Rights and Responsibilities

Prior to any investigation or student conduct proceeding, Texas Tech wants students to know and understand their rights and responsibilities during the University conduct process. These rights and responsibilities apply to all involved parties, whether Complainant or Respondent. If you have questions as you review this document, please don't hesitate to ask.

A student has the RIGHT to:

1. A prompt, fair, and equitable process;
2. Be accompanied by an advisor to any meeting or hearing (may be an attorney);
3. Refrain from making any statement relevant to the investigation;
4. The opportunity to provide information and evidence in support of their case;
5. Know if and when 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 that any information provided by the student may be used in a conduct proceeding;
8. 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;
9. Know the Texas Tech University conduct policies and procedures, and where to find them (See www.ttu.edu/studenthandbook).

It is the student's RESPONSIBILITY to:

1. Be responsive to all correspondence from the university;
2. Provide their own information relevant to the incident or situation in the event they chose to participate in the Conduct process;
3. Inform your own witness(es) of the investigation, hearing, and any other information applicable to their participation in the Conduct process;
4. Be honest and provide true and accurate information during the investigation;
5. Review the *Code of Student Conduct* in order to fully understand all aspects of the student conduct process.

Retaliation Policy

Individuals participating in an Investigation should be free from any form of retaliation directed at a participant as a result of their participation. This includes written, verbal, or academic retaliation directly from another student, indirectly through an agent of another student or via the Internet or social media. Any behavior perceived by a participant to be retaliatory based on my participation in this investigation, should be reported immediately via e-mail to the Investigator listed below. If, as a participant in the process, you commit retaliatory acts against another individual involved in this investigation, you could be subject to disciplinary action.

A student should understand that:

The official form of communication at Texas Tech University is the Texas Tech University email address. **University Investigators will communicate with you directly through your Texas Tech University email ONLY.** During an Investigation, it is wise to regularly check your University email.

All records that are created that have personally identifiable information *about any student participating in the Conduct process (including but not limited to communication received from and sent by the University and Investigation Reports and all applicable information included in the report)* are protected by the federal Family Educational Rights and Privacy Act (FERPA).

You are entitled to **review** all material created for this investigation that identifies you or that you provide (Subject to a reasonable period of time for redaction of other individual's protected information).

Information related to your statement(s) will only be accessible to the reporting party and the responding party and to the Texas Tech University officials who have a legitimate need to know this information.

Release of information related to you and containing your identity (or reasonably linked to your identity) to individuals other than those listed above may be redacted so that neither your name nor information identifying you will be revealed.

Information gathered may also be disclosed in compliance with a judicial order, a lawfully issued subpoena, or under a specific exception to the Family Education Rights and Privacy Act (FERPA).

Information about Advisor of Choice:
All students involved in the conduct process have the right to be accompanied by **ONE** advisor of choice to any meeting or hearing.

An advisor can be a member of the Texas Tech Community (faculty, staff, or student), a parent or legal guardian, a relative, or an attorney.

The investigator will not accept investigative materials, statements, evidence, directly from an advisor of choice and will not communicate with the advisor of choice on behalf of a student.

An advisor's role is that of support – the advisor of choice may not speak on behalf of the student and does not have an active, participatory role in the Conduct process.

If an advisor for a student is an attorney, an attorney from the Office of General Counsel may attend the meeting or hearing.

Participating students are responsible for presenting their own information, and therefore, advisors are not permitted to speak or participate directly in any process unless authorized by a University Official.

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.

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.

Acknowledgement:
I have read and understand the aforementioned information. I know that the complete student conduct policy/procedures can be found in the Texas Tech University Student Handbook and Code of Student Conduct, which is accessible online. I understand that if I have questions or would like to take additional time to review those policies and procedures, I may do so at any time.

Student
_____
Printed name

_____ _____
Signature   *Date*

Investigator
_____
Printed name

_____ _____
Signature   *Date*

TEXAS TECH UNIVERSITