limited to

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

g.f. Restrictions

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

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

h.g. 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 enrolled at the institution no later than the 14th class day of each fall and spring semester during the first three weeks of each semester a list of organizations that have been disciplined for hazing or convicted for hazing on or off the campus of the institution during the preceding three years. a copy of, or an electronic link to a copy of, a report on hazing committed on or off campus by an organization registered with or recognized by the institution.

Each postsecondary educational institution shall develop and post in a prominent location on the institution's Internet website a report on hazing committed on or off campus by an organization registered with or recognized by the institution. The report must include:

1. Information regarding each disciplinary action taken by the institution against

an organization for hazing, and each finding of responsible of hazing by an organization, during the three years preceding the date on which the report is issued or updated, including:

- A. The name of the organization disciplined or found responsible;
 - B. The date on which the incident occurred or the citation was issued, if applicable;
 - C. The date on which the institution's investigation into the incident, if any, was initiated;
 - D. A general description of:
 - i. The incident;
 - ii. The violations of the institution's Code of Student Conduct;
 - iii. The findings of the institution;
 - iv. Any sanctions imposed by the institution on the organization;
 - E. The date on which the institution's disciplinary process was resolved;
2. The report must be updated to include information regarding each disciplinary process not later than the 30th day after the date on which the disciplinary process is resolved; and
3. The report may not include personally identifiable student information and must comply with the Family Educational Rights and Privacy Act of 1974 (FERPA).

Each postsecondary educational institution shall provide to each student who attends the institution's student orientation a notice regarding the nature and availability of the report required under Texas Education Code, Chapter 51.936 and include the Internet website address to access the report.

A student organization spokesperson may, at any time request a review of the sanctions in place in writing to the Managing Director or designee.

7. Conduct Appeal Procedures

- a. A student organization may appeal the decision of a formal Hearing or the sanction(s), condition(s), and restriction(s) imposed following a formal Hearing by submitting a written petition for appeal to the to the Managing Director or designee within three (3) University working days of receiving the written decision.
- b. The Managing Director, or designee, will select an appeal officer in each case. The designated officer will be a trained University staff or faculty member who was wholly uninvolved in the original Conduct Process and will render a neutral, impartial, and unbiased decision.
- c. Petitions for appeal must clearly identify the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal.
- d. The only proper grounds for appeal are as follows
 - Procedural or substantive error that significantly impacted the outcome of the

- Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- Discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
 - The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- e. In cases involving alleged misconduct involving Part I, section B.2 (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Office of Student Conduct. In such cases, the Office of Student Conduct will provide the request for appeal to the other party and provide opportunity for one response. Responses must be provided within three (3) university working days.
- 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. The Hearing Body and/or a representative of the Hearing Body may provide a response to the appeal upon request of the appellate officer within three (3) university working days
- 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 Hearing Panel. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, they may:
- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
 - Remand the case to the original Hearing Body;
 - Remand the case to a new Hearing Body.
- h. The Office of Student Conduct or designee shall make all reasonable efforts to notify the student organization of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student organization of the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days of receipt of all responses. 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.
- ~~h.i.~~ If the designated appeal officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final and may not be appealed.

8. Student Organization Records

- i.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.
- j.b. Student organization records do not impact the content of individual student records for student organization members. Findings of responsibility of misconduct for student organizations does not indicate a finding of responsibility for individual students. Individual students are subject to their own conduct processes separate from the student organization process.
- k.c. Student organization conduct decisions and finding are shared with the student organization's Headquarters, sponsoring department, or organizations as appropriate.

PART II __ COMMUNITY POLICIES

SECTION A. ALCOHOL POLICY & INFORMATION

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

SECTION B. ACADEMIC INTEGRITY

a. Texas Tech University Statement of Academic Integrity

Academic integrity is taking responsibility for one's own class and/or course work, being individually accountable, and demonstrating intellectual honesty and ethical behavior. Academic integrity is a personal choice to abide by the standards of intellectual honesty and responsibility. Because education is a shared effort to achieve learning through the exchange of ideas, students, faculty, and staff have the collective responsibility to build mutual trust and respect. Ethical behavior and independent thought are essential for the highest level of academic achievement, which then must be measured. Academic achievement includes scholarship, teaching, and learning, all of which are shared endeavors. Grades are a device used to quantify the successful accumulation of knowledge through learning. Adhering to the standards of academic integrity ensures grades are earned honestly. Academic integrity is the foundation upon which students, faculty, and staff build their educational and professional careers. [Texas Tech University ("University") Quality Enhancement Plan, Academic Integrity Task Force, 2010]

b. Academic Dishonesty Definitions

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

c. Instructor Responsibilities

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

until all disciplinary procedures are complete. All academic integrity violations should be referred to the Office of Student Conduct as a central clearinghouse of violations and for adjudication as a *Code of Student Conduct* violation where disciplinary sanctions will be assigned.

d. Withdrawal and Assignment of Grades

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

e. Academic and Disciplinary Penalties

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

f. Referrals to the Office of Student Conduct

In addition to the assignment of academic sanctions by the instructor of record, a referral of the academic integrity violation should also be made to the Office of Student Conduct for the assignment of disciplinary sanctions. Instructions for reporting academic dishonesty violations are available in the *Code of Student Conduct*. A student referred to the Office of Student Conduct for alleged violations of academic misconduct is entitled to all substantive and procedural guarantees provided in the *Code of Student Conduct*.

Law students are subject to discipline procedures as described in the Honor Code of the School of Law. Instructors of record of the course where the violation occurred and the associate academic dean of the college where the student is enrolled or of the college housing the course where the violation occurred may participate in the adjudication of the

violation and assignment of additional sanctions with the Office of Student Conduct as outlined in the *Code of Student Conduct*.

NOTE: Additional Academic Integrity information is available from the Office of Student Conduct

SECTION C. ANTI-DISCRIMINATION POLICY

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

(<http://www.depts.ttu.edu/opmanual/OP40.02.pdf>)

1. Discriminatory Harassment

- a. Discriminatory harassment is ~~verbal, physical, or written~~ verbal or physical 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 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; and 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.~~ that (1) creates an intimidating, hostile, or offensive working or educational environment; (2) has the purpose or effect of unreasonably interfering with an employee's or student's educational performance; (3) adversely affects an employee's employment opportunities or student's educational opportunities or student's educational opportunities; and (4) is severe or pervasive.
- b. Examples of inappropriate behavior that may constitute discriminatory harassment include, but are not limited to:
 - Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
 - Display of explicit or offensive calendars, posters, pictures, drawings, cartoons, screen savers, e-mails, or other multi-media materials in any format that reflects disparagingly upon a class of persons or a particular person in a protected category;
 - Derogatory remarks about a person's national origin, race or other ethnic characteristics;
 - Disparaging or disrespectful comments if such comments are made because of a person's protected status;

- Loud or angry outbursts or obscenities in the academic environment directed toward another student, faculty, staff, or visitor; ~~or~~
- Disparate treatment without a legitimate business reason; or
- Other threats, discrimination, hazing, bullying, stalking, or violence based on a protected category, class, or characteristic.

2. Sexual Harassment

- a. Unwelcome sex-based verbal, written, or physical conduct when: (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education; (2) Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or (3) Such conduct has the purpose or effect of interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive working or educational environment. To constitute an intimidating, hostile, or offensive working or educational environment, the complained of conduct must be either severe, persistent, or pervasive. Examples of inappropriate behavior that may constitute sexual harassment include, but are not limited to:
 - Sexual teasing, jokes, remarks, or questions;
 - Sexual looks and gestures;
 - Sexual innuendoes or stories;
 - Communicating in a demeaning manner with sexual overtones;
 - Inappropriate comments about dress or physical appearance;
 - Gifts, letters, calls, e-mails, or materials of a sexual nature;
 - Sexually explicit visual material (calendars, posters, cards, software, internet materials);
 - Sexual favoritism;
 - Pressure for dates or sexual favors;
 - Inappropriate discussion of private sexual behavior;
 - Non-consensual video or audio-taping of sexual activity;
 - Exposing one's genitals or inducing another to expose their genitals;
 - Unwelcome physical contact (touching, patting, stroking, rubbing);
 - Sexual assault, or nonconsensual sexual intercourse or contact;
 - Stalking;
 - Interpersonal, Relationship, or Dating violence;
 - Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.
- *Note: While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.*
- *See Part I, Section B: Misconduct, C. Sexual Misconduct of the Code of Student Conduct*

4. 3. Reporting Concerns

Students wishing to report an incident of discrimination or harassment, including gender-based discrimination, sexual harassment, or sexual assault, should contact the Title IX Administrator or the Office of the Dean of Students. If the complaint is against an employee the student may also contact the Office of Equal Opportunity. Additional reporting information, including how to make a confidential report, can be found at titleix.ttu.edu/students, <https://www.depts.ttu.edu/dos/>, or <http://www.texastech.edu/offices/equal-employment/>.

Students reporting discrimination or harassment in their employment capacity should contact the Office of Equal Opportunity. Information on reporting may be found here: <http://www.texastech.edu/offices/equal-employment/>.

Note: The State of Texas requires Texas Tech University employees to report an incident of sexual harassment, sexual assault, dating violence, or stalking that is alleged to involve an enrolled student.

5.4. Office of Civil Rights Complaints

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

6.5. Retaliation

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, assists someone in reporting a complaint, or ~~participated~~ participates in any manner in an investigation. Retaliation is defined as any intentional, adverse action taken by ~~a responding an~~ 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.

7.6. Confidentiality

Confidentiality of both the involved parties will be honored 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 the involved parties may affect the integrity of the investigation and may result in appropriate disciplinary measures against the offending party.

8.7. Faculty/Staff and Student Relationships

Texas Tech University is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships, including affectionate liaisons or other intimate or close relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Faculty/staff with direct or indirect teaching, training, research oversight or direction, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the

ethical and professional boundaries that must exist in such situations. If questions arise about situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean, Provost's Office or the Dean of Students.

9.8. Grievance or Complaint Processes

A grievance is a formal complaint pertaining to adverse actions taken on the basis of unlawful discrimination-a student's protected status or, other violation of federal or state law, or TTU policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. On behalf of the University, the Office of the Dean of Students is designated to formally investigate reports of discrimination by or against a student. Accordingly, the Texas Tech University System Office of Equal Employment Opportunity (Office of EEO) is designated to formally investigate reports of discrimination by or against an employee. For additional information regarding the complaint process, see TTU Operating Policies 40.02 and 40.03.

9. Student Initiated Grievances or Complaints and Investigations – Involving

10. Employees, Whether Faculty, Staff, or Students

- a. This grievance or complaint process is applicable to all students who choose to complain about discrimination, harassment, or other violations of the law that adversely affect their educational environment and the responding party is acting in his/her capacity as an employee, whether faculty, staff, or student.
- b. All grievance or complaint investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.
- c. The filing of a grievance or complaint shall not affect the ability of TTU to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance or complaint.
- d. A student may consult with the Office of the Dean of Students to determine if he/she wishes to file a formal grievance or complaint. Students wishing to file a grievance or complaint should complete the grievance or complaint form located at www.deanofstudents.ttu.edu. However, even if a formal grievance or complaint is not filed, the Dean may notify key personnel at their discretion about the allegation, and other action may be taken by TTU as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing the responding party of TTU's policies and educating departments and supervisors as needed on this and other policies.
- e. If the grievance or complaint involves the Dean of Students, the grievance or complaint should be presented to the Equal Opportunity Office of Equal Opportunity.
- f. Student grievances or complaints of discrimination or harassment by an employee will be investigated jointly by the Office of the Dean of Students or Title IX Administrator and the Office of Equal Opportunity.
- g. The investigation may consist of the review of the grievance or complaint and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation and its procedures will be determined by and at the discretion of the Dean of Students or

Title IX Administrator and the Office of Equal Opportunity. Any findings in the investigation will be based upon a preponderance of the evidence.

- h. After the investigation is complete, the Office of the Dean of Students or the Title IX Administrator and the Office of Equal Opportunity or designee will provide a written determination to the student who has filed the grievance or complaint, the responding party and the appropriate administrators.
- i. The finding of the Office of the Dean of Students or the Title IX Administrator and the Office of Equal Opportunity is final and not appealable.
- j. In the event a finding of a violation of this policy or TTU OP 40.02 or 40.03 is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.
- k. If there is a finding of a violation of gender discrimination under TTU OP 40.02 or any violation under TTU OP 40.03 either party may appeal the imposed disciplinary action or lack thereof as provided under TTU OP 40.03. For all other violations, only the responding employee may appeal the disciplinary action as provided in other TTU policies. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Office of Equal Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance or complaint has taken place, the student should contact the Office of the Dean of Students, Title IX Administrator, or the Office of Equal Opportunity, and/or file a grievance or complaint for retaliation.

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 address at any time with individual cases of non-attendance. In case of an illness requiring an absence from class for more than one week, the student should notify his/her academic dean. Texas Tech University Operating Policy 34.04 provides complete information regarding class attendance and reporting student illness and emergencies.

1. Student Absence due to Pregnancy and Childbirth

Under the Department of Education's (DOE) Title IX regulations, an institution that receives federal funding "shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." Students needing assistance related to pregnancy/childbirth absences should contact the Title IX Administrator, the Dean of Students Office, or fill out a report at https://cm.maxient.com/reportingform.php?TexasTechUniv&layout_id=4.

2. Religious Holy Day Absences

A student who intends to observe a religious holy day should make that intention known

in writing to the instructor prior to the absence. More information is available in Texas Tech University Operating Policy 34.19.

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

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

SECTION E: COMPLAINT PROCESSES

1. Complaints/Grievances

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

2. Academic Status Complaints

- a. Policies and processes related to academic status are found in the Undergraduate/Graduate Academic Catalog as well as in Operating Policy 34.07 Undergraduate Academic Status, Operating Policy 34.15 Grade Replacement Policy, and Operating Policy 64.04 Academic Probation and Suspension of Graduate Students.

3. Complaints against Faculty (Non-Grading and Non-Discrimination) Conduct of University Faculty is outlined in Operating Policy 32.04 Conduct of University Faculty. The processes for complaints against faculty are outlined in the policy and in the Undergraduate/Graduate Academic Catalog. Students should direct complaints to the supervisor of the department or organization housing the faculty member, typically the department chair.

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

5. Disability-Related Complaints

- a. Complaints related to disabilities are guided by Operating Policy 10.08 Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504)

and Operating Policy 34.22 Establishing Reasonable Accommodation for Students with Disabilities.

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

b.c. Students who wish to appeal the decision beyond the Managing Director of Student Disability Services can appeal to the Vice Provost for Student Affairs. The Vice Provost for Student Affairs will be the final decision.

6. Student Record Complaints & FERPA

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

7. Disciplinary Action

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

8. Employment

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with their immediate supervisor or the person in charge of that department may contact Human Resources or the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the University Operating Policy 70.10 Non-Faculty Employee Complaint Procedures and Operating Policy 40.02 (formerly 70.28) Anti-Discrimination Policy and Grievance Procedure for Violations of Employment and Other Laws.

9. Grades

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

10. Parking Citations

Students may appeal a campus parking citation online at www.parking.ttu.edu. Transportation & Parking Services rules and a description of the three-tiered appeals

process is described in the *Traffic and Parking Regulations* available online at <http://www.depts.ttu.edu/parking/PDFsandDocuments/rulesandregs.pdf>.

11. Graduate School Requirements

- a. Graduate student complaints related to academic standing and performance follow processes outlined in Operating Policy 64.07 Graduate Student Appeals. 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 dean of the college in which the course is offered and are guided by process in Operating Policy 34.03 Student Grade Appeal.

12. Housing Complaints

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

13. 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, Texas Tech University provides a website related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at <http://www.depts.ttu.edu/elearning/complaint-process/>.

14. Tuition, Fee, and Financial Aid Complaints

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

SECTION F: STUDENT SUPPORT SERVICES~~Reporting Concerns~~

The University has designated a Support Services Liaison staff member to assist students. The Liaison will connect students to resources available on campus to address a variety of needs. Resources available include but are not limited to: medical and behavioral health services; public benefit programs, including programs related to food security and housing security; program benefit case management assistance and counseling; parenting and child care resources; employment assistance; financial counseling and tax preparation assistance; transportation assistance; student academic success strategies; and other support resources available to students.

A comprehensive listing of online reporting options has been established in a central location to assist students, faculty, staff, and the general community with the option to submit reports of observed or known concerns surrounding involving a student. When a report is received, staff will review the details of the report, will determine a response that may include available

campus resources, and will ask the appropriate department staff to respond to the reported concerns. For a complete list of reporting options available, please visit the Office of the Dean of Students website: http://www.depts.ttu.edu/dos/report_a_concern.php

Additionally, the Behavioral Intervention Team (BIT) and Student Threat Assessment Team (STAT) have been established to assist with reports related to students of concern, students in crisis, and/or imminent threat of harm directed at one or more others situations.

Behavioral Intervention Team (BIT)

Under the auspices of the Office of the Dean of Students, BIT is a team of professionals uniquely situated to address elevated student behavior concerns and serves as a central repository for the Texas Tech University community to report student behaviors of concern. As warranted, BIT facilitates early intervention, risk assessment and referrals to help promote student success while paying special attention to the safety and security needs of members of the University Community.

Student Threat Assessment Team (STAT)

Under the direction of the Dean of Students, The STAT is a team of professionals specially trained on acts that may constitute threatening behavior and is a subsidiary of the Behavioral Intervention Team. The STAT that responds to reports of imminent threat(s) involving a student.

Support Services Liaison

Please contact the Assistant Dean of Students in the Office of the Dean of Students- to access support resources available to students: (806) 742-2984; deanofstudents@ttu.edu

SECTION GF. 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 and cashing privileges, denial of registration, withholding of grades and transcripts and adjudication under the *Code of Student Conduct*. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, 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.
 - 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.
 - The University may report individual student financial problems to a credit agency or a collection agent. Before registering or requesting a transcript, students may check on the presence of holds by accessing their records at www.raiderlink.ttu.edu under the TTU MyTech (for Students) tab.
- c. For more information, please visit the Student Business Services website at www.sbs.ttu.edu.

SECTION HG. FREEDOM OF EXPRESSION

1. Freedom of Expression

- a. Information related to freedom of expression policy is available in Part II, Section Q - P Use of University Space.

SECTION IH. GENDER-BASED HARASSMENT, SEXUAL MISCONDUCT, DISCRIMINATION, AND TITLE IX

Texas Tech University (TTU) 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, TTU Operating Policies 40.02 and 40.03 set forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. Additional information regarding gender-based harassment, sexual misconduct, discrimination, and Title IX can be found at titleix.ttu.edu. Further information and definitions may be found ~~here~~ in Section b2. Actions Against Members, Section C: Conduct Procedures for Students, Section C.anti-Discrimination Policy, Appendix A, and Appendix B. -

SECTION JH: STUDENT HOUSING REQUIREMENTS

1. Student Housing Information

- a. University Student Housing is located in Wiggins on the west side of the building adjacent to Hospitality Services and can be found on the TTU Campus Map <http://www.ttu.edu/map/>. The main phone number is 806-742-2661 and the website address is <http://www.depts.ttu.edu/housing/>.
- b. The University Student Housing Contract Guide located at <http://www.depts.ttu.edu/housing/contracts/index.php> can provide information about the contracting process and specifics about the residence halls.
- c. Policies and procedures, (<http://www.depts.ttu.edu/housing/contracts/hallpolicies.php>), safety information, staffing, and how to get involved in the halls can be found on our website at <http://www.depts.ttu.edu/housing/>.

2. Housing First Year Student Residency Requirement

- a. National research indicates that students living on campus maintain a higher grade point average and are more likely to graduate. Therefore, the Board of Regents of Texas Tech University supports the On-Campus Residence Requirement to give new students a greater chance of achieving their educational goals.
- b. The On-Campus Residence Requirement applies to students enrolled in more than six hours for the fall and spring semesters, and/or enrolled for three hours per summer session. More information can be found at <http://www.depts.ttu.edu/housing/contracts/residencerequirement.php> and <http://www.depts.ttu.edu/housing/exemptions.php>.

3. Housing Residency Requirement Exception Process

- a. We understand not every first year student is able to live in the Residence Halls at Texas Tech. Even though institutional research indicates that students who live on campus perform better academically, there are provisions for students that need to live off campus if they meet the requirements. Students are encouraged to read OP 30.25 when requesting to live off campus. Students that meet one of these requirements need to fill out the Exemption Form and send any other necessary documentation to University Student Housing. We will respond via email within three to five business days with a notice of eligibility, ineligibility, or a request for further information. All responses will be sent to the student's Texas Tech email address. Please send all documents to housing@ttu.edu, fax them to 806-742-2696, or upload them using the electronic form.
- b. Common reasons student are eligible to live off campus:
 - Student has 30 hours post high school credit. (Advance Placement, CLEP, ACT, SAT, dual-credit, and/or concurrent-credit do not count toward this requirement)
 - Student has lived on campus for 2 or more semesters. (Fall and Spring semesters only.) *Proof of Residence from Previous Institution Form is required.*
 - Student will continue to reside in the established primary residence of their parent or legal guardian within a 60-mile radius of Lubbock and has been there for at least the previous six months. *Sworn Statement of Commuting Status Form is required.*
 - Student has extreme financial hardship, similar to guidelines set forth by the Student Financial Aid office. *Financial Hardship Addendum and personal statement are required.*
 - Student has a medical hardship which may be intensified by living on campus. *Medical Hardship Addendum and personal statement are required.*
 - Student is 21 years of age, has served in the military, is married, and/or has dependent children
- c. Exemption forms can be found at <http://www.depts.ttu.edu/housing/exemptions.php>. The exemption application process is not a request to cancel a housing assignment and contract. All exemption requests and results must be completed prior to the official Move-In date for the current academic year.

- d. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement will be grounds for disciplinary action. Such action may include, but is not limited to, revocation of a previously approved exemption, restitution of up to a semester's room and dining plan fees, or probation, as determined by the Office of Student Conduct and in accordance with the *Code of Student Conduct* of Texas Tech University.
- e. University Student Housing and Hospitality Services Contracts can be signed for the early, late or full summer session or the academic year (fall and spring semesters). Any student wishing to move off campus should consult the Residence Hall Contract for the provisions applicable to cancellation of the contract or to the website <http://www.depts.ttu.edu/housing/contracts/deposit.php>.
- f. Signing a lease for off-campus housing does not relieve the student of contractual obligations that may have been assumed with the University for housing in the residence halls. It is responsibility of the student to comply with all provisions of the contract.
 - It is the responsibility of the student to update any incorrect information, regarding place of residence with the Office of the Registrar.
 - No exemptions will be approved once the student has moved into the residence halls.

—4. Room and Dining Plan Fees and Advance Payments

4.

a. A \$75 non-refundable Application Fee is required at the time of application. A \$400 Initial Deposit is due at the time of application. The Initial Deposit will automatically be applied after the spring portion of the contract is completed, or the student may choose to roll this payment over to the next fall contract period during Priority Room Selection in October. Refund of the \$400 Initial Deposit, due to cancellation prior to occupancy, is determined in the following chart. Students are required to contract for a Dining Plan in addition to a room.

a.

b. Once the contract has been signed, even if it is after the cancellation dates below, it becomes a binding agreement, a contract between the student (and his/her Guarantor, if required) and the University. All cancellation requests must be submitted to University Student Housing in writing by the student.

b.

e. Residents who reserve space in Carpenter/Wells, Murray Hall, Gordon Hall, Talkington Hall, West Village, or Honors Hall are required to pay a \$250 Additional Deposit, in addition to the \$400 Initial Deposit. It is due at the time a contract is completed. This fee is **non-refundable** if the contract is cancelled at any time before the end of the contract period.

c.

— Both the Initial Deposit and the Additional Deposit will automatically be applied as a credit after the spring portion of the contract is completed, or the student may choose to roll this payment over to the next fall contract period during Priority Room Selection in October.

d.

e. Additional contact and payment information can be found at <http://www.depts.ttu.edu/housing/contracts/deposit.php>.

1. Housing Information

- ~~a. Ethernet computer connections are provided in each room. All halls will have WiFi throughout the building. Other services include basic cable television service with Showtime, limitless laundry rooms, and in hall 24hour professional office.~~
- ~~b. An experienced and trained staff of Residence Life Coordinators and Community Advisors manages each residence hall. Each residence hall office provides assistance to residents with concerns, including maintenance requests, room and roommate assignments, and resource information.~~
- ~~c. The interests of students living on campus are promoted through the Residence Halls Association and individual hall governments. Each hall government sponsors social, cultural, educational, and recreational activities.~~
- ~~d. Complete information regarding campus housing can be found at housing.ttu.edu. Information regarding residence hall policies can be found at housing.ttu.edu/hallpolicies.~~

2. Housing Policy

- ~~a. In support of the Strategic Plan of Texas Tech University, the University requires enrolled first-year students to live in the University residence halls. Institutional research suggests that~~

~~students who live on campus are significantly more inclined to remain in college and achieve higher GPAs in comparison to students living off campus. Compliance with the University housing policy is a condition of enrollment, as set forth in the Student Handbook and the Undergraduate and Graduate Catalog and approved by the Board of Regents.~~

~~3. Housing Requirement~~

- ~~a. Subject to verification and authorization by University Student Housing, students who meet one or more of the following criteria may be given permission to live off campus prior to moving in:~~
- ~~1. A student is residing and continues to reside in the established primary residence of her/his parents (or legal guardian) if it is within a 60-mile radius of Texas Tech University. The parents must have established their primary Lubbock residency at least six months 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.~~
 - ~~2. A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for Financial Aid.~~
 - ~~3. A student is married or has dependent children living with the student.~~
 - ~~4. A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.~~
 - ~~5. A transfer student has successfully completed 30 or more semester hours of academic credit prior to the student's enrollment or re-enrollment. Credit earned by exam (Advanced Placement, CLEP, ACT, and SAT) and hours received from concurrent high school credit are not considered.~~
 - ~~6. A student is awarded a University scholarship/sponsorship that is managed by a University department or college, which minimally includes the equivalence of the current academic school year's room, dining plan, tuition, fees, and textbooks (as estimated by the Student Financial Aid Office). Upon prior approval from the managing department or college, the student may request to be exempt from living on campus. The managing department or college must provide verification in writing to University Student Housing prior to the student's enrollment and/or re-enrollment to the University.~~
 - ~~7. A student is enrolled in the Graduate School or Law School.~~
 - ~~8. A student has served in active military service, as verified by a discharge certificate (DD214).~~
 - ~~9. 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.~~
 - ~~10. A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.~~
 - ~~11. A student has completed a full academic year (fall and spring terms) of living on campus in the Texas Tech University residence halls; or provides sufficient evidence of living on campus at another University prior to off-campus residence eligibility.~~
 - ~~12. A student is enrolled in on-line classes only.~~
 - ~~13. A student is taking less than six hours during the academic year.~~
 - ~~14. A student enrolled for a Texas Tech University or Texas Tech University Health Sciences Center at a campus other than the Lubbock campus.~~
- ~~b. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement will be grounds for disciplinary action. Such action may include, but is not limited to,~~

~~revocation of a previously approved exemption, restitution of up to a semester's room and dining plan fees, or probation, as determined by the Office of Student Conduct and in accordance with the *Code of Student Conduct* of Texas Tech University.~~

- ~~e. Students sign a University Student Housing and Hospitality Services 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.~~
- ~~1. Signing a lease for off campus housing does not relieve the student of contractual obligations that may have been assumed with the University
for housing in the residence halls. It is responsibility of the student to comply with all provisions of the contract.~~
- ~~2. It is the responsibility of the student to update any incorrect information, regarding place of residence with the Office of the Registrar.~~
- ~~3. No exemptions will be approved once the student has moved into the residence halls.~~

~~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 Business Services.~~
- ~~b. _____ Payment Plans are available. A payment plan is available. Payments must be made by the scheduled due dates to avoid delays in registration or termination of the University Student Housing and Hospitality Services Contract. Additional remedies available to the University for non-payment of room and dining plan fees include withholding the student's transcript of grades, diploma, other academic records, and cancellation of enrollment.~~
- ~~e. _____ Students with academic year contracts are charged 60 percent of the academic year room and dining plan rate for the fall semester and 40 percent for spring semester. Students entering the residence halls for the spring semester with an academic year contract are charged 50 percent of the academic year rate.~~
- ~~d. _____ An Initial Deposit must be paid prior to reserving a room/space in the residence halls. These fees are applied to the student's billing account at the end of the contract term provided the contract is not cancelled prior to the end date of the contract term.~~
- ~~e. _____ An Additional Deposit must be paid prior to reserving a room/space in suite and apartment style residence halls. These fees are applied to the student's billing account at the end of the contract term provided the contract is not cancelled prior to the end date of the contract term.~~

SECTION KJ. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS

1. General Policy

- a. The primary mission of the University is education. The University is responsible for promoting and protecting the intellectual and cultural growth and development of the institution and the members of its community. Therefore, solicitations or

advertisements and sales, displays or distribution of publications on the campus are not permitted, except as provided below or as provided by law.

2. Definitions

- a. Solicitation includes, but is not limited to requesting money, seeking agreement to pay, taking subscriptions, selling merchandise or tickets or offering other comparable materials and privileges in person or by handbills, posters or similar materials to promote sales.
- ~~a. 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.

e.

3. University Name, Document and Records

- a. The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of University documents, records or seal is prohibited. Information is also available in Operating Policy 01.06 Use of Texas Tech University Name or Logo for Private Business Purposes, Operating Policy 72.23 Licensing and Use of TTU Registered Names, Logos, and Trademarks, and Operating Policy 68.03 Visual Identity Guidelines.

4. Jurisdiction

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

5. Solicitation Processes

- a. Solicitations by registered student organizations and students are prohibited on Texas Tech University grounds and facilities except for:
 - Activities supporting the educational mission of the institution;
 - Promotion of organizational activities consistent with organization mission;
 - Recruitment of members or membership drives;
 - Accepting donations on behalf of altruistic or charitable projects;
 - Scholarship and/or fundraising projects in support of organization mission.
 - The regulating offices may grant special permission for solicitation purposes or places not listed above in exceptional circumstances.
 - b. Permission will not be granted for any activity which promotes the use of alcoholic beverages, infers sponsorship by Texas Tech University or violates any federal, state and/or local laws and/or University policies.
 - c. In order to solicit in University buildings, authorization is required via the Outdoor Events Coordinating Committee and appropriate building manager.
 - d. Registered student organizations may use the University's registered marks when used in connection with a student organization activity, provided items are acquired from a licensed vendor. A sample or drawing needs to be provided showing how the University's registered marks are to be used before production of the merchandise can proceed. This sample will be submitted by the licensed vendor selected by the registered student organization. For additional information on licensing and use of Texas Tech University registered names, logos and trademarks, refer to OP 54.03 or contact the Office of Intercollegiate Athletics External Operations.
 - e. Requests for permission to solicit are granted for a specified period. To be eligible to solicit, an individual must present current student identification and submit a Grounds Use/Solicitation request form to the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. A permit to solicit may be revoked if the solicitation violates any of the regulations pertaining to solicitations and advertising or sale, display, or distribution of printed materials.
 - f. Decisions by the Outdoor Events Coordinating Committee rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the Director of the Center for Campus Life.
 - g. A written appeal describing the objections to the denial to the Director of the Center for Campus Life must be filed no later than five (5) University working days after receipt of notice of denial from the Outdoor Events Coordinating Committee.
 - h. The Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within five (5) University working days from the receipt of the written appeal.
 - i. The student or registered student organization may not appeal beyond the Director of the Center for Campus Life.
- 6. Advertisements**
- a. Advertisements by commercial organizations, either as groups or through student

representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co-sponsorship, which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.

- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the Texas Tech Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Outdoor Events Coordinating Committee.

7. Printed Materials & Digital Signage

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

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

8. Use of Bulletin Boards & Digital Signage

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

9. Violations

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

SECTION LK. STUDENT IDENTIFICATION

1. Student Identification

- a. The student identification card is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.
- c. Students shall not alter their student identification in any way.
- d. On request, students must present their student identification to any member of the University faculty, staff, administration or police.
- e. A student must pay a replacement charge for lost, stolen or damaged student identification cards. Upon issuance of a replacement student identification card, previous cards cannot be reactivated.
- e.f. Identification cards are only valid when the bearer is a registered student, employee, or guest of the University.

SECTION ML. STUDENT INVOLVEMENT & REPRESENTATION

1. Student Government Association

The Student Government Association (SGA) is the official organization representing

student interests and voicing concerns to administration. SGA provides programs and activities directed to enhance and develop premier leadership and career success through education.

2. **Student Media Treador Media**

-Located on the first floor of the Media & Communication Rotunda, ~~Student Media~~ Treador Media provides out of classroom learning opportunities for students to use academic training obtained at Texas Tech in practical settings of publishing the student newspaper, *The Daily Treador*; digital media at www.dailytreador.com; and the campus yearbook, *La Ventana*. Texas Tech University recognizes the editorial independence and press freedom of all student-edited campus media, specifically *The Daily Treador* and *La Ventana*. Both print and digital publications are considered out-of-classroom learning opportunities, free from administrative censorship. Student editors of *The Daily Treador* and *La Ventana* have the authority to make all content decisions; consequently, they bear the responsibility for the decisions they make. ~~Student Media~~ Treador Media employs 40-60 30-50 students each semester as collegiate editors, reporters, photographers, videographers, ~~anchors~~, graphic designers, print, & digital advertising account executives, and members of the delivery staff and street team. Many ~~Student Media~~ Treador Media students are Media & Communication majors while others may study other disciplines. Students interested in the fields of advertising, journalism, marketing, public relations, photography and broadcast are encouraged to apply for positions on the newspaper, multimedia website, and yearbook staffs at www.dailytreador.com. See TTU Operating Policy 30.27.

3. **Military & Veterans Programs**

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

- a. The exemption for Texas Veterans under the Hazlewood Act which provides an education benefit to honorably discharged or separated Texas veterans and to eligible dependent children and spouses of Texas veterans.
- b. The educational programs such as the various educational benefits offered through the Department of Veteran Affairs.
- b. Connect with Military & Veterans Programs by visiting www.mvp.ttu.edu
- c. _____

SECTION NM. STUDENT ORGANIZATIONS

1. **Registered Student Organizations**

- a. Texas Tech University defines a student organization as a group consisting of 5 or more students (president, treasurer, and a minimum of three members) joining together for a common mission, cause, and/or any other association. Only currently enrolled students are eligible to be part of student organizations at TTU. TTU registers student organizations annually through the Center for Campus Life.

Registered student organizations are bound by the expectations set forth by the Center for Campus Life and receive all rights and Responsibilities outlined by TTU. Student organizations that are unregistered may not access University resources however, unregistered student organizations shall be subject to the TTU Code of Student Conduct.

- b. Generally, student groups broadly fall under one of the following categories:
 - Academic-Agricultural Sciences and Natural Resources,
 - Academic- Architecture, Academic-Arts and Sciences,
 - Academic-Business,
 - Academic-Education, Academic-Engineering, Academic-Human Sciences, Academic-Media and Communications, Academic-Visual and Performing Arts, Advocacy/Activism, Campus Departmental Support, Cultural/International, Fraternity/Sorority, Graduate, Hobby/Leisure/Recreation, Honor, Law School, Political, Pre-Law, Pre-Professional, , Residential, Service/Philanthropy, Spiritual/Faith Based, and Sport Club.
- c. All student organization registration is administered by the Center for Campus Life.
- d. Must be in compliance with Texas Education Code, Section 51.9361, Risk Management Programs for Members and Advisors of Student Organizations.
Note: See Texas Education Code, Sections 37, 151-37, 155 and Section 51.936 as delivered by the Office of Campus Life annually.

2. Sport Clubs

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

3. Social Fraternities/Sororities

- a. The Center for Campus Life is responsible for the oversight of Texas Tech Social Fraternities and Sororities. A group seeking single-sex social fraternity or sorority status must first be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.
- b. All student organizations registering as a single-sex social fraternity or social sorority must show proof of their Title IX exemption by ~~attaching~~ uploading to their

registration, ~~application~~ a letter from their national affiliate with their IRS 501(c)7 number.

4. Conditions for Registration of New and Reforming Student Organizations

- a.—A student organization is eligible for registration if it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, or gender expression, except that: a registered student organization created primarily for
 - ____
- b.—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.
 - a.____
- e.—Faculty and staff may hold associate memberships to the extent allowed by the student organization's constitution.
 - b.____
- d.—The organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is substantiated with the Center for Campus Life.
 - c.____
- e.—All funds allocated to a registered student organization from University-controlled sources must be maintained in a University account. Additional resources acquired by fundraising may be kept in an off-campus organizational account.
 - d.____
- f.—The student organization shall show initiative in effectively meeting its stated purpose and be lawful and peaceful in its activities. The Center for Campus Life is available to assist in organizational development.
 - e.____
- g.—The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/ associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Texas Tech University.
 - f.____
- h.—Registered student organizations shall not use the name, logo or symbols of the University in print, online, and on social media as part of its name or in its publications. In addition, the organization shall not advertise or promote functions or activities in a manner that suggest sponsorship by the University. Registered student organizations are permitted to use the word "Tech" as a part of their names or to use the complete statement "a registered student organization at Texas Tech University." Approval of the use of logos or symbols protected by Texas Tech University is under the discretion of the Athletic Department External Operations, Texas Tech University.
 - g.____

- i.—Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials in the Center for Campus Life. Any student organization wishing to solicit on campus must follow the policies and procedures listed in the current TTU Solicitation Policy Student Handbook.
- h. _____
- j.—All registered student organization resources must be used to advance and support the organization's purpose, identified goals, and/or mission.
- i. _____
- k.—Must comply with University rules, standards, and policies.
- j. _____
- l.k. Student organization registration does not imply University approval of either the organization or its functions or activities.

5. Registration of New and Re-Registering Student Organization

- a.—A student may submit the “intent to form” request, a new student organization application on TechConnect. The student is then contacted to attend a required ~~to meeting~~ training with the Student ~~Organization~~ Involvement Staff to discuss the registration process. After the form has been submitted and the student has ~~met with~~ attended the training with the Student ~~Organization~~ Involvement Staff the non- registered group will be placed on a 30 day temporary status, which will allow the group the privileges of the University facilities and publicity venues common to registered student organizations. The 30-day time period should be used to recruit new members, develop a constitution and by-laws and obtain a permanent full- time faculty/staff advisor. A student organization may choose to register within the 30-day time period if they have met all of the requirements to register.
- b. ~~Before the “intent to form” expiration deadline, students still interested in permanent status should complete the on-line registration process and schedule an additional meeting with the Student Organization Staff, if necessary to discuss finalizing their status as a registered student organization. Extensions of the “intent” status are possible under extenuating circumstances and requests should be addressed to the Student Organization Involvement Staff. Although re-registration of current groups occurs during the spring, this does not mean that new or reforming groups have to wait until the spring to complete the process.~~
- c. Registration occurs by going to the TechConnect website at <https://ttu.campuslabs.com/engage/> and logging in using your eRaider username and password. Students ~~are guided through completing the registration process online. Students will be prompted to create an individual profile if they have not already created one.~~ will need to click on the “Organization” tab on the top bar. Next they will need to click on the “Register an Organization” tab on the far left of the screen. If registering a new organization the student will need to scroll to the bottom of the page and click on the “Register a New Organization” tab to start the process. For students re-registering student organizations they will need to use the search engine

to search for their organization and then select the “Re-Register” button by the organization. If the organization does not show up the student will need to work with the Student Involvement Staff to gain access.

- d. To validate the online process, student organizations must provide:
 1. List of Officers (must include president and treasurer).
 2. List of full membership, must have a minimum of three members in addition to a president, treasurer (total minimum organization size of five).
 3. List an on-campus address, also known as a Mail Stop or box number.
 4. Submit updated copy of constitution and/or by-laws and constitution and/or by-laws of any other local, state or national affiliate organization (if applicable). An organization’s constitution and/or by-laws should address a minimum of these areas: name and purpose, membership requirements, selection and removal process, anti-discrimination statement, officer titles, duties, election and removal process, departmental and/or external relationships, financial procedures, procedures for decision making (quorum and voting), faculty/staff advisor selection and expectations, and parliamentary authority. It is recommended to include the organization’s risk management policy into the bylaws or upload it to the organization TechConnect documents.
 5. New student organizations registering as a single-sex, social fraternity or social sorority must show proof of their Title IX exemption. Upon filing their registration application, groups must ~~attach~~ submit a letter from their national affiliate with their IRS 501(c) 7 (Internal Revenue Code) tax exemption number from the Internal Revenue Service. This is the mechanism the government uses to verify eligibility for single-sex exemption.
 6. Provide the name, title, campus address, telephone number and e-mail address of a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member indicating their willingness to serve as the organization’s advisor.
 7. The president or organization must meet with the Faculty/Staff advisor and have them sign a “Advisor Agreement Form” (found within registration in TechConnect and in the TechConnect TTU Student Organization “Documents” Student Organization Resources folder) stating they agree to serve as the organization’s Faculty/Staff Advisor for the next year. Electronic signatures are not accepted.
 8. Upload a signed copy of the Advisor Agreement Form on the last page of registration to complete the process.
- e. The registration process must be completed annually for student organizations, fraternities and sororities, and sport clubs to maintain registration status. Registration will open up in mid-spring and will need to be completed by ~~the~~ May 1st to participate in summer organization fairs and the first day of the fall semester to avoid being Frozen. Organization that are Frozen will still be able to access and register their organization but will not be listed as an organization to the public. Once the

organization has submitted their registration and has been approved they will be removed from Frozen status.

6. Benefits of Registered Student Organizations

- a. Benefits include: free space reservations in the Student Union, opportunity to reserve rooms in academic space (i.e. classrooms), ~~and~~ Grounds Use application, free mailbox in the Student Union, organization information published online, posting on campus, use of University logo (with permission of Athletics Department External Operations), leadership training, student org resources, ~~and~~ access to Involvement Center, and opportunity for storage lockers through the Student Union Main Office.
- ~~b. Registered student organizations may apply for funding through the Student Government Association (SGA) each year provided they are registered as a student organization with the Center for Campus Life and have completed the annual risk management requirement prior to the application deadline. for reviewing registered student organization funding and meet other eligibility requirements.~~
- b. Registered student organizations that are not funded by SGA may apply for funding from the Core Values Fund each year. Access to the application can be found on the Student Involvement website ~~or on TechConnect under FORMS.~~
- c. Sport Clubs
Sport clubs are entitled to all of the benefits of a registered student organization. In addition, each club receives administrative and financial support from Recreational Sports. However, since the Sport Club program receives its funding from the Student Recreation Fee, organizations that affiliate with Recreational Sports are not eligible for SGA funding.

7. Faculty or Staff Advisor

- a. Each registered student organization shall have a full-time University faculty or staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning and decision-making. The advisor ~~should~~ is recommended to certify the organization's expenditures by co-signing all checks or vouchers. The advisor must oversee adherence to University standards, rules and/or policies as well as the organization's constitution and by-laws.
- b. Registered student organizations may have additional advisors, i.e. coaches (typical of sports clubs) or alumni advisors, to the extent permitted by their constitution and/or by-laws; however, one advisor must be a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member as required and identified in the registration process.
- c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Texas Tech employee should also be included when filling out the registration application, complete with names, addresses, telephone numbers and emails.
- d. Registered student organizations have ten (10) University working days to update their Org Profile roster at <https://ttu.campuslabs.com/engage/> ~~with the name, address, telephone number and email~~ of any new or replacement for the full-time University

faculty or staff member, ~~appointed as their advisor.~~ Failure to do so may result in suspended privileges.

- e. Certain student organizations do not choose their advisor(s); rather, they are assigned a full-time faculty or staff person by the department to oversee the administration of those areas, groups and resources.
- f. Established full-time University faculty or staff members, who reduce employment hours below full-time status and maintain an office on-campus, may continue to function as the "Primary" advisor of a student organization with the approval of the Center for Campus Life.
- g. Student organization advisors should complete advisor risk management training set by the Student ~~Organization Involvement~~ Staff.

8. Prerequisites for Maintaining Registration

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

- a. Organizations must update the "Roster" on TechConnect at <https://ttu.campuslabs.com/engage/> within ten (10) University working days of any of the following:
 - ~~b.1.~~ Election of or change in officers ~~must be emailed to studentorgs@ttu.edu~~ when changed outside of a registration period;
 - ~~e.2.~~ Change of full-time faculty or staff advisor;
 - ~~d.~~ Changes in organization documents (i.e. constitution, membership requirements);
 - ~~e.b.~~ Conduct its affairs in a lawful manner as a collaborative entity, in accordance with the constitution and by-laws it has on file, and applicable policies, rules, regulations and standards of the University and/or federal, state, and/or local statutes.
 - ~~f.c.~~ Solicitation on campus by registered student organizations may not abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the Student ~~Organization Involvement~~ Staff or designee.
 - ~~g.d.~~ Ensure off-campus individuals or organizations whose appearance on campus is sponsored by the organization observe all applicable policies, rules, regulations and standards of the University.
 - ~~h.e.~~ In accordance with Texas Education Code, Section 51.9361, all registered student organizations are required to attend training sessions on the topic of risk management as it relates to individuals, organization functions, and/or activities and complete the required assessment. Social fraternities and sororities are required to attend the Clay R. Warren Risk Education Programming annually. The Student ~~Organization Involvement~~ Staff and/or other designated departments may require other student organizations to attend the Clay Warren Risk Education Programming to fulfill this requirement. Student organizations not required to attend will participate in an alternative risk management training opportunity identified by the Student ~~Organization Involvement~~ Staff.
 - ~~i.1.~~ Student organizations will be assigned a tier group based on the questions they answer in their student organization registration regarding risk.

j.2. The Student Organization Staff will determine any additional risk management training requirements for student organizations.

- a. Student Organizations are ~~expected~~ to send at least their president to the Student Org Academy each spring to receive needed training to prepare them for next academic school year.
- b. Center for Campus Life and/or Office of Student Conduct may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the Student Handbook, Part I, Section D

9. Conduct Procedures for Student Organizations

- a.—All student organizations, registered and operating as a registered organization are held accountable for the *Code of Student Conduct* to include but not limited to academic integrity, sexual misconduct, hazing, and federal/state/local laws (a lack of conviction in any criminal proceeding of members of the organization or the student organization does not preclude the University from proceeding with TTU conduct processes). The student organization conduct process is outlined in Part I Code of Student Conduct, Section D,
 - a. including processes for the interim suspension and denial of registration for student organizations.

SECTION ON. STUDENT RIGHT TO KNOW

In compliance with federal guidelines, Texas Tech University provides all students, employees, and prospective students up-to-date information about campus crime statistics, six-year graduation rates of students and student athletes, and campus services such as tuition and fee rates, housing options, withdrawal procedures, study abroad programs and disability services. Links to current information are available at <http://www.depts.ttu.edu/studentconduct/right-to-know.php>.

SECTION PO. STUDENT RECORDS

1. General Policy

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

2. Address of Record

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official

University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at www.raiderlink.ttu.edu via the MyTech (for Students) tab.

3. Student Access to Educational Records

- a. All current and former students of the University have the right to access their educational records as provided by law.
- b. Upon written requests, students may obtain copies of their educational records at their expense and pending resolution of administrative holds.
- c. The University will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.
- d. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards. A student seeking employment through the University Career Center may sign a waiver.
- e. Directory information may be disclosed without the student's permission, unless the student has requested confidentiality See http://www.depts.ttu.edu/registrar/Academic_Information.php for more information.
- f. Non-directory information such as personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the consent of the student.

4. Records Not Accessible to Students

The following are records not accessible to students:

- a.—Instructional, supervisory and administrative personnel records and the student's educational personnel records in the sole possession of the author and not revealed to any person other than a substitute (i.e. grade books, notes of
a. observation and notes for recollection purposes).
- b. Employment records of a University employee who is not a student.
- c. Medical records are maintained for students visiting Student Health Services. Information contained in the medical record is privileged and will not be released to another person or institution without written permission of the student, unless otherwise authorized by law. ~~Medical records are kept on file indefinitely at the Student Wellness Center at the corner of Main and Flint, Lubbock, Texas 79430. Students needing to request a copy of their medical records may contact Student Health Services at (806) 743-2848. Medical records are kept on file indefinitely.~~ Students needing a copy of their medical records may contact the Medical Records Office at (806) 743-2608. While not considered "education" records under the Family Educational Rights and Privacy Act of 1974, as amended, the mentioned statute still allows the patient, in most instances, access to his/her records. The general rule of confidentiality contains an exception when the patient or someone authorized to act on his/her behalf submits a written consent. Consent must be in writing and signed by the patient (or a parent or legal guardian if the patient is a minor). A physician shall furnish copies of medical records requested in accordance with the consent provided, except if the physician determines that access to the

information would be harmful to the physical, mental or emotional health of the patient.

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

5. Authorized Non-Student Access to Student Records

Educational records, including non-directory information and personally identifiable information within a record, may be released without the written consent of the student to:

- a. Officials, faculty and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends to enroll or seeks to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c. Authorized representatives of federal, state or local educational authorities.
- d. Individuals needing this information in connection with a student application for, or receipt of, financial aid.
- e. 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.
- f. Accrediting organizations.
- g. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ~~ascertained~~ reviewed and documented by the Office of the Registrar.
- h. Appropriate persons, if necessary, to protect the health or safety of the student or other persons.
- i. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena.

6. Challenge of Record Information

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

- a. Any student wishing to challenge records or information directly relating to him or her must notify the individual responsible for maintaining the records. The notice must be in writing and specifically identify the item challenged and the basis for the custodian of the challenged records.
- b. All initial meetings will be informal and participants will include: the custodian of the challenged records or information, the student and the author (if appropriate) of the material.
- c. If any of the participants (record custodian, student or author) are not satisfied with the results of the informal meeting, a formal Hearing will be conducted

under the following procedures:

- The Hearing will be conducted within seven University working days following the request for the Hearing.
- The Hearing will be conducted by an institutional official or other party who does not have direct interest in the outcome of the Hearing appointed by the ~~Associate~~ Vice Provost for Student Affairs.
- The student may present evidence relevant to the content of the educational records to demonstrate how they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.
- A written decision must be delivered in writing to all interested parties within seven University working days after the conclusion of the Hearing.

7. Release of Student Directory Information

- a. Directory information of students who have not elected to restrict their directory information may be released to third parties upon request.
 - Student Name
 - Permanent and Local Addresses
 - Place of Birth
 - Classification
 - Major Field of Study
 - Dates of Attendance
 - Degrees, Awards, and Honors Received
 - Specific Enrollment Status
 - Full-time, Part-time, Half-time
 - Undergraduate, Graduate, Law
 - Participation in Officially Recognized Sports and Activities
 - Height/weight of members of Athletic Teams
 - Previous Institution(s) Attended
- b. This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld in writing in West Hall, room 103, or by restricting personal directory information at www.raiderlink.ttu.edu under the MyTech (for Students) tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name.
- c. The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail address or telephone number, is confidential and not subject to disclosure under Section 552.021, Government Code.

8. Destruction of Records

The University constantly reviews the “educational records” it maintains and periodically destroys certain records. The University will not destroy records if prohibited by state or

federal law. The student's basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Office of Student Conduct. In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely. Student Disability Services records are maintained for three years after the last date of enrollment.

9. Letters of Recommendation

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

SECTION QP. USE OF UNIVERSITY SPACE

1. General Policy

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

University buildings, grounds or property may not be used by individuals or organizations not connected with the University, with the exception of the use of Traditional Public Forum Areas for free expression as set forth in the section below or as otherwise permitted under Texas Tech University or Texas Tech University System policies. An individual who is not a student, faculty, or staff member may attend functions or activities held on University property, but to be eligible for the use of campus facilities, the function or activity must be sponsored by and affiliated with a University department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but 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. Except as otherwise permitted under Texas Tech University or Texas Tech University System policies, non-registered organizations or off-campus groups

or persons not sponsored by a department or registered organization will not be permitted to reserve facility spaces on campus. State law requires that University facilities and property be used only for state purposes and not for private gain.

Note: For the purpose of this policy a Traditional Public Forum is defined as common outdoor areas of the University campus.

2. Reservation Requirements

- a. Reservations must be made for the use of buildings and grounds that are not considered Traditional Public Forums (see Designated Facilities below) and are under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. Requests must be made to the appropriate office. Requests from registered student organizations must be signed by the organization's president and full-time faculty/staff advisor. Requests from individuals must be signed by the person applying for the use of the space or facilities.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

3. Use of Facilities by Student Organizations

- a. Student organizations must be registered to use University facilities or grounds.
- ~~b.~~ These meetings must be held within a 30 calendar-day time period from the date the Center for Campus Life Staff notifies the Student Union for the petitioning organization's intent to register. Academic
- b. campus facilities 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. Petitioning student organizations are also allowed to submit unlimited grounds use requests during the 30 day time period. If the petitioning student organization does not have a faculty/staff advisor yet the staff in the Center for Campus Life can sign off. Additional reservations will not be approved until the student organization is registered.

4. Procedure and Priorities for Designated Facilities

- a.—Student Union
 - Priority for use of space in the Student Union is given to programs and activities which are conducted by the various departments within the Student Union.
- a. Secondary priority is given to registered student organizations and University departments. Reservations must be made in the Student Union Office Room 203.
- b. Academic Buildings
 - Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Operations Division Planning and Administration. All requests must be

submitted by an active member of the student organization using the online request form in Ad Astra Schedule at http://academicscheduling.ttu.edu/Astra_Schedule or in person at the Operations Division Planning and Administration office. A link to the scheduling site and complete instructions can be found on the department website at <http://www.depts.ttu.edu/odpa/spi/eism>

All requests must include the full name, department, and phone number of the student organization's full-time faculty or staff advisor. Recurring space assignments may be made for one semester only. All space assignments are made on the basis of use consistent with the purposes of the University and of available space. Space assignments for student organizations will not be scheduled on weekends, holidays, during final examination periods, or during Individual Study Day. Academic use by departments and colleges has priority over other uses and organizational assignments may be changed or canceled if conflicts with regular academic programs develop. Academic space will be assigned on a limited basis if:

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

c. Residence Halls

Currently enrolled students who live in the residence halls and participate in the residence hall governments have first priority for use of all residence hall facilities. Facilities may also be provided for individuals or groups whose activities are sponsored by, or affiliated with, University Student Housing.

University departments or registered student organizations may use residence hall facilities during the summer, or at times when space is available, for workshops, institutes, short courses and conferences. However, space availability is limited, and requests for the use of residence hall space must be made to the Managing Director of University Student Housing.

d. Intercollegiate Athletic Facilities

Texas Tech University complies with ADA standards and ensures access and accommodations for guests to all facilities listed. The Jones/AT&T Stadium Athletic Complex, Fuller Track and Field, Rip Griffin Park, McLeod Tennis Center, Rocky Johnson Field, John Walker Soccer and other athletic fields are owned and maintained by the University for the primary use and benefit of the intercollegiate athletic programs of the University, of allied non-University athletic activities consistent with such programs and of official academic events of the University. The use of these facilities shall be limited to these purposes unless otherwise authorized by the Intercollegiate Athletics Office. Requests for use of all intercollegiate athletic facilities must be made to the Intercollegiate Athletics Office. Texas Tech University complies with ADA standards and ensures access and reasonable accommodations for guests to all facilities listed in items e-i below.

e. Recreational Facilities

The Robert H. Ewalt Recreational Center, Aquatic Center, Leisure Pool, recreation

fields, gazebos, tennis courts, racquetball courts and basketball courts are intended primarily for student recreational and instructional use on an organized group and individual basis. Recreational Sports is responsible for scheduling the use of these facilities.

f. McKenzie-Merket Alumni Center

The McKenzie-Merket Alumni Center, located on the southeastern corner of the Texas Tech campus, directly west of the Kent R. Hance Chapel, is the home for all Texas Tech Alumni and friends. This facility boasts a ballroom that can seat 300-plus for a banquet and more than 500 in a theatre setting. Two separate courtyards provide space for outdoor events. Booking of this facility is coordinated by the Texas Tech Alumni Association at (806) 742-0400.

g. Frazier Alumni Pavilion

The Frazier Alumni Pavilion, situated just southwest of Jones AT&T Stadium is a 6,000-square foot facility designed to host large banquets but can be configured for weddings, press conferences, and other events. It also has a 10,000-square foot outdoor porch area that can be used to increase the size of your event. To book this venue, contact the Texas Tech Alumni Association at (806) 742-0400.

h. Kent R. Hance Chapel

A 6,879-square foot, 250-seat, non-denominational Spanish Renaissance chapel is capable of supporting a broad range of services and events. To book this venue, contact the Texas Tech Alumni Association at (806) 742-0400.

i. United Supermarkets Arena

The United Supermarkets Arena is a 15,000-seat multi-purpose facility and is host to a variety of entertainment and athletic events, including Texas Tech University basketball and volleyball, commencement ceremonies, concerts and numerous meeting room events. Facilities available for lease within the United Supermarkets Arena include the four meeting rooms in the City Bank Conference Center, Club Red, the arena concourse, the arena floor and the arena bowl area.

Registered student organizations receive rental discount for the City Bank Conference Center meeting rooms. Texas Tech University Commencement, Texas Tech University Health Sciences Center Commencement, Texas Tech basketball and volleyball games and major arena events, such as concerts, have priority in booking the United Supermarkets Arena. Space in the United Supermarkets Arena is reserved through the Arena Management Office.

5. Use of Campus Grounds

- a. Selected grounds area (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, students and employees. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop.
- b. Students or registered student organizations desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. Faculty, staff, or departments of the University desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304 as

well. In accordance with the University's Operating Policy 61.02 regarding Use of University Grounds, Facilities and Amplification, each use must be approved in writing by the Outdoor Events Coordinating Committee (OECC). Requests must be submitted at least two (2) weeks before the intended use. Recurring use assignments shall not be permitted.

- c. The Outdoor Events Coordinating Committee (OECC) will coordinate all grounds use applications and shall grant only grounds use requests that are consistent with applicable University regulations and local, state and federal law.
- d. A permit granting grounds use shall specify the boundaries of the area to be used, the date for which the use is approved, the time at which the proposed activity may begin, the time at which the reservation for the use expires and any special provisions concerning the use of the space. No request will be approved for activities occurring during individual study days and/or final examination period.
- e. Students or registered organizations using a designated area are subject to the following requirements:
 - Use of amplification equipment must comply with the guidelines below.
 - A structure may not be erected on campus grounds without prior written approval that will include arrangements for securing the structure, and cleaning up after the event.
 - _____
 - If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a University account number before the activity can be approved by the Outdoor Events Coordinating Committee.
 - Violations of these campus grounds use regulations are subject to the disciplinary sanctions and procedures outlined in the *Code of Student Conduct*.
 - Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the General Counsel's Office, Risk Management Office, other University departments or others as necessary prior to approval from the Outdoor Events Coordinating Committee.
 - Participants in, and/or sponsors for, events may be required to sign a "Hold Harmless" release.
 - The sponsor ~~shall~~should contact the Environmental Health and Safety Department to make necessary arrangements for any event that includes concessions or a mobile concession stand. In order for any person, vendor, or organization to operate a temporary food service or mobile unit on Texas Tech property, the Environmental Health and Safety Department must issue a valid Temporary Food Service Permit.
 - The sponsor should contact Transportation & Parking Services to make necessary parking arrangements for the event.
 - If the use of University grounds is for programs or activities involving minor children, the sponsoring group must comply with Texas Education

Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

6. Freedom of Expression Activities and Traditional Public Forum Areas

- a. The open exchange of information, opinions, and ideas between students is an essential element of the campus experience. These policies are intended to protect the interests of all students as well as other members of the University community. These policies presume that students are generally free to engage in freedom of expression activities in those outdoor areas of campus that are common and accessible to all students (such as park-like areas and sidewalks) without the need of prior approval of the University.
- b. Although the Texas Tech University campus is ~~generally~~ an open campus for purposes of student freedom of expression activities, students are encouraged, and persons and groups not affiliated with the University are required, to use the Traditional Public Forum Areas of the campus for freedom of expression activities.
- c. ~~The following are Traditional Public the~~ Forum Areas as currently defined at Texas Tech University are common outdoor areas of the institution's campus.
Each Designated locations is are marked with a plaque that reads, "Forum Area," and may be used on a first-come, first-serve basis.

—Southwest Collections – the outdoor gazebo and concrete octagon surrounding it located immediately east of the Southwest Collections building close to the corner of 15th Street and Boston Avenue.

•
—Engineering Key – the northern 1/3 of the grassy area of the Engineering Key from the diagonal sidewalk going north to the flowerbed and bound by the street curbs on the east and west sides.

•
—Student Union – northeast corner (15th Street and Akron Avenue).

•
• Student Union/Library Plaza – the southern 1/3 of the plaza between the Student Union and Library described as follows: From the southwest raised flowerbed in front of the Library on the west to the black brick border of the flowerbeds on the east; and from the black brick border that stretches from the Library steps to the flowerbed outside the Student Union west entrance on the north to the bollards on the south end.

•
—College of Media and Communication – the western half of the courtyard between the College of Media and Communication building and the Architecture building as described by the midway sidewalk on the east to the inside of the Flint Avenue sidewalk on the west and the sidewalks on the north and south sides.

—
—Jerry S. Rawls College of Business Administration – the western half of the

courtyard between the College of business Administration building and the Architecture building as described by the midway sidewalk on the east to the inside of the Flint Avenue sidewalk on the west and the sidewalks on the north and south sides.

- Urbanovsky Amphitheater – the Urbanovsky Amphitheater bound on the west by the second semicircular sidewalk, on the east by the inside of the sidewalk bordering Flint Avenue, and by the north and south sidewalks.
- d. Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:
- The location selected for the activity is inadequate for the purpose for which it will be used (either too close to buildings, not big enough for the event, etc.);
 - The activity substantially interferes with either vehicular or pedestrian traffic;
 - The activity blocks the ingress or egress to buildings;
 - The space is not available due to prior reservation;
 - The activity conflicts with a previously planned University activity;
 - The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University;
 - The activity presents an unreasonable danger to the health or safety of the applicant or other individuals;
 - The activity is prohibited by local, state, or federal law; or
 - The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on campus.
 - The content of the speech in question will not be a factor when determining the need to relocate.
- e. Students engaged in freedom of expression activities may be subject to discipline under the *Code of Student Conduct* for the following actions:
- Activities that which are illegal.
 - Activities that deny the rights of other students, faculty and staff of the University as afforded by policy or state, federal law.
 - 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 hate speech obscenities, libelous statements, or “fighting words,” as defined by law.
 - Activities that result in damage to or destruction of University property or;

- Activities that attempt to prevent a University event or other lawful assembly by the threat or use of force or violence or:-
- 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.

7. Appeals of Ground Use Request Denials

Students of registered student organizations, whose requests for the use of campus grounds or non-academic space are denied, may appeal to the Director of the Center for Campus Life as follows:

- a. A written appeal describing the objections to the denial presented to the Director of the Center for Campus Life must be filed no later than five (5) University working days after the receipt of notice of the denial from the Outdoor Events Coordinating Committee.
- b. The Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within a reasonable time from the receipt of the written appeal.

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 Area' ~~Forum Areas~~ locations from 8:00 am to 5:00 pm Monday through Friday.
 - Use of Amplification Equipment in All Other Outdoor Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities in all other outdoor areas of the campus after 5:00pm Monday through Friday.
 - Use of amplification equipment is subject to all rules concerning the time, place, and manner of freedom of expression activities, Designated 's and Forum Areas', and Traditional Public Forum Areas as set forth in section 7 of this policy.
 - Only handheld amplification devices are permitted.
 - No amplification of sound is permitted during the final exam period ~~week prior to or the week of final exams~~.
 - The volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
 - Use of amplification equipment shall not create a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University community.
- b. Other Use of Amplification Equipment
 - The use of loudspeakers, any other type of amplification equipment (e.g. portable stereo devices, portable studios, etc.), or amplified musical instruments on University grounds by students and/or registered student organizations for any purpose other than expressive activities as set forth in

section 7, above, is by permission only.

- Applications from individuals, departments, and organizations for permission to use amplification equipment must be made on the Grounds Use and Solicitation Request form provided by the Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration.
 - Applications must be submitted at least two weeks before the intended use.
 - The Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration 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 Operations Division Planning and Administration.
 - Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with
 - classes in session, examinations, or other campus community activities.
 - Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Outdoor Events Coordinating Committee (OECC).
 - Outdoor dances utilizing sound amplification devices may be held only on Friday and Saturday nights, and must terminate by 1:00 a.m. Bands may use their own equipment on such dates.
- c. Academic Use
- The appropriate use of loudspeakers for official University activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the Provost.
 - Permission for use of the victory bells or carillon bells in the towers of the Administration Building must be requested through the Office of the Provost at least one University working day before time of intended use. Use of the bells must not interfere with the normal functions and programs of the University. See OP 30.21.

SECTION RQ. WITHDRAWALS

1. Voluntary Withdrawal from the University

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

2. Involuntary Withdrawals

- a. 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.

b. Notice

Notice regarding students who may be direct threats (both self-reports and third party reports) should be made to the Office of the Dean of Students or designee.

c. A "direct threat" means

- There is a high probability (not just a slightly increased, speculative, or remote risk)
- of substantial harm
- Based on observation of a student's conduct, actions, and statements.

e. The Dean of Students or designee will review the information presented in the notice, including what attempts, if any, have been made to reduce or eliminate the direct threat, such as the student's voluntary compliance with medical or counseling assistance.

f. The Dean of Students or designee will notify the student of the concern.

g. The Dean of Students or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled ~~within five University working days~~ in order to determine whether the student poses a direct threat to him/herself or others. The meeting may include, but is not limited to discussion of:

- Involvement of parents or significant others;
- Academic progress;
- Living arrangements;
- Previously granted accommodations;
- Confidentiality waivers;
- Other possible accommodations, care and support resources including medical or counseling assistance; and
- Withdrawal implications such as financial aid, health insurance, visas, and academic timelines.

h. If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via certified mail to the student's last known official, local address as provided by the student to the Registrar's Office and/or electronically to the student's University email account. Students not responding to requests for meetings or assessments may be referred to the Office of Student Conduct for allegations of failure to comply with reasonable directives and/or requests of a University official acting in the performance of their duties. School of Law students may also be referred to the Associate Dean for Student Life and may be held accountable through the Student Code of Professional Conduct.

i. Temporary Suspensions

During the involuntary withdrawal process, if the ~~Associate~~ Vice Provost, for Student Affairs or designee determines that an immediate direct threat exists against others or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending a final decision on the involuntary withdrawal as long as the student has received notice of the concern, and had an opportunity to address the concern, and the student is afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may not attend classes, use University services and/or resources (except those expressly permitted by the

~~Associate~~ Vice Provost, for 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 ~~Associate~~ Vice Provost, for Student Affairs or designee and the Texas Tech Police Department.

j. Involuntary Withdrawal Assessment

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

The assessment will be based in part 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.

Additionally, the assessment may include but not limited to information related to the student's threat to self or others, non-compliance with University requirements or expectations, and/or lack of Academic progress. Students with disabilities have the right to have their disability considered during the Committee's review. However, the student must adhere to all academic requirements and technical standards set forth by their department or college. The student must be able to meet the requirements with or without accommodations for their disability. The assessment will be in the form of a written report containing the findings and recommendations of the medical and other professionals performing the assessment.

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

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

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

The assessment will determine:

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

k. Involuntary Withdrawal Committee

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

The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Associate Academic Dean, Director of the Student Counseling Center, Medical Director of Student Health Services, Director of Student Disability Services, and Dean of Students. If the student resides in campus housing, the Director of Student Housing will also serve as a voting member of the committee. The Dean of Students or designee will chair the committee. If the student is a law

student, the Associate Dean for Student Life will also serve as a voting member of the committee. A non-voting resource person may be assigned from the ~~Associate~~-Vice Provost for Student Affairs to present information and assist the committee. The Involuntary University Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be permitted an opportunity to address the evidence being considered by the Involuntary Withdrawal Committee.

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

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

l. Review of Committee Recommendation

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

m. Appeals Process

The student may appeal the decision of the Dean of Students or designee by submitting a written appeal to the ~~Associate~~-Vice Provost for Student Affairs within five (5) University working days. The student will be notified in writing of the final decision within five (5) University working days of receipt of the appeal.

n. Final Decision

Upon completion of the appeal process or with no receipt of an appeal, the student who is involuntarily withdrawn may not attend class or use University facilities, must vacate University housing within 48 hours and may not return to campus unless approved by the ~~Associate~~ Vice Provost for Student Affairs. Referrals will be made for the student upon request to appropriate community resources, i.e. medical care and housing. The student may be entitled to refunds of prorated tuition, fees, and room and board charges as a result of involuntary withdrawal. A registration hold will be placed on the student's record at the direction of the Dean of Students or designee, limiting any subsequent registration until approval is given by the Dean of Students or designee.

o. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year. At that time, the student should present documentation to the Office of the Dean of Students for review. Documentation may include, but it is not limited to, current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon re-enrollment. The documentation shall be presented to the Involuntary Withdrawal Committee for recommendation to the Dean of Students or designee. Readmission requests and documentation must be presented by February 1 for summer enrollment, May 1 for fall enrollment, and October 1 for spring enrollment. Readmission will be contingent upon demonstration or documentation that the student is no longer a direct threat, and upon meeting admission deadlines and requirements.

APPENDIX A

DEFINITIONS

Academic Work, Test, Quiz, or Other Assignment

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

Administrative Hold

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

Behavioral Intervention Team (BIT)

~~Under the auspices of the Office of the Dean of Students, BIT is a central repository for the Texas Tech University community to report student behaviors of concern. As warranted, BIT facilitates early intervention, risk assessment and referrals to help promote student success while paying special attention to the safety and security needs of members of the University Community.~~

Under the auspices of the Office of the Dean of Students, BIT is a team of professionals uniquely situated to address elevated student behavior concerns and serves as a central repository for the Texas Tech University community to report student behaviors of concern. As warranted, BIT facilitates early intervention, risk assessment and referrals to help promote student success while paying special attention to the safety and security needs of members of the University Community.

Complainant

The term “Complainant” refers to the party reporting the complaint or concern against another party.

Conduct History

The term “conduct history” is a compilation of records 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*.

Consent

Consent is defined as mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for a specific activity. In order to have valid consent, consent must have been expressed by each partner through clear words or actions; consent must be actively expressed by each partner; consent must not be passive or implied; each partner must be informed about each sexual activity and knowingly consent to participate in each sexual activity; consent must be given voluntarily and freely by each partner for each sexual activity; and each partner must have capacity to consent to engage in sexual activities.

For the full definition of Consent, These Appendix B. term “consent” means mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific sexual activity. Consent cannot be compelled or coerced. 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 their own free will to choose whether or not to engage in sexual activity.

- ~~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~~

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.

Dating Violence

Abuse or violence, or a 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. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship.

Designee

The term “designee” refers to the Managing Director of the Office of Student Conduct or could include but is not limited to an individual staff member, Office of the Dean of Students staff, Office for ~~of~~ Student Rights ~~&and~~ Resolution Staff, Title IX Administration, and members of the Behavior Intervention Team.

Disciplinary Good Standing

The term “disciplinary good standing” is defined as a student not currently on disciplinary probation, deferred disciplinary suspension, or any level of disciplinary suspension/expulsion and who has fulfilled in a timely manner, if any, sanctions imposed.

Discipline Body

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

Employee:

The term “employee” means any person who receives a W-2 or 1042-S from the university, including full-and part-time faculty, staff, and students.

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.

Interpersonal Violence

The term “Interpersonal Violence” means (Domestic or family violence) Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common, by a person whom the Reporting party is (or has) cohabitated, or by any other person against a Reporting Party who is protected from that person’s acts under the domestic or family violence laws of the state of Texas.

Investigation Report

An “Investigation Report” is a formal or informal report of all of the evidence and/or information gathered by the Investigator.

Managing Director

The term Managing Director refers to the Managing Director of the Office of Student Conduct” or designee who has oversight of implementation of the *Code of Student Conduct* to include but is not limited to determination of Investigation of incidents, all notification procedures, interim actions/suspensions, Investigation procedures, adjudication procedures and appellate procedures.

Member of the University Community

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

Official Academic Record

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

Organization

The term “organization” means a fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic club, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate

Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

Policy

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

Policy Clarification

The term “policy clarification” refers to written 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 “preponderance of evidence” is the standard of proof used by Student Conduct Hearing Officers, Office of Student Conduct and University Student Housing. It is defined as a circumstance in which the evidence as a whole shows that the fact(s) for which proof is being sought are more likely than not.

Religious Holy Day

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

Respondent

The term “Respondent” refers to the party responding to the complaint or concern reported regarding their behavior or actions.

Retaliation

Retaliation is strictly prohibited against a person who files a report through appropriate university reporting mechanisms which are made in good faith, who assists someone in filing a report, or participated in any manner in the investigation and/or conduct process. The term “Retaliation” is defined as any intentional, adverse action taken by any party to the matter, 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. Retaliation is strictly prohibited against a person who files a report through appropriate university reporting mechanisms made in good faith, who assists someone in filing a report, or participated in any manner in the investigation and/or conduct process.

Simultaneous(ly)

The term “simultaneous” or “simultaneously” is defined as soon as feasibly possible and does not necessarily mean instantaneous.

Sponsorship and/or co-sponsorship

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

sponsoring organizations.

Student

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

Student/Student Organization Conduct History

The term “student/student organization conduct history” includes, but is not limited to any responsible finding in a conduct proceeding.

Investigator

The term “Investigator” means a University designee authorized by the Director of the Office of Student Conduct, Dean of Students and/or the Director of University Student Housing pursuant to the *Code of Student Conduct* to adjudicate alleged violations of the *Code of Student Conduct*.

Student Organization

Texas Tech University defines a student organization as a group consisting of 5 or more students (president, treasurer, and a minimum of three members) joining together for a common mission, cause, and/or any other association. Only currently enrolled students are eligible to be part of student organizations at TTU. TTU registers student organizations annually through the Center for Campus Life. Registered student organizations are bound by the expectations set forth by the Center for Campus Life and receive all rights and Responsibilities outlined by TTU (Section NM. Registered student organizations 1.a). Student organizations that are unregistered may not access University resources however, unregistered student organizations shall be subject to the TTU Code of Student Conduct.

Student Threat Assessment Team (STAT)

Under the direction of the Dean of Students, The STAT is a subsidiary of the Behavioral Intervention Team that responds to reports of imminent threat(s) involving a student.

University

The term “University” means Texas Tech University and Texas Tech University Health Sciences Center.

University Official

The term “University official” includes any person employed by Texas Tech University or Texas Tech University Health Sciences Center while performing assigned administrative or professional Responsibilities.

University Premises

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

Appendix B

Consent at Texas Tech

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, actively communicated both knowingly and voluntarily, that clearly convey permission for a specific activity.

The following factors must all be fulfilled in order to have valid consent:

-

- Consent has been expressed by each partner through clear words or actions.

-

- Consent is actively expressed by each partner.

- ~~Consent is not passive or implied.~~

- Each partner is informed about each sexual activity and knowingly consents to participate in each sexual activity.

- Consent is given voluntarily and freely by each partner for each sexual activity.

- Each partner has capacity to consent to engage in sexual activities.

- ~~•~~

- ~~- Each partner is informed about each sexual activity and knowingly consents to participate in each sexual activity.~~

- ~~—Consent is given voluntarily and freely by each partner for each sexual activity.~~

- ~~—Each partner has capacity to consent to engage in sexual activities.~~

Silence cannot be assumed to express consent and saying “NO” is not the only way a partner may communicate lack of consent. A partner may use non-verbal cues to indicate their lack of consent for any sexual activity. It is the responsibility of the initiator of any sexual activity to obtain their partner’s consent for every 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

-

- Winning

o—Before engaging in any type of sexual activity, it is the initiator's responsibility to obtain their partner's consent, either verbally or non-verbally

o—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.

o—

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.

o—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 TTU sexual misconduct policies.

—Sexual activity cannot be compelled by threats, intimidation, coercion, or physical force.

Incapacitation: Incapacitation occurs when an individual lacks the ability to make informed, rational decisions due to an impairment, which may be temporary or permanent.

—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 sexual misconduct policy. The question of what the responding party should have known is objectively based on what a reasonable person, sober and exercising good judgment, would have known about the condition of the complainant/reporting party.

—There are three types of incapacitation:

•

—Age: A minor cannot consent to engage in sexual activity. In Texas, the legal age of consent is 17.

•

—Mental Disability: A person with a mental disorder or other cognitive issue which prohibits them from making an informed decision lacks capacity to consent to engage in sexual activity.

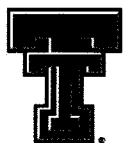
•

—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.

o—Key Points Regarding Consent

- —It is the responsibility of the initiator of sexual activity to obtain consent prior to acting.
- —Silence is not consent – consent must be “actively given.”
- —A person is not required to actively resist their aggressor.
- —AA person is not required to say “No” as a means of expressing non-consent.
- —A person’s intentional use of alcohol/drugs neither negates nor diminishes the initiator’s responsibility to acquire consent before engaging in sexual activity.
- —Consent can be withdrawn at any time, and if communicated clearly that consent has been withdrawn, all sexual activity must cease.
- —Consent has an expiration date. Consent on Thursday does not mean consent on Friday.



TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™
EL PASO

~~TEXAS TECH UNIVERSITY~~
~~HEALTH SCIENCES CENTER EL PASO~~

Institutional Student Handbook: Code of Professional and Academic Conduct

2019-2020

Approved by Texas Tech University
System Board of Regents,
(DATE)

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STATEMENT OF ACCREDITATION

Texas Tech University Health Sciences Center El Paso is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, masters, and doctoral degrees. Contact the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Texas Tech University Health Sciences Center El Paso.

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PART I. FOREWORD A. General Policy

1. 4.—The mission of Texas Tech University Health Sciences Center (TTUHSC) at El Paso is to improve the lives of people in our State and our community by focusing on the unique health care needs of socially and culturally diverse border populations through excellence in integrated education, research, and patient care.

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

- Train competent health professionals and scientists
- Increase externally funded, peer-reviewed research, especially NIH-funded research, with an emphasis on cancer, infectious disease, neuropsychiatric disorders and diabetes.
- Improve access to quality health care for TTUHSC El Paso's target populations
- Prepare health professions students for an increasingly diverse workforce and patient population
- Provide leadership in the development of partnerships and collaborations to improve community health

• Operate TTUHSC El Paso as an efficient and effective institution

Goal I: Foster the development of competent health care professionals

Goal II: Recruit, develop, and retain outstanding employees

Goal III: Advance knowledge through innovative, peer-reviewed research

Goal IV: Improve community health through the provision of patient care services and health-related education

Goal V: Operate effectively and efficiently through maximization of available resources

- 2.—A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function.

The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC El Paso Operating Policies and Procedures, and the individual School's catalogs and handbooks are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center El Paso.

- 3.—The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules, and/or policies outlined in this Student Handbook, the TTUHSC El Paso Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications.

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Registered student organizations are required to follow all of these standards, rules, and policies.

- 4- ***The Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, expressed or implied, between any student or faculty member and Texas Tech University System, TTUHSC El Paso, ~~Paul L. Foster School of Medicine, Gayle Greve Hunt School of Nursing (GGHSON), or the Graduate School of Biomedical Sciences (GSBS), Paul L. Foster School of Medicine (PLFSOM), or Woody L. Hunt School of Dental Medicine. (WLHSDM).~~***

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B. Tobacco-Free Environment

1.—According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk of developing smoking-related for a number of cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration (HSCEP OP 10.19 - Smoke-free and Tobacco-free vaping? Eenvironment, <http://elpaso.ttuhs.edu/opp/ documents/10/op1019.pdf>).

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

C. Authority

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

2.—All references to the Chancellor and/or President of the University, the Provost and Vice President of Academic Affairs or Assistant Vice President for Student Services and Student Affairs (SSSA) or designee shall be interpreted to include persons designated to act on behalf of these officials.

D. Policy on Non-Discrimination

TTUHSC El Paso does not tolerate discrimination or harassment of any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category, class, or characteristic. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases. Employment actions, such as hiring, promotion, demotion, transfer, rate of pay or other forms of compensation, selection for training, and termination, shall not be made based on an employee's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education program or activities, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the

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Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. The University expects all members of the University Community to comply with the law. The University brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences. The University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of sex, including pregnancy, race, color, religion, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category class or characteristic, and that equal opportunity and access to facilities shall be available to all. The University is committed to providing educational programs, activities, facilities, or services that are free of unlawful discrimination. For more information, see HSCEP OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan at <http://el Paso.ttuhs.edu/opp/ documents/51/op5101.pdf>, HSCEP 51.02, Non-Discrimination and Anti-Harassment Policy at <https://el Paso.ttuhs.edu/opp/ documents/51/op5102.pdf>, and Part IV of this Student Handbook below.

E. University Name, Documents, and Records

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement or designee, or any unauthorized use of University documents, records or seal is prohibited. See HSCEP OP 67.01, Publication Guidelines at <https://el Paso.ttuhs.edu/opp/ documents/67/op6701>.

F. Definitions

1. "Accused Student" means any student accused of violating the TTUHSC El Paso Code of Professional and Academic Conduct and Academic Conduct set forth in Part II of this Handbook. This term may also may refer to mean an accused a registered student organization. If also may refer to If a registered student organization, is alleged to have violated the Student Code, only one student from the organization may appear or act on behalf of the student organization (such as appearing before a Student Conduct Board or Student Conduct Administrator) for purposes of the Student Code.
2. "Business day" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code of Professional and Academic Conduct. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the

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Student Code of Professional and Academic Conduct.(s). The incident form for a cComplaint against a student or students of Misconduct is attached to this Handbook as Attachment A. The incident form for a complaint against a student organization is attached to this Handbook as Attachment C. An anonymous complaintreport or a complaint filedreport by a person who is not a member of the University community shall not constitute a Complaint of Misconduct. However, such a complaintreport may initiate an investigation and/or filing of a formal complaint by an appropriate University official.

5. Conduct Board - reference F. Definitions, pg. 9, item # 22.
6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation or suspension. ; or, a student, whose disciplinary suspension, expulsion or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.
7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who who is otherwise considered by the University to be a member of its faculty
8. "Hold Flag" means the indicator placed on a student's official academic record which prevents registration, financial aid, university services, and/or the issuance of an unofficial and/or official transcript until the student meets the requirements of the University office placing the hold indicator, as described in this Handbook and/or in School's catalogs or handbooks herein and in the Schools' catalogs.
9. "May" is used in the permissive sense.
10. "Member of the University community" means any person who is a campus visitor, volunteer including high school students, an enrolled student, faculty or staff member, University official, any other person employed by the University or campus visitors.
1110. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC El Paso Institutional Student Handbook, School Gayle Greve Hunt School of Nursing handbooks and/ and catalogs; Paul L. Foster School of Medicine catalog; the Graduate School of Biomedical Sciences Catalog; catalogs; and/or the TTUHSC El Paso Operating Policies and Procedures web page and computer use policies.
1211. "Department Chair" means the Chair is charged primarily with mentoring and guiding faculty, with overseeing Department administrative support, and serving as an interface between faculty and the administration of the School and TTUHSC El Paso Texas Tech University Health Sciences Center. Matters of student misconduct and academic deficiency that are addressed from faculty/program directors etc. are referred to the Department Chair, and if not resolved referred to the appropriate student conduct administrator for each school. TTUHSC El Paso.
1312. "Registered student organization" means any number of students who have complied with the formal requirements for University registration.

4413. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Texas Tax Code - TAX § 11.20. Religious Organizations, Section 11.20, Vernon's Texas Codes Annotated, Tax Code. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Tex. Gov't 62 Gov't 62.112.

1514. "Representative" means a University official authorized by the Provost or Assistant Vice President for SSSA for Student Services and Student Affairs (SSSA) on a case-by-case basis by the Dean of each School to investigate and resolve alleged violations of the Code of Professional and Academic Conduct.

1615. "School" means Gayle Greve Hunt School of Nursing, Graduate School of Biomedical Sciences, Paul L. Foster School of Medicine, or Woody L. Hunt School of Dental Medicine.

1716. "Shall" is used in the imperative sense.

1817. "Sponsorship and/or co-sponsorship" is defined as minimally including, but not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.

1918. "Student" means all persons taking enrolled in a degree program and/or for-credit courses at the University, either full-time or part-time. Paul L., pursuing undergraduate, graduate or professional studies, specifically excluding Paul L. Foster School of Medicine House staff (residents) are considered employees and are not students for the purposes of this Handbook or the Code of Professional and Academic Conduct. In addition, for purposes of Part II of this Handbook, persons who withdraw or who are on a leave of absence (approved interruption of continuous enrollment) but have a continuing relationship with the University are considered to be students. Individuals who have been accepted for admission are also considered students under this Handbook, after alleging violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance may be considered "students."

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

2119. "Student Conduct Administrator" means a TTUHSC El Paso official authorized by the Assistant Vice President for SSSA for Student Services and Student Affairs (SSSA) Dean of each School to receive complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the

Board's deliberations. In any case in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School at TTUHSC El Paso, the Assistant Vice President for Student Services will serve as the Student Conduct Administrator.

2220. "Student Conduct Board" or "Board" means any person or persons authorized by the Student Conduct Administrator Dean of each School to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed. All persons serving on the Student Conduct Board must acknowledge an ability to be able to serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Student Conduct Administrator Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. Student Conduct Boards will include. For each School, appointments are made as follows:

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

- i. One (1) Faculty member from the membership of a school other than that of the accused student; the Graduate Council, who shall serve as Chair;
- ii. One (1) Two (2) other faculty/faculty member from the School of the accused student;
- iii. One (1) faculty member from the School of the membership of the Graduate School other than that of the accused student; Faculty; and,
- iv. iv. Two (2) graduate students from the Schools other than that of the accused student;

b. For the Gayle Greve Hunt School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:

- i. Three (3) (faculty members not directly involved with the Complainant or the Accused Student; and,
- ii. Two (2) students not directly involved with the Complainant or the Accused Student.
- iii. The Board will elect one (1) of the faculty members as its Chair

~~e. For the Paul L. Foster School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:~~

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

~~2321. "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code of Professional and Academic Conduct and/or sanctions resulting from an alleged violation(s) are based. At the hearing, information is presented to the Student Conduct Board in order to determine whether a student's responsibility related to the alleged violation of the Code is valid and appropriate sanctions, if any.~~

~~2422. "Student Handbook" or "Handbook" means the TTUHSC El Paso Institutional Student Handbook. Schools also have "Handbooks" that are labeled specifically with the School title in front of "Handbook".~~

~~2523. "Student organization" means any number of students who have complied with the formal requirements for TTUHSC Texas Tech University Health Sciences Center El Paso registration.~~

~~2624. "University" means TTUHSC Texas Tech University System or Texas Tech University Health Sciences Center El Paso (inclusive of all teaching and clinical regional sites and their components).~~

~~2725. "University official" means any person employed by Texas Tech University System, Texas Tech University or TTTHSC Texas Tech University Health Sciences Center El Paso, while performing their assigned administrative or professional responsibilities.~~

~~2826. "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).~~

~~2927. "User" means any member of the University community who uses any University resources, including computing and/or networking resources.~~

~~3028. "Will" is used in the imperative sense.~~

PART II. CODE OF PROFESSIONAL AND ACADEMIC CONDUCT ("STUDENT CODE") A. General Policy

1. An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior ~~for pertaining to~~ students and to student organizations.
2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.
3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' individual catalogs and student affairs handbooks. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.
4. Each student is responsible for ~~their~~ his/her own integrity, ~~and is likewise responsible and for reporting possible violations of this Student Code by other students. Faculty and staff and students shall take all reasonable steps to prevent violations, and are each are each faculty/staff member likewise is responsible for reporting violations.~~

B. Disciplinary Jurisdiction

1. ~~The Student Code of Professional and Academic Conduct shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University and/or pursuit of its objectives. On a case-by-case basis, the Dean and his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.~~
2. All students are expected to subscribe to an honor system which is implicit in accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. ~~The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.~~

C. Violation of Law and TTUHSC El Paso Discipline

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly violates both the criminal and/or civil law and/or this Student Code -(that is, if both possible violations result from the same factual situation) without regard-to the pendency of civil or criminal litigation in court or criminal arrest or prosecution.

Proceedings under this Student Code may be carried out ~~prior to before~~, simultaneously with, or following civil and/or criminal proceedings. ~~at the discretion of the Dean of each School.~~ Determinations made or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal and/or civil law defendant.

D. Misconduct

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

1. Alcoholic Beverages

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

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

2. Narcotics or Drugs

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

3. Firearms, Weapons, and Explosives

- a. Use or possession of firearms, ammunition, explosive weapons, illegal knives, and other deadly weapons are prohibited on university property except as specifically authorized -by federal, state, or local laws. HSCEP OP 10.30, Regulations for the carrying of concealed handguns by licensed holders <https://elpaso.ttuhschool.edu/opp/documents/10/op1030.pdf> . Regulations for the carrying of concealed handguns by licensed holders. As a health-related educational institution, TTUHSC El Paso facilitates a complex composition of activities, which include education, patient care, research, and community engagement. As such, TTUHSC El Paso campuses must accommodate the unique needs of diverse stakeholders, including patients, learners of all types,

faculty, staff, contractors, and visitors. Within the context of this unique and complex composition, TTUHSC El Paso is committed to the following principles for the campus environment:

- i. TTUHSC El Paso will comply with all necessary laws and regulatory requirements regarding safety and security on its campuses;
- ii. Within reasonable effort, TTUHSC El Paso will create an environment in which all stakeholders can conduct their business with a sense of personal and collective safety and security;
- iii. TTUHSC El Paso will communicate safety policies to stakeholders through all appropriate means.

4. Theft, Damage, or Unauthorized Use

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

5. Actions Against Members against members of the University

Community

- a. Physical harm or threat of harm to any person;
- b. Intentional or reckless conduct which endangers the health or safety of any person, campus visitor, or volunteer;
- c. Behavior that disrupts the normal operation of the University, including its students, faculty, staff, or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a student or students' academic pursuits or a faculty or staff's work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.
- d. Sexual conduct that involves:
 - i. - Deliberate touching of another's sexual parts without consent;
 - ii. Deliberate sexual invasion of another without consent;

- or,
- iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.
 - e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:
 - i. Academic pursuits;
 - ii. University employment;
 - iii. Participation in activities sponsored by the University or organizations or groups related to the University; or,
 - iv. Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.
 - f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.
 - g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.
6. Gambling, Wagering, or Bookmaking
- Gambling, wagering, or bookmaking on University premises is prohibited.
7. Hazing
- Hazing means any intentional, knowing or reckless act directed against a student, occurring on or off campus, by one or more individuals acting alone or collectively that endangers the mental or physical health or safety of a student for the purpose of pledging or associating, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose members are, or include, students. Consent or acquiescence by a student or students subjected to hazing is not a defense in a disciplinary proceeding. Hazing includes, but is not limited to:
- a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;
 - b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;
 - c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
 - d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the

mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;

- e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g. Any act that is unlawful as designated by local, state, or federal government.

h. —NOTE: See Texas Education Code, Sections 37.151-37.157 and Section 51.936

8. False Alarms or Terrorist Threats

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

9. Financial Irresponsibility

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

10. Unauthorized Entry, Possession or Use. a. Unauthorized entry into or use of

University facilities;

a. Unauthorized entry into or use of University facilities;

b. Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;

c. Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,

d. Use of the University's name to advertise or promote events or activities in a manner which suggests sponsorship by the University without prior written permission.

11. Traffic and Parking

a. Violation of University Traffic and Parking regulations; or,

b. Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.

12. Student Recreation Regulations

Violation of rules, which govern behavior in the student lounges or exercise areas.

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

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

14. Failure to Present Student Identification

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

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

a. Unauthorized or non-academic use of computing and/or networking resources;

- b. — Unauthorized accessing copying, or removing of programs, records or data belonging to the University or another user or copyrighted software
- c. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to University computing and/or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources;
- d. Attempted or actual use of the University's computing and/or networking resources for personal or financial gain;
- e. Attempted or actual transport of copies of University's programs, records or data to another person or computer without written authorization;
- f. — Attempted or actual destruction or modification of programs, records or data belonging to the University or another user or destruction of the integrity of computer-based information;
- g. Attempted or actual use of the computing and/or networking facilities to interfere with the normal operation of the University's computing and/or networking systems; or through such actions, causing a waste of such resources (people, capacity, computer); or,
- h. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.
- i. Attempted or actual addition/modification/removal/circumventing of Institutionally- approved computer security products/processes.
- j. Participate in any computer-related activity that may cause TTUHSC El Paso to incur legal liability, or embarrassment.
- k. Violate any policy defined in the TTUHSC El Paso IT Security Policies List (<http://www.depts.ttu.edu/infotech/security/docs/index.php?>).

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

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

17. Skateboard, Roller Blades, or Similar Devices

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

NOTE: Also refer to TTUHSC El Paso OP 76.32, Traffic and Parking Regulations at <https://elpaso.ttuhs.edu/opp/ documents/76/op7632.pdf> .

18. Academic Misconduct

a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.

b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.

c. "Cheating" includes, but is not limited to:

- i. Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
- ii. Failing to comply with instructions given by the person administering the test;
- iii. Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
- iv. Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with other assignments (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
- v. Discussing the contents of an examination with another student who will take the examination;
- vi. Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
- vii. Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
- viii. Paying or offering money or other valuable thing to, or coercing another person to obtain an examination, test key, homework solution or computer program, or information about an examination, test key, homework solution or computer program;
- ix. Falsifying research data, laboratory reports and/or other academic work offered for credit;
- x. Taking, keeping, misplacing or damaging the property of the University, or of

another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;

- xi. Possession at any time of current or previous test materials without the instructor's permission;
- xii. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
- xiii. Alteration of grade records;
- xiv. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
- xv. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
- xvi. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific permission of the instructor of the course for which the work is being submitted;
- xvii. Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, etc.

d. "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work (such as words, ideas, expressions, illustrations, or product of another), in whole or in part, and the submission of it as one's own work offered for an academic credit or requirement. When a student presents the works of another (published or unpublished) in his/her academic work, the student shall fully acknowledge the sources according to methods prescribed by his/her instructor.

e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, ~~diplomasthe~~the awarding of a degree, official and unofficial transcripts, test scores, attendance and excused absence documents, grade reports, ~~patient records,~~ test papers, registration materials, any official forms, documents, or items related to academic performance. ~~grade change forms and reporting forms used by the Office of the Registrar.~~

f. "Misrepresenting facts" to the University or an agent of the University includes, but is not limited to, providing false academic information on grades resumes, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual, or providing false or misleading information in an effort to injure another student academically or financially.

g. Any other misconduct identified in For additional information relating to School academic policies, the Paul L. Foster School of Medicine Academic Misconduct procedures, please refer to E.2.d.

19. Violation of Published University and School Policies, Rules, or Regulations

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Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, applicable publications for each TTUHSC El Paso School, such as student handbooks, catalogs, professional and ethical standards and course syllabi.

20. Violation of Federal, State, and/or Local Law

Misconduct which constitutes a violation of any provisions of federal, state and/or local laws.

21. Abuse of the Student Conduct Board or Administrator Discipline System

- a. Failure by an Accused Student to comply with or respond to a notification to appear before the Student Conduct Board Dean of his or her School, Dean's representative and/or an official of the University, including, but not limited to, or the Student Conduct Administrator during or the Student Conduct Administrator during any stage of a disciplinary proceeding. Failure to comply with or respond to a notice issued as part of a Student Conduct disciplinary procedure and/or failure to appear will not prevent the Student Conduct Board Dean or Dean's representative and/or an official of the University from reviewing the complaint proceeding with disciplinary action;
- b. Falsification, distortion or misrepresentation of information in Student Conduct disciplinary proceedings;
- c. Disruption or interference with the orderly conduct of a Student Conduct 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 Student Conduct discipline system;
- f. Influencing or attempting to influence the impartiality of a member of a Student Conduct Board disciplinary body prior to and/or during its the disciplinary proceeding;
- g. Harm, threat of harm, or intimidation either verbally, physically or written of a member of a Student Conduct Board disciplinary body prior to, during and/or after its proceeding;
- h. Failure to comply with the sanction(s), condition(s) and/or restriction(s) imposed under this Student Code or by a Student Conduct Board;
- i. Influencing or attempting to influence another person to commit an abuse of the Student Conduct discipline system; or,
- j. Retaliation against any person or group who files a complaint Complaint of Misconduct in accordance with the Student Code of Professional and Academic Conduct or files a grievance under the applicable institutional or School grievance policy.

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E. Other Professional and Ethical School Standards

In addition to the Misconduct identified in Part II.D, each TTUHSC El Paso School publishes its the following constitute professional and ethical standards. School handbooks and catalogs should be consulted for these standards; alleged violations may be referred for institutional Student Conduct review. In addition, School committees may review the alleged conduct under the professionalism, ethical, and licensure requirements related to their academic discipline. for individual TTUHSC El Paso Schools and for the basis of a disciplinary action.

1. Gayle Greve Hunt School of Nursing (GGHSON)

- a. All students entering into the Gayle Greve Hunt School of Nursing are required to subscribe to the standards and codes of the profession.
- b. GGHSON students as nursing professionals, are expected, not only by patients, but also by society as a whole to adhere to:

- i. American Nurses Association (ANA) Code of Ethics for Nurses, and the;
<http://www.nursingworld.org/codeofethics>

- ii. Texas Board of Nurse Practice/Unprofessional Conduct Rules
https://www.bon.state.tx.us/practice_nursing_practice.asp

- c. Students who fail to uphold and/or comply with the above codes and standards for safe and professional nursing practice will be considered in -violation of the law and/or professional nursing standards.

2. Graduate School of Biomedical Sciences (GSBS)

- a. All students enrolled in the GSBS are required to maintain a high level of performance and comply fully with the policies of the institution.
- b. GSBS students as future scientists and health-related professionals are expected, by society as a whole, not to engage in scientific misconduct.
 - i. Allegations of scientific misconduct (fraud, dishonesty, or any kind of misconduct in science) will be investigated by the university's research integrity officer as outlined in HSCEP OP 73.07 Honesty in Research & Allegations of Scientific Misconduct- Attachment A.

3. 2. Paul L. Foster School of Medicine (PLFSOM)

- a. All students entering the Paul L. Foster School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the Paul L. Foster School of Medicine.
- b. Paul L. Foster School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:

- i. Altruism, whereby they subordinate their own interests to take care of their patients;
- ii. High ethical and moral standards;
- iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;
- iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and
- v. Maintaining confidentiality concerning the patient and the patient's records.

c. Medical Student Honor Code

"In my capacity as a Paul L. Foster School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."

d. In matters of Academic Misconduct, the student shall refer to the Paul L. Foster School of Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.

3. Graduate School of Biomedical Sciences

- a. All students enrolled in the GSBS are required to maintain a high level of performance and comply fully with the policies of the institution.
- b. GSBS students as future scientists and health-related professionals are expected, by society as a whole, not to engage in scientific misconduct.
 - i. Allegations of scientific misconduct (fraud, dishonesty, or any kind of misconduct in science) will be investigated by the university's research integrity officer as outlined in HSCER OP 73.07 Honesty in Research & Allegations of Scientific Misconduct Attachment A.

4. Woody L. Hunt School of Dental Medicine

- a. All students entering enrolling in the Woody L. Hunt School of Dental Medicine are required to subscribe to the Dental Student Honor Code, as well as the Student Code. Adherence to the Dental Student Honor Code and the Student Code is considered a requirement for admission to, and continued enrollment in, the Woody L. Hunt School of Dental Medicine.
- b. Woody L. Hunt School of Dental Medicine students, as well as dental professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:
 - i. Altruism, whereby they subordinate their own interests to take care the needs of their patients;
 - ii. High ethical and moral standards;
 - iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their interactions with patients, colleagues and others;
 - iv. Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,
 - v. Maintaining confidentiality concerning the patient and the patient's records.

c. Medical Student Honor Code

"In my capacity as a Paul L. Foster School of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased, and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, or steal. I will enter into professional relationships with my colleagues, teachers, and other health care professionals in a manner that is respectful and reflective of the high standards and expectations of my profession. I will not tolerate violations of this Code by others and will report such violations to the appropriate authorities."

c. In matters of Academic Misconduct, the student shall refer to the Woody L. Hunt School of Dental Medicine Student Affairs Handbook, Code of Professional and Academic Conduct and Promotions Policy.

d. Dental Student Honor Code

"In my capacity as a student at the Woody L. Hunt School of Dental Medicine, I will subscribe to the Code of Ethics of the American Student Dental Association (ASDA), which states in part:

Students should conduct themselves in a manner reflecting integrity and fairness in both the didactic and clinical learning environments.

Students are obligated to maintain high standards of moral and ethical behavior and conduct themselves in a professional manner at all times. This applies to the classroom, clinic, laboratory, and other institutional facilities, externships, community service, or meetings of professional organizations.

Ethical and professional behavior by dental students is characterized by honesty, fairness, and integrity in all professional circumstances; respect for the rights, differences, and property of others; concern for the welfare of patients; competence in the delivery of care, and preservation of confidentiality in all situations where this is warranted.

All dental students are obligated to report unethical activity and violations of the Honor Code to the appropriate body at the School."

(Source: ASDA Policy E- Student Code of Ethics (2002, revised in 2008, 2009, and 2010)

F. Student Conduct~~Disciplinary Procedures~~ *Academic issues, such as grading and promotion issues, should be addressed by under the respective School's policies and procedures.*

1. Nature of Proceedings. These proceedings are part of an educational process whereby the University applies its values to establishing the best possible learning environment for its students. These proceedings are not intended to follow, or be restricted by, courtroom or judicial procedures, including the rules of evidence. In addition, these proceedings are not intended for grading and promotions issues, which should be addressed under respective individual School policies.

2. Procedural Deviations. If the Student Conduct Board has not yet been appointed, or in the absence of the Chair of the Student Conduct Board, the parties and the Student Conduct Administrator may agree in advance and in writing to deviations from procedure. If a Student Conduct Board has been appointed, the parties and the Chair of the Student Conduct Board may

mutually agree to procedural deviations, such as -deadlines for submission of evidence and hearing dates and times.

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

3. Filing a Complaint

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

b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint form of Misconduct filed by the Complainant and will notify the Accused Student via email n-writing that he or she shall appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter. It is recommended that the Accused Student shall meet with the Student Conduct Administrator prior to the Student Conduct Board.

c. The Student Conduct Administrator may conduct an informal meeting to determine if the complaint may be disposed prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties (complainant and accused student). Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.

d. If the Complaint is not disposed of administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Accused Student to -determine if the Accused Student admits or denies violating institutional rules.

i. If the Accused Student admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.

ii. If the Accused Student denies violating University rules, the allegations shall be referred by the Student Conduct Administrator for a hearing- before the Student Conduct Board under Part II.F.4 below.

e. Student Conduct Board hearing shall be scheduled within thirty (30) business days after the Accused Student has met with the Student Conduct Administrator under Part II.F.3.d. above. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board hearing date, such hearing will be held during the first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule

changes.

4. Student Conduct Board Hearings

a. *Closed Hearing.* A Student Conduct Board hearing will be conducted in closed session with the complainant(s), accused student(s) or student organization representative(s), and Student Conduct Board members, and Student Conduct Administrator present. Requests for an advisor for the accused student and witnesses should be made in advance to the Student Conduct Administrator. Any request for an exception to must be submitted in writing to the Chair of the Student Conduct Board, ~~will~~ shall render a final written decision.

b. *Hearing Notice.* At least fifteen (15) business days prior to the Student Conduct Board hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:

- i. Date, time and place for the hearing,
- ii. Name of the members of the Student Conduct Board,
- iii. Summary statement of the charge(s), or a copy of the complaint and
- iv. Request in writing that at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below.

c. *Challenge.* An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator.

Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator or his or her designee that the member can serve with fairness and objectivity. If the member cannot establish his or her fairness and objectivity to the satisfaction of the Student Conduct Board Administrator, the member in question shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed the Student Conduct Administrator, may in his or her sole discretion choose to reschedule the hearing.

d. *Evidence Submission.* At least ten (10) business days prior to the date scheduled for the Student Conduct Board hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.

- i. All pertinent records and exhibits
- ii. Written statements must be notarized (including Impact or Position Statements);
- iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant; and
- iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing.
See Part II.F.4. i below.

e. *Evidence Exchange.* At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.

f. *Separate or Joint Hearings.* A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct

Administrator. An accused student may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.

g. *Recordings.* The University shall record, either digitally, through audiotape, or otherwise as deemed appropriate all Student Conduct Board hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its Findings and Recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent record of the proceedings.

h. *Hearing Attendance.* The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

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

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

j. *Witnesses.* Members of the Student Conduct Board may question all witnesses, followed by the parties. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only during the time they are providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in his/her sole discretion determines otherwise.

i. *Parties Witnesses.* The Complainant and the Accused Student may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused Student are responsible for arranging for the voluntary attendance of his or her own witnesses.

ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct Board. The Chair of the Student Conduct

Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct Board shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student

Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the hearing with the Accused Student and Complainant present.

k. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not yet been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.

l. *Deliberations.* If the Student Conduct Board concludes that all pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the Accused Student has violated any section of the Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) of the Code, the Student Conduct Board may also recommend all or any of the sanctions identified in Part II.G below.

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

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

o. *Review of Findings and Recommendations.* The Assistant Vice President for SSSA for Student Services and Student Affairs Dean of the School, or in the event that the same individual serves as both Dean of the School and President of the University, the Vice President for Academic Affairs/Provost, will review the Findings and Recommendations of the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing within ten business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean/Vice President for Academic Affairs/Provost are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's/Vice President for Academic Affairs/Provost's decision shall be final.

p. *Appeal.* Within ten business days of receipt of the decision of the Student Conduct Board, Dean/Vice President for Academic Affairs/Provost, if either party believes that the due

process procedures have been violated, an appeal may be made, in writing, to the Provost/Vice President for Academic Affairs, President of the University. The Provost President will review the case and notify all parties of his or her decision within ten business days. If a written appeal is not submitted within ten business days following receipt of the Student Conduct Board decision Dean's/Vice President for Academic Affairs/Provost's letter, the right to appeal is thereby waived and said decision is final.

The Accused Student or Complainant may only raise, and the Provost President shall only consider, the following:

a. Whether a procedural deviation occurred that substantially affected the outcome of the case;

b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board hearing.

The Provost President will review the Findings and Recommendations and, at his or her sole discretion, the record from the Student Conduct Board hearing and supporting documents, and transmit his or her decision in writing to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board, and the Dean. The Provost's President's decision shall be final.

G. Sanctions

1. Sanctions which may be recommended by the Student Conduct Board, and imposed by the Assistant Vice President for SS&A Dean of the School, upon any student found to have violated this Student Code of Professional and Academic Conduct include but are not limited to the following:

a. *Failing Grade or Cancellation of Credit.* Failing grade for an examination or assignment or for a course, and/or cancellation of all, or any portion, of a prior course credit.

b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Student Conduct Board's Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.

c. *Probation.* A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

d. *Loss of Privileges.* Denial of specified privileges for a designated period of time.

e. *Restitution.* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

f. *Discretionary Sanctions.* Assignments may be made at the discretion of the Student

Conduct Board, such as work assignments, essays, training, service to the University, temporary dismissal, suspension, dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the student's disciplinary file or other related discretionary assignments.

g. *Suspension*. Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for re-enrollment or readmission must be specified. (During the time of disciplinary -suspension, the notice is placed in the student's permanent file.)

h. *Dismissal, With or Without Readmission*. Separation or ~~Dismissal~~ of the student from their current program, with or without the option to apply for readmission to the University. The student's transcript will include a notation of dismissal and the date of the action or appeal decision. reflect the nature of the dismissal.

i. *Revocation of Admission*. Admission to the University may be revoked for fraud, misrepresentation or other violations of University standards.

j. *Revocation of Degree*. A degree awarded by the University may be revoked for fraud, misrepresentation or other serious violations committed by a student prior to graduation.

k. *Withholding Degree*. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in a Student Conduct Board decision.
earned until the completion of the process set forth in a Student Conduct Board decision. the Student Disciplinary Procedures.

l. *Multiple Sanctions*. More than one of the sanctions listed above may be imposed for any single violation.

m. Any other sanction(s) which may be appropriate under the particular circumstances of the violation.

2. Other than dismissal from the University or revocation or withholding of a degree, Student Conduct Board decisions disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the TTUHSC El Paso Student Services and Student Affairs office. Where professionalism matters are involved, a copy of a Student Conduct Board decision may be maintained in the disciplinary file of the respective school. Office of the Dean or designee for the applicable School.

3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim. ^(pvi)

34.3. The following sanctions may be imposed upon registered student organizations and/or members thereof:

a. Those sanctions listed above in Part II.G.1 above.

b. Loss of selected rights and privileges for a specified period of time.

c. *Deactivation.* Loss of all privileges, including University recognition and/or registration, for a specified period of time.

H. Interpretation and Revision

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

PART III. WITHDRAWAL OF CONSENT TO BE IN ATTENDANCE OR PRESENT ON UNIVERSITY PREMISES

A. Recommendation to Withdraw Consent During Periods of Disruption

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

occurs, the procedures set forth in Parts II and III may occur concurrently.

B. Concurrence by Provost Dean

1. If the Provost Dean concurs with the Assistant Vice President for SSSA Associate Dean's recommendation, the student will have his/her consent to be in attendance at the University or on University premises ~~withdrawal~~ withdrawn in writing by the Provost Dean. Texas Education Code § 51.233(a) & 51.234.
2. The written notice by the Provost Dean shall contain all of the following:
 - a. That consent to remain on the campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed fourteen (14); Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
 - b. Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
 - c. Notification that the student is entitled to a hearing on the withdrawal not later than three (3) days from the date of receipt by the Assistant Vice President for SSSA Dean of a request for hearing from the person.
3. Whenever consent is withdrawn by the Provost Dean, the Provost Dean shall submit a written report to the President within twenty-four (24) hours, unless the Provost Dean has reinstated consent for the student. The report shall contain all of the following:
 - a. Description of the student, including, if available, the student's name, address, and phone number; and,
 - b. Statement of the facts giving rise to the Withdrawal of Consent.

C. Confirmation by President

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or University premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Provost Dean. Texas Education Code §51.236 (b).
2. If the President or his/her designee does not confirm the action taken by the Provost Dean within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall be deemed void and of no force or effect, except that any arrest made during the period shall not for this reason be deemed not to have been made for probable cause.

D. Hearing

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.
2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

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a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted no later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.

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

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

d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.

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

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

~~chair. f. *Recordings.* University shall record, either digitally or through audiotape, or otherwise as~~

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

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

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

~~i. If the student appeals to the TTU System Board of Regents, the decision by the Board is final.~~

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PART IV. ANTI-DISCRIMINATION and SEXUAL MISCONDUCT POLICY and PROCEDURES [PV4] (Including TITLE IX)

A. Introduction

The University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from any form of unlawful discrimination, including sex/gender discrimination. The University is dedicated to fostering and supporting a culture of mutual respect and communication. The University provides a fair and equitable student conduct process utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.

For purposes of this Part IV of the Student Handbook, the definitions set forth in Texas Tech University Health Sciences Center Operating Policies and Procedures HSCOP 51.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws <https://el Paso.ttuhs.c.edu/opp/ documents/51/ops5102.pdf> and 51.03 (<https://www.ttuhs.c.edu/administration/documents/ops/ops5103.pdf>) shall apply.

1. Non-Discrimination and Anti-Harassment (see HSCOP OP 51.02 for complete policy)

HSCOP OP 51.02 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus.

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

The University expects all members of the University Community to comply with the law. Members of the University Community who violate University policies and laws may be subject to disciplinary action, up to and including termination of employment, ~~dismissal~~ expulsion [PV5] from the University, or being barred from University premises and events.

If a student has a complaint of discrimination or harassment by an employee, whether faculty, staff, or student employee, the provisions relating to the complaint process set forth in HSCOP 51.02 shall apply. Students with complaints of discrimination or harassment by an employee should contact the Office of Equal Opportunity and/or submit a completed Complaint of Discrimination or Harassment form to the Office of Equal Opportunity,

which is available on the University's Human Resources website at the following link:

<http://elpaso.ttuhsu.edu/hr/>.

CONTACT	PHONE	ADDRESS	EMAIL
Office of Equal Opportunity	806-742-3627	System Administration Building 1508 Knoxville Ave., Suite 208 Box 41073 Lubbock, TX 79409	eeo@ttu.edu

If a student has a complaint of discrimination or harassment by a student or a student organization, such complaints are guided by the Code of Professional and Academic Conduct and procedures Student Conduct set forth in Part II of this Institutional Student Handbook. Students with complaints of discrimination or harassment by a student or student organization should contact the Student Conduct Administrator in the Office of Student Services and Student Affairs and/or utilize the online Incident Report Form available at Appendix B.

<http://elpaso.ttuhsu.edu/student-services/documents/TTUHSCEP%20Student%20Grievance%20Form%2012.7.15.pdf>.

CONTACT	PHONE	ADDRESS	EMAIL
Office of Student Services and Student Affairs (SSA)	915-215-4366/70	Texas Tech University Health Sciences Center El Paso 5101 El Paso Drive MEB 1210	http://elpaso.ttuhsu.edu/student-services/

In instances of complaints of sex/gender discrimination only, the complainant may also contact the Title IX Coordinator (see contact information in 2. below):

	PHONE	ADDRESS	EMAIL
TTUHSC Title IX Coordinator for Employees Rebecca Salcido Assist. Vice President for Human Resources	915-215-4140	TTUHSC El Paso Title IX Office Texas Tech University Health Sciences Center El Paso 200 N. Concepcion Drive El Paso, Texas 79905	Rebecca.Salcido@ttuhsc.edu

TTUHSC Title IX Deputy Coordinator for Students Kathryn V. Horn, M.D. Assist. VP for Student Services Assoc. Dean for Student Affairs	915-215-4786	TTUHSC El Paso Office of Student Affairs Texas Tech University Health Sciences Center El Paso 5001 El Paso Drive Medical Education Bldg. 2140 El Paso, Texas 79905	Kathryn.Horn@ttuhsc.edu
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While Sexual Harassment, Sexual Misconduct, and Sexual Assault may constitute prohibited acts of discrimination, such behavior is prohibited under HSCEP OP 51.03 Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy and Complaint Procedure.

2. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX (see HSCEP OP 51.03 for complete policy) Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy Overview

The University prohibits discrimination based on sex, which includes pregnancy, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes Sexual Harassment, Nonconsensual Sexual Contact, Nonconsensual Sexual Intercourse, Sexual Assault, Sexual Exploitation, Stalking, Public Indecency, Interpersonal Violence, Sexual Violence, and any other misconduct based on sex.

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

HSCEP OP 51.03 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus. HSCEP OP 51.03 will apply to on-campus and off-campus conduct of which the University is made aware and which adversely impacts the educational and employment environments of the University. The University will take all reasonable steps to prevent reoccurrence of any Sexual Misconduct and remedy discriminatory effects on the Reporting Party and others, if appropriate.

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

The Title IX Deputy Coordinator will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Opportunity (Office of EO) will investigate complaints of Sexual Misconduct by or between employees. Student complaints of Sexual Misconduct by an employee will be investigated jointly by the Title IX Coordinator and the Office of Human Resources.

	PHONE	ADDRESS	EMAIL
<p>TTUHSC Title IX Coordinator for Employees</p> <p>Rebecca Salcido Assist. Vice President for Human Resources</p>	915-215-4140	<p>TTUHSC El Paso Title IX Office</p> <p>Texas Tech University Health Sciences Center El Paso 200 N. Concepcion Drive El Paso, Texas 79905</p>	Rebecca.Salcido@ttuhsc.edu
<p>TTUHSC Title IX Deputy Coordinator for Students</p> <p>Valerie Paton, Ph.D. Assistant Vice President for SSSA, Student Services and Student Affairs Kathryn V. Horn, M.D. Assist. VP for Student Services</p>	<p>915-215-4786 915-215-4366</p>	<p>Office of Student Services and Student Affairs (SSSA) Texas Tech University Health Sciences Center El Paso 5101 El Paso Drive MEB 1210</p> <p>TTUHSC El Paso Office of Student Affairs</p> <p>Texas Tech University Health</p>	<p>Valerie.paton@ttuhsc.edu Kathryn.Horn@ttuhsc.edu</p>

	PHONE	ADDRESS	EMAIL
<p>TTUHSC Title IX Coordinator for Employees:</p> <p>Thomas O'Brien Director Human Resources</p>	915-215-5461	<p>Texas Tech University Health Sciences Center El Paso 200 N. Concepcion Drive El Paso, Texas 79905</p>	Thomas.O'Brien@ttuhsc.edu
<p>TTUHSC Title IX Deputy Coordinator for Students:</p> <p>Valerie Paton, Ph.D. Assistant Vice President for SSSA, Student Services and Student Affairs</p>	915-215-5114	<p>Office of Student Services and Student Affairs (SSSA) Texas Tech University Health Sciences Center El Paso 5101 El Paso Drive El Paso, TX 79905</p> <p>MEB 3321</p>	Valerie.paton@ttuhsc.edu

If a student has a complaint of Sexual Misconduct by an employee, whether faculty, staff or student employee, the provisions relating to employees and the complaint process set forth in HSCEP OP 51.02 and 51.03 shall apply. Students with complaints of Sexual Misconduct by an employee should contact the Title IX Coordinator, the Deputy Title IX Coordinator, or Office of Equal Opportunity, and/or utilize the online reporting tool available

on the University's website at
<http://el Paso.ttuhs.edu/hr/ documents/TTUHSC%2051.03%20complaint%20form.pdf>

If a student has a complaint of Sexual Misconduct by a student or student organization, the complaint process set forth below in Part IV, Section C (3) of this Student Handbook shall apply.

Individuals wishing to remain anonymous can file a complaint in any manner, including by telephone or written communication, with the University Title IX Coordinator, Title IX Deputy Coordinator, or Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals or organizations accused of violating HSCEP OP 51.03.

3. Amnesty

- i. 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, or a witness to, an incident of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking for a violation by the student of this Student Handbook, occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.
- ii. The University reserves the right to investigate to determine whether a report of an incident of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking was made in good faith. After such investigation, the 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.
- iii. Notwithstanding the foregoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking.
- iv. Although students eligible for amnesty may avoid disciplinary action under these amnesty provisions, amnesty does not preclude the University from encouraging students to participate in directives such as counseling or educational opportunities relating to the conduct students were engaged in.
- v. Abuse of these amnesty provisions by a student may result in a violation of this Student Handbook. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, legal actions, or actions required to comply with professional ethic requirements.

B. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Complaint Process Involving Students or Student Organizations

Organizations

These complaint provisions shall apply to Sexual Misconduct that occurs on University premises, at University sponsored activities, or off-campus if it occurred in the context of an educational program or activity of the University or if there is a hostile environment on campus resulting from the off-campus activity. Additionally, these provisions may also be applied to behavior conducted online, via email, or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats, and social networking sites may be in the public sphere, may not be private, and could subject a student to complaints of conduct violations. The University does not regularly search for this information but may take action if and when such information is brought to the attention of the University.

All complaint investigations and procedures are entirely administrative in nature and are not considered legal proceedings. Additionally, mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. As such, these provisions of this Student Handbook shall apply to persons who withdraw after an alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

In an effort to respond promptly and effectively to reports of Sexual Misconduct, the University attempts to resolve complaints within sixty (60) days' notice of the incident, not including appeal. However, this time period may vary depending on the complexity of the investigation, severity and nature of the alleged conduct, availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

1. Intake and Initial Inquiry

Upon receipt of a report of Sexual Misconduct, the Title IX Coordinator, or designee, will review the allegations. As reported allegations of Sexual Misconduct have varying degrees of complexity and severity, the investigation and resolution procedures described below may vary. The Title IX Coordinator will inquire, gather, and review information and will evaluate the accuracy, credibility, and sufficiency of the information received. If a formal complaint is not filed, the Title IX Coordinator may nonetheless conduct an investigation if the University learns of alleged Sexual

Misconduct through other means depending on the source and nature of the information provided, the seriousness of the alleged incident, the specificity of the information, the objectivity and credibility of the source of the report, whether any individuals can be identified who were subjected to the alleged Sexual Misconduct, and whether those individuals want to pursue the matter.

The Title IX Coordinator may conduct an initial meeting with the Reporting Party to gather additional information regarding the allegation, inform him/her of on and off-campus resources, procedural options, and the University's policy regarding retaliation; and to determine safety, security, or other interim measures. Additional meetings may be necessary depending on the complexity of the reported allegations.

Incidents will not be investigated unless there is reasonable cause to believe HSCEP OP 51.03 has been violated. Reasonable cause includes some credible information to support a policy violation. If it is determined that an investigation will be conducted, the Responding Party will be given notice of the complaint and an opportunity to respond. If it is determined that an investigation will not be conducted, the Title IX Coordinator may contact the Responding Party to discuss the reported concern.

When a Reporting Party is reluctant, and/or refuses to participate in the investigation process, the Title IX Coordinator may investigate the allegations to the fullest extent possible given the information made available. The University will make every attempt to follow the wishes of the Reporting Party while protecting the University Community.

2. Informal Resolution

Prior to the formal investigative process, either the Reporting Party or the Responding Party may make a request,

either orally or in writing, for informal resolution to the Title IX Coordinator. The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the University Community to determine whether informal resolution may be appropriate. Mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Upon determining that informal resolution is appropriate, the Title IX Coordinator will consult further with the person initiating the request, inform the other party, and gather additional relevant information from the parties and others as useful to assist in the informal resolution process. The Title IX Coordinator may also put in place any appropriate interim measures to protect the educational and work environment of the parties and the University Community.

The University will not compel the Reporting Party or Responding Party to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the Reporting Party and Responding Party have the option to discontinue the informal process at any time and request a formal investigation. If at any point during the informal resolution process, the Reporting Party, the Responding Party, or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined in this Part IV, Section C(3)(c), of the Student Handbook below will proceed.

3. Investigation Process

If the Title IX Coordinator or designee conducts an investigation of the reported allegation, the investigation may consist of the review of the complaint, any relevant documentation, and interviews with relevant individuals. Each party will be given the opportunity to share information regarding the allegation, as well as any response to such, and

identify witnesses and other relevant evidence. The extent of the investigation and its procedures will be determined by the Title IX Coordinator. During the investigative process, it is expected that the Reporting Party and the Responding Party will cooperate with the University in providing all information or evidence that they believe should be considered. Additionally, other administrators may be consulted to assist with the investigation. Prior to an investigative interview, the Reporting and Responding Parties will be provided a student rights and responsibilities document to review and sign. The student rights and responsibilities document informs the student of his or her rights to be exercised before and during the course of the investigation and student conduct process.

Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order, lawfully issued subpoena, or otherwise required by law.

After the investigation is complete, the Title IX Coordinator will prepare a written investigation report.

Reporting Parties and Responding Parties will have access to the completed investigation report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, Reporting Parties and Responding Parties are not given copies of investigation reports and/or investigative materials.

4. Administrative Resolution

At any point in the student conduct process, if the Responding Party accepts responsibility for the alleged violations of HSCEP OP 51.03, the Parties may choose to resolve the issue through the Administrative Resolution process outlined below. The Administrative Resolution process is voluntary.

The Title IX Coordinator will, in consultation with the appropriate University dean, or if the allegation involves a student organization, the appropriate University staff member advisor of the organization, review the complaint and information gathered about the reported Sexual Misconduct, and if applicable, propose findings and specify appropriate sanctions. The Title IX Coordinator will send written notice to both the Reporting Party and the Responding Party of the proposed findings and sanctions. The Parties will have five business days to review the Administrative Resolution and decide whether they would like to accept or decline the proposed findings and recommended sanctions. Agreement with the terms of the Administrative Resolution is established by one of the two following ways:

- (1) A signature, or an electronic signature, by a Party or the Parties attesting to agreement with the findings and sanctions; or
- (2) No written objection by the Reporting Party or the Responding Party to the findings and sanctions within five business days of the date the proposed findings and recommended sanctions were sent to the Parties.

If both the Reporting Party and the Responding Party agree with the proposed findings and recommended sanctions, the matter is considered concluded. Additionally, if accepted, the Parties waive their right to a hearing, the process ends, the finding is final, and there is no appeal. The complaint will only be reopened if new material, previously unavailable is presented.

If either Party disagrees with or does not accept the proposed findings and/or recommended sanctions, then the complaint will proceed and a hearing will take place.

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5. Hearing Procedures

i. Prehearing/Formal Allegations Assigned

Once the investigation is complete, if the complaint is not otherwise resolved, the Reporting Party and the Responding Party will be given notice of a pre-hearing meeting. Should the Reporting Party or the Responding Party not participate in the pre-hearing meeting, the conduct process may continue without their participation through resolution. During this meeting, the Reporting Party and the Responding Party will be given the opportunity to review the investigation report, relevant evidence, and other documents to be used in the hearing. Other documents may include Reporting Party's allegations, list of potential Hearing Officers, and hearing script. Following the pre-hearing, ~~the~~ the Reporting Party and the Responding Party will be notified of a date, time, and location of the hearing.

While the Reporting Party and the Responding Party may identify errors in their own statements during the pre-hearing, they are not able to add additional information to the investigation report unless that information, in the judgment of the Title IX Coordinator, was unavailable during the investigative process and is pertinent to the complaint. If a Reporting Party or Responding Party discovers new, previously unavailable information during the time after the pre-hearing but before the hearing, the party should inform the Title IX Coordinator immediately. If the new information is pertinent to the consideration of the complaint, the Title IX Coordinator will determine whether the new information should be included in the investigation report or presented verbally during the hearing. If there is new evidence introduced, the Reporting Party and the Responding Party will be given the opportunity to provide a response to any such evidence that will be presented in the hearing.

~~The~~ The Title IX Coordinator or designee will schedule the hearing no sooner than five business days from the date of the last pre-hearing meeting. The five-day period can be waived by the Title IX Coordinator with agreement by the involved Parties.

ii. Hearing

After notice has been given to the Reporting Party and the Responding Party, the University ~~may~~ University may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Responding Party's alleged misconduct and, in the event of a responsible finding, decide appropriate sanctions, conditions, and/or restrictions.

~~The Provost Vice President for Academic Affairs~~ the Provost shall appoint a panel of three Hearing Officers to conduct the hearing. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a Sexual Misconduct

case in accordance with this Institutional Student Handbook. If there is a conflict of interest, or appearance thereof, with one of the selected Hearing Officers, that person will recuse themselves and the ~~Provost Vice President for Academic Affairs~~ shall appoint another person to the panel. Additionally, both the Reporting Party and the Responding Party may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the ~~Provost Vice President for Academic Affairs~~ within three business days after notice has been given to the Parties of the panel members. ~~The Provost will Vice President for Academic Affairs weigh these issues and resolve them accordingly.~~ No party has a right to disqualify a Hearing Officer Panel member absent a demonstrated bias.

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

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

During the hearing, the Title IX Coordinator or designee presents the allegations, investigation report, evidence, witnesses, and questions for deliberation in the hearing. The hearing Officers may question the Title IX Coordinator, Title IX Investigator, Reporting Party, Responding Party and any witnesses. The Reporting Party and Responding Party do not have the right to question each other nor witnesses directly but may do so through the Title IX Coordinator. The Reporting Party and Responding Party have the right to add or make additional comments about the facts of the complaint. Should new evidence be presented without prior discussion with the Title IX Coordinator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officers remove a student due to misconduct in the hearing process, the alleged misconduct in the hearing process will be forwarded to the appropriate student conduct administrator, who will follow the conduct process in Part II of this Student Handbook.

Following the hearing, the Hearing Officers will deliberate and will render a finding of responsible or not responsible for the Responding Party's alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. Any findings of the investigation will be based upon a preponderance of the evidence, which means more likely than not. The Hearing Officers will inform the Reporting Party and the Responding Party in writing within five (5) business days of their decision(s).

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

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

In the event a Responding Party is found responsible for the alleged misconduct, the Hearing Officers may impose sanctions, conditions, and/or restrictions as described in Part II of this Student Handbook.

Records concerning a student or student organization related to the disciplinary process will remain on file with the Title IX Coordinator for a minimum of seven years from the date the complaint is resolved.

6. Appeal Procedures

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

- (1) A procedural [or substantive] error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- (2) 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

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- (3) The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

The ~~Provost Vice President for Academic Affairs~~ will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal. If any of these requirements are not met, the appeal will be dismissed, and the original decision of the Hearing Officers will be final. If the grounds for an appeal are determined proper by the ~~Provost Vice President for Academic Affairs~~, the Title IX Coordinator will provide the request for appeal to the other party and provide opportunity for response. Any responses must be provided to the ~~Provost Vice President for Academic Affairs~~ within five business days after receiving a copy of the request for appeal.

The results of the appellate process as outlined below will be final.

If the ~~Provost Vice President of Academic Affairs~~ determines that a procedural [or substantive] error occurred that significantly impacted the outcome of the hearing, he/she may order a new hearing. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of the decision of the Hearing Officers. The decision of the Hearing Officers is final and may not be appealed.

If the ~~Provost Vice President for Academic Affairs~~ determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officers to reconsider the new evidence, or may order a new hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Hearing Officers will notify the student of the outcome within five business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

If the ~~Provost Vice President for Academic Affairs~~ determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, he/she may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officers or ordering a new hearing. If the ~~Provost Vice President for Academic Affairs~~ makes a decision regarding the sanctions, conditions, and/or restrictions without returning the case to the original Hearing Officers, he/she will notify the student in writing of the outcome within five business days of his/her decision. The decision of the ~~Provost Vice President for Academic Affairs~~ is final and cannot be appealed. If the ~~Provost Vice President for Academic Affairs~~ returns the case to the original Hearing Officers, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Hearing Officers or designee will notify the student of the outcome within five business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

In those cases in which the error cannot be cured by the original Hearing Officers (i.e., some cases

of bias), the Provost may order a new hearing with a new panel of Hearing Officers.

~~Provost Vice President for Academic Affairs may order a new hearing with a new panel of Hearing Officers.~~

The Title IX Coordinator shall make all reasonable efforts to timely notify the Reporting Party and Responding Party of the status of the appeal throughout the appellate process.

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7. Follow up

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

The Title IX Coordinator will follow up with the Reporting Party within sixty calendar days after conclusion of the matter to ensure that the complained of behavior has ceased.

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PART V. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES

The following narrative summarizes TTUHSC El Paso's student complaint or grievance policies and procedures, other than those listed in Part IV of this Institutional Student Handbook (e.g. Title IX and discrimination). Links to specific policies and procedures are provided on the Student Services and Student Affairs web-page.

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

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

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

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

B. Complaints regarding discrimination

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

- OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan, <https://elpaso.ttuhs.edu/opp/documents/51/op5101.pdf>

OP 51.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure, <https://elpaso.ttuhs.edu/opp/documents/51/op5103.pdf>

OP 51.04, Access for Individuals with Disabilities, <https://elpaso.ttuhs.edu/opp/documents/51/op5104.pdf>

C. Complaints regarding student records

HSCEP OP 77.13, Student Education Records, <https://elpaso.ttuhs.edu/opp/documents/77/op7713.pdf>, provides detailed information about filing complaints relating to student records.

D. Complaints regarding employment at TTUHSC El Paso

Information about employment grievances for students who are employed at TTUHSC El Paso is provided in HSCEP OP 70.10, Non-faculty Employee Complaint and Grievance Procedures, <https://elpaso.ttuhsu.edu/opp/documents/70/op7010.pdf>. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

E. Complaints regarding grades or grading

The processing of formal grade appeal procedures is the responsibility of the school that administers the course. Relevant school policies are included in their catalogs and handbooks. [pvg]

- Gayle Greve Hunt School of Nursing: Academic Grade Challenges/Appeals
- Graduate School of Biomedical Sciences: Grade Appeals
- Paul L. Foster School of Medicine: Challenging Student Records or Grades
- Woody L. Hunt School of Dental Medicine

F. Complaints regarding other types of mistreatment

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

- GGHSON: Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- Graduate School of Biomedical Sciences: Procedure for Grade and Non-Grade Complaints
- Paul L. Foster School of Medicine: Appropriate Treatment of Medical Students; Student – Faculty Dispute Resolution Policy; Student-Student Dispute Resolution Policy
- Woody L. Hunt School of Dental Medicine

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

- Gayle Greve Hunt School of Nursing: Associate Dean for Academic Programs
- Graduate School of Biomedical Sciences: Dean
- Paul L. Foster School of Medicine in El Paso: Associate Dean for Student Affairs
- Woody L. Hunt School of Dental Medicine: Associate Dean

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

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC El Paso Office of Student Services and Student Affairs in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services and Student Affairs web page <https://elpaso.ttuhs.edu/studentservices/grievance.aspx>

G. Other Institutional-Level Student Complaint Procedures

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

1. Early Resolution

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

The Assistant Vice President for Student Services and Student Affairs (SSSA) -or designee may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President for SSSA for Student Services and Student Affairs or designee will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services and Student Affairs or designee will provide a written statement of his or her recommendation to all parties within ten workingbusiness days following the initial receipt of the student's report of the complaint. All involved parties will then have ten workingbusiness days to respond. Every effort should be made to resolve the issue without going beyond this level.

(If the complaint is against the Assistant Vice President for SSSA, the student should meet with the Provost and Vice President for Academic Affairs, who will follow the procedures outlined here.)

2. Filing a Hearing Request

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

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

3. Hearing Procedure

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

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

b. The Assistant Vice President for Student Services and Student Affairs or designee will provide technical assistance and support to this committee.

c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.

d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for SSSA for Student Services and Student Affairs or designee a list of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.

e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.

f. The Hearing Committee chair shall keep a recording of the hearing, which shall include

date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials). Deliberations will not be recorded.

4. Committee Decision

a. After completion of the hearing, the Hearing Committee shall meet in closed session and prepare a written decision recommendation. Copies of the Hearing Committee chair's report shall be forwarded to the involved parties within five business days.

b. If there is an appeal to decision, it must be made, in writing, within five working business days, to the Provost and Vice President for Academic Affairs.

c. The Provost and Vice President for Academic Affairs will review the Hearing Committee decision complaint resolution and render a decision within five business days. The decision of the Provost and Vice President for Academic Affairs is final with the exception of d. below.

d. If the Provost and Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five business days. The decision of the President is final.

PART VI. STUDENT RECORDS

APV14]. General Policy

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from disciplinary records. (During the time of disciplinary suspension or expulsion, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Institutional Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Texas Tech University Health Sciences Center El Paso. See OP 77.13 Student Education Records <https://elpaso.ttuhscc.edu/app/documents/77/op7713.pdf>.

B. Address of Record

Students must maintain an accurate permanent and local physical address with the Office of the Registrar. The address and school-issued email account is used for official notifications including, but not limited to, grade reports, billing and notification of official university requirements and other university correspondence. Students should also maintain a current local address and telephone number with the Office of the Registrar, that is used by university officials, and/or student organizations and the campus community.

C. Student Access to Educational Records

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

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Notification of Rights under FERPA for Postsecondary Institutions

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

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center El Paso receives a request for access.

A student should submit to the Office of the Registrar a written request that identifies the record(s) the student wishes to inspect by completing and submitting HSCEP OP 77.13 Attachment B *Student Request To Access His/Her Education Records* <https://elpaso.ttuhschool.edu/opp/documents/77/op7713b.pdf> that identifies the record(s) the student wishes to inspect. <https://elpaso.ttuhschool.edu/opp/documents/77/op7713b.pdf> The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

Generally, if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar. Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.

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

The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by TTUHSC El Paso in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of TTUHSC El Paso who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for TTUHSC El Paso. [Optional] Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE TO POSTSECONDARY INSTITUTION: FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school states in its annual notification that it intends to forward records on request.]

Back to Table of Contents The right to file a complaint with the U.S. Department of Education concerning alleged failures by the

[School] TTUHSC El Paso to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

4. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards. (DR15)
5. Personally identifiable information related to academic outcomes such as rank in class, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student. (DR16)

D. Records Not Accessible to Students

The following are records not accessible to students:

1. Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
2. Records of the Texas Tech Police Department subject to the provisions of 34 C.F.R. 99.8;
3. Records relating solely to an employee of TTUHSC El Paso in his/her capacity as an employee that are not available for any other purpose, unless the student is employed as a result of his/her status as a student;
4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the student, that are not disclosed to anyone other than the individuals providing the treatment; and
5. Alumni records or other records that contain information about an individual after he/she is no longer a student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

E. Disclosure of Education Records

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

- 1. To other school officials, including teachers, within Texas Tech University Health Sciences Center El Paso whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
- 2. To officials of another school where the student seeks or intends to enroll, or

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- where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31 (a)(2))
- 3-To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or-State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further-disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31 (a)(3) and 99.35)
- 4-In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4))
-))). To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a)(6)))
- To accrediting organizations to carry out their accrediting functions. ((§99.31 (a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- 8-To comply with a judicial order or lawfully issued subpoena (§99.31 (a)(9))
- 9-To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- 10-Information the school has designated as "directory information" under §99.37. (§99.31 (a)(11))
- 11-To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))
- 12-To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her (§99.31 (a)(14)).
- 13-To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

F. Student's Request to Amend Records (DR17)

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

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1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.

2.2. Written Request to Amend Records: If the result of the informal discussion with the Office of the Registrar (Records Custodian) is not satisfactory to the student, and the student still wishes to have the record corrected, the student should submit a Student Request to Amend Education Records form HSCEP OP 77.13, Attachment C, Student Request To Amend Education Record, <https://elpaso.ttuhs.edu/opp/documents/77/op7713c.pdf> to the Provost or designee, the Assistant Vice President for SSSA or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the student believes the record is inaccurate, misleading or in violation of his/her privacy rights.

[Note: The substantive judgment of a faculty member regarding a student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for challenging individual grades. Grade appeal and grievance procedures are set forth in the individual student handbooks for each School, and the TTUHSC El Paso Student Handbook/ Code of Professional Conduct.]

3. Review: After receiving the written request from the Student for a change in his/her Education Records, the Assistant Vice President for SSSA for Student Services or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student

and the response of the Records Custodian, the Assistant Vice President for SSSA for Student Services or designee will provide written notification to the student whether or not TTUHSC El Paso will implement the change. If not, the Provost or designee will notify the student of the right to a hearing to challenge the information believed by the student to be inaccurate, misleading, or in violation of the student's rights.

4.4. Hearing Procedure: Upon receiving a written request from the student for a hearing, the Assistant Vice President for Student Services or designee shall arrange for a hearing and provide written notice to the student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:

a. The hearing shall be conducted by a hearing official or committee appointed by the Provost or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the student or the Records Custodian.

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

c.- At the hearing, the student shall have the opportunity to present evidence to support

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his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the student.

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

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

G. Release of Student Directory Information

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

1. Student Name
2. Address
3. Previous Institutions Attended
4. Major Field of Study
5. Dates of Attendance
6. Enrollment Status (undergraduate or graduate, full-time or part-time)
7. Classification
8. Degrees Conferred (included degrees from previous institutions)
9. Awards, and Honors Received (including scholarships)
10. Participation in Officially Recognized Activities
11. Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld by submitting a completed HSCEP OP 77.13 Attachment A, Student Consent to Release Education Records <https://elpaso.ttuhschool.edu/opp/documents/77/op7713a.pdf>, or by restricting personal directory information at <https://portal.texasstate.edu/web/elp/my-tech> on the MyTech-El Paso tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication, known as the TTUHSC El Paso Campus Directory, is one type of printed periodical containing data classified as "directory information". To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information prior to the 12th class day in the fall term. Restricted directory information will remain restricted until the students un-restrict/removes confidentiality restrictions from their students account or waives restriction formally for specific events and ceremonies (commencement, match or other post-graduate training announcements) the information.

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H. Destruction of Records

The university constantly reviews the "educational records" it maintains and periodically destroys certain records. The university will not destroy records if -prohibited by state or federal law see HSCEP OP 77.11 Permanent Student Record (<https://el Paso.ttuhs c.edu/opp/ documents/77/op7711.pdf>) for designated permanent records. The student's basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Assistant Vice President for SSSA Associate Dean for Student Affairs office. Student Disability Services records are maintained for three years after the last date of enrollment. Record retention follows the TTUHSC EP Records Retention Schedule, see TTUHSC EP OP 10.09 Records Retention for detailed information (<https://el Paso.ttuhs c.edu/opp/ documents/10/op1009.pdf>).

I. Letters of Recommendation

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

J. Medical Records

TTUHSC El Paso community is guided by 52.02 Privacy and Security of Health Information (<https://el Paso.ttuhs c.edu/opp/ documents/52/op5202.pdf>) to ensure compliance with the provision of the Health Insurance Portability and Accountability Act of 1996 (HIPPA) and state laws and regulations for the privacy and security of health information. Medical records of students are maintained for students seen by a TTUHSC El Paso faculty member at Texas Tech Physicians are at Hagus or other TTP El Paso clinics. Information contained in the medical record is completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by -law. Students needing to request a copy of their medical records should contact the office where they received care. See also HSCEP OP 52.09, Confidential Information (<https://el Paso.ttuhs c.edu/opp/ documents/52/op5209.pdf>) and OP 52.02, Privacy and Security of Health Care Information (<https://el Paso.ttuhs c.edu/opp/ documents/52/op5202.pdf>).

PART VII. REGISTRATION OF STUDENT ORGANIZATIONS

A. Conditions for Registration

1. Student organizations wishing to register with the Texas Tech University Health Sciences Center El Paso must file an application with the institutional Student Services and Student Affairs office. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center El Paso.
2. This application shall contain, but not be limited to, the following information:

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- a. A statement of the organization's purposes;
 - b. Any present or intended relation the organization may have to any other local, state, or national organization;
 - c. The organization's proposed activities;
 - d. A list of the organization's officers;
 - e. A copy of the organization's constitution/bylaws;
 - f. A copy of the constitution/bylaws of any related organization if any; and,
 - g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
 - h. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by TTUHSC El Paso.
3. Membership in the organization shall be open only to enrolled students of Texas Tech University Health Sciences Center El Paso without regard to race, religion, sex, handicap, or national origin, except in cases of designated fraternal organizations ^(VC201) which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.
4. The organization shall not duplicate the purposes and functions of a previously registered organization unless the need for such duplication is substantiated.
5. All funds allocated to the organization from TTUHSC El Paso controlled sources must be maintained in a TTUHSC El Paso account.
6. The organization shall show promise of effectively meeting its stated objectives, <https://el Paso.ttuhsc.edu/opp/documents/77/op7713b.pdf> ~~be, be~~ free from control by any other organization and be lawful and peaceful in its activities.
7. The organization shall not use the name of the Texas Tech University Health Sciences Center El Paso, logotype, or symbols of TTUHSC El Paso as part of its name in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC El Paso. The organization is permitted to use the word "TTUHSC El Paso Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSC El Paso." Requests to use logos or symbols protected by TTUHSC El Paso, Texas Tech University or the Texas Tech University System shall be submitted to Office of Institutional Advancement ~~Communications and Marketing~~.

Registration of an organization results from compliance with these regulations; it does not imply TTUHSC El Paso approval of the organization or its activities. The organization shall agree to adhere to the policies, rules, and regulations of TTUHSC El Paso.

B. Faculty or Staff Advisor

Each registered organization shall have a TTUHSC El Paso full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to Back to Table of Contents meetings and functions as often as possible, to certify the expenditures of

the organization, to offer suggestions regarding the operations of the organization, and to oversee adherence to TTUHSC El Paso regulations and the organization's constitution and bylaws.

C. Conditions for Maintaining Registration

1. In order to maintain its registration, a student organization shall comply with the following requirements:

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

D. Denial of Registration

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

PART VIII. USE OF UNIVERSITY SPACE, FACILITIES AND AMPLIFICATION EQUIPMENT

1. Space and Facilities

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. See HSCEP OP 61.23, Classroom Scheduling <https://elpaso.ttuhs.edu/opp/ documents/61/op6123.pdf>. Secondary priority will be given to non-credit bearing activities and programs sponsored and conducted by TTUHSC El Paso academic and administrative departments, organizations affiliated with those departments, and registered student organizations (i.e., faculty development, academic departments, graduate medical education, student government association, continuing medical education, etc.). Third priority is given for activities intended to serve or benefit the TTUHSC El Paso community. Fourth priority shall be given to scheduling classrooms that are allowable under Texas Higher Education Board (THECB) regulations and align with the TTUHSC El Paso mission.

b. Permission to use campus space facilities may be granted only by the offices designated by HSCEP OP 61.07, *Use of TTUHSC El Paso Premises and Amplification Equipment*, <https://elpaso.ttuhs.edu/opp/ documents/61/op6107.pdf>. 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.

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

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

e. With the exception of free expression activities mentioned above, reservations for non-credit activities must be made for the use of TTUHSC El Paso premises and must be in accordance with HSCEP OP 61.07, *Use of TTUHSC El Paso Premises and Amplification Equipment*, <https://elpaso.ttuhs.edu/opp/ documents/61/op6107.pdf>, see . The term "TTUHSC El Paso premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSC El Paso (including adjacent streets and sidewalks). For activities other than those covered by OP 61.23, Classroom Scheduling, please refer to OP 75.32 <https://elpaso.ttuhs.edu/opp/ documents/75/op7532.pdf>, Internal Event – Facility Use Policy and the Facility Use Form <http://elpaso.ttuhs.edu/safety/ documents/Event%20Facility%20Form.pdf>.

PART IX. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS

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

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PART X. STUDENT TRAVEL POLICY

A. HSCEP OP 77.08, Student Travel Policy

1. HSCEP OP 77.08 <https://el Paso.ttuhs c.edu/opp/ documents/77/op7708.pdf> regulates any travel undertaken by one or more students presently enrolled at TTUHSC El Paso to an activity or event that is located more than 25 miles from the campus of TTUHSC El Paso. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC El Paso, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC El Paso.

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

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

3. The purpose of this policy is to help minimize the risks of liability connected with motor vehicle travel by University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization.

B. Travel Using University-Owned Vehicles

1. Appropriate Use. Only persons who are acting within the course and scope of University-related activities should use University vehicles.

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

- a. The requesting department or unit must place students who drive on behalf of the University on the approved driver's list.
- b. Qualifications for drivers of all University or rental vehicles are as follows:
 - i. Must possess a valid (Texas or other U.S. state or District of Columbia) driver's license, be at least 18 years of age and have held a valid license for at least two years. Foreign students with no driving experience in the U.S. will not qualify, and an alternative driver will be required;
 - ii. Must have available documentation of current personal insurance;
 - iii. Must sign a disclosure statement;
 - iv. Must not have any moving violations within the last 18 months;
 - v. Are required to report any driving violations to their immediate supervisor as soon as

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possible. This includes violations that occur while driving a vehicle not owned by the University; and

vi. Must not have had any violations for drunk driving, driving under the influence of drugs or reckless driving.

vii. Must not have had a reinstated license in effect for less than one year after a revocation.

viii. Must not have a suspended license; and

ix. Must be able to provide documentation of current personal automobile liability insurance

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

i. Must be at least 21 years of age and held a valid license, as defined in 2 (b) for at least two years;

ii. Foreign students with no driving experience in the U.S. will not qualify, and an alternate driver will be required;

iii. Must comply with Motor Vehicle check on an annual basis;

iv. Must successfully complete a 15 Passenger Van driver training course;

v. Must complete 15 Passenger Van retraining annually;

vi. Must not have more than one moving violation in the last 18 months; and

vii. Must successfully pass a drug test.

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3. Operator Conduct:

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

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

i. DO NOT use University vehicles for personal transportation or business;

ii. DO NOT allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;

iii. DO NOT pick up hitchhikers or transport family members;

iv. DO NOT allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;

v. DO observe all traffic rules and regulations;

vi. DO drive carefully, safely, and courteously;

vii. DO require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;

viii. DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints; and,

ix. DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle.

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

c. When a vehicle is damaged through operator misuse or operated by a person under the

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influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

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

4. Accidents.

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

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

b. Take necessary steps to prevent another accident;

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

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

e. Get names and addresses of all witnesses;

f. Provide all required information to the law enforcement officer;

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

h. Refer to TTUHSC El Paso OP 76.34, *Accidents Involving University Vehicles*, for the completion of required vehicle accident documentation.

C. Travel Using Personal Vehicles

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

2. Reimbursement for Costs. Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. will not be reimbursed.

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

4. Policy Concerning Use of Personal Vehicles by Students.

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

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

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

D. Policy Concerning Student Releases and Medical Authorization

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities, execute a copy of the Travel Release and Indemnification Agreement and the Authorization for Emergency Medical Treatment.

E. Guidelines Concerning Safe Travel Practices

~~1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.~~

~~2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC El Paso, Texas Tech University or Texas Tech University System will assume no responsibility, financial or otherwise.~~

~~3. Faculty and staff sponsors and organization officers are urged to take all possible precautions to ensure the safety and well-being of all persons participating in off-campus activities.~~

~~4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.~~

~~5. Please refer to the TTUHSC El Paso Travel Office and the Office of Global Health for information regarding travel abroad.~~

PART XI. MISCELLANEOUS POLICIES

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

1. Absences

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

2. Academic Requirements

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

3. Academic and Personal Support

Academic support services are available to all TTUHSC El Paso students through the Office of Academic Support <https://elpaso.ttuhsu.edu/gsbbs/student-handbook/academic-support.aspx>. The Academic Support web-site provides information about workshops and resources to support student success.

Program of Academic Support and Assistance (PASE). The PASE program offers several features such as learning assessments, remedial advisement, board preparation, workshops, tutoring services, and individual learning and study assistance in areas of time management, stress management, test taking, note taking, reading and general study skills. The PASE program is led by the Director of Academic and Disability Support Services. Information on the PASE program can be found on the Student Services website: <http://elpaso.ttuhsu.edu/student-services/academic-support.aspx>

Personal counseling services are available to all TTUHSC El Paso students; providers are listed at <https://elpaso.ttuhsu.edu/gsbbs/student-handbook/academic-support.aspx>. For emergency, please call Emergency Health Network at (915) 779-1800 through the 1800.

1800. Program of Assistance for Students (PAS). Through the PAS, licensed counselors are available

to assist students with all types of problems, including stress associated with academic, legal, or financial concerns; depression, anxiety, and/or other emotional problems; family and relationship issues; alcohol and drug abuse, and other mental health and wellness issues. For more information or to request assistance, please call

1-800-327-0328 or the 24-hour crisis line through the- For emergency, please call Emergency Health Network at (915) 779-

1800. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, TTUHSC El Paso students and their dependents are eligible to receive five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services website at the following address: <http://elpaso.ttuhsu.edu/som/studentaffairs/counselingresources%20.aspx>

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4. Admissions and Applicants

The educational policies of the TTUHSC El Paso are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC El Paso is a health related institution that offers upper-level undergraduate, graduate and professional academic programs. study institution. The application and admissions policies for TTUHSC El Paso are outlined in the individual Schools' catalogs and/or handbooks.

Most programs at TTUHSC El Paso have a deadline for the receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are

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advised to contact the program to which they are seeking admission for specific deadline dates.

5. Adding and Dropping Courses

See the Office of the Registrar web-page for all related academic policies, <https://www.elpaso.ttuhs.edu/opp/ documents/77/op7719.pdf><https://www.elpaso.ttuhs.edu/opp/ documents/77/op7719.pdf>

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

6. Affiliation

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

7. Attendance

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

8. ~~Working with Affiliated Entities-Student Drug Screenings~~, see HSCEP OP 77.15, <https://elpaso.ttuhs.edu/opp/ documents/77/op7715.pdf><https://elpaso.ttuhs.edu/opp/ documents/77/op7715.pdf>

1. ~~Defined Terms~~

~~For purposes of this policy, the term "Student" does not include residents in the Paul L. Foster School of Medicine~~

2. ~~Background~~

~~TTUHSC El Paso enters into affiliation agreements with various health care clinical entities ("Affiliated Entities"), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in TTUHSC El Paso clinical education programs.~~

~~Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by TTUHSC El Paso as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.~~

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Clinical rotations are an essential element in certain degree programs' curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program.

TTUHSC El Paso schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.

3. Clinical Placement:

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

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

4. Responsibility of the School The student's School shall:

a. Notify the student of the Affiliated Entity's requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated Entity, deadlines to meet the Affiliated Entity's requirements, a list of approved drug screen testing vendors, and a completed Authorization, " for signature by the student.

b. Receive the student's drug screen test results, which shall be maintained in a confidential, locked file separate from the student's primary educational records.

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c. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.

5. Responsibility of the Student

a. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by TTUHSC El Paso provided articles b, c, d, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSC El Paso designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.

b. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.

c. The student shall use a drug screen vendor from the designated vendors provided to the student by his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.

d. The student will be required to sign a valid consent and authorization, consenting to the drug screening and giving the vendor performing the test permission to provide the

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~~drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.~~

~~6. Student Refusal to Consent to Drug Screen~~

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

~~7. Period of Validity—Drug Screen Results~~

~~a. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program within the School unless there is a break in enrollment, defined as not enrolled for one full semester.~~

~~b. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.~~

~~8. Drug Screen Results~~

~~a. Diluted Specimen. Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at his/her expense, will be required to complete and successfully pass a new drug screen test.~~

~~b. Negative Drug Screen Results. The School which receives the student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, HSCEP OP 77.15 Attachment A.~~

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~~c. Positive Drug Screen Results.~~

~~i. A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.~~

~~ii. Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.~~

~~iii. The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.~~

~~iv. Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.~~

~~v. If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.~~

~~9. Confidentiality of Records~~

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

10. ~~Readmission~~

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

11. ~~Right to Change Policy~~

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

9. Credit by Exam

See OP 77.07, Credit by Examination, <https://elpaso.ttuhschool.edu/opp/documents/77/op7707.pdf> specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the Gayle Greve Hunt School of Nursing, and the Graduate School of Biomedical Sciences, do not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade point averages. TTUHSC El Paso Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.

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See OP 77.07, Credit by Examination, <https://elpaso.ttuhschool.edu/opp/documents/77/op7707.pdf>

10. Death of a Student

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

11. Disabilities (Students)

TTUHSC El Paso complies with HSCEP OP 10.15 (Americans with Disabilities Act) and HSCEP HSCEP OP 77.14, (Establishing Reasonable Accommodations for Students with Disabilities), <https://elpaso.ttuhschool.edu/opp/documents/77/op7714.pdf> provides policy related to the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified individual with a disability shall be denied access to or participation in services, programs, and activities of TTUHSC El Paso solely based on the disability.

Any student seeking accommodations on the basis of disability must register with the Office of Academic and Disability Support Services (DSS) in the Office of Student Services and Student Affairs. The process to request accommodations includes an application for services, appropriate documentation of the disability, and an intake interview with the Director of Academic and Disability Support Services.

Students with grievances related to discrimination on the basis of a disability should review this the Institutional Student Handbook, Part IV on Anti-Discrimination policies and procedures. The grievance process would include the Director of Academic and Disability Support Services.

Back to Table of Contents documentation guidelines, grievance procedures, and other forms can be found

on the Disability Support Services website: elpaso.ttuhsu.edu/studentservices/disability-support-services.

For more information, see HSCEP OP 10.15: American's with Disabilities Act (http://elpaso.ttuhsu.edu/opp/_documents/10/op1015.pdf) or HSCEP OP 77.14 Establishing Reasonable Accommodations for Students with Disabilities (http://elpaso.ttuhsu.edu/opp/_documents/77/op7714.pdf)

12. Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC El Paso on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. Non-academic matters are handled by the Office of Student Services and Student Affairs. For more information, visit https://elpaso.ttuhsu.edu/opp/_documents/51/op5101.pdf, Equal Employment Opportunity Policy and Affirmative Action Plan

13. Emergency - Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit El Paso <https://portal.texasu.edu/web/elp/mytech> and sign in. Select the "MyTech-El Paso (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

14. Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in them the TTUHSC El Paso OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. Grievance Procedures, https://elpaso.ttuhsu.edu/opp/_documents/70/op7010.pdf, https://elpaso.ttuhsu.edu/opp/_documents/70/op7010.pdf. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

15. Exams

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

16. Financial Policies

Students must meet all financial responsibilities due to the University. The writing of checks on [Back to Table of Contents](#)

accounts with insufficient funds, issuance of stop pays, disputed credit card chargebacks, or the non-payment or delinquent payment -of outstanding loans, and failure to meet any other financial obligations to the University, (including failure to return Title IV funds), are considered a lack of financial responsibility. Financial irresponsibility may—can subject the student to action by TTUHSC El Paso, including, but not limited to subject the student to additional fees, fines, suspension of check writing privileges, denial -of registration, withholding of grades and transcripts and possible adjudication under -the Code of Professional and Academic 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. Generally, failure to meet financial obligations to the University may result in:

- a. Cancellations of the student's registration if tuition and registration fees are not—paid by the 12th class day and 20th class day (4th class day and 15th class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
- b. b.—Loss of University check writing privileges and possible criminal prosecution -for writing insufficient fund checks and for failure to pick up a returned check;
- c. A hold placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of flags—holds by accessing their records at <https://portal.texas-tech.edu> under the MyTech – El Paso tab); on their records by contacting the Office of the Registrar; and/or,
- d. Reporting of financial problems to a credit agency or a collection agent. For more information, please visit the Student Business Services website at <http://elpaso.ttuhsu.edu/fiscal/businessaffairs/studentbuserv/>

17. Grades/Grading

- a. See OP 77.19, Grading Procedures and Academic Regulations, <https://www.elpaso.ttuhsu.edu/opp/documents/77/op7719.pdf>
- a-b. The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.
- b. The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or- division involved.

18. Graduation Procedures

- a. Degree requirements are published in the individual School's catalogs.
- b. **Prior to graduation, all candidates for TTUHSC El Paso degrees are required to:**
 - i. Complete all graduation requirements set forth by the applicable School;
 - ii. Complete and return to the Office of Student Services the University's Intent

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(c)(AD22) Graduate form in the semester before anticipated graduation (the student's "diploma name" as requested in the *Intent to Graduate* form is printed on her/his diploma, and

information provided by the student is used in commencement programs – note if student has requested that directory information is confidential – specific request to release information for commencement bulletin must be confirmed via the Graduation application process.);

iii. Be registered in the semester the certificate or degree is to be conferred unless the student is granted an exception by the dean of their school (AD23);

i. iv. Pay the a graduation application fee—\$75 which is typically assessed at the time of registration (AD24);

iv. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

19. Health Services and Health Insurance Information

- a. The Texas Tech Physicians at Hague provides health services to TTUHSC El Paso students who are currently enrolled and have paid the Medical Services Fee as part of tuition and fees. To receive health services, you must present a Student I.D. card and co-payment at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement. Students may contact their insurance provider to determine if they qualify for co-payment reimbursement.

The Medical Services Fee covers only those services provided by the Texas-Tech Physicians at Hague and specific laboratory and radiology service performed at cooperating locations. All other charges incurred are the student's your responsibility.

b. Clinic Procedures

Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after hours, call the office at Hague and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a TTUHSC El Paso student. If you come to the office without an appointment, it may be necessary for you to wait for a physician.

Immunizations, paper work/paperwork, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed as a provider on your insurance. Visits to an emergency room that generate a charge from either TTUHSC El Paso or the hospital are your responsibility.

- c. If the student receives a bill from the Texas Tech Physicians at Hague for services covered by the medical service fees, please contact the Office of Student Services and Student Affairs at (915) 215-4370.

- d. Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration (VC25).

- e. TTUHSC El Paso will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance

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plans. Insurance information can be found on the Office of Student Services and Student Affairs web-page website at <http://elpaso.TTUHSC.EI Paso.edu/elpaso/student-services/>.

20. Immunizations - Required

In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC El Paso requires all entering students to provide documentation of all immunizations as required by their respective schools. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation

I. Tuberculosis Surveillance

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

II. Immunizations

Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). See attached CDC [PV26] Healthcare Worker Vaccination Recommendations (2011).

III. Exposure Management

Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC)."

Bacterial Meningitis

a. *General.* Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitides*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.

b. *Risks and Exposures.* The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.

c. *Symptoms and Diagnosis.* Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:

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- i. High fever
- ii. Severe Headaches iii. Vomitingheadaches
- iii. Vomiting
- iv. Light sensitivity v.
- Stiff neck
- vi. Nausea
- vii. Lethargy
- viii. Seizures
- ix. Confusion and sleepiness
- x. Rash or purple patches on skin

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

- i. Permanent brain damage ii.
- Kidney failure
- iii. Learning disability iv.
- Gangrene
- iv. Gangrene
- v. Coma
- vi. Convulsions
- vii. Hearing loss viii.
- Blindness
- ix. Limb damage that may require amputation x.
- Death

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

f. Information. If you have more questions, contact:

- i. Your healthcare provider
- ii. Your local or regional Texas Department of Health iii.
- Texas Tech Physicians at Hague 915-215-5810
- iv. TTUHSC El Paso Office of Occupational Health 915-215-4429. v.
- Visit these web sites for more information -
- www.cdc.gov/ncidod/dbmd/diseaseinfo or www.acha.org

Medical and Religious Exemptions
2010-2011 Texas Vaccine Exemption
Information [PV27]

State of Texas law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some

time so please do not wait until the last minute to get your papers in order.

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

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <http://webds.dshs.state.tx.us/immco/affidavit.shtm>.

21. Inter-Professional Education

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

22. Registration

See the Office of the Registrar web-page for official information related to registration:
<https://elpaso.ttuhsu.edu/student-services/registrar/>

- ~~a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration or immediately upon posting to a student's account, unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools' Student Affairs or Coordinator's office.~~
- ~~b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanctions will be barred from registration. **Students must provide all final transcripts to the Office of the Registrar by the end of the first semester in which they are enrolled or a hold will be place preventing registration in future semesters.**~~

~~*See Student Record and Transcript Policy located at <http://www.TTUHSC-El-Paso.edu/registrar/documents/student.record.transcript.policy.pdf>~~

- ~~c. Late Registration. Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration~~

23. Religious Holy Days

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See OP 77.12, Religious Holy Day Observance and Need for Student Absence,,
<https://elpaso.ttuhschool.edu/opp/ documents/77/op7712.pdf>
<https://elpaso.ttuhschool.edu/opp/ documents/77/op7712.pdf>

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

d. This policy does not apply to any student absence for a Religious Holy Day, which may interfere with patient responsibilities or patient care.

24. __ State Residency Classification

Residency is established at the time of application to TTUHSC El Paso. Some students may be eligible for Border County waivers; see OP 77.18, *Border County Waiver*, <https://elpaso.ttuhschool.edu/opp/ documents/77/op7718.pdf>.

Students are responsible for registering under the proper residence classification and -for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, -prior to the time of enrollment, to ask for an official determination by the Office of the Registrar. Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar [PR20]

25. __ Student Government Association

The Student Government Association (SGA) promotes, directs and coordinates student activities at Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso). The executive council and senators are elected from each of the three schools and act to voice student concerns to the TTUHSC El Paso Faculty and Staff and encourage interdisciplinary communication and participation among the individual schools that compose TTUHSC El Paso. The office of Student Services and Student Affairs provides administrative support for SGA. See the SGA web-page at <https://elpaso.ttuhschool.edu/studentservices/sga/>.

26. Student Publications [Back to Table of Contents](#)

See OP 77.03, Official Student Publications,

<https://el Paso.ttuhsc.edu/opp/ documents/77/op7703.pdf><https://el Paso.ttuhsc.edu/opp/ documents/77/op7703.pdf>

All aspects of TTUHSC El Paso Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

27. Tuition and Fees Payments~~Installment Payments~~Payment Options

See the Student Business Services web-page at

<https://el Paso.ttuhsc.edu/fiscal/businessaffairs/studentbusserv/default.aspx>

- a. Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees during the fall, spring, or long (10 weeks or longer) summer semesters in installments. TTUHSC El Paso offers the following payment alternatives:
 - i. Full payment of tuition and fees in advance of the beginning of the semester; or
 - ii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.
- b. TTUHSC El Paso shall develop procedures that will provide that students may elect to pay tuition and fees using the payment alternative.
- c. TTUHSC El Paso is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.
- d. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The Board of Regents has delegated to the President of Texas Tech University Health Sciences Center El Paso, the authority to approve all discretionary, incidental fees.
- e. If a student who has elected to pay tuition by installment fails to pay in full -all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.
- f. TTUHSC El Paso shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.
- g. Approval of Student Fees: The Board of Regents shall approve the assessment and collection of fees from Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso). The amounts to be collected are presented in a Global Fee Document to the Board of Regents annually for approval.

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28. Tuition and Fees Refund Policies

See the Student Business Services web-page

<https://elpaso.ttuhs.edu/fiscal/businessaffairs/studentbusserv/default.aspx>
<https://elpaso.ttuhs.edu/fiscal/businessaffairs/studentbusserv/default.aspx>

Detailed information about the impact of decreasing course load on:

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

Institutional Refund Policy:

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

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

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	1st class day through 4th class day	100%
	After the 4th day of class	None
Fall, Spring or Summer - Duration of 10 weeks or longer	1st class day through 12th class day	100%
	After the 12th day of class	None

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

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day or later	None
Fall, Spring or Summer - duration of 10 weeks or longer	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

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

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

Any refund due to a student will be after calculation of the amount of tuition and fees due at the time of withdrawal. If the student has paid less than the amount due at the time of withdrawal, the student will be required to pay the percentage due.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations. Failure to return Title IV funds constitutes a failure to meet a financial responsibility due to the University which is subject to any of the actions stated in section 15[PV29].

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

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

How the calculation works

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

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

Please note, your failure to complete a semester or term could impact your Satisfactory Academic Progress (SAP) and your future eligibility for financial aid. To remain-eligible for financial aid, a student must maintain satisfactory academic progress. This consists of three categories: (1) grade point average on hours attempted (qualitative), 2 hours successfully completed (quantitative) based on hours enrolled and (3) time to degree. You must complete your program of study within 150% of the normal time required for the program.

The complete policy is available on the Financial Aid website under Satisfactory Academic

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Progress (<https://el Paso.ttuhsc.edu/studentservices/Financial-Aid/consumer-information-disclosures.aspx>)
<https://el Paso.ttuhsc.edu/studentservices/Financial-Aid/consumer-information-disclosures.aspx>
<https://el Paso.ttuhsc.edu/studentservices/Financial-Aid/consumer-information-disclosures.aspx>

29. Testing – “Bring Your Own Device” Protocol

For 2019-2020, please refer to your School policy related to the “bring your own device” protocol. A new operating policy is under development and will be posted in the TTUHSC El Paso Operating Policies and Procedures upon approval.

31. Medical Education Program “BYOD” Protocol ^[rv30]

- I. Program Statement: For full participation in the M.D. degree program, students in the Paul L. Foster School of Medicine (PLFSOM) are responsible for providing and maintaining electronic devices in accordance with current recommended technical specifications. For all other inquiries related to Information Technology support and policy information, please refer to the Student Orientation Packet “IT Welcome” provided by the Office of Student Affairs.
- II. Reason for Statement: This statement is intended to ensure that all medical students have appropriate access, via compatible personal equipment, to the information required for their participation and successful experience in the program.
- III. Who Should Read This Policy: All PLFSOM students, course/clerkship directors, educational program administrators, and PLFSOM academic technology support staff.
- IV. Supporting Resources: This protocol is supported by the Office of Medical Education.

V. Definitions:

- Bring Your Own Device (BYOD): The general expectation that students will provide, maintain, and use their own electronic device(s) — such as laptops, smartphones, and tablets — in the university learning environment.

VI. Technical Expectations:

- i. All students are expected to use their own laptops to access assessments, course materials, and educational information (tablets, mobile devices, and smartphones are not recommended for these purposes).
- ii. Students are responsible for the maintenance and security of their laptops, devices, and peripherals (e.g. mouse, power supply, network cables). Laptops must meet the minimum technical specifications as determined by the curricular platforms used (see item v).
- iii. Neither TTUHSC El Paso nor the PLFSOM is responsible for the consequences of a student choosing to use a device that does not meet these recommended minimum technical requirements. Furthermore students are solely responsible for vendor updates and changes in the technical specifications for applications and services required by the program.
- iv. Students are expected to respect administration, faculty, and tutor directions by shutting-off devices during certain educational activities. This includes complying with a faculty member's decision not to be recorded.
- v. The minimal technical specifications for related learning and assessment platforms may be obtained from the organization's website (requirements are subject to change):

Technical Reference List

- ExamSoft: <https://examsoft.force.com/community/s/article/Exemplify-Minimum-System-Requirements>
 - NBME Web Testing: <http://files.constantcontact.com/71cb3668301/649e2415-f4a2-4e2f-ac30-84c0cca897ee.pdf>
 - Aquifer: <https://aquifer.org/resources/tools/securing-your-exam/>
 - CANVAS Learning management system: <https://community.canvaslms.com/docs/DOC-10721>
 - Media Space (Kaltura): <https://vpaas.kaltura.com/documentation/Web-Video-Player/Supported-Devices.html>
- vi. Recommended general specifications include the following.
- Use only internet browsers that are supported by TTUHSC El Paso (do not use beta versions).
 - Exam certification must be performed on all personal laptops and/or institution-owned systems that will be used for testing at least 10 minutes prior to exam.
 - Mobile devices, iPads, tablets, and laptops with integrated touchscreens are not recommended or allowed for testing.
 - Virtual machines (including applications) are unreliable when running some required exam platforms and thus are not allowed. Examples: Microsoft Surface Pro 4 and Windows 10 Pro with Hyper-V.
 - Laptops should be able to connect to both wired and wireless networks (newer systems may require an additional Ethernet network adaptor or device).
 - Fast broadband internet connection is recommended.
 - In special cases where faculty or course directors promote certain educational applications, please consult application website for technical specifications.

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viii. ~~Student non-compliance with technical protocols, specifically including the use of non-conforming personal devices for testing, may result in any of the following school designated actions:~~

- ~~• Administration of the test on a device provided by the institution device (subject to availability)~~
- ~~• A change in the modality of the affected student's test (for example, administration of a paper version)~~
- ~~• Changes in the setting and/or location of the test~~

~~In addition, student non-compliance maybe reported as a professionalism concern to the Office of Student Affairs, and potentially result in a referral to the Grading and Promotions Committee.~~

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PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL [PV31] [PV32]

Student Services and Student Services (915) 215-4370

Registrar (915) 215-4370

Student Financial Aid (915) 215-4370

Student Business Services (915) 215-5723

Deputy Title IX Coordinator for Students (915) 215-47865114

Title IX Coordinator for TTUHSC El Paso (915) 215-546140

Student Business Services (915) 215-5723

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Office of Student Services (915) 215-4370

Office of Student Financial Aid (915) 215-4370

Office of the Registrar (915) 215-4370

Graduate School of Biomedical Sciences (915) 215-4157

Gayle Greve Hunt School of Nursing Student Affairs (915) 215-6124

Graduate School of Biomedical Sciences (915) 215-4157

Paul L. Foster School of Medicine Student Affairs (915) 215-4370

Woody L. Hunt School of Dental Medicine (915) 215-4300

ATTACHMENT A[PV33]

TEXAS TECH UNIVERSITY HEALTH
SCIENCES
CENTER EL PASO

Student Conduct Incident Form ~~Student Grievance Form~~

This form is to be used for an official complaint that involves a person who is or students who are enrolled at TTUHSC El Paso for alleged violations of the Code of Professional and Academic Conduct. The student(s) could be the accused or the complainant. This form is to be submitted to the Executive Associate or Assistant Vice President for SSSA for Student Services and Student Affairs at TTUHSC El Paso. A separate form must be completed for each individual student accused of violations of the Code. Use Attachment C for complaints against a student organization.
{Please note that students' matters related to grades or academic evaluation should follow the guidelines published in the specific School catalogue or handbook}

Please complete the following:

Name of Accused:

Organizational Affiliation: Institutional, School, Department and Program of Accused (if known):

List the course name, number, and section (if applicable) in which the alleged misconduct occurred:

Please provide a clear and concise explanation of the circumstances of the complaint. Include all relevant information, including, but not limited to, the name of the person(s) who witnessed the incident(s) and where the incident(s) occurred. Use additional pages if necessary. Please attach relevant supporting documents, e.g., copy of assignment, source of plagiarism, etc.

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Date of discovery of alleged violation (please report within 20 business days of discovery):

Date of alleged violation (if different from above):

Please cite the Professional and Academic Code(s) that the Accused allegedly violated:

I certify that all information provided herein is accurate and complete.

Printed Name

Complainant Date

Complainant's Signature

Complainant's Contact Information: Address, Email, and Phone Number

The following notice is provided in accordance with Texas Government Code § 559.003(a) of the Texas Government Code: (1) with few exceptions, you are entitled on your request to be informed

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about the information TTUHSC El Paso collects about you; (2) under Sections 552.021 and 552.023 of the Texas Government Code, you are entitled to receive and review the information; and (3) under Section 559.004 of the Texas Government Code, you are entitled to have TTUHSC El Paso correct information that is incorrect in accordance with TTUHSC El Paso policies and procedures.

Please Email Completed Form to Hilda Alarcon at hilda.alarcon@ttuhsc.edu

DRAFT

ATTACHMENT B

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TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
EL PASO

ATTACHMENT B

Sexual Misconduct Incident Form

Please fill out the following to the best of your ability, and do not hesitate to contact university administrators if you have questions or if you would like to make a report in person. We are here to help. You can contact us from 8 a.m. - 5 p.m. at (915) 215-4786. You will be contacted within 24 hours of receipt of this report to discuss. If it is after hours and you need immediate assistance, please contact the Texas Tech Police Department at (915) 215-7111.

Please complete the following:

Your Full Name: _____

Your Phone Number: _____ Your Email Address: _____

Type of Complaint: (circle one) ☒ Sexual Assault ☐ Sexual Harassment
☐ Sexual Voyeurism ("peeping tom") ☐ other form of Sexual Misconduct

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

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Name of Involved Individuals: _____

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

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

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

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into Hilda Alarcon at hilda.alarcon@ttuhsc.edu in the TTUHSC El Paso Office of Student Services and Student Affairs.

ATTACHMENT C

**TEXAS TECH UNIVERSITY HEALTH SCIENCES
CENTER EL PASO (TTUHSC El Paso)**

Student Organization Incident Form

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

Please complete the following:

Your Full Name: _____
Your Phone Number: _____
Your Email Address: _____

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

Date of Incident: _____

Time of Incident: _____

Location of Incident: _____

Name of Involved Individuals/Organization: _____

Provide detailed information about what misconduct occurred.

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If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Hilda Alarcon at hilda.alarcon@ttuhsc.edu in the TTUHSC El Paso Office of Student Services and Student Affairs. -

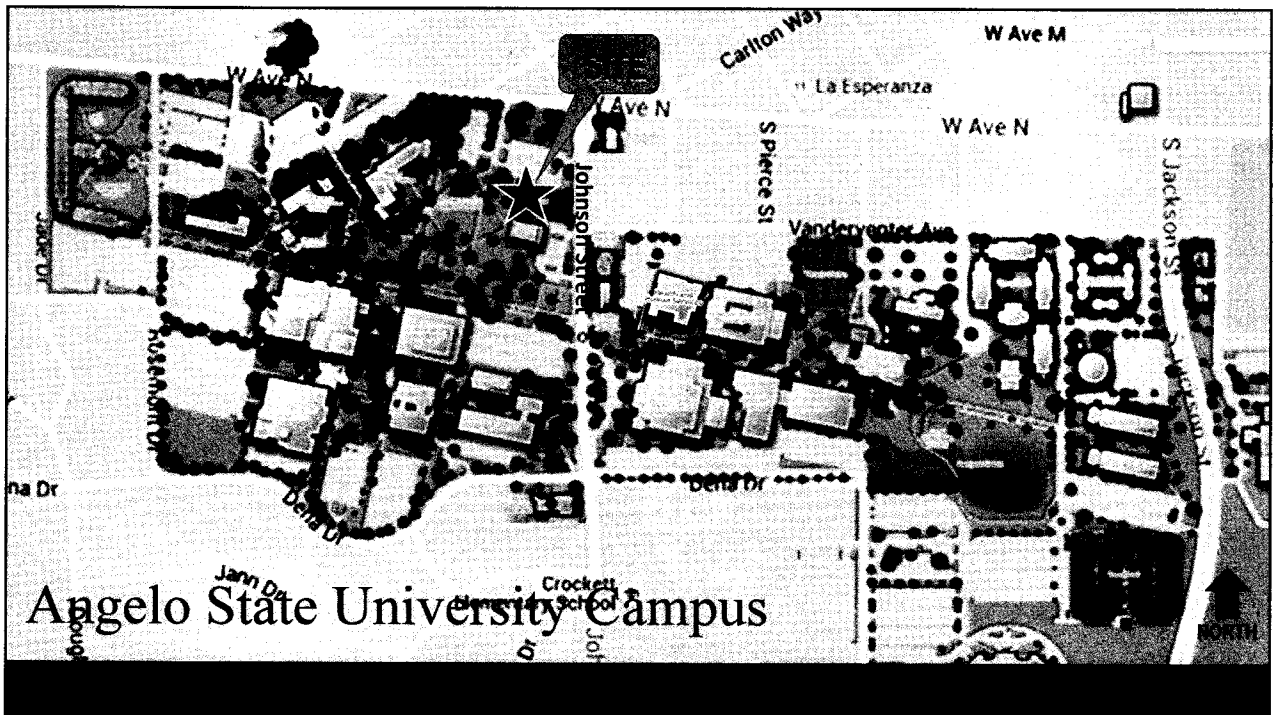
DRAFT

Angelo State University

Item 1

Authorize total project budget for the Angelo State
University Mayer Museum project (CMR final GMP)

Billy Breedlove

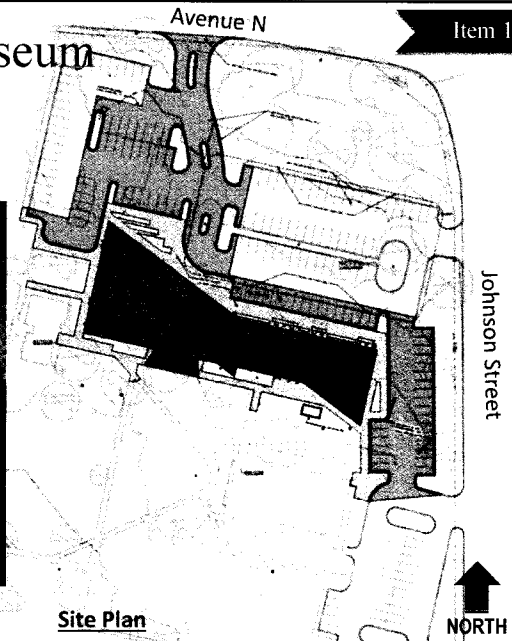


Angelo State University Mayer Museum

Item 1



Artist Rendering – Front Entrance



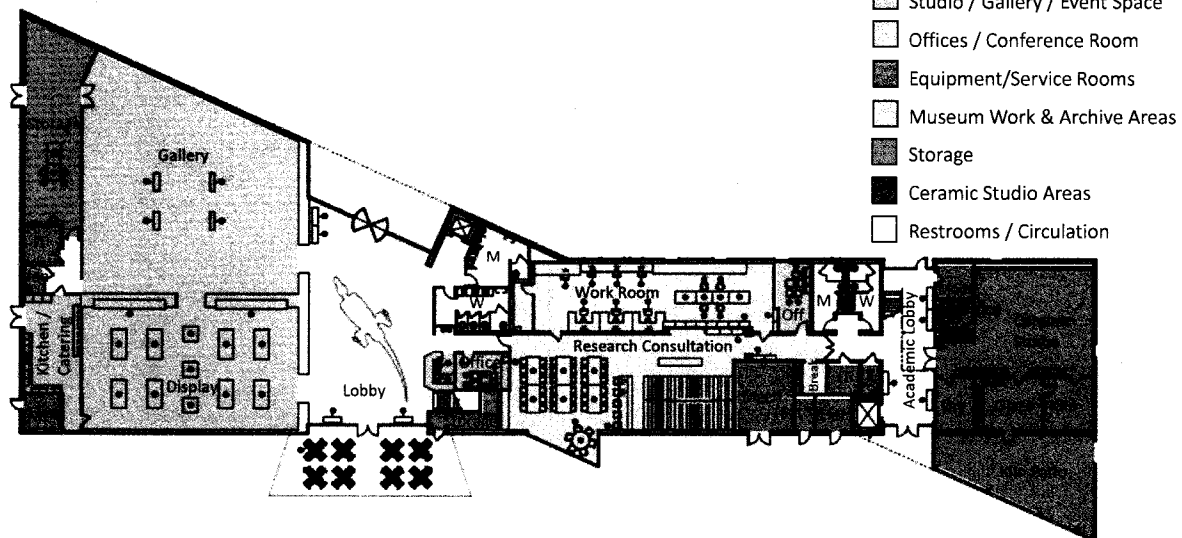
Site Plan

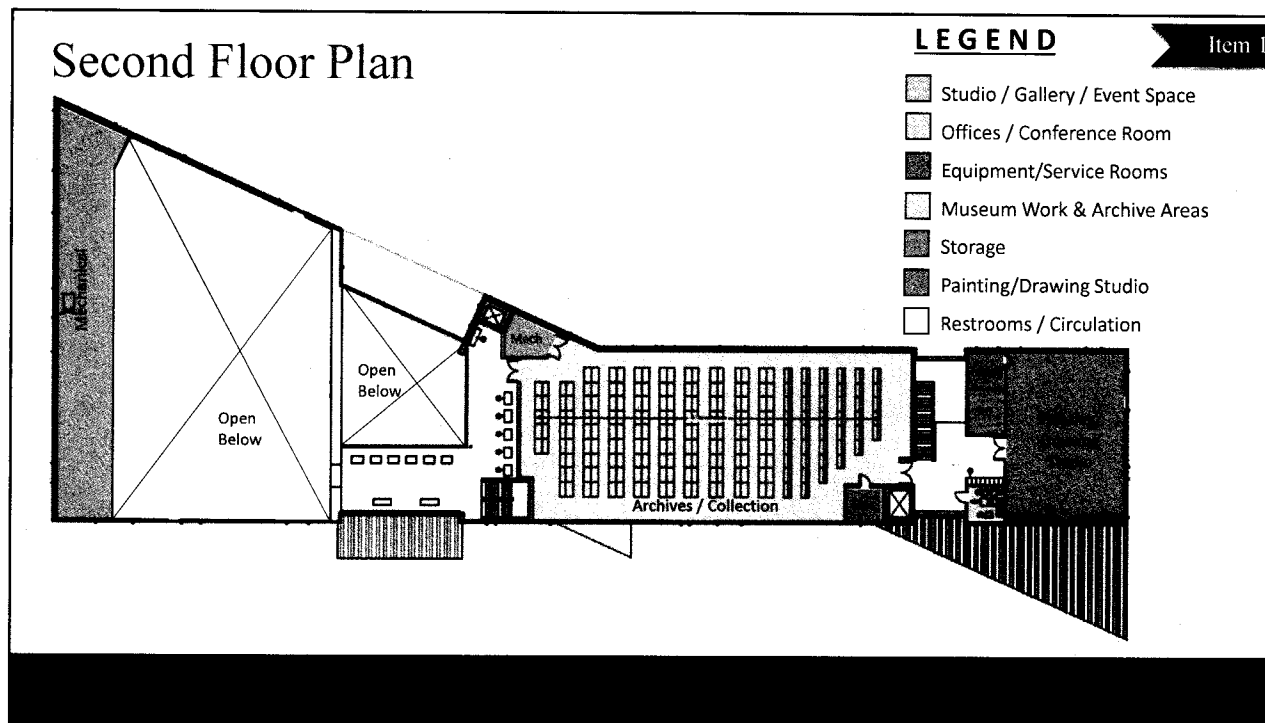
NORTH

First Floor Plan

LEGEND

Item 1





- ## Scope of Service
- Item 1**
-
- Authorize to construct a 32,005 GSF new art museum building to support the Bachelor of Arts program in Studio Art.
 - The building will include:
 - Classrooms, class labs;
 - Student gallery space;
 - Faculty and staff offices; and
 - Support spaces.
 - Specialized laboratories for graphic design and ceramics programs.
 - This space will support the annual ASU Ceramics Symposium, and the gallery will house the West Texas Collections which is currently located in the Houston Harte University Center.
 - The project will also include analysis of the site utility infrastructure work required, and surface parking.

Project Budget

Item 1

	BOR Approved 05-16-19 \$ 1,451,876	Additional Request \$ 15,648,124	Revised Budget \$ 17,100,000
Construction	\$ 55,600	\$ 13,801,631	\$ 13,857,231
Professional Services	\$ 1,175,852	\$ (42,114)	\$ 1,133,738
FF&E	\$ 0	\$ 1,376,750	\$ 1,376,750
Administrative Cost	\$ 54,500	\$ 76,500	\$ 131,000
BOR Directed Fees* (2.4% FP&C Fee)	\$ 34,029	\$ 366,824	\$ 400,853
Contingency	\$ 131,895	\$ 68,533	\$ 200,428

* Fees for 1% Landscape Enhancements and 1% Public Art - Waived

Recommendation

Item 1

- Accept the Guaranteed Maximum Price ("GMP") for construction of Angelo State University Mayer Museum; establish the project budget of \$17,100,000; and amend the Construction Manager at Risk ("CMR") contract.
- The project will be funded through the Revenue Finance System ("RFS") repaid with Gifts (cash) and Higher Education Funds ("HEF").
- HEF funds are not to exceed the prorated square footage of the space associated with the Education & General Use ("E&G") portion of the building.
- The total project budget includes the previously authorized expenditures totaling \$1,451,876 funded with Gifts (cash).



Texas Tech University

Item 2

Approve acceptance of Gift-in-Kind benefitting
Texas Tech University Equestrian Center

Patrick Kramer



Aerial Photo

PROPOSED SITE
76.56 Acres

Item 2

REVISED 08-07-19

Texas Tech University
Equestrian Center

ALCOVE AVENUE (CR 1500)

NORTH



Recommendation

Item 2

REVISED 08-07-19

- Approve acceptance of a real property gift-in-kind from Curtis and Sue Griffith ("Donor") of 76.56 acres, with an approximate value of \$383,000; the property is adjacent to the Texas Tech University Equestrian Center; and approve the execution of the deeded land to Texas Tech University for the benefit of the Equestrian Center.
- The value of the property has been assessed by a certified appraiser, but is in the process of being revalued due to property survey, and through the Lubbock Central Appraisal District's Tax rolls.



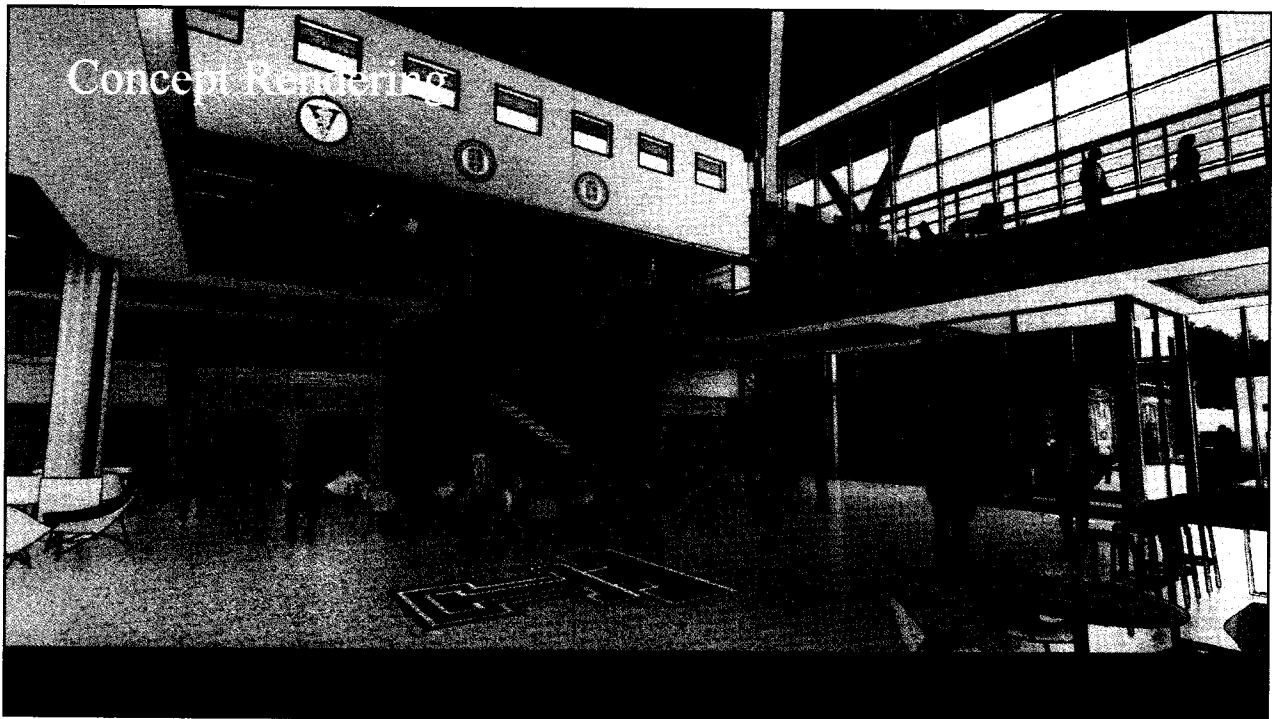
Texas Tech University

Item 4

Approve naming within the new School of Veterinary Medicine building

Patrick Kramer

Billy Breedlove



Recommendation

Item 4

REVISED 08-07-19

- Approve naming the lobby within the new School of Veterinary Medicine building the “ASCO Hall”.
- ASCO concurs with the naming of this interior space.
- Appropriate signage for the lobby will specify the approved name.



Texas Tech University Health Sciences Center

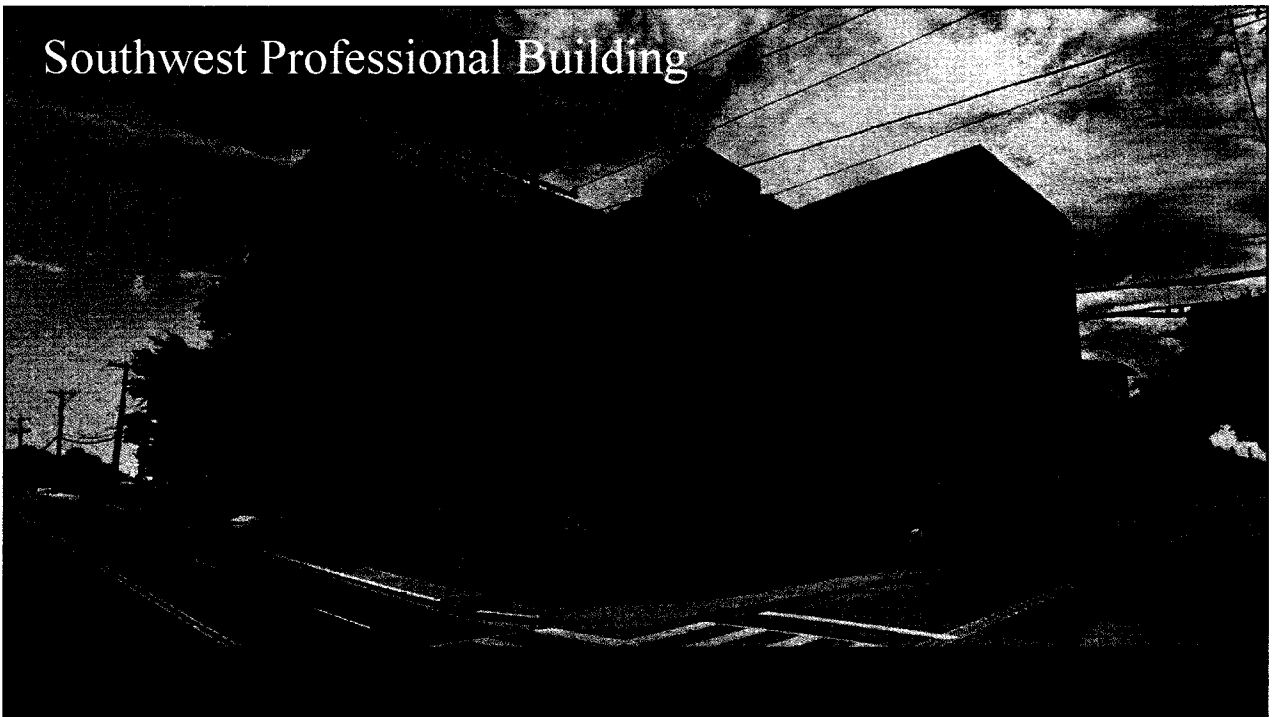
Item 5

Approve concept and expenditures for Renovation of
the Southwest Professional Building located in Dallas,
TX (DP Stage I and II)

Billy Breedlove



Southwest Professional Building



Prior Facility Assessments

Item 5

- Project scope to be based upon the prior facility assessments and technical evaluations:
 - Building Master Plan to be completed at the end of August 2019.
 - January 2019 - "Exterior Wall Visual Evaluation Report" completed by Walker Consultants, Inc.
 - February 2019 - Mechanical, Plumbing, Electrical, and Utilities "Facility Assessment" completed by PSC.
 - December 2011 - Asbestos-containing material (ACM) survey report completed by X8 Environmental, Inc.
 - November 2011 - Existing lead-based paint inspection completed by X8 Environmental, Inc.
 - December 2011 - "Preliminary Structural Assessment of Parking Garage" completed by Sparks Engineering, Inc.

Scope of Services

Item 5

- Execute a Design Professional Agreement, and authorize Stage I services in order to move forward on the project's vision through the:
 - Programming and Schematic Design phases;
 - Provide a Statement of Probable Cost;
 - Constructability review; and
 - Project Schedule.

Scope of Services (cont.)

Item 5

- Upon completion of Stage I, the Design Professional will be authorized in writing to proceed with Stage II services consisting of:
 - Design Development;
 - Construction Documents;
 - Construction Administration Phases;
 - Provide a Statement of Probable Cost; and
 - Project Schedule.

Project Overview

Item 5

- Renovation to an approximate 63,000 GSF, seven-story, concrete structure constructed in the mid-1980's.
 - Floors B – 5 (partial 5): Open concrete structure parking garage; and
 - Floors 4 – 7: Conditioned occupied space.
- Scope of work includes, but is not limited to:
 - Repair/replacement of mechanical, electrical and plumbed building systems;
 - Modifications and/or replacement of existing fire protection systems;
 - Fire alarm modifications;
 - Mitigation of potential identified hazardous materials; and
 - Exterior renovations to building envelope.
 - Interior modifications, finish upgrades, and renovations required to meet the Institution's programmatic needs.

Project Budget

Item 3

	\$ 1,399,750
Construction	\$ 0
Professional Services	\$ 1,242,675
FF&E	\$ 0
Administrative Cost	\$ 0
BOR Directed Fees* (2.4% FP&C)	\$ 32,807
Contingency	\$ 124,268

* Waive fees for 1% Landscape Enhancements and 1% Public Art

Recommendation

Item 5

REVISED 08-07-19

- Approve expenditures of \$1,399,750 in order to provide planning and design services for the Renovation of the Southwest Professional Building located in Dallas, TX with an anticipated project budget of \$15,500,000; waive the board directed fees for landscape enhancements and public art; award the Design Professional Agreement; and authorize Stage I and Stage II services.
- The expenditures will be funded with Higher Education Funds ("HEF") cash.



Texas Tech University Health Sciences Center El Paso

Item 6

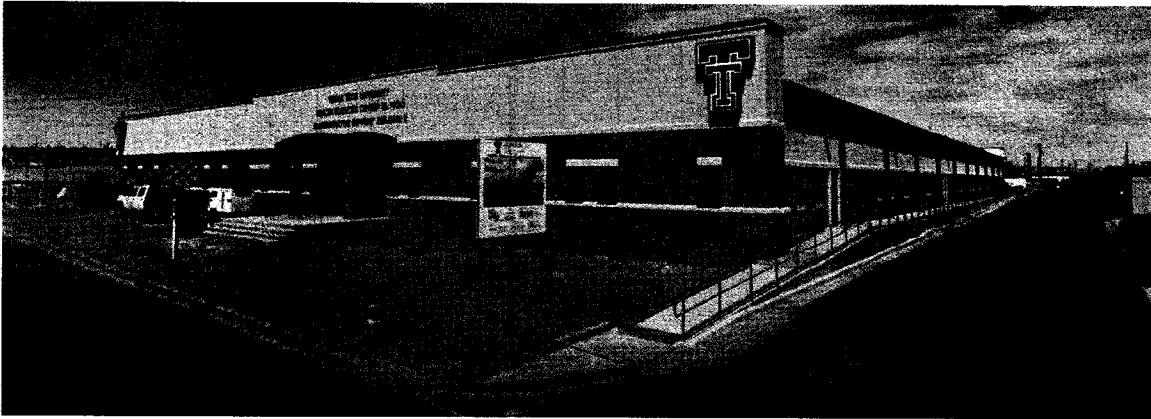
Approve expenditures for the Dental Oral Health Clinic in
El Paso, TX (DP Stage II and CMR Pre-construction
services)

Billy Breedlove



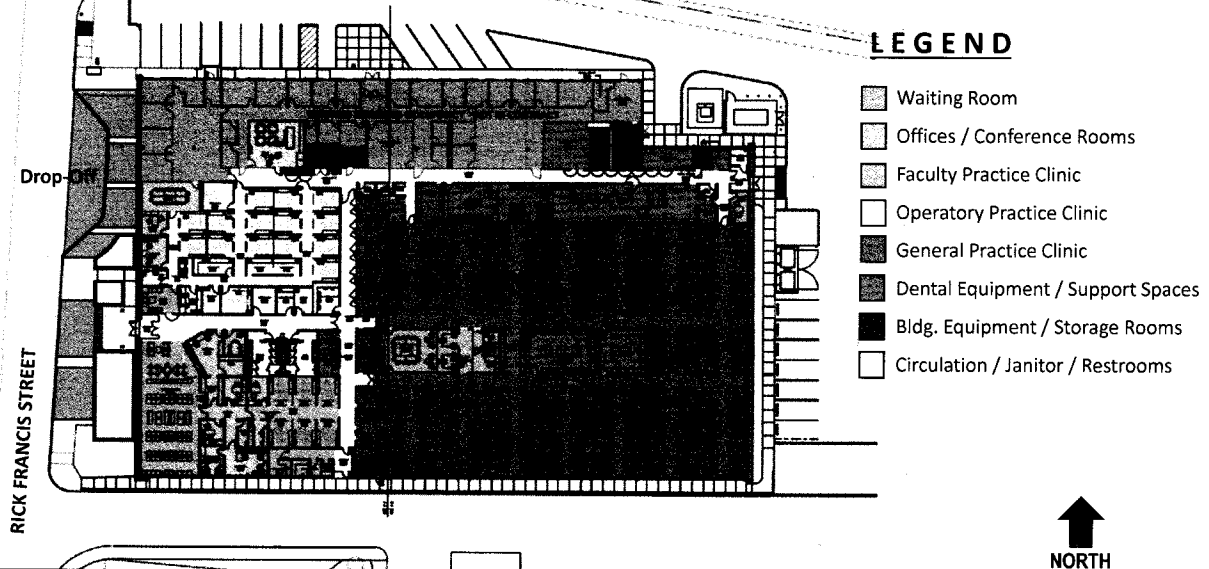
Administrative Support Building II

Item 6



Floor Plan

Item 6



Scope of Services

Item 6

- Execute Design Professional Stage II services consisting of:
 - Design Development;
 - Construction Documents;
 - Construction Administration Phases;
 - Provide a Statement of Probable Cost; and
 - Project Schedule.

Scope of Services (cont.)

Item 6

- Execute Construction Manager at Risk Agreement to allow the contractor to provide Pre-construction activities associated with the planning and design process, such as:
 - Project evaluation;
 - Site analysis;
 - Constructability review;
 - Value engineering;
 - Scheduling;
 - Cost control; and
 - Concept budget development.

Proposed Project Overview

Item 6

- Renovate 40,562 GSF of shell space within the Administrative Support Building II ("ASBII") consisting of:
 - A dental clinic for 130 operating stations plus support areas;
 - Sterilization area;
 - Central dispensing area(s);
 - Faculty and staff offices with support spaces;
 - Public lobby and waiting areas for adults and children;
 - Public and private restrooms;
 - Custodial spaces; and
 - Expand utilities and building systems to meet programming needs.
 - Dental Clinic equipment to be installed with the intent to be relocated at a later date.
 - Site work including ADA improvements and student/patient drop-off.

Project Budget

Item 6

	BOR Approved February 2019 \$ 689,473	Additional Request \$ 1,683,402	Revised Budget \$ 2,372,875
Construction	\$ 0	\$ 54,000	\$ 54,000
Professional Services	\$ 636,352	\$ 1,511,664	\$ 2,148,016
FF&E	\$ 0	\$ 0	\$ 0
Administrative Cost	\$ 4,899	\$ 0	\$ 4,899
BOR Directed Fees (2.4% FP&C)	\$ 16,160	\$ 39,454*	\$ 55,614
Contingency	\$ 32,062	\$ 78,284	\$ 110,346

* Waive Fees for 1% Landscape Enhancements and 1% Public Art

Recommendation

Item 6

- Approve expenditures of \$1,683,402 for a total of \$2,372,875 for the Dental Oral Health Clinic in El Paso, TX with an anticipated total project budget of \$30,500,000; authorize Design Professional Stage II services; waive the board directed fees for landscape enhancements and public art; and award a Construction Manager at Risk Agreement ("CMR") for pre-construction services.
- The expenditures will be funded through the Revenue Finance System ("RFS") repaid with TTUHSC El Paso's Institutional Funds and Medical Practice Income Plan ("MPIP") funds.
- The current total of expenditures includes the previously board authorized expenditures from TTUHSC's El Paso Institutional Funds and Higher Education Fund ("HEF") (\$689,473).



Texas Tech University System

Item 7

Report on Facilities Planning and Construction projects (project data as of 07/22/2019)

Billy Breedlove



ASU – Food Service Center Renovation

Item 7

Current Budget: \$ 8,600,000

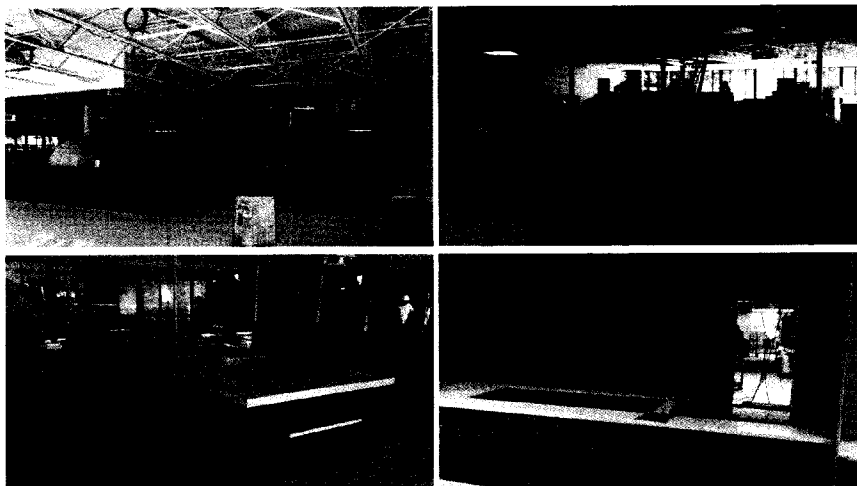
Gross Square Feet: 27,900 GSF

Team / Status:

- Design Professional (DP):
idGROUP, LLC
- Construction Manager at Risk (CMR):
Western Builders of Amarillo @ 44%
- Construction Manager Agent (CMA):
Waived
- Artist:
Waived

Substantial Completion Date:
Original Date – August 2019

Actual Date – TBD



ASU – Food Service Center Renovation

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget①	Current Budget②	+(-) Change	
	A	B	C	D	D-C	NOTES
BUDGET	\$ -	\$ 8,600,000	\$ 8,600,000	\$ 8,600,000	\$ -	
CATEGORY						
Construction						
Professional Services	\$ -	\$ 658,620	\$ 670,620	\$ 675,620	\$ 5,000	Transfer from Contingency for Material Testing increase
Administrative	\$ -	\$ 5,000	\$ 38,500	\$ 38,500	\$ -	
Regents' Rules	\$ -	\$ 500	\$ -	\$ -	\$ -	

PARTNERS

General Contractor Western Builders of Amarillo
Design Professional idGROUP, LLC
CM Agent (PM Assist) N/A
Tier 2 Auditor N/A

① e-Builder 04/29/19

② e-Builder (Project Management Software)

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

Item 7

Current Budget: \$ 23,000,000

Gross Square Feet: 50,728 GSF

Team / Status:

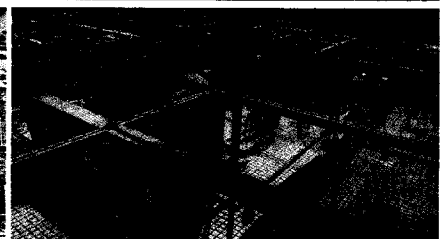
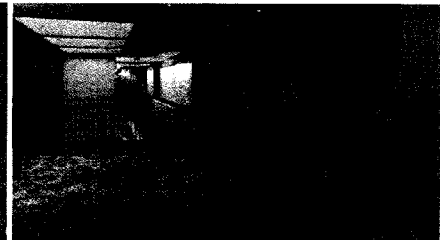
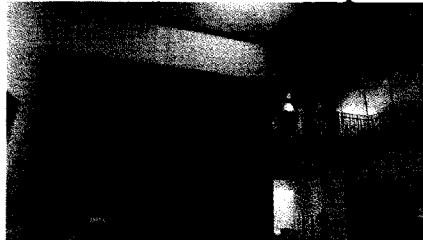
- Design Professional:
BRW Architects @ 90%
- Construction Manager at Risk (CMR):
Teinert Commercial Building Services, Inc.
@ 95%
- Construction Manager Agent (CMA):
Parkhill, Smith & Cooper, Inc. @ 94%
- Artist:
RDG Studio / July 2019 Installation

Substantial Completion Date:

Original Date – December 2018

Amended Date - April 2019

Actual Date – TBD



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

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget ①	Current Budget ②	+(-) Change	NOTES
	A	B	C	D	D-C	
BUDGET	\$ -	\$ 23,000,000	\$ 23,000,000	\$ 23,000,000	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 2,737,473	\$ 2,774,099	\$ 2,774,099	\$ -	
Administrative	\$ -	\$ 134,275	\$ 139,011	\$ 139,011	\$ -	
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 04/29/19

② e-Builder (Project Management Software)

TTU – Experimental Sciences Building II

Item 7

Current Budget: \$ 79,500,000

Gross Square Feet: 117,800 GSF

Team / Status:

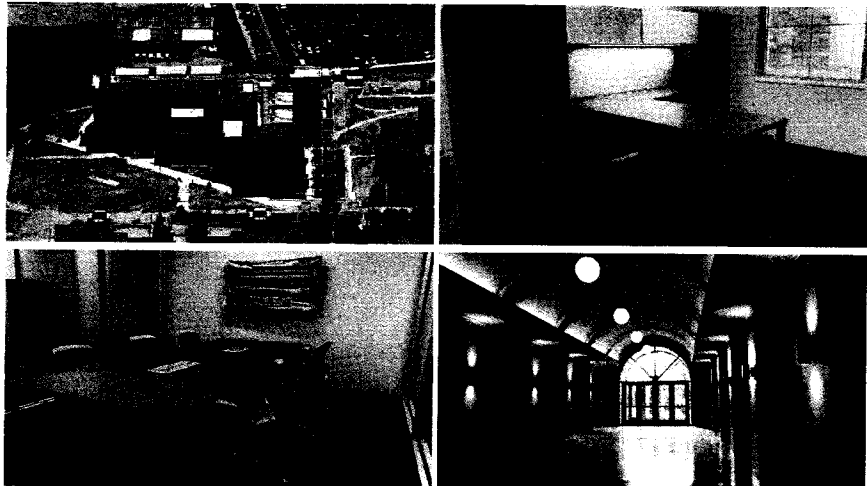
- Design Professional:
TreanorHL @ 95%
- Construction Manager at Risk (CMR):
Flintco, LLC @ 89%
- Construction Manager Agent (CMA):
Project Control of Texas, Inc. @ 74%
- Artist:
Lead Pencil Studio / July 2019 Installation

Substantial Completion Date:

Original Date – June 2019

Actual Date – June 2019

Shell Space Date – January 2020



TTU – Experimental Sciences Building II

Item 7

Construction Delivery: CMR

	BOR Appr (Planning) 8/2015 ~150,000 GSF A	BOR Appr (Full) 8/2016 120,000 - 140,000 GSF B	Previous Budget① 5/2019 117,800 GSF C	Current Budget② 37/22/2019 117,800 GSF D	+(-) Change D-C	NOTES
BUDGET	\$ 2,217,364	\$ 77,000,000	\$ 79,500,000	\$ 79,500,000		
CATEGORY						
Professional Services	\$ 1,862,310	\$ 7,898,378	\$ 8,764,804	\$ 8,764,804	\$ -	
Administrative	\$ 104,730	\$ 541,884	\$ 291,515	\$ 291,515	\$ -	
Regents' Rules	\$ 51,969	\$ 3,344,688	\$ 3,490,462	\$ 3,490,462	\$ -	

PARTNERS

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

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTU – The Dustin R. Womble Basketball Center

Item 7

Current Budget: \$ 29,500,000

Gross Square Feet: 58,630 GSF

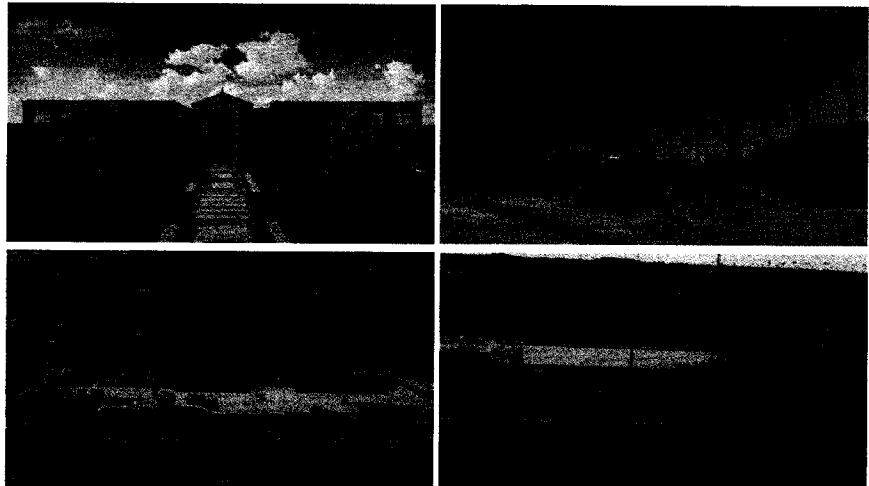
Team / Status:

- Design Professional:
Populous, Inc. @ 74%
- Construction Manager at Risk (CMR):
Lee Lewis Construction, Inc. @ 8%
- Construction Manager at Agent (CMA):
Waived
- Artist:
Artist selected awaiting contract approval

Substantial Completion Date:

Original Date – June 2020

Actual Date – TBD



TTU – The Dustin R. Womble Basketball Center

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget①	Current Budget②	+/- Change	
	A	B	C	D	D-C	NOTES
BUDGET	\$ -	\$ 29,500,000	\$ 29,500,000	\$ 29,500,000	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 2,395,592	\$ 2,395,592	\$ 2,395,592	\$ -	
Administrative	\$ -	\$ 83,400	\$ 83,400	\$ 83,400	\$ -	
Regents' Rules	\$ -	\$ 1,298,000	\$ 1,298,000	\$ 1,298,000	\$ -	

PARTNERS

General Contractor Lee Lewis Construction, Inc.
Design Professional Populous, Inc.
CM Agent (PM Assist) Waived
Tier 2 Auditor Townsend

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTU – Cash Family Sports Nutrition Center

Item 7

Current Budget: \$ 5,560,000

Gross Square Feet: 8,988 GSF

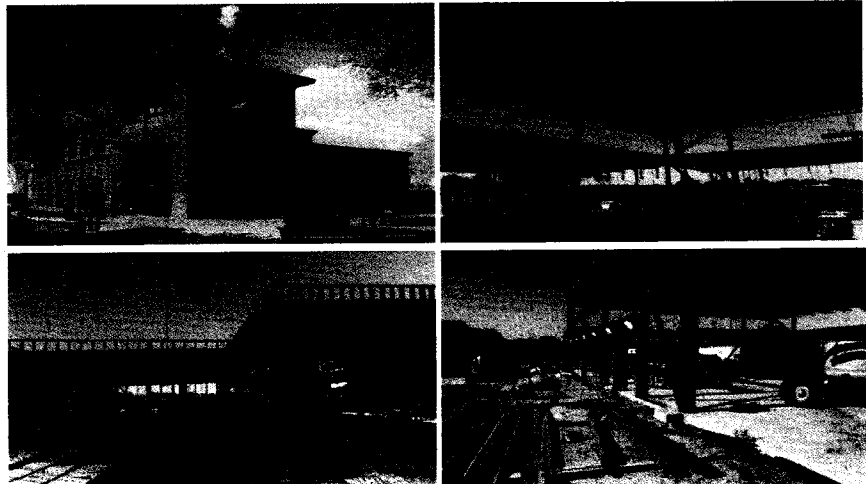
Team / Status:

- Design Professional:
MWM Architects @ 79%
- Construction Manager at Risk (CMR):
Teinert Comm Building Serv, Inc.
@ 19%
- Construction Manager at Agent (CMA):
N/A
- Artist:
Melissa Borrell / October 2019 Installation

Substantial Completion Date:

Original Date – September 2019

Actual Date – TBD



TTU – Cash Family Sports Nutrition Center

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget①	Current Budget②	+/- Change	
	A	B	C	D	D-C	NOTES
BUDGET	\$ -	\$ 5,560,000	\$ 24,500,000	\$ 5,560,000	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 450,266	\$ 450,266	\$ 450,266	\$ -	
Administrative	\$ -	\$ 45,500	\$ 45,500	\$ 45,500	\$ -	
Regents' Rules	\$ -	\$ 111,200	\$ 111,200	\$ 111,200	\$ -	

PARTNERS

General Contractor: Teinert Commercial Building Services, Inc.
Design Professional: MWM Architects
CM Agent (PM Assist): N/A
Tier 2 Auditor: N/A

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTU – Lubbock Municipal Auditorium and Coliseum

Item 7

Current Budget: \$ 3,500,000

Gross Square Feet: 115,500 GSF

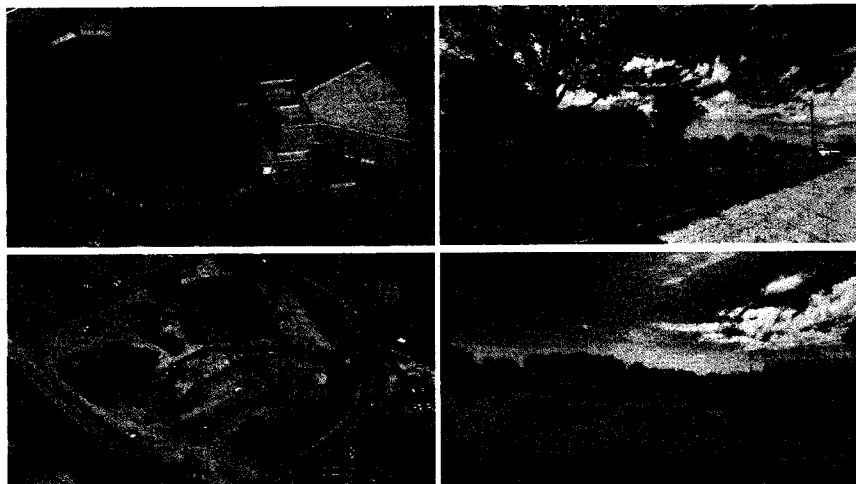
Team / Status:

- Design Professional:
Parkhill Smith and Cooper @ 82%
- Construction Manager at Risk (CMR):
Teinert Commercial Contractors @ 67%
- Construction Manager Agent (CMA):
N/A
- Artist:
Waived

Substantial Completion Date:

Original Date – July 2019

Actual Date – TBD



TTU – Lubbock Municipal Auditorium and Coliseum

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget ^①	Current Budget ^②	+(-) Change	
	A	B	C	D	D-C	NOTES
BUDGET	\$ -	\$ 3,500,000	\$ 3,500,000	\$ 3,500,000	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 170,563	\$ 170,563	\$ 170,563	\$ -	
Administrative	\$ -	\$ 31,741	\$ 31,741	\$ 31,741	\$ -	
Regents' Rules	\$ -	\$ -	\$ 16,800	\$ 16,800	\$ -	

PARTNERS

General Contractor Teinert Commercial Building Services, Inc.
Design Professional Parkhill, Smith & Cooper, Inc.
CM Agent (PM Assist) N/A
Tier 2 Auditor N/A

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTU – Weeks Hall Renovation

Item 7

Current Budget: \$ 24,500,000

Gross Square Feet: 67,234 GSF

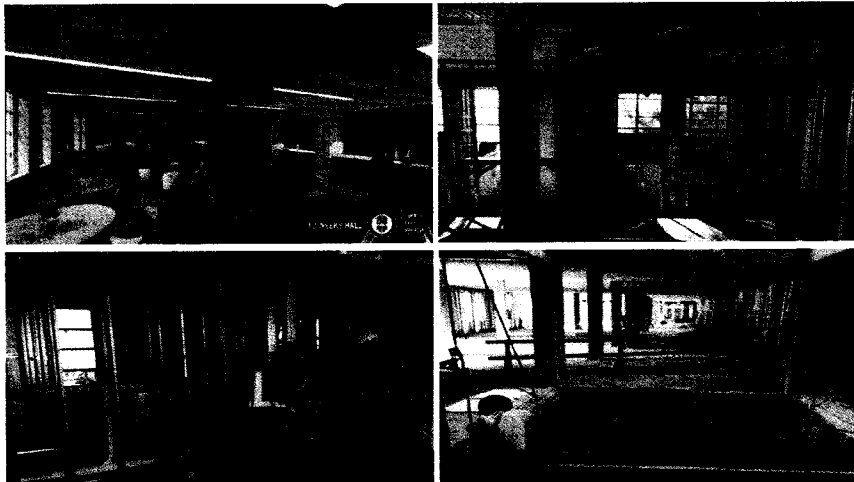
Team / Status:

- Design Professional:
Dekker/Perich/Sabatini @ 81%
- Construction Manager at Risk (CMR):
Lee Lewis Construction, Inc. @ 14%
- Artist:
Ilan Averbuch / Summer 2020 Installation

Substantial Completion Date:

Original Date – May 2020

Actual Date – TBD



TTU – Weeks Hall Renovation

Item 7

Construction Delivery: CMR

	BOR Appr (Planning) 12/2018 67,234 GSF	BOR Appr (Full) 5/2019 67,234 GSF	Previous Budget ^① 7/22/2019 67,234 GSF	Current Budget ^② 7/22/2019 67,234 GSF	+/- Change D-C	NOTES
	A	B	C	D		
BUDGET	\$ -	\$ 24,500,000	\$ 24,500,000	\$ 24,500,000	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 2,381,684	\$ 2,381,684	\$ 2,381,684	\$ -	
Administrative	\$ -	\$ 174,350	\$ 174,350	\$ 174,350	\$ -	
Regents' Rules	\$ -	\$ 1,078,000	\$ 1,078,000	\$ 1,078,000	\$ -	

PARTNERS

General Contractor: Lee Lewis Construction, Inc.
Design Professional: Dekker/Perich/Sabatini
CM Agent (PM Assist): Waived
Tier 2 Auditor: Townsend

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTUHSC – Lubbock Education, Research & Technology + West Expansion

Item 7

Current Budget \$ 99,375,000

Gross Square Feet: 199,862 GSF

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

Team / Status:

- Design Professional:
Perkins + Will @ 94%
- Construction Manager at Risk (CMR):
Hill & Wilkinson General Contractors @ 92%
- Construction Manager Agent (CMA):
Hill International @ 92%
- Artist:
Interior Art: Adam Frank – Installed Mar. 2019
Exterior Art: James Surls – Installed Apr. 2019

Substantial Completion Date:

Original Date – March 2019

Amended Date – June 2019

Actual Date – TBD



TTUHSC – Lubbock Education, Research & Technology + West Expansion

Item 7

Construction Delivery: CMR

	BOR Appr (Planning) 8/2015 ~ 200,000 GSF A	BOR Appr (Full) 10/2016 183,218 GSF 10/2017 200,062 GSF B	Previous Budget① 5/2019 199,862 GSF C	Current Budget② 7/22/2019 199,862 GSF D	+/- Change D-C	NOTES
BUDGET	\$ 2,403,613	\$ 91,375,000	\$ 99,375,000	\$ 99,375,000		
CATEGORY						
Professional Services	\$ 2,035,360	\$ 9,842,401	\$ 9,157,560	\$ 9,157,560	\$ -	
Administrative	\$ 89,067	\$ 754,030	\$ 776,537	\$ 776,537	\$ -	
Regents' Rules	\$ 58,335	\$ 3,816,207	\$ 3,687,886	\$ 3,687,886	\$ -	

PARTNERS

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

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTUHSC El Paso - Medical Sciences Building II

Item 7

Current Budget: \$ 85,255,675

Gross Square Feet: 219,900 GSF

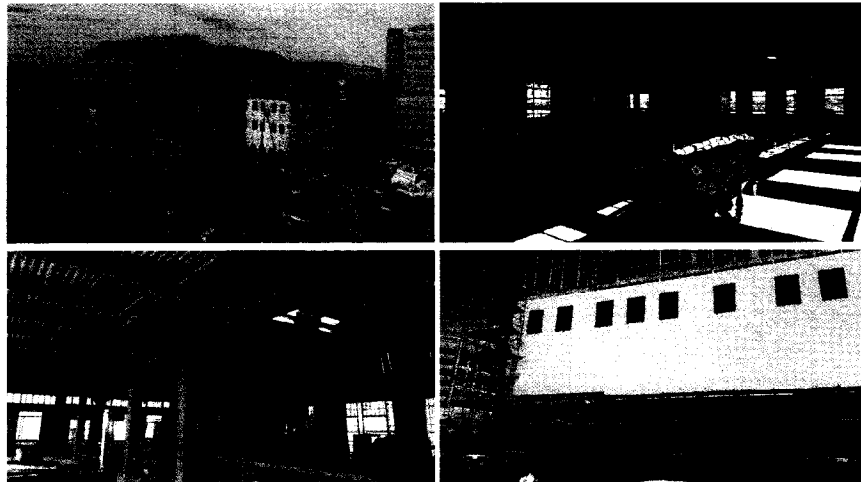
Team / Status:

- Design Professional:
Perkins + Will @ 86%
- Construction Manager at Risk (CMR):
Sundt @ 58%
- Construction Manager Agent (CMA):
Broadus and Associates @ 70%
- Artist:
Thomas Sayre / November 2019 Installation

Substantial Completion Date:

Original Date – March 2019

Actual Date – TBD



TTUHSC El Paso - Medical Sciences Building II

Item 7

Construction Delivery: CMR

	BOR Appr (Planning) 8/2015 227,000 GSF	BOR Appr (Full) 12/2016 223,000 GSF	Previous Budget① 5/2019 219,900 GSF	Current Budget② 7/22/2019 219,900 GSF	+(-) Change D-C	NOTES
	A	B	C	D		
BUDGET	\$ 2,412,064	\$ 84,400,000	\$ 85,255,675	\$ 85,255,675		
CATEGORY						
Professional Services	\$ 2,019,315	\$ 9,749,196	\$ 9,792,985	\$ 9,808,660	\$ 15,675	Transfer from Const. for Materials Testing
Administrative	\$ 109,506	\$ 856,129	\$ 299,362	\$ 299,362	\$ -	
Regents' Rules	\$ 56,533	\$ 3,594,250	\$ 3,614,305	\$ 3,614,305	\$ -	

PARTNERS

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

① e-Builder 04/29/19

② e-Builder (Project Management Software)

TTUHSC El Paso – Dental Learning Center

Item 7

Current Budget: \$ 12,518,175

Gross Square Feet: 28,831 GSF

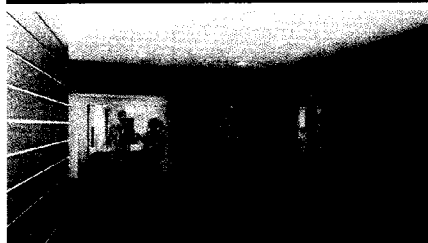
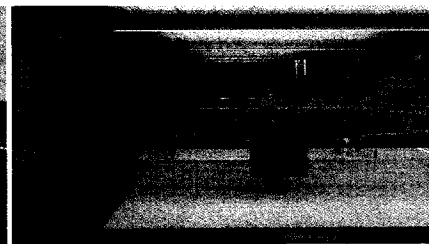
Team / Status:

- Design Professional:
Perkins + Will @ 70%
- Construction Manager at Risk (CMR):
Sundt @ 3%
- Construction Manager Agent (CMA):
Broaddus and Associates @ 0%
- Artist:
Waived

Substantial Completion Date:

Original Date – March 2020

Actual Date – TBD



TTUHSC El Paso – Dental Learning Center

Item 7

Construction Delivery: CMR

	BOR Appr (Planning)	BOR Appr (Full)	Previous Budget	Current Budget	+(-) Change	NOTES
	A	B	C	D		
BUDGET	\$ -	\$ 12,518,175	\$ 12,518,175	\$ 12,518,175	\$ -	
CATEGORY						
Professional Services	\$ -	\$ 775,163	\$ 802,342	\$ 802,342	\$ -	
FF&E - El Paso	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	\$ -	
Administrative	\$ -	\$ 42,604	\$ 42,604	\$ 42,604	\$ -	
Project Contingency - El Paso	\$ -	\$ -	\$ 2,422,652	\$ 2,422,652	\$ -	
Regents' Rules	\$ -	\$ 275,795	\$ 163,673	\$ 163,673	\$ -	

PARTNERS

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

① e-Builder 04/29/19

② e-Builder (Project Management Software)

③ Project allocation:

FP&C	\$ 7,095,523
El Paso	\$ 5,422,652
	\$ 12,518,175

TTUSA – Project Assist

Item 7

USDA Cotton Classing Laboratory

Frazier Alumni Pavilion Addition

Texas Tech Federal Credit Union Expansion

Red Raider Substation

Veteran Administration Lubbock Community Based Outpatient Clinic

Lubbock NW Drainage Improvement Project

Lubbock Playa Lake 52 Drainage Project

Texas Tech University System

Item 7

Status of Public Art

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

Item 7

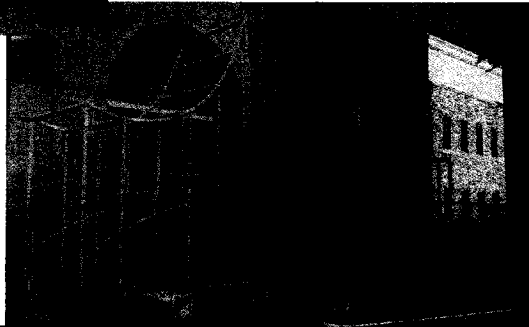
Art Budget: \$ 220,000

Artist: RDG Studio
Des Moines, IA

Title: *All the World is a Stage*

Status: Installed July 2019

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.



TTU – Experimental Sciences Building II

Item 7

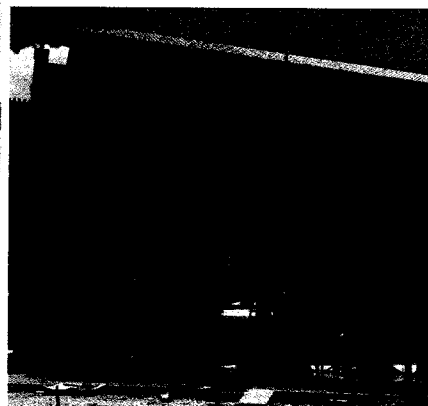
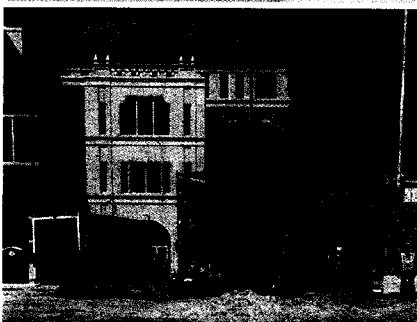
Art Budget: \$ 754,000

Artist: Lead Pencil Studio
Seattle, WA

Title: *Oblique Intersection*

Status: Installed July 2019

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 – Cash Family Sports Nutrition Center

Item 7

Art Budget: \$ 46,000

Artist: Melissa Borrel
Austin, TX

Title: *Awaiting Artist Announcement*

Status: October 2019 Installation

Artist Statement: The proposed design is for fused glass art on the north and east windows above the Dining Facility's entrance. Each section is five feet tall and 13.5' long. The artist's goal is to capture the spirit and energy of TTU Athletics through the image of a horse in motion. She chose to represent this through fused glass lines to visually create movement and provide kinetic energy through a static piece. The lines also represent the aspect of team by showing many parts coming together to create one entity. The piece is meant to be viewed from both the interior and exterior of the building and should be visible from many different angles.



TTU – Weeks Hall Renovation

Item 7

Art Budget: \$ 236,000

Artist: Ilan Averbuch
Long Island City, NY

Title: *As Far as the Eye Can See*

Status: Summer 2020 Installation

Artist Statement: "As Far as the Eyes Can See" is a large scale site-specific sculpture made of Cor-ten weathering steel and recycled granite, measuring 24 feet tall by 46 feet wide with a depth of 18 feet.

Two colossal rings of rough cut granite stone are positioned diagonally to each other. A branch made of Cor-ten weathering steel hovers above the stone rings connecting to them at their apex. The stone rings are each 20 feet in diameter by 2 feet deep. They are made of two layers of recycled granite sandwiching an internal steel ring that creates the invisible structure to hold the stones together. The steel branch is 46 feet long by 18 feet wide. It is made of welded steel creating a tube that varies in height from 2 to 3 feet by 1 ½ feet wide.

The sculpture becomes a window into the campus its past, present and future. It creates a place and a landmark where people can gather.



TTUHSC El Paso - Medical Sciences Building II

Item 7

Art Budget: \$ 790,000

Artist: Thomas Sayre
Raleigh, NC

Title: *Between Earth and Sky*

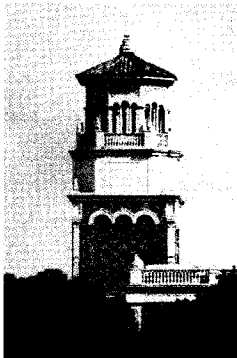
Status: November 2019 Installation

Artist Statement: The public art installation by Thomas Sayre 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 4 feet. Slicing through the berms will be a curving pathway bracketed by earthen 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.



Project Name	Contract Type	BUDGET				COST	VARIANCE A		VARIANCE B		BOS Adjustment Date	BUDGET ADJUSTMENTS
		Original Budget (Proposed MP)	Board Approved A	Board Adjustment B	Internal Adjustment		Adjusted Budget C	Actual/Projected (over/under) [D-A]	Actual/Projected (over/under) [D-C]	% (Over/Under)		
Project 1	General	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000		
Project 2	General	2000000	2000000	2000000	2000000	2000000	2000000	2000000	2000000	2000000		
Project 3	General	3000000	3000000	3000000	3000000	3000000	3000000	3000000	3000000	3000000		
Project 4	General	4000000	4000000	4000000	4000000	4000000	4000000	4000000	4000000	4000000		
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Summary Operating Budgets

Fiscal Year 2020

Gary Barnes

Vice Chancellor and Chief Financial Officer

August 8, 2019

Page 1



FY 2020 TTUS Operating Budget

- Impact of 86th Legislative Session
 - Increases to formula funding due to estimated growth in enrollment
 - Non-formula support (special items) – *Dental School, Vet School, TWITR, ASU Hold Harmless*
 - Select increases in research funding
 - Increased funding for TEXAS grants and graduate medical expansion grants – *THECB*
 - Funding for the Texas Child Mental Health Consortium – *THECB*
- Overall TTUS budget reflective of:
 - legislative session,
 - enrollment growth,
 - tuition and fee adjustments, and
 - contract increases, including federal, state, and local.

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Strategic Plan Drivers



- Focus on Pursuing Excellence in Teaching, Research, Health Care, and Outreach
 - Increase support for student scholarships
 - Increase/Expansion of GME students
 - Improve student learning environment by investing in facility infrastructure upgrade for labs and classrooms
 - Student wellness initiatives
 - Investment in research for faculty and students
 - Expansion of hospital partnerships

- Focus on People Initiatives
 - Increase investment in recruiting and retaining faculty
 - Adjust salaries based on market comparisons
 - Provide merit pool for faculty and staff

- Focus on Efficiencies and Cost Savings
 - Campus sustainability efforts – *implement utility savings initiatives (cost containment) and space utilization*
 - Student transportation efficiencies
 - Combine procurement opportunities for system-wide savings
 - Realign service unit

Page 3

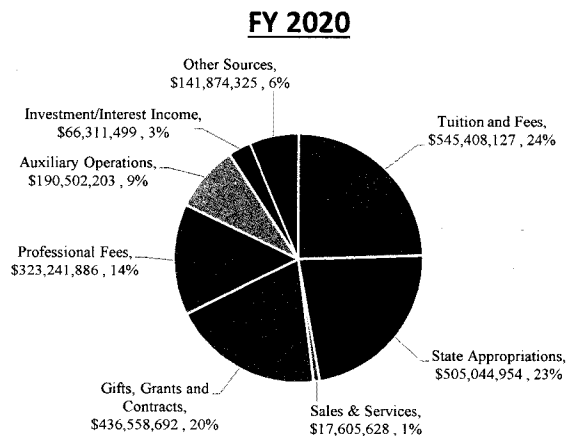
Texas Tech University System



Estimated Income for FY 2020 (All Funds)

	FY 2019		FY 2020	
Tuition and Fees	\$521,549,496	25%	\$545,408,127	24%
State Appropriations	\$466,514,427	22%	\$505,044,954	23%
Sales & Services	\$24,194,927	1%	\$17,605,628	1%
Gifts, Grants and Contracts	\$441,656,578	21%	\$436,558,692	20%
Professional Fees	\$282,547,917	13%	\$323,241,886	14%
Auxiliary Operations	\$186,698,376	9%	\$190,502,203	9%
Investment/Interest Income	\$64,009,310	3%	\$66,311,499	3%
Other Sources	\$120,606,720	6%	\$141,874,325	6%
Total Estimated Income	\$2,107,777,751	100%	\$2,226,547,314	100%

Annual Change (\$) \$118,769,563
Annual Change (%) 5.63%



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Texas Tech University System

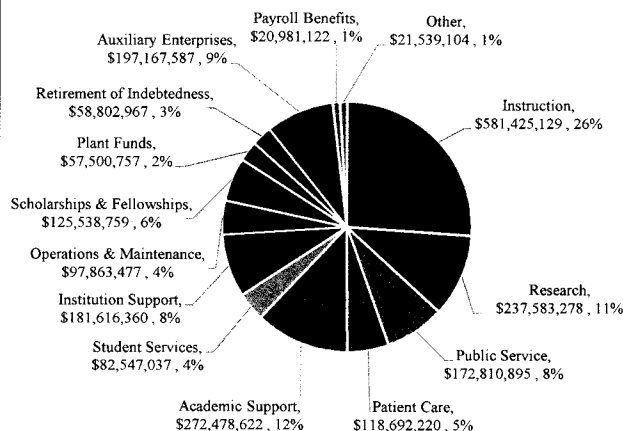


Estimated Expenditures for FY 2020 (All Funds)

	FY 2019		FY 2020	
Instruction	\$561,843,914	27%	\$581,425,129	26%
Research	\$221,945,323	11%	\$237,583,278	11%
Public Service	\$161,409,405	8%	\$172,810,895	8%
Patient Care	\$107,978,720	5%	\$118,692,220	5%
Academic Support	\$255,900,283	12%	\$272,478,622	12%
Student Services	\$80,868,043	4%	\$82,547,037	4%
Institution Support	\$187,237,114	9%	\$181,616,360	8%
Operations & Maintenance	\$95,291,793	5%	\$97,863,477	4%
Scholarships & Fellowships	\$111,549,525	5%	\$125,538,759	6%
Plant Funds	\$48,094,160	2%	\$57,500,757	2%
Retirement of Indebtedness	\$70,822,879	3%	\$58,802,967	3%
Auxiliary Enterprises	\$192,905,272	9%	\$197,167,587	9%
Payroll Benefits	\$11,931,320	1%	\$20,981,122	1%
Other			\$21,539,104	1%
Total Estimated Expenditures	\$2,107,777,751	100%	\$2,226,547,314	100%

Annual Change (\$) \$118,769,563
Annual Change (%) 5.63%

FY 2020



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Texas Tech University System



TEXAS TECH UNIVERSITY SYSTEM BUDGET OVERVIEW (ALL FUNDS) FISCAL YEAR 2020

	FY 2019 Estimated Expenditures	% of Total	FY 2020 Estimated Expenditures	% of Total	Change	% Change
TEXAS TECH UNIVERSITY LESS SYSTEM FUNDING	974,730,447 (4,616,943)	46.0%	1,008,734,161 (4,123,590)	45.1%	34,003,714	3.49%
ANGELO STATE UNIVERSITY LESS SYSTEM FUNDING	123,540,001 (482,598)	5.8%	128,071,394 (415,343)	5.7%	4,531,393	3.67%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER LESS SYSTEM FUNDING	709,942,518 (3,242,556)	33.5%	759,641,340 (2,819,070)	34.0%	49,698,822	7.00%
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO LESS SYSTEM FUNDING	284,762,124 (1,205,492)	13.5%	313,984,801 (1,113,206)	14.1%	29,222,677	10.26%
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	24,350,250	1.2%	24,586,827	1.1%	236,577	0.97%
TOTAL	\$2,107,777,751	100.0%	\$2,226,547,314	100.0%	\$118,769,563	5.63%

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TEXAS TECH UNIVERSITY SYSTEM

Chapter 07 (Fiscal Management) – proposed amendments

The proposed amendments would:

- (1) delegate approval for Revenue Financing System financing of minor construction projects to the Chancellor or the Chancellor's designee, to comply with the Revenue Financing System Master Resolution [*a change recommended by our bond counsel*];
- (2) change the abbreviation of the Higher Education Fund from "HEAF" to "HEF" [*since state law previously had changed the name of the Higher Education Assistance Fund to the Higher Education Fund*]; and
- (3) designate signature authority for state depositories and local depository accounts to the Chancellor or the Chancellor's designee.

07.00 Definitions.

• • •

07.00.2 ["HEAF"] "HEF" means Higher Education [Assistance] Funds.

07.05 Debt management policy.

07.05.1 General debt management policy.

• • •

- e. Debt service funding is the responsibility of each institution participating in the RFS and the [~~HEAF~~] HEF programs.

• • •

07.05.2 RFS debt management policy.

- a. The TTU system and its components are eligible to participate in the RFS.
- b. The TTU system shall use the following guidelines for the RFS:

• • •

- (6) For minor construction projects, as defined by Section 08.01.2, Regents' Rules, the chancellor, or the chancellor's designee, may approve RFS funding on behalf of the board

to satisfy approval requirements of the Master Resolution authorizing the Revenue Financing System.

(7) [(6)] Higher Education Fund (HEF) appropriation transfers for debt service by the component institutions to the TTU system are authorized, but only for financed projects which would be eligible for HEF funding under Article VII, Section 17 of the Texas Constitution. Generally, these projects must have an educational and general purpose.

(8) [(7)] Application to and approval of the Texas Bond Review Board is required for all new long-term issues, except as noted below. Long-term issuances also are subject to the examination and approval of the Texas Attorney General. (Note: Sec. 1231.041(b), *Texas Government Code*, eliminates the requirement for institutions of higher education to seek approval by the Texas Bond Review Board for bonds rated AA- or better, unless state general revenue is pledged on the debt.)

• • •

07.05.3 [HEAF] HEF debt management policy.

a. Component institutions are eligible to participate in [HEAF] HEF debt financing.

(1) Except as described in Subdivision (4) of this subsection, [HEAF] HEF debt proceeds may be used for acquiring land, construction, equipping permanent improvements, major repair and rehabilitation of permanent improvements, acquisition of capital equipment, and refunding previously issued [HEAF] HEF indebtedness.

(2) [HEAF] HEF indebtedness shall be payable with state appropriated moneys. Maturities shall not exceed 10 years. [HEAF] HEF bonds shall be competitively bid. [HEAF] HEF notes (e.g., commercial paper notes) need not be competitively bid. [HEAF] HEF indebtedness is subject to approval by the Texas Attorney General.

- (3) No more than 50% of the annual [HEAF] HEF allocation of component institutions shall be used for paying debt service on [HEAF] HEF indebtedness issued on behalf of component institutions.
 - (4) [HEAF] HEF debt proceeds are not permitted by law to be used for maintenance, minor repairs, operating expenses, student housing, intercollegiate athletics, or auxiliary enterprises.
-

07.07 **State comptroller deposits.**

• • •

07.07.4 Board delegation of authority. The chancellor, or the chancellor's designee, is responsible for establishing, maintaining, and updating any TTU system depository and/or investment accounts, which includes maintaining authorized signatory cards for all financial accounts.

07.08 **Primary and secondary depositories for the TTU system.** Only those banks selected as prescribed by this policy and in compliance with all existing statutes shall be used to deposit and safeguard all funds subject to the control of the board.

• • •

07.08.3 Board delegation of authority. The chancellor, or the chancellor's designee, is responsible for establishing, maintaining, and updating any TTU system depository and/or investment accounts, which includes maintaining authorized signatory cards for all financial accounts.

Chapter 07 -- Fiscal Management

Date last revised: 03-02-2018

[see last page of chapter (prior to Appendix A) for list of amendments adopted]

07.00 Definitions.

07.00.1 "FDIC" means the Federal Deposit Insurance Corporation.

07.00.2 "HEAF" means Higher Education Assistance Funds.

07.00.3 "HUBs" means Historically Underutilized Businesses.

07.00.4 "OAS" means the Office of Audit Services.

07.00.5 "RFS" means the Revenue Financing System.

07.00.6 "CAE" means the Chief Audit Executive.

07.01 **Fiduciary responsibility.** The board and the principal officers of the TTU system have the responsibilities of a fiduciary in the administration of all funds subject to the control and management of the TTU system.

07.02 Audits.

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

07.02.2 Objectives. The OAS shall:

- a. provide independent, objective assurance and consulting services designed to add value and improve the operations of the TTU system; and
- b. assist the TTU system in accomplishing its objectives by using a systematic, disciplined, and risk-based approach to evaluate and

improve the effectiveness of risk management, control, and governance processes.

07.02.3 Standards of audit practice. The OAS shall comply with generally accepted government auditing standards, the international standards for the professional practice of internal auditing, and the code of ethics promulgated by The Institute of Internal Auditors.

07.02.4 Organizational responsibility and reporting relationships.

a. The OAS is established by the board in accordance with the Texas Internal Auditing Act ("the Act"). The board, through the Audit Committee, is responsible for the employment, compensation, and dismissal of a Chief Audit Executive (the "CAE") to manage the affairs of the OAS. The chancellor has the authority to make recommendations to the Audit Committee on the employment and dismissal of the CAE. The CAE reports: directly to the board; functionally through the Audit Committee; and administratively to the chancellor. Administrative reporting to the chancellor facilitates the day-to-day operations of the OAS and includes:

- (1) approval of travel or other expenses;
- (2) human resource administration, including compensation and evaluation of OAS staff members other than the CAE; and
- (3) other functions as may be delegated to the chancellor by the Audit Committee.

b. Annually, the Audit Committee shall evaluate the performance of the CAE.

07.02.5 Independence. To ensure independence and objectivity, OAS reports to the board through the Audit Committee. Additionally, the staff of OAS has no direct responsibility or authority for activities or operations that may be audited or reviewed. Auditors do not develop and install procedures, prepare records, make management decisions, or engage in any other activity that could be reasonably construed to compromise their independence. Auditors

are not, however, precluded from making recommendations and suggestions for the improvement of governance, risk management, and internal control processes. An audit or review does not substitute for or relieve other TTU system personnel of their assigned responsibilities.

07.02.6 Scope of work. The comprehensive scope of work of the OAS is to determine if the TTU system's network of risk management, control, and governance processes is functioning in a manner that will enable goals and objectives of the TTU system to be met and to evaluate and improve the effectiveness of the TTU system's risk management, control, and governance processes. Specifically, the scope of work shall provide reasonable assurance that such processes are designed and operating in a manner to ensure:

- a. risks are effectively identified and managed;
- b. risk management processes and internal control systems are adequate, effective, and efficient;
- c. organizational performance management and accountability systems are effective;
- d. the governance process facilitates sound decision making, organizational effectiveness, appropriate communications, and promotion of ethics and values;
- e. financial, managerial, and operating information is accurate, reliable, and timely;
- f. employees' actions are in compliance with policies, standards, procedures, and applicable statutes and regulations;
- g. resources are acquired economically, used efficiently, and adequately protected;
- h. programs, plans, and objectives are achieved; and
- i. systems are designed and implemented with proper control structures.

07.02.7 Accountability and responsibility. The CAE, in the discharge of his or her duties, shall be responsible and accountable to the board through the Audit Committee to:

- a. develop a flexible annual audit plan using appropriate risk-based methodology and submit the plan to the board through the Audit Committee for review and approval; the CAE shall consider for inclusion in the plan any risks or control concerns identified by management, and consider the scope of work of internal and external assurance and consulting service providers, as appropriate, for the purpose of providing optimal audit coverage to the TTU system at a reasonable overall cost;
- b. oversee the execution of the annual audit plan;
- c. report significant issues related to the risk management, control, and governance processes of the TTU system, including potential improvements to those processes, and provide information concerning the resolution of such issues;
- d. report annually to the board, the chancellor, the governor, and state agencies, as required by the Act, on the activities of the OAS;
- e. provide information periodically on the status and results of the annual audit plan and the sufficiency of department resources, including OAS personnel, to address identified risks within a reasonable time frame;
- f. coordinate with other control and monitoring functions (including, but not limited to, the Office of the General Counsel, the police departments of the component institutions, the State Auditor's Office, other state agencies, and external assurance and consulting providers) to maximize the efficient and effective use of audit resources;
- g. maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of the audit mission and objectives;

- h. establish a quality assurance and improvement program to ensure compliance with professional standards, consistency, and quality in OAS operations;
- i. consider performing advisory services to assist management in meeting its objectives, examples of which may include facilitation, process design, training, and other advisory services;
- j. evaluate significant new or changing services, processes, operations, systems, and control processes coincident with their development, implementation, and/or expansion;
- k. report to the Audit Committee when the CAE has reason to believe that senior management has accepted a level of residual risk that may be unacceptable;
- l. keep the Audit Committee informed of emerging trends and successful practices in internal auditing;
- m. assist in the investigation of suspected fraudulent activities within the TTU system and keep appropriate management, the chancellor, and the board, through the Audit Committee, informed of such investigations; and
- n. coordinate any external audit or investigative effort performed by certified public accountants, the state auditor's office, or other auditors; this coordination may include scheduling of entrance and exit conferences, assisting with fieldwork, and/or reviewing management responses to findings and recommendations of the external auditors.

07.02.8 Authority.

- a. The CAE and staff of the OAS are authorized to:
 - (1) have full, free, unrestricted access to all functions, manual and electronic records (including student, personnel, and medical records), property, and personnel relevant to any audit or review; documents and information entrusted to auditors during the course of an engagement shall be handled in a prudent manner;

- (2) have full and free access to the board through the Audit Committee and to the chancellor;
 - (3) allocate resources, set frequency and duration of audits, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives; and
 - (4) obtain the necessary assistance of personnel in units of the TTU system where the OAS performs audits, as well as other specialized services from within or outside the TTU system.
- b. The CAE and staff of the OAS are not authorized to:
- (1) perform any operational duties for the TTU system;
 - (2) initiate or approve accounting or other transactions external to the OAS; or
 - (3) direct the activities of any TTU system employee not employed by the OAS, except to the extent such employees have been appropriately assigned to auditing teams or to otherwise assist the auditors.

07.03 **Fraud policy.**

The TTU system is committed to the highest standards of moral and ethical behavior. These standards and the subject of appropriate behavior are outlined in the operating policies of the component institutions and in various TTU system and board policies, which shall be observed by all TTU system students and employees. All officers, employees, and students are expected to obey all federal, state, and local laws and may be subject to disciplinary action for a violation of those laws.

The purpose of this policy is to address fraudulent acts. Fraudulent activity of any kind, including for the benefit of the TTU system, is expressly prohibited. This policy establishes the procedures and responsibilities for reporting and resolving instances of known or suspected fraudulent acts. For purposes of this policy, fraud is defined as follows:

An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. A false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury. Any kind of artifice employed by one person to deceive another.

- 07.03.1 For purposes of this policy, the definition of fraud as per the above shall include, but not be limited to, the following:
- a. an intentional or deliberate act;
 - b. depriving the TTU system or a person of something of value or gaining an unfair benefit; and
 - c. using deception, false suggestions, suppression of truth, or other unfair means which are believed and relied upon.
- 07.03.2 A fraudulent act may be an illegal, unethical, improper, or dishonest act, including but not limited to:
- a. embezzlement;
 - b. misappropriation, defalcation, misapplication, and other fiscal irregularities, and destruction, removal, or concealment of property;
 - c. alteration or falsification of records or other documentation;
 - d. false claims by students, employees, vendors, or others associated with the TTU system;
 - e. theft of any asset including, but not limited to, money, tangible property, trade secrets, or intellectual property;
 - f. inappropriate use of computer systems, including hacking and software piracy;
 - g. bribery, rebate, or kickback;

- h. conflict of interest; or
- i. misrepresentation of facts.

07.03.3 Fraudulent act determination. While a fraudulent act may have criminal and/or civil law consequences, the TTU system is not required to use a determination by a criminal justice authority to criminally prosecute as the basis for determining whether an act is fraudulent. It is the internal determination that the above criteria are present that defines an act as fraudulent under this policy.

07.03.4 Duties and responsibilities. Administrators at all levels of management are accountable for setting the appropriate tone of intolerance for fraudulent acts by strictly displaying the proper attitude toward complying with laws, rules, regulations, and policies, including ethics policies. In addition, administrators shall be cognizant of the risks and exposures inherent in their area of responsibility, and shall establish and maintain proper internal controls which will provide for the security and accountability of the resources entrusted to them.

Any member of the campus community who has a reasonable basis for believing a fraudulent act has occurred has a responsibility to promptly notify one of the following:

- a. his or her supervisor;
- b. the appropriate administrator;
- c. the OAS; or
- d. the component institution's police department.

Employees who, in good faith, report unlawful activity are protected by the Texas Whistleblower Act against any retaliation by the TTU system for making such a report. The reporting member of the campus community shall refrain from confrontation of the suspect, further examination of the incident, or further discussion of the incident with anyone other than the employee's or student's supervisor or others involved in the resulting review or investigation. Persons

found to be making frivolous claims under this policy shall be disciplined, up to and including termination of employment or expulsion from the TTU system.

- 07.03.5 Investigation. Supervisors and administrators at all levels of management who become aware of suspected fraudulent activity are to respond in a consistent and appropriate manner and shall report the suspected activity to the OAS. With the concurrence of the CAE, the supervisor or administrator may treat the incident as an administrative issue and have a qualified individual or individuals perform an objective review as considered necessary.

The OAS has the primary obligation for investigating reported incidents to the extent considered necessary for resolution. The OAS may contact other TTU system departments, including, but not limited to, the Office of General Counsel and the component institution's police department, to establish the necessary team to proceed with the review or investigation. The investigative team shall attempt to keep source information as confidential as possible. In those instances where the investigation indicates criminal activity, the investigation shall be turned over to the component institution's police department or other appropriate law enforcement agency. As required by law, the OAS shall notify the state auditor's office of suspected fraudulent activity.

All affected departments and/or individuals shall cooperate fully with those performing a review or investigation, including the OAS, law enforcement officials, regulators, and any other parties involved. During all aspects of the review or investigation, the constitutional rights of all persons shall be observed. Suspects and others involved in the review or investigation shall be treated consistently without regard to past performance, position held, length of service, race, color, religion, sex, age, disability, national origin, or veteran status.

- 07.03.6 Disciplinary actions.
- a. Employees found to have participated in fraudulent acts as defined by this policy shall be subject to disciplinary action, including termination. Additionally, employees suspected of perpetrating fraudulent acts may be placed on administrative leave during the course of the investigation.

- b. In any case in which an investigation leads to a disciplinary action, the Office of Human Resources, Office of the General Counsel, and other appropriate offices shall be consulted prior to taking such actions. Criminal or civil actions may be pursued against employees who participate in fraudulent acts.
- c. An employee terminated by reason of involvement in the perpetration of a fraud will ordinarily be terminated without eligibility for rehire. Actions to be taken shall be determined without regard to past performance, position held, length of service, race, color, religion, sex, age, disability, national origin, or veteran status.
- d. Students found to have participated in fraudulent acts as defined by this policy shall be subject to disciplinary action pursuant to the operating policies of the component institution. In those cases where disciplinary action is warranted, the Dean of Students, Office of Student Services, Office of the General Counsel, or other appropriate office shall be consulted prior to taking such actions. Additionally, criminal or civil actions may be pursued against students who participate in fraudulent acts.

The relationship of other individuals or entities associated with the TTU system found to have participated in fraudulent acts as defined by this policy shall be subject to review, with possible consequences including termination of the relationship. In those cases where action is warranted, the Office of the General Counsel or other appropriate office shall be consulted prior to taking such actions.

Additionally, criminal or civil actions may be taken against individuals or entities associated with the TTU system who participate in unlawful acts.

- 07.03.7 Fraud reporting. The results of investigations conducted by the OAS shall be communicated, either orally or in writing, as determined by the CAE, to the board and to the chancellor and/or other appropriate administrators.

07.04 Budget rules and procedures.

07.04.1 Fiscal year. The TTU system fiscal year shall be September 1 through August 31.

07.04.2 General.

- a. The board is required by law and Section 01.02.8.d(3), *Regents' Rules*, to approve an annual budget covering the operation of the ensuing fiscal year. This budget shall be prepared within the limits of revenue available from legislative appropriations and estimated local and other funds.
- b. The budget is to be constructed along organizational lines and using appropriate fund groupings required by state law or recommended by the State Auditor's Office or the State Comptroller's Office.
- c. The board has the overall responsibility for the budget; however, limitations of time make it impractical for the board to address budget issues other than major policies and priorities. The board effectively discharges its budgetary responsibilities by reviewing and approving general policies. Detailed budgetary development and control is delegated to the chancellor, the presidents, and the chief fiscal officers.
- d. The annual budget shall be prepared and adopted well in advance of the fiscal period and shall include all anticipated operating revenues, expenditures, transfers, and allocations. Adjustments to the budget shall be approved in accordance with board policy set forth in Section 07.04.5, *Regents' Rules*.
- e. The chief fiscal officers are responsible for the compilation of estimates of revenues and the development of appropriate contingencies.
- f. The principal officers of the TTU system shall develop recommendations on major budgetary policies and programs. These policies include such items as salary and wage increases, differential allocations to certain programs, implementation of new programs, reduction or elimination of existing programs, and

other budgetary items. The board's budgetary policies shall be communicated by the presidents, with the assistance of the chief fiscal officers of the component institutions, to the deans, directors, and departmental heads.

- g. The chancellor and presidents, with the assistance of the chief fiscal officers, shall present budget recommendations to the board that include a comparison of the proposed budget with those of previous years, explanation of major changes, description of programs added or eliminated, and salary and wage policies.
- h. The chief fiscal officers are responsible for communicating with budgetary units and providing each unit a copy of its approved budget.

07.04.3 Budgets and other expenditure certifications.

- a. Administrators must receive an approved budget from the chief fiscal officer or designee prior to expending funds or committing to expenditures. The chief fiscal officers are responsible for certifying that funds are available for each approved budget.
- b. Expenditures requiring board approval, including the annual operating budget and certain construction projects, must have a certification statement by the chief fiscal officer. The purpose of the statement is to provide the board an objective analysis for the adequacy of the funding proposed. Certification of the adequacy of funding may be made with or without qualifications. If the certification is qualified, these qualifications shall be specifically identified by the chief fiscal officers.

07.04.4 Budget adjustments. Budget adjustments to the annual operating budget or to other expenditures requiring board approval are defined in the following sections. Budget adjustments may not be divided to fall within lower levels of approval. Approvals must be obtained prior to the effective date of action for the following:

- a. Board approval:
 - (1) Board approval is required for:

- (a) adjustments that establish a new budget in excess of \$1,000,000 or increase an existing budget to an amount of more than \$1,000,000; and
 - (b) non-statutory adjustments to the salary of the chancellor.
 - (2) Emergency and exigent circumstances approvals. When an emergency or exigent circumstances exist, the chair or the chair of the Finance and Administration Committee may approve a proposal submitted by the chancellor, or the chancellor's designee, for budget adjustments which establish a new budget in excess of \$1,000,000 or increase an existing budget to an amount in excess of \$1,000,000, with subsequent notification to the board at the next regular board meeting.
- b. Chancellor's approval is required for the following:
- (1) Adjustments to the salary of TTU system officers and individuals who report directly to the chancellor, except for positions covered under the provisions of Section 02.03.6, *Regents' Rules*.
 - (2) Non-statutory adjustments to the total salary or wage rate of a TTUSA employee when such an adjustment is 10% or more per annum. However, this requirement does not apply to:
 - (a) bona fide promotions or reclassifications;
 - (b) supplemental compensation payments required by law; or
 - (c) adjustments to an employee's total salary or wage rate that result in an annual increase of \$2,000 or less.
 - (3) All budget adjustments of \$1,000,000 or less to the TTUSA's original operating budget.

- (4) Adjustments authorized by law.
- c. President's approval is required for the following:
 - (1) All budget adjustments of \$1,000,000 or less to the institution's original operating budget.
 - (2) Non-statutory adjustments to the total salary or wage rate of an employee of the institution when such an adjustment is 10% or more per annum. However, this requirement does not apply to:
 - (a) bona fide promotions or reclassifications;
 - (b) supplemental compensation payments required by law;
 - (c) adjustments to the total salary or wage rate of an employee of the institution that result in an annual increase of \$2,000 or less; or
 - (d) adjustments to the total salary of a position covered under the provisions of Section 02.03.8, *Regents' Rules*.
- d. Approval of any agreement or contract, in accordance with Section 07.12.2, *Regents' Rules*, constitutes authority to establish a maximum budget that does not exceed the amount of the approved agreement or contract.
- e. The chancellor and presidents may delegate budget authority to appropriate budget and financial officials.
- f. Budgetary control.
 - (1) An essential element of budgeting is the establishment of effective budgetary control. Budgetary control shall ensure that expenditures do not exceed available funds.
 - (2) The chief fiscal officers are responsible to the presidents, the chancellor, and the board for maintaining budgetary

controls. All expenditures in the institutions must be made within approved budgets. Administrators are not authorized to commit funds without a budget approved by the chief fiscal officers or designee. The chief fiscal officers shall inform the respective chief executive officer of any deviations greater than \$100,000 from this policy, including a list of individual fund accounts with deficit fund balances at the end of each fiscal quarter.

- (3) It is the responsibility of the department head (e.g., dean, chair, director) or designated financial manager to exercise budget control. These officers have the primary responsibility to control expenditures under their budget authority. Upon approval of the budget, department heads are responsible for assuring there is no deviation from the approved budgets.
- (4) The chief fiscal officers shall assure that monthly reports of revenues and expenditures are made available to each budget unit.

07.05 Debt management policy.

07.05.1 General debt management policy.

- a. All debt programs shall be made in accordance with applicable state and federal statutes and regulations. Notwithstanding any other provision of the *Regents' Rules*, the board shall authorize the issuance of all TTU system indebtedness.
- b. To the extent permitted by law, the board may grant to the chancellor, or the chancellor's designee, the authority to issue short-term indebtedness. The short-term debt program shall be utilized for capital projects during construction and for equipment acquisition. All conversions to long-term or bond indebtedness shall be approved by the board.
- c. The vice chancellor and chief financial officer, or the vice chancellor and chief financial officer's designee, is authorized to approve the pricing of bond and note issues and is responsible for assuring that all bond covenants are in compliance and that all

necessary approvals, certifications, and authorizations are fully documented and made available to the board and to all bondholders.

- d. The vice chancellor and chief financial officer, or the vice chancellor and chief financial officer's designee, is responsible for assuring that all debt service payments are made to the appropriate paying agents in a timely manner.
- e. Debt service funding is the responsibility of each institution participating in the RFS and the HEAF programs.
- f. If a project requires Texas Higher Education Coordinating Board approval, no debt proceeds will be allocated to that project prior to receiving such approval.

07.05.2 RFS debt management policy.

- a. The TTU system and its components are eligible to participate in the RFS.
- b. The TTU system shall use the following guidelines for the RFS:
 - (1) Debt proceeds will be used only for capital expenditures or bond issuance costs. Generally, capital expenditures are for assets having a useful life of over one year. Buildings and other major capital projects shall be financed for a period of up to the lesser of the project's estimated useful life or 40 years. Equipment shall be financed for a period up to the lesser of its projected useful life or 10 years.
 - (2) To the extent required by law, the Texas Higher Education Coordinating Board shall be notified of project costs in accordance with the relevant rules promulgated by the Coordinating Board.
 - (3) Individual revenue streams considered for debt service must meet a 1.15 debt coverage ratio test, unless the debt is issued as tuition revenue debt, in which case it must meet a 1.00 debt coverage ratio test. Debt coverage is defined as total revenue divided by total debt service.

- (4) Components of the TTU system are required to establish internal debt reserves on their respective chart of accounts by participating area or department on bond financed debt other than tuition revenue and HEF debt. Bond financed debt service shall be collected from departments at the component institutions in the amount of the 1.15 ratio until the maximum reserve accumulated is equal to the area's or department's maximum annual debt service for the remaining debt outstanding. When the maximum reserve is reached, the bond debt service shall be collected in the amount of a 1.00 ratio. Should newly-issued debt cause an area's or a department's new maximum annual debt service to exceed their accumulated reserve, then the 1.15 ratio will apply only to debt service on the newly-issued debt. The TTUS Office of Treasury monitors bond debt service reserves additions and reserve balances to maximum annual debt service semi-annually. Exceptions and return of reserve balances are to be reviewed and approved by the vice chancellor and chief financial officer and the component's chief fiscal officer.
- (5) The board shall approve designated debt financing prior to a project's initiation. Reimbursement clauses, revenue stream certification, non-default certification, and all requirements of the RFS Master Resolution shall be included in the agenda items submitted for board approval that authorize the debt financing.
- (6) For minor construction projects, as defined by Regent's Rules 08.01.2, the chancellor or chancellor's designee may approve RFS funding, on behalf of the board, to satisfy approval requirements of the Master Resolution Authorizing the Revenue Financing System.
- (6Z) Higher Education Fund (HEF) appropriation transfers for debt service by the component institutions to the TTU system are authorized, but only for financed projects which would be eligible for HEF funding under Article VII, Section 17 of the Texas Constitution. Generally,

these projects must have an educational and general purpose.

- (78) Application to and approval of the Texas Bond Review Board is required for all new long-term issues, except as noted below. Long-term issuances also are subject to the examination and approval of the Texas Attorney General. (Note: Sec. 1231.041(b), *Texas Government Code*, eliminates the requirement for institutions of higher education to seek approval by the Texas Bond Review Board for bonds rated AA- or better, unless state general revenue is pledged on the debt.)
- c. The TTU system shall use the following general guidelines for the RFS:
- (1) As long as RFS debt remains outstanding, the TTU system shall prepare end-of-fiscal-year certifications. The certifications, signed and approved by the vice president for fiscal affairs of the component institution, shall be submitted to the vice chancellor and chief financial officer no later than November 15 of each year and shall be used for reporting on the status of the RFS to the chancellor and the board. The certifications shall include the following:
 - (a) A comparison of revenue projections with those actually collected in the previous year and an updated assessment of anticipated future revenues. If actual revenues were not sufficient, a written report to the board must be provided. This report must address why the revenues were insufficient and the impact on the institution's current and future ability to pay for its share of debt service.
 - (b) Verification that the institution has sufficient funds that may be pledged and are available for the next fiscal year's principal/interest payments.
 - (c) Verification that the institution is in compliance with all RFS bond covenants and *Regents' Rules* requirements relative to the issuance of RFS debt.

- (2) The vice chancellor and chief financial officer shall prepare an annual report on the status of RFS obligations for the chancellor and the board. The report shall include the following:
 - (a) The balance of RFS obligations outstanding at the beginning of the fiscal year and on the date of the report.
 - (b) A listing of projected needs (by institution and funding source) for the next year.
 - (c) The amount of RFS obligations that will be necessary to fund each institution's needs for the next year.
 - (d) A certification that the TTU system is current on debt service funding for RFS obligations outstanding. If an institution is not in compliance, the steps being taken to bring the institution into compliance shall be included and reported quarterly until compliance is achieved.

07.05.3 HEAF debt management policy.

- a. Component institutions are eligible to participate in HEAF debt financing.
 - (1) Except as described in Subdivision (4) of this subsection, HEAF debt proceeds may be used for acquiring land, construction, equipping permanent improvements, major repair and rehabilitation of permanent improvements, acquisition of capital equipment, and refunding previously issued HEAF indebtedness.
 - (2) HEAF indebtedness shall be payable with state appropriated moneys. Maturities shall not exceed 10 years. HEAF bonds shall be competitively bid. HEAF notes (e.g., commercial paper notes) need not be competitively bid. HEAF indebtedness is subject to approval by the Texas Attorney General.

- (3) No more than 50% of the annual HEAF allocation of component institutions shall be used for paying debt service on HEAF indebtedness issued on behalf of component institutions.
- (4) HEAF debt proceeds are not permitted by law to be used for maintenance, minor repairs, operating expenses, student housing, intercollegiate athletics, or auxiliary enterprises.

07.05.4 Equipment financing. Procedures for equipment financing under the commercial paper program(s) are as follows:

- a. For equipment costing \$1,000,000 or more, the board shall authorize the financing through the equipment financing program. For equipment costing less than \$1,000,000 but more than \$100,000 that is to be financed through the equipment financing program, the approval of the chancellor, or the chancellor's designee, is required. The TTUS Office of Treasury shall submit the required notice to the Texas Bond Review Board.
- b. The minimum aggregate amount of equipment value to be financed under the equipment financing program is \$100,000 for each component institution. Multiple smaller equipment purchases may be combined to achieve the minimum amount. Each piece of equipment must have a useful life of not less than three years. The equipment shall be purchased from the vendor by the component institution. RFS debt shall be issued to reimburse the component institution for the equipment purchase. The debt shall be amortized each February 15 and August 15 and shall be fully amortized up to the lesser of its projected useful life or 10 years.

07.05.5 Failed remarketing procedures. Procedures to be used in the event of a failed remarketing of RFS commercial paper debt shall be maintained in the Office of Treasury.

07.05.6 Post tax-exempt issuance compliance. Procedures shall be maintained in the Office of Treasury that comply with all applicable federal tax law requirements ensuring that interest earned by the

holders of tax-exempt bonds is not taxable under Section 103 of the U.S. Internal Revenue Code.

07.06 **Credit extension.** The chancellor, or the chancellor's designee, is authorized to approve the sale of goods and services on credit provided that: there is a public purpose for the sale that can be documented; and controls limiting risk of loss have been established and reviewed by the OAS.

07.07 **State comptroller deposits.**

07.07.1 Cash receipts. State statutes and the current state Appropriations Act require that all cash receipts accruing to component institutions be deposited in the state treasury, with the exception of those funds listed in Section 51.008, *Texas Education Code*. Funds to be deposited within the TTU system include funds from auxiliary enterprises, non-instructional services, agency, designated and restricted funds, endowment funds, trust funds, other gift funds, student loan funds, funds retained under Chapter 145, *Texas Education Code*, and Constitutional College Building Amendment Funds.

07.07.2 Depositing rules. Cash receipts that are required to be deposited in the state treasury shall be so deposited in the manner prescribed by state statutes and the current state Appropriations Act.

07.07.3 Revolving funds. Component institutions of the TTU system are authorized by the current state Appropriations Act to establish Revolving Funds under certain prescribed procedures to facilitate the payment of nominal expenses and to pay bills within cash discount periods, as well as for regular monthly, weekly, and special payrolls.

07.07.4 Board delegation of authority. The chancellor or the chancellor's designee is responsible for establishing, maintaining and updating any TTU system depository and/or investment accounts which includes maintaining authorized signatory cards for all financial accounts.

07.08 **Primary and secondary depositories for the TTU system.** Only those banks selected as prescribed by this policy and in compliance with all existing statutes shall be used to deposit and safeguard all funds subject to the control of the board.

07.08.1 Primary depository. A primary depository is defined as the bank or banks selected as the financial institution(s) in which all funds of the component institutions, except as herein provided, are deposited for operating or investment purposes. The board, in its sole discretion, shall select the primary depositories.

07.08.2 Secondary depositories.

- a. Secondary depositories may be selected by the Office of Treasury, with the approval of the chief fiscal officers, as banks in which the component institutions may maintain deposits temporarily, prior to transmittal to primary depositories.
- b. Balances in secondary depository accounts shall be fully secured by the FDIC (or its successor), with a pledge of qualified securities held by a custodian bank and in an amount equal to 102% of the difference between the amount insured by FDIC and the greatest amount expected to be on deposit at any time.
- c. Funds in secondary depository accounts shall be transferred to the primary operating depository as soon as possible. In no event shall the amount on deposit exceed the amount insured by FDIC plus any collateral pledged against the account.

07.08.3 Board delegation of authority. The chancellor or the chancellor's designee is responsible for establishing, maintaining and updating any TTU system depository and/or investment accounts which includes maintaining authorized signatory cards for all financial accounts.

07.09 Travel authorization, reimbursement, and institutional regulations.

07.09.1 Travel approval. Each component of the TTU system shall promulgate operating policies, procedures, rules and regulations governing employee travel in conformity with federal and state laws.

07.09.2 Board members' travel and other expenses.

- a. All travel by board members that is paid from TTU system funds shall be for official business only.

- b. When traveling on official business, members of the board are authorized to be reimbursed from appropriated funds for the actual cost of:
 - (1) meals and lodging, subject to the rates and limitations established in statutory authority;
 - (2) local transportation;
 - (3) parking fees; and
 - (4) airfare at the next lowest rate below first class, unless such a rate is not available.
- c. When the board member's spouse is required to accompany the board member for a valid public purpose, as determined by the board member, the spouse's expenses shall be reimbursed from non-appropriated funds.
- d. Vouchers for travel or other expenses of board members shall be prepared in the Office of the Board of Regents, forwarded to the Office of the Chief Financial Officer for review, and returned to the Office of the Board of Regents for further approval. Either the chair of the board or the chair of the Finance and Administration Committee must approve all vouchers for board members. A board member may not approve his or her own voucher.
- e. Vouchers for reimbursements to board members for other expenses shall be processed in accordance with Subsection d. of this section. These expenses must be for a valid public purpose, as certified by the board member. Any extraordinary expenses must be approved in advance by either the chair of the board or the chair of the Finance and Administration Committee.
- f. The vice chancellor and chief financial officer shall assure that expense vouchers for board members are audited annually.

07.09.3 Chancellor's travel and other expenses.

- a. The chancellor's travel that is paid from TTU system funds shall be for official business only.
- b. The chancellor is the executive head of a state agency and, when traveling on official business, is authorized by law to be reimbursed from appropriated funds for the actual costs of meals, lodging, local transportation, and parking fees, and for airfare at the next lowest rate below first class unless such a rate is not available.
- c. When the chancellor's spouse is required to travel for a valid public purpose, as determined by the chancellor, the spouse's expenses shall be reimbursed from non-appropriated funds derived from gifts received from private sources.
- d. Vouchers for travel or other expenses of the chancellor shall be forwarded to the vice chancellor and chief financial officer for review and then forwarded for approval to the chair of the Finance and Administration Committee or, in his or her absence, the board chair. Normally, vouchers shall be submitted within ten days of the travel.
- e. When official business requires the chancellor to be absent from the campus for a period in excess of seven business days, excluding official TTU system holidays, the Office of the Board of Regents shall be notified in writing, with notification provided to the chair and vice chair of the board.
- f. The vice chancellor and chief financial officer shall assure that travel expense vouchers for the chancellor are audited annually by an external auditor.

07.09.4 Faculty, staff, and student travel. Each component institution shall develop and disseminate policies and procedures in operating manuals for travel of faculty, staff, and students that adhere to state guidelines.

07.10 Approval of tuition and student fees.

07.10.1 Assessment. Each year, the board shall approve the assessment of tuition and fees for students of component institutions of the TTU

system. The amounts to be assessed shall be presented annually to the board in a document to be entitled "Global Fee Schedule."

- 07.10.2 Collection. The authority of the board to collect tuition, fees, and other charges in accordance with the methods and manners prescribed in state statute is delegated to the presidents, or the presidents' designee.
- 07.10.3 Exemptions and waivers. The authority of the board to grant exemptions and waivers from tuition, fees, and other charges in accordance with state statutes is delegated to the presidents, or the presidents' designee.
- 07.10.4 Student financial assistance. The authority of the board to administer student financial assistance programs in accordance with Chapter 56, *Texas Education Code*, is delegated to the presidents, or the presidents' designee.
- 07.11 **Aircraft use and operation.** All TTU system staff, faculty, and students traveling on official business or activities shall use only those aircraft and aircraft operators that meet the requirements set forth below. The travel regulations contained in the state Appropriations Act and applicable state statutes shall be followed by the TTU system. Regardless of the source of funds, allowable reimbursements are established by the state Appropriations Act. In addition, TTU system employees are encouraged to be as conservative as possible in the use of air travel, using charter flights only when such flights are cost-effective or absolutely necessary.
 - 07.11.1 Air travel requirements. The TTU system shall only use aircraft and aircraft operators that are flightworthy and are certified and operate under Subchapters F & G, Parts 91, 119, 121, 125, or 135, as applicable, in Chapter 1, Federal Aviation Regulations, 14 Code of Federal Regulations (the "C.F.R."). In addition, all aircraft used pursuant to this provision must, at a minimum, be piloted by pilots that are fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating. All flights involving student travel must be piloted by two pilots.
 - 07.11.2 Foreign air travel. Air travel to or in foreign countries by TTU system faculty, staff or students shall be arranged only through

commercial air carriers regularly engaged in scheduled passenger air transportation.

07.11.3 Information requirement. With the exception of commercial, certified domestic and flag air carriers, aircraft operators shall provide the TTU system with the following information:

- a. type of certificate;
- b. certificate number;
- c. date the certificate was issued;
- d. expiration date for the certificate;
- e. type and registration number of aircraft authorized;
- f. name of the Federal Aviation Administration Flight Standards Office having jurisdiction over the certificate holder; and
- g. schedule of insurance coverage in effect, showing insurance companies, policy numbers, type, amounts, period of coverage, and special conditions, exceptions and limitations.

07.11.4 Aircraft made available to the TTU system by other than commercial operations. Aircraft and crew made available to the TTU system by other than commercial operators must, as a minimum, qualify under all regulations regarding aircraft and crew outlined in 14 C.F.R., Chapter 1, Subchapter G, Part 91, and conform to the insurance provisions set forth in Section 07.11.5, *Regents' Rules*. In addition, all aircraft used pursuant to this provision to transport students must, at a minimum, contain a multi-turbo prop engine or jet engine and be piloted by two pilots who are fully qualified and insured in the aircraft being flown and who possess a commercial pilot certificate with instrument rating.

07.11.5 Insurance. Aircraft owners/operators must furnish a certificate of insurance to the TTU system as proof of at least \$300,000 coverage per passenger, or the minimum amount required by law, whichever is greater.

- 07.11.6 Administrative requirements. The following are administrative requirements:
- a. All flights involving leased or chartered aircraft, or aircraft made available to the TTU system pursuant to Section 07.11.4, *Regents' Rules*, must be approved in advance by the chancellor or the chancellor's designee.
 - b. All flights involving student travel, other than travel on commercial air carriers, must be approved in advance by the chancellor or the chancellor's designee.
 - c. The TTU system department arranging travel under Subdivision a. or b. of this subsection shall ensure that contracts and other appropriate documents are reviewed by the Office of the General Counsel prior to approval by the chancellor or the chancellor's designee.
- 07.11.7 Waiver. This policy may be waived by the prior written approval of the institution's chief academic officer for employees and graduate research assistants involved in research projects requiring aerial surveys. Such research projects must be supported by funded grants that have been approved by the Office of Research Services.
- 07.11.8 Aircraft piloted by TTU system personnel on official business. A TTU system employee may pilot an aircraft owned or leased by the employee for travel on official business and may be reimbursed for such travel in accordance with state regulations (see Chapter 660, Subchapter D, *Texas Government Code*). Any aircraft piloted by TTU system personnel for travel on official business must be maintained in accordance with all applicable Federal Aviation Regulations and shall have all instrumentation required for flying in the meteorological conditions then existing and as forecast. The pilot must be current and qualified in accordance with all applicable Federal Aviation Regulations for the type aircraft flown and for the meteorological conditions then existing and as forecast. No flight shall be piloted by TTU system personnel with other faculty, staff, students, prospective students, or guests aboard. Any TTU system personnel desiring to travel under this provision must execute a written release of liability releasing the TTU system from any and all liability associated with such travel.

07.12 Contracting policies and procedures.

07.12.1 General.

- a. This policy shall establish the authority for the board and authorized TTU system personnel to approve, sign, and execute contracts committing the TTU system to any approved act.
- b. Written contracts shall be executed whenever a TTU system component enters into a binding agreement with another party which involves any material consideration.
- c. Contracts include, but are not limited to: letter agreements, co-operative agreements, memorandums of understanding, inter-agency contracts, grants, loans, easements, licenses, leases, permits and restrictions on acceptances of gifts and bequests. Other parties include, but are not limited to: federal, state and local agencies, nonprofit organizations, private businesses, corporations, limited liability entities, partnerships and individuals.
- d. Applicability of policy.
 - (1) This policy shall apply to all contracts for the initial periods and for amendments or extensions thereto. For the purpose of determining whether a contract requires the approval of the board, any option(s) to extend or renew a contract shall be counted in the overall term of the contract. For example, a contract for a lease of land for three years that has an option to extend the lease for an additional three years shall be considered to be a lease of land for more than four years.
 - (2) This policy shall also apply to, but not be limited to: cooperative agreements with affiliated and nonaffiliated hospitals and other health care agencies, private corporations, sole proprietorships, federal agencies, private partnerships, limited liability entities, and individuals.
- e. Officers and employees of the TTU system are prohibited from acting as an agent for another person in the negotiation of the

terms of an agreement relating to the provision of money, services, or property to the TTU system.

- f. The TTU system and its component institutions shall develop a contract management handbook that provides consistent contracting policies and practices and contract review procedures, including risk analysis and a contract review checklist. The provisions in this handbook shall be consistent with state and federal contracting laws, rules, and regulations.
- g. TTU system personnel involved in procurement or contract management shall receive training and continuing education, including ethics training.
- h. In the event a contract executed under other provisions of this policy is subsequently found to be required by law or by this policy to be approved by and/or executed by the board, the contract shall continue to be in full force and effect, but shall be submitted for ratification at the next available board meeting.
- i. Approval and signature execution of a contract pursuant to the provisions of this policy constitutes approval to establish an operating budget, which shall not exceed the consideration of the contract. The operating budget then shall be considered approved in accordance with the provisions of Section 07.04, *Regents' Rules*, and related implementing procedures.
- j. Contracts shall not be divided to fall within lower levels of approval.

07.12.2 Prohibited contracts.

- a. Neither the TTU system administration nor a component institution may enter into a contract for the purchase of goods or services with a private vendor with whom any of the following persons have a financial interest unless the contract is for the purchase of goods or services solicited through a purchase order and the purchase order does not exceed \$25,000:
 - (1) the chancellor, vice chancellor and general counsel, president of the institution involved in the contract, chief

procurement officer or equivalent employee responsible for procuring goods and services for the institution involved in the contract; or

- (2) a family member related to the employees and officials listed above within the second degree of affinity or consanguinity.
- b. A person listed in Section 07.12.2.a, *Regents' Rules*, has a financial interest in a private vendor if the person:
 - (1) owns or controls, directly or indirectly, an ownership interest of at least 1% in the private vendor, including the right to share in profits, proceeds, or capital gains; or
 - (2) could reasonably foresee that a contract with the private vendor could result in a financial benefit to the employee, official, or family member within the second degree of affinity or consanguinity.
- c. A financial interest prohibited by this section does not include a retirement plan, a blind trust, insurance coverage, or an ownership interest of less than 1% in a corporation.

07.12.3 Board approval.

- a. Upon recommendation of the chancellor, board approval is required for contracts that involve a stated or implied consideration that totals in excess of \$1,000,000 over the entire term of the contract, unless a different consideration is specified by this policy. This requirement is applicable to both cash and non-cash considerations. The board may delegate the approval and signature authority for such contracts to the chancellor or component president.
- b. The board must approve any amendment, extension, or renewal of a contract with a value that exceeds 25% of the value of the original contract approved by the board or that increases the value of the original contract to more than \$1,000,000 over the entire term of the contract unless the authority to exceed the

approved amount is expressly delegated by the board or an exception is expressly adopted by the board for that contract.

- c. For each contract for the purchase of goods and services with a value exceeding \$5,000,000, the applicable chief procurement officer for the applicable component institution or the TTU system must submit to the board:
 - (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and
 - (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.
- d. Contracts involving a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years:
 - (1) Upon recommendation of the chancellor, board approval is required for the following contracts or agreements:
 - (a) contracts that involve:
 - i. a sale or purchase of land and/or improvements thereon by a TTU system entity, or
 - ii. a lease of land and/or improvements thereon for more than four years, where a TTU system entity is either the lessor or the lessee;
 - (b) contracts that involve a commitment of funds or other resources for more than four years.
 - (2) Contracts that may be terminated without cause with notice of 120 days or less are excepted from the requirements of Section 07.12.3.d(1), *Regents' Rules*.
- e. Employment contracts and agreements:

- (1) Employment contracts or agreements include but are not limited to letters of agreement and memoranda of understanding.
- (2) Except as provided in Section 07.12.3.e(3) herein, employment agreements that contain one or more of the following provisions must be approved by the board:
 - (a) employment contracts having a total value (including cash and non-cash considerations) over the entire term of the contract of more than \$1,000,000;
 - (b) employment contracts having a term longer than four (4) years;
 - (c) employment contracts that allow for settlement or other payments on the termination of the contract to exceed an amount equal to the discounted net present cash value of the contract on termination at the U.S. Treasury rate that matches the remaining term of the contract;
 - (d) employment contracts allowing for development leave that is inconsistent with Section 04.05, *Regents' Rules*, and/or institutional operating policies; or
 - (e) employment contracts awarding tenure in any way that varies from the applicable operating policies on the award of tenure.
- (3) The following are excepted from the requirements of Section 07.12.3.e(2), *Regents' Rules*, but to the extent any excepted contract has a value exceeding \$1,000,000, the board delegates approval and signature authority for the contract to the president of the applicable component institution or to the chancellor for TTUSA contracts:
 - (a) Employment agreements for the chancellor or presidents shall be governed by Sections 02.01.2 and 02.03.1.b(2) of the *Regents' Rules*, respectively.

- (b) Athletic employment agreements:
 - i. Athletic directors and head coaches. Employment contracts and employment contract modifications and extensions for athletic directors and head coaches of intercollegiate athletics programs do not require the approval of the board if: the total value (including cash and non-cash considerations) over the entire term of the contract is \$2,000,000 or less; and the term of the contract does not exceed five (5) years. For athletic directors, such contracts, modifications, and extensions shall receive the final approval of the president, with prior notification to the chancellor. For head coaches, such contracts, modifications, and extensions shall have the recommendation of the athletic director and receive the final approval of the president, with prior notification to the chancellor.
 - ii. Assistant coaches. Employment contracts and employment contract modifications and extensions for assistant coaches of intercollegiate athletics programs do not require the approval of the board if: the total value (including cash and non-cash considerations) over the entire term of the contract is \$1,000,000 or less; and the term of the contract does not exceed three (3) years. Such contracts, modifications, and extensions shall have the recommendation of the athletic director and receive the final approval of the president, with prior notification to the chancellor.
- (c) Health-related institution faculty employment contracts. For such contracts that would require the approval of the board under Section 07.12.3.e(2), when it is not feasible or practical to delay action until the next scheduled regular or special called meeting of the board and upon the recommendation of the chancellor, approval of the contract may be given by

the chair or the chair of the Finance and Administration Committee. Contracts approved in this manner shall be reported to the board as an information item at the next board meeting.

- f. Upon recommendation of the chancellor, board approval is required for contracts involving the initial placement of vending machines, games, or any other coin operated food, refreshment and amusement devices placed in service in any facility owned, operated, or controlled by the TTU system. The president, or the president's designee, is delegated the authority to determine and approve the location of vending machines, games, or other coin operated food, refreshment and amusement devices placed in all buildings and property under the charge and control of the president's institution.
- g. Unless prohibited by law, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract proposal submitted by the chancellor, or the chancellor's designee, by verbal approval of the chair or of the chair of the Finance and Administration Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.
- h. Contracts approved by the board shall be executed as specified in the board order.

07.12.4 Board delegation of authority.

- a. Notwithstanding Section 07.12.3.a, *Regents' Rules*, the chancellor or president, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract

amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

- b. Notwithstanding Section 07.12.3.a, *Regents' Rules*, the board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.
- c. Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.
- d. The board delegates to the chancellor and the presidents the authority to execute and sign contracts related to construction projects for TTUSA and the component institutions, respectively, as provided by Chapter 08, *Regents' Rules*.

- e. Contracts that provide for the services of a consultant:
 - (1) Consulting contracts with an initial consideration in excess of \$25,000:
 - (a) Upon recommendation of the chancellor, board approval is required prior to the execution of a consulting contract with an initial consideration in excess of \$25,000 and prior to the execution of all modifications that increase the consideration of such a contract.
 - (b) A consulting contract with an initial consideration in excess of \$25,000 may be executed prior to approval by the board if:
 - i. the contract includes a provision that limits the total amount to be paid to the consultant to no more than \$25,000 unless and until such time as the board has approved the agreement; and
 - ii. the chair or chair of the Finance and Administration Committee authorize a proposal submitted to them by the chancellor, or the chancellor's designee, regarding execution of the agreement in advance of approval by the board.
 - (2) Consulting contracts with an initial consideration of \$25,000 or less:
 - (a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate.
 - (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.

- (c) Approval of the board is required prior to execution for any modification to a consulting contract where the initial consideration was \$25,000 or less and the modification will cause the total consideration to exceed \$25,000.

- (3) For the purposes of Section 07.12.4.e, *Regents' Rules*, a search firm is a service provider and is not deemed to be a consultant.

07.12.5 Chancellor's approval.

- a. Approval of the chancellor or the chancellor's designee is required for TTUSA contracts that involve a stated or implied consideration of \$1,000,000 or less. This requirement is applicable to both cash and non-cash considerations. Such TTUSA contracts may be signed by the chancellor or the chancellor's designee. Provisions in the *Regents' Rules* regarding employment contracts shall govern the approval of those employment contracts.
- b. Approval of the chancellor or the chancellor's designee is required for all TTUSA contract renewals, extensions or amendments that do not cause the contract amount to exceed \$1,000,000. Such TTUSA contract renewals, extensions or amendments may be signed by the chancellor or the chancellor's designee.

07.12.6 President's approval.

- a. Approval of the president or the president's designee is required for all component institution contracts that involve a stated or implied consideration of \$1,000,000 or less. This requirement is applicable to both cash and non-cash considerations. Such component institution contracts may be signed by the president or the president's designee. Provisions in the *Regents' Rules* regarding employment contracts shall govern the approval of those employment contracts.
- b. Approval of the president or the president's designee is required for all component institution contract renewals, extensions or amendments that do not cause the contract amount to exceed

\$1,000,000. Such component institution contract renewals, extensions or amendments may be signed by the president or the president's designee.

07.12.7 Required approvals summary.

Contract Terms	Regents' Rules Section Citation	Approval Required
Contracts in excess of \$1,000,000 over the entire term of the contract	07.12.3.a	Board
Contracts in excess of \$1,000,000 total but less than \$1,000,000 per annum; and any amendment, extension or renewal of such contracts that does not cause the annual amount to exceed \$1,000,000 [NOTE: for this delegation of approval authority, §07.12.3.d(1)(b) imposes a 4-year cap on the contract term.]	07.12.4.a	Chancellor or President, as appropriate
Contracts for real property: sale or purchase; and lease for more than 4 years (unless the contract can be terminated without cause with notice of 120 days or less)	07.12.3.d(1)(a)	Board
Contracts in excess of four years (unless the contract can be terminated without cause with notice of 120 days or less)	07.12.3.d(1)(b)	Board
Renewals, extensions or amendments	07.12.3.b	Board
	07.12.5.b or 07.12.6.b	Chancellor or President
Contracts for construction projects	07.12.4.d	Chancellor (for TTUSA projects) or President (for institutional projects)
Consulting contracts in excess of \$25,000, and all modifications that increase such contracts	07.12.4.e(1)	Board
Consulting contracts of \$25,000 or less	07.12.4.e(2)	Chancellor or President, as appropriate – with prior notice to chairs of Board and F&A Cmte
Contracts with search firms (so long as contract amount does not exceed \$1.0 million per year)	due to 07.12.4.e(3) and 07.12.4.a: 07.12.5 or 07.12.6	Chancellor (for TTUSA searches) or President (for institutional searches)
Initial contracts for vending machines	07.12.3.f	Board
Location of vending machines	07.12.3.f	President

Contract Terms	Regents' Rules Section Citation	Approval Required
TTUSA contracts of \$1,000,000 or less; and any amendment, extension or renewal of such System Administration contracts that does not cause the amount to exceed \$1,000,000	07.12.5	Chancellor
Component institution contracts of \$1,000,000 or less; and any amendment, extension or renewal of such component institution contracts that does not cause the amount to exceed \$1,000,000	07.12.6	President
Sponsored program project contracts	07.12.4.b	President
Certain health-related continuing contractual relationships	07.12.4.c	President
Employment contracts	[see Appendix A]	-- varies --

07.13 HUBs

- 07.13.1 TTU system commitment. The TTU system is committed to providing procurement and contracting opportunities to HUBs.
- 07.13.2 HUB Coordinators. The chancellor and the presidents of the component institutions shall have the responsibility for planning, coordination, implementation, and enforcement of HUB policies within their respective components. The chancellor or president, as appropriate, shall appoint a HUB Coordinator for their respective component to carry out the provisions of this policy. The HUB Coordinator must be at least equal in position to the component's procurement director. The HUB Coordinators shall:
- a. coordinate training programs to recruit HUBs and to assist HUBs in conducting business with the TTU system and its components;
 - b. report required information to the Office of the State Comptroller;
 - c. match HUBs with key TTU system staff to ensure that HUBs interact with the appropriate personnel of the TTU system; and
 - d. make a good faith effort to increase the award of goods and service contracts to HUBs in accordance with state statutes and the promulgated rules of the Office of the State Comptroller.

The TTU system shall implement policies and procedures in its operating manuals setting forth its HUB programs and procedures. The chancellor and the presidents shall provide support, as needed, to implement these HUB policies.

07.14 Professional Medical Malpractice Self-Insurance Plan settlement authority.

- 07.14.1 Board authority. This policy establishes the board's authority to settle claims arising under the Texas Tech University System Self-Insurance Plan ("the Plan").
- 07.14.2 Board approval. Board approval is required to settle claims in excess of \$250,000 arising under the Plan.

- 07.14.3 Chancellor approval. Settlements in excess of \$100,000 but less than or equal to \$250,000 require the chancellor's approval.
- 07.14.4 Vice chancellor and general counsel approval. The vice chancellor and general counsel may approve settlements of \$100,000 or less.
- 07.14.5 Approval during period between board meetings. If necessary during periods between board meetings, the chair or the vice chair of the board may authorize settlements of claims in excess of \$250,000 upon the recommendation of the chancellor.

Dates Approved or Amended:

<i>Comprehensive review of chapter</i>	02-28-2014	• amendments throughout
<i>Amendment</i>	03-06-2015	• §07.03.6 re: fraud disciplinary actions
<i>State contracting law changes</i>	10-09-2015	• amendments to multiple sections, including: §07.02.4.a, 07.02.6, 07.02.7.o, 07.03.2.b, and extensively throughout 07.12
<i>Various amendments</i>	05-20-2016	
• Additional state contracting law changes		• amendments to multiple sections, including: §07.02.6, 07.02.7, 07.03, and extensively throughout 07.12
• Updates to audit provisions.....		• to reflect changes in the audit mission, code of ethics, and audit standards adopted by the Institute of Internal Auditors
• Revisions to emergency approvals of a budget adjustment or a contract		• to conform the budget adjustment policy to the contract policy and to require that such proposals be submitted by the Chancellor
• Change in the 'early start' provision for consulting contracts of more than \$25,000		• to require that such proposals be submitted by the Chancellor
<i>Amendment</i>	10-14-2016	• amended §07.05.2.b to bring the provision on use of debt proceeds in line with U.S. Treasury regulations
<i>Amendment</i>	08-11-2017	• amended §07.12.4.e(2) to require the prior review of \$25,000-or-less consulting contracts by the System CFO, rather than by the Board chair and chair of the Finance & Administration Committee

Amendment..... 10-20-2017

amended §07.12.4 by:

- adding a new §07.12.4.c for a delegation to the presidents of health-related institutions of contract approval authority for certain health-related continuing contractual relationships
 - deleting the old §07.12.4.d due to it conflicting with §07.12.3.b
-

Amendments..... 03-02-2018

Debt and equipment financing

- §07.05.2.b(4) – clarifying changes regarding the debt collection ratio as recommended by Texas Tech’s outside bond financial advisors;
- §07.05.2.b(5) – language added regarding Higher Education Fund appropriation transfers for debt service in order to conform that policy to the requirements of the state’s General Appropriations Act; and
- §07.05.4.a – commercial paper approval thresholds for equipment financing changed to be consistent with other Board approval thresholds, such as for approval of contracts.

Student financial assistance programs — §07.10.4 added to provide a delegation of authority to the presidents to administer student financial assistance programs governed by Chapter 56, *Texas Education Code*.

Contracting and conflict of interest policies

- revisions driven by legislative/statutory changes ... in §07.12.2.a-c; and
- clarifying changes driven by Office of Audit Services recommendations in: §07.12.3.b ... §07.12.4.a ... §07.12.5 ... §07.12.6 ... §07.12.7.

Office of Treasury — throughout Chapter 07, the name of the “Office of Treasury and Cash Management” changed to “Office of Treasury”.

See also the document entitled “Comprehensive Reviews and Updates” for a more complete explanation of the amendments listed above.

APPENDIX A – summary of employment agreement approvals (per Sec. 07.12.3.e, Regents' Rules)

BOARD APPROVAL REQUIRED	per Section 07.12.3... ↓	BOARD APPROVAL NOT REQUIRED
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<p>If <u>any</u> of the following provisions apply, the agreement must be approved by the Board:</p> <ul style="list-style-type: none"> • Total value over the entire term of the contract exceeds \$1.0 million. • Term is longer than 4 years. • Termination payment exceeds an amount equal to the discounted net present cash value of the contract upon termination at the U.S. Treasury rate that matches the remaining term of the contract. • Contract allows for development leave inconsistent with <i>Regents' Rules</i> or institutional operating policies. • Contract awards tenure in any way other than as provided in Board-approved operating policies. 	<p>← e(2)(a) →</p> <p>← e(2)(b) →</p> <p>← e(2)(c) →</p> <p>← e(2)(d) →</p> <p>← e(2)(e) →</p>	<p>All of the following provisions must apply for the agreement to be exempt from Board approval:</p> <ul style="list-style-type: none"> • Total value over the entire term of the contract is \$1.0 million or less. • Term is 4 years or less. • Termination payment does <u>not</u> exceed an amount equal to the discounted net present cash value of the contract upon termination at the U.S. Treasury rate that matches the remaining term of the contract. • Contract does <u>not</u> allow development leave inconsistent with <i>Regents' Rules</i> or institutional operating policies. • Contract does <u>not</u> award tenure in any way other than as provided in Board-approved operating policies.
<p>Chancellor or President contract. [see Sections 02.01.2 and 02.03.1.b(2), respectively]</p> <p>Athletic director or head coach contract if:</p> <ul style="list-style-type: none"> • total value over the entire term of the contract exceeds \$2.0 million; OR • term exceeds 5 years. <p>Assistant coach contract if:</p> <ul style="list-style-type: none"> • total value over the entire term of the contract exceeds \$1.0 million; OR • term exceeds 3 years. <p>Health-related institution faculty contract if: any of the general thresholds shown above are exceeded ... but a process for quick approval is provided when needed.</p>	<p>← e(3)(a)</p> <p>← e(3)(b)i →</p> <p>← e(3)(b)ii →</p> <p>← e(3)(c) →</p>	<p>— — — —</p> <p>Athletic director or head coach contract if: • total value over entire term of the contract is \$2.0 million or less; AND ... • term is 5 years or less. [<i>President approves, and Chancellor gets prior notice.</i>]</p> <p>Assistant coach contract if: • total value over the entire term of the contract is \$1.0 million or less; AND ... • term is 3 years or less. [<i>President approves, and Chancellor gets prior notice.</i>]</p> <p>Health-related institution faculty contract if: none of the general thresholds provided in Sec. 07.12.3.e(2) are exceeded.</p>

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2020

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	20,500					
		REQUIRED AUDITS						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	Follow-Up	800				800
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects		15	0			15
		TTU, HSC, ASU: 2019 Statewide Federal Financial Audit	SAO		In Progress			0
		TTU: Comptroller's Post-Payment Audit	State Comptroller's Office		In Progress			0
		ASU: Formula Funding Onsite Review	Coordinating Board					0
		HSC: Governor's Office Review of TWITR Grant	Governor's Office		In Progress			0
		HSC: Financial Aid Compliance	Coordinating Board					0
Required	ALL	CPRIT Grant Funds	External	10				10
Required	ALL	Contracting and Procurement Processes	Compliance	200				200
Required	ALL	Benefits Proportional by Fund	Compliance	500				500
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	External	100				100
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	External	30				30
Required	TTUS	Office of Audit Services Annual Report	Compliance	30				30
Required	TTUS	Office of Audit Services Annual Plan	Compliance	100				100
Required	TTUS	Office of Audit Services Quality Assurance Activities Review	Compliance	60				60
Required	TTU	Athletics Financial Agreed-Upon Procedures	External	5				5
Required	TTU	Texas Tech Public Media Financial Statements	External	200				200
Required	TTU	Joint Admission Medical Program Grants	Compliance	60				60
Required	TTU	Football Attendance Certification	Compliance	10				10
Required	HSC	Willed Body Program	Compliance	240				240
Required	HSC	Correctional Managed Health Care Contract	Compliance	150				150
Required	HSC/HSC-EP	Texas Higher Education Coordinating Board Residency Grants	Compliance	50				50
Required	HSC-EP	Willed Body Program	Compliance	240				240
Required	ASU	Athletics Financial Agreed-Upon Procedures	Financial (assist)	5				5
Required	ASU	Carr Foundation Financial Statements	Financial (assist)	5				5
Required	ASU	ASU Foundation, Inc. Financial Statements	Financial (assist)	5				5
		TOTALS FOR REQUIRED AUDITS	2,815	-		-	-	2,815
		AUDITS IN PROGRESS AT AUGUST 1, 2019						
Prior Year	TTUS	Office of Investments	Financial/Operational	315	In Progress			315
Prior Year	TTUS	Security Camera Policies	Management Advisory	60	In Progress			60
Prior Year	TTUS	Office of Institutional Advancement - Red Raider Club	Management Advisory	300	In Progress			300
Prior Year	TTUS	IT Risk Assessment Framework	IT/Controls	60	In Progress			60
Prior Year	TTUS	Risk Management Assessment	Risk Management	5	In Progress			5
Prior Year	TTU	Certified Rehabilitation Cost Report - Admin Building	Compliance	20	In Progress			20
Prior Year	TTU	College of Education	Financial/Operational	5	In Progress			5
Prior Year	TTU	Research Safety Governance	Governance	50	In Progress			50
Prior Year	TTU	Costa Rica Campus	Financial	80	In Progress			80
Prior Year	TTU	Student Success and Retention	Operational	350	In Progress			350
Prior Year	HSC	Department of Ophthalmology EMR Migration and Implementation Review	Management Advisory	150	In Progress			150
Prior Year	HSC-EP	PLFSOM Department Cash Controls	Controls	5	In Progress			5
Prior Year	HSC-EP	Office of Sponsored Programs	Operational/Compliance	350	In Progress			350
Prior Year	HSC-EP	IT Network Security	IT/Controls	350	In Progress			350
Prior Year	HSC-EP	PLFSOM Department of Neurology	Financial/Controls	335	In Progress			335
Prior Year	ASU	Housing and Residential Programs	Financial/Compliance	100	In Progress			100
Prior Year	ASU	Chrome River System Post-Implementation Review	IT/Controls	160	In Progress			160
Prior Year	ALL	Wrap-up on Audits Included in August BOR Report		50	In Progress			50
		TOTALS FOR AUDITS IN PROGRESS	2,745	-		-	-	2,745
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	3,500	(450)				3,050
		IN PROGRESS AT AUGUST 1, 2019						
Special	HSC-EP	MSA Billing Review	Special		200	In Progress		200
Special	HSC-EP	HVAC Vendor Contract	Special		250	In Progress		250
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	3,500	450		-	-	3,500
		HIGHEST PRIORITY						
	TTU	Student Financial Aid	External	10				10
	TTU	Endowment Spending Accounts	Financial/Compliance	400				400
	TTU	College Reserve Balances	Financial	375				375
	TTU	TAC 202 Information Technology Controls Compliance	IT/Controls/Compliance	325				325
	HSC	Student Financial Aid	External	10				10
	HSC	Amarillo Campus Departments	Financial/Operational	375				375
	HSC	Office of the Registrar	Operational	350				350
	HSC-EP	Information Technology Governance	IT/Governance	400				400
	HSC-EP	Physical Plant	IT/Operational	400				400
	HSC-EP	MPIP Business Office	Operational	400				400
	ASU	Contracting Office	Operational/Compliance	300				300
	ASU	Student Financial Aid	Compliance	450				450
		HIGHEST PRIORITY TOTALS	3,795	-		-	-	3,795

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OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2020

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF AUG 1	ACTUAL HOURS	TIME STILL NEEDED	BUDGET vs ACTUAL
MODERATE PRIORITY								
2	ALL	Clery Act Reporting Processes						
2	TTU	Parking Services	400					400
2	TTU	Advising Processes	400					400
2	TTU	Intercollegiate Athletics	450					450
2	HSC	School of Pharmacy	400					400
2	HSC	School of Nursing	350					350
2	HSC-EP	Research Safety	400					400
2	HSC-EP	Student Financial Aid	350					350
2	HSC-EP	GE Centricity EMR Application Controls	250					250
2	ASU	Office of Institutional Advancement	350					350
2	ASU	Payroll Security and Processes	350					350
			400					400
MODERATE PRIORITY TOTALS			4,100	-				4,100
LOWER PRIORITY								
3	TTU	Certified Cost Rehabilitation Report - Weeks Hall	40					40
3	TTU	University Libraries	350					350
3	TTU	UIL Office	175					175
3	HSC	Lubbock Department of Pediatrics	350					350
3	HSC	Mental Health Institute	300					300
3	HSC-EP	Hunt School of Nursing	350					350
3	HSC-EP	Institutional Advancement	350					350
3	ASU	Online Giving Processes	100					100
LOWER PRIORITY TOTALS			2,015	-				2,015
CONSTRUCTION PROJECT AUDITS								
EPAC	TTUS	TTU Experimental Sciences Building II			In Progress			0
EPAC	TTUS	TTU Talkington College of VPA Maedgen Theatre Addition			In Progress			0
EPAC	TTUS	TTU Talkington College of VPA Phase II						0
EPAC	TTUS	TTU Weeks Hall Renovation						0
EPAC	TTUS	TTU Womble Basketball Practice Facility						0
EPAC	TTUS	TTU School of Veterinary Medicine						0
EPAC	TTUS	TTU Football Training Facility						0
EPAC	TTUS	TTU Jones AT&T Stadium East Side						0
EPAC	TTUS	HSC Lubbock Education Research & Technology Building			In Progress			0
EPAC	TTUS	HSC Permian Basin Academic Facility			In Progress			0
EPAC	TTUS	HSC-EP Medical Sciences Building II			In Progress			0
EPAC	TTUS	HSC-EP Dental Clinic						0
EPAC	TTUS	ASU Museum						0
CONSTRUCTION PROJECT TOTALS			0	-				0
OTHER VALUE-ADDED WORK								
Total Hours Budgeted for Other Value-Added Work			1,530	0				1,530
Other	ALL	Data Analysis			Ongoing			
Other	ALL	Fraud Prevention Training			Ongoing			
Other	ALL	Cash Handling, Internal Control, and Control Environment Training			Ongoing			
Other	ALL	New Employee Orientation			Ongoing			
Other	TTUS	Values and Purpose Retreat						
Other	TTUS	Enterprise Systems Steering Committee, Council, and Work Group			Ongoing			
Other	TTUS	FP&C Contract Selection Process Proctor			Ongoing			
Other	TTU	Ethics Center Advisory Board			Ongoing			
Other	HSC	President's Executive Council			Ongoing			
Other	HSC	Institutional Compliance Risk Council			Ongoing			
Other	HSC	Billing Compliance Advisory Committee			Ongoing			
Other	HSC	Enterprise Risk Management Committee			Ongoing			
Other	HSC	Performance Improvement Committee			Ongoing			
Other	HSC-EP	Institutional Compliance Committee			Ongoing			
Other	HSC-EP	Conflict of Interest Committee			Ongoing			
Other	ASU	Process Improvement Team			Ongoing			
Other	N/A	Quality Assurance (Peer) Reviews: Eastern New Mexico State			Ongoing			
Other	N/A	Texas Tech Federal Credit Union Board and Committees			Ongoing			
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TXCPA, ACFE)			Ongoing			
Other	ALL	Other Miscellaneous Projects			Ongoing			
OTHER VALUE-ADDED WORK TOTALS			1,530	-				1,530
TOTAL ENGAGEMENT HOURS			20,500	0		0	0	20,500

TEXAS TECH UNIVERSITY SYSTEM
OFFICE OF AUDIT SERVICES
PRIORITIZED AUDIT PLAN
Fiscal Year 2020

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						
Required		Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.						
Prior Year		Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.						
Special		Unplanned special projects and investigations.						
1		Engagements that were deemed most critical per the risk assessment at August 1.						
2		Engagements that were deemed to be moderately critical per the risk assessment at August 1.						
3		Engagements that were deemed least critical per the risk assessment at August 1.						
EDPC		Outsourced construction audits performed by independent CPA or consulting firms.						
Other		Other projects, including committee service, class development and instruction, professional organizations, etc.						

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 JULY 31	ACTUAL HOURS	HOURS TO FY2020	BUDGET vs ACTUAL
		TOTAL ENGAGEMENT HOURS AVAILABLE	21,000					
		REQUIRED AUDITS						
Required	ALL	Audit Report Follow-Up Procedures and Reporting	800		Complete	972		(172)
Required	ALL	State Auditor's Office, THECB, and Comptroller's Office Misc. Projects	15	(3)				12
		TTUS: Contract Audit - HSC Construction Contract			Complete			0
		TTU, HSC, ASU: 2018 Statewide Federal Financial Audit			Complete			0
		TTU: State Travel Card Use			State Comptroller's Office			0
		TTU: Comptroller's Post - Payment Audit			State Comptroller's Office			0
		ASU: HUB Program Compliance		3	Complete	3		0
		HSC: Governor's Office Review of TWTR Grant			Governor's Office			0
Required	ALL	CPRIT Grant Funds	10		Complete	3		7
Required	ALL	Contracting and Procurement Processes	200		Complete	261		(61)
Required	TTUS	Texas Tech Foundation, Inc. Financial Statements	120		Complete	93		27
Required	TTUS	Regents, Chancellor, & Presidents Travel and Other Expenses	30		Complete	35		(5)
Required	TTUS	Risk Management Assessment	100		In Progress		5	95
Required	TTUS	Office of Audit Services Annual Report	30		Complete	22		8
Required	TTUS	Office of Audit Services Annual Plan	100		Complete	91		9
Required	TTUS	Office of Audit Services Quality Assurance Activities Review	60		Complete	43		17
Required	TTU	Athletics Financial Agreed-Upon Procedures	5		Complete	2		3
Required	TTU	Texas Tech Public Media Financial Statements	250		Complete	162		88
Required	TTU	Football Attendance Certification	10		Complete	22		(12)
New	TTU	Certified Rehabilitation Cost Report - Admin Building		80	In Progress	54	20	6
New	TTU	Perkins Loan Program Liquidation			Complete			0
Required	HSC	SACS Financial Statement Review	40		Complete			40
Required	HSC	Correctional Managed Health Care Contract	150		Complete	120		30
Required	HSC	Joint Admission Medical Program Grants - Lubbock SOM	60		Complete	63		(3)
New	HSC	Texas Higher Education Coordinating Board Nursing Shortage Reduction		25	Complete	26		(1)
Required	HSC/HSC-EP	Texas Higher Education Coordinating Board Residency Grants	50		Complete	49		1
Required	HSC-EP	Joint Admission Medical Program Grants - El Paso PLFSOM	60		Complete	98		(38)
Required	ASU	Carr Foundation Financial Statements	10		Complete			10
Required	ASU	ASU Foundation, Inc. Financial Statements	5		Complete			5
		TOTALS FOR REQUIRED AUDITS	2,105	105		2,119	25	66
		AUDITS IN PROGRESS AT AUGUST 1, 2018						
Prior Year	TTU	School of Law	292		Complete	279		13
Prior Year	TTU	Office of the Registrar	282		Complete	193		89
Prior Year	TTU	Office of Human Resources	317		Complete	573		(256)
Prior Year	TTU	Financial Compliance of Grant Funds	469		Complete	880		(411)
Prior Year	HSC	Permian Basin Campus Departments - Psychiatry	297		Complete	322		(25)
Prior Year	HSC-EP	TAC 202 Information Technology Controls Compliance	232		Complete	182		50
Prior Year	HSC-EP	Conflict of Interest Management Processes	5		Complete	2		3
Prior Year	HSC-EP	Paul L. Foster School of Medicine Department of Pediatrics	322		Complete	512		(190)
Prior Year	ASU	Distance Education Governance and Security Controls	182		Complete	126		56
Prior Year	ALL	Wrap-up on Audits Included in August BOR Report	52		Complete	90		(38)
		TOTALS FOR AUDITS IN PROGRESS	2,450	-		3,159	-	(709)
		UNPLANNED SPECIAL PROJECTS AND INVESTIGATIONS						
		Total Hours Budgeted for Special Projects & Investigations	4,200	(1,440)				2,760
		IN PROGRESS AT AUGUST 1, 2018						
Special		None						0
		BEGUN AFTER AUGUST 1, 2018						
Special	TTU	College of Engineering Scholarships		130	Complete	130		0
Special	HSC-EP	Department of Emergency Medicine Contract Billing Processes		94	Complete	94		0
Special	HSC	Department of Obstetrics and Gynecology		139	Complete	139		0
Special	HSC-EP	MSA Billing Review		771	In Progress	771		0
Special	HSC-EP	HVAC Vendor Contract		69	In Progress	69		0
Special	ALL	Miscellaneous Hotline Projects		237	Complete	237		0
		SPECIAL PROJECTS AND INVESTIGATIONS TOTALS	4,200	1,440		1,440	-	2,760
		HIGHEST PRIORITY						
TTUS		LP&L Power Purchase Agreement	60		Complete	184		(124)
TTUS		Office of Investments	400		In Progress	60	315	25
TTU		School of Veterinary Medicine Agreed-Upon Procedures			Complete			
TTU		Time & Effort Reporting Processes	200		Complete	247		(47)
TTU		Payroll Security and Processes	400		Complete	580		(180)
TTU		Research Safety Governance	400		In Progress	303	50	47

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

Board Minutes
August 8-9, 2019
Attachment 14
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PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF JULY 31	ACTUAL HOURS	HOURS TO FY2020	BUDGET vs ACTUAL
	HSC	Time & Effort Reporting Processes						
	HSC	Department of Ophthalmology EyeDoc Express Application Controls	200		Complete	177		23
	HSC	Department of Ophthalmology EMR Migration and Implementation Review	300	(300)	Cancelled			0
	HSC	Industrial Control Systems Security		450	In Progress	296	150	4
	HSC	School of Medicine Credit Balance Analysis	350		Complete	343		7
	HSC	School of Medicine Practice Management System Risk Assessment		150	Complete	166		(16)
	HSC-EP	Office of Sponsored Programs		80	Complete	118		(38)
	HSC-EP	Time & Effort Reporting Processes		400	In Progress	48	350	2
	HSC-EP	Transmountain Campus Business Processes	200		Complete	139		61
	HSC-EP	IT Network Security	350		Complete	709		(359)
	HSC-EP	IT Network Security	400		In Progress	49	350	1
	ASU	Graduate Studies Tuition	300		Complete	360		(60)
	ASU	Grant Administration Processes	400		Complete	502		(102)
	ASU	Time & Effort Reporting Processes		200	Complete	251		(51)
		HIGHEST PRIORITY TOTALS	3,960	980		4,532	1,215	(807)
		MODERATE PRIORITY						
2	TTUS	Security Camera Policies			In Progress	148	60	242
2	TTUS	Office of Institutional Advancement - Red Raider Club	450		In Progress	90	300	(40)
2	TTU	College of Education	350	240	In Progress	909	5	(324)
2	TTU	Intercollegiate Athletics	400		Complete	353		47
2	TTU	CS Gold Application Security	325		Complete	595		(270)
2	HSC	Office of Strategic Initiatives Revenue Cycle Unit	350	(350)	Cancelled			0
2	HSC	GE Centrality Business - Dictionary Change Management	400		Complete	233		167
2	HSC	TAC 202 Information Technology Controls Compliance		400	Complete	503		(103)
2	HSC	Food and Entertainment Expenses	300		Complete	196		104
2	HSC-EP	PLFSOM Department Cash Controls	80	320	In Progress	515	5	(120)
2	HSC-EP	Amazon Purchases	350		Complete	288		62
2	HSC-EP	GE Centrality EMR Application Controls	350		CF to 2020		350	0
2	HSC-EP	PLFSOM Department of Emergency Medicine	400		Complete	395		5
2	HSC-EP	PLFSOM Department of Neurology		400	In Progress	65	335	0
2	ASU	Hispanic Serving Institution (HSI) Grants	200	100	Complete	385		(85)
2	ASU	Housing and Residential Programs	350		In Progress	182	100	68
		MODERATE PRIORITY TOTALS	4,655	1,110		4,857	1,155	(247)
		LOWER PRIORITY						
3	TTUS	IT Risk Assessment Framework	200		On Hold	51	60	89
3	TTU	School of Music Cash Controls	100	150	Complete	263		(13)
3	TTU	Costa Rica Campus	175		In Progress	45	80	50
3	TTU	Student Success and Retention	425		In Progress	63	350	12
3	HSC	School of Medicine - Permian Basin	400	(400)	Cancelled			0
3	HSC	Garrison Institute	250		Complete	282		(32)
3	HSC-EP	Library Cash Controls	80		Complete	156		(76)
3	HSC-EP	Data Loss Prevention Controls	250	50	Complete	276		24
3	ASU	Chrome River System Post-Implementation Review	200	130	In Progress	144	160	26
		LOWER PRIORITY TOTALS	2,080	(70)		1,280	650	80
		CONSTRUCTION PROJECT AUDITS						
FBAC	TTUS	TTU Sports Performance Center			Complete			0
FBAC	TTUS	TTU Experimental Sciences Building II			In Progress			0
FBAC	TTUS	TTU Talkington College of VPA Maedgen Theatre Addition			In Progress			0
FBAC	TTUS	TTU Weeks Hall Renovation						0
FBAC	TTUS	TTU Womble Basketball Practice Facility						0
FBAC	TTUS	TTU School of Veterinary Medicine						0
FBAC	TTUS	TTU Talkington College of VPA Phase II						0
FBAC	TTUS	TTU Football Training Facility						0
FBAC	TTUS	TTU Jones AT&T Stadium East Side						0
FBAC	TTUS	HSC Lubbock Education Research & Technology Building			In Progress			0
FBAC	TTUS	HSC Permian Basin Academic Facility			In Progress			0
FBAC	TTUS	HSC-EP Medical Sciences Building II			In Progress			0
FBAC	TTUS	HSC-EP Dental Clinic						0
FBAC	TTUS	ASU Centennial Village			Complete			0
FBAC	TTUS	ASU Museum						0
		CONSTRUCTION PROJECT TOTALS	0	-		-	-	0

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

PRIORITY	ENTITY	AUDIT AREA	BUDGETED HOURS	BUDGET ADJUSTMENTS	STATUS AS OF JULY 31	ACTUAL HOURS	HOURS TO FY2020	BUDGET vs ACTUAL
OTHER VALUE-ADDED WORK								
		Total Hours Budgeted for Other Value-Added Work	1,550	(1,936)				(386)
Other	ALL	Continuous Monitoring Data Analysis			Ongoing	24		
Other	ALL	Fraud Prevention Training			Ongoing	223		
Other	ALL	Cash Handling and Control Environment Training			Ongoing	29		
Other	ALL	New Employee Orientation			Ongoing	34		
Other	ALL	Data Acquisition Methodology			Ongoing	21		
Other	TTUS	Enterprise Application Steering Committee, Council, and Work Group			Ongoing	7		
Other	TTU	Ethics Center Advisory Board			Ongoing			
Other	HSC	President's Executive Council			Ongoing	14		
Other	HSC	Institutional Compliance and ERM Committee			Ongoing	8		
Other	HSC	Billing Compliance Advisory Committee			Ongoing	6		
Other	HSC	Enterprise Risk Management Committee			Ongoing	3		
Other	HSC	Performance Improvement Committee			Ongoing			
Other	HSC-EP	Institutional Compliance Working Committee			Ongoing	4		
Other	HSC-EP	Conflict of Interest Committee			Ongoing	61		
Other	ASU	Process Improvement Team			Ongoing	3		
Other	N/A	Quality Assurance (Peer) Reviews: UNC Chapel Hill; Cal. State Univ. System			Ongoing	1		
Other	N/A	Texas Tech Federal Credit Union Board and Committees			Ongoing	47		
Other	N/A	Professional Organizations (ACUA, TACUA, IIA, TSCPA, ACFE)			Ongoing	995		
Other	ALL	Other Miscellaneous Projects			Ongoing	456		
		OTHER VALUE-ADDED WORK TOTALS	1,550	-		1,936	-	(386)
		TOTAL ENGAGEMENT HOURS	21,000	2,125		19,323	3,045	757
KEY								
	TTUS	Texas Tech University System and/or inclusive of multiple Texas Tech institutions						
	TTUSA	Texas Tech University System Administration						
	TTU	Texas Tech University						
	HSC	Texas Tech University Health Sciences Center						
	ASU	Angelo State University						
	HSC-EP	Texas Tech University Health Sciences Center El Paso						
	N/A	Work that is not attributable to a particular institution or campus						
Required	Audits that are mandated by law, Operating Policies, standards, contracts, etc. Will be performed based on timing of external deadlines.							
Prior Year	Engagements from prior year annual plan that were in progress at August 1. Goal is to complete them early in the year.							
Special	Unplanned special projects and investigations.							
1	Engagements that were deemed most critical per the risk assessment at August 1.							
2	Engagements that were deemed to be moderately critical per the risk assessment at August 1.							
3	Engagements that were deemed least critical per the risk assessment at August 1.							
FOA	Outsourced construction audits performed by independent CPA or consulting firms.							
Other	Other projects, including committee service, class development and instruction, professional organizations, etc.							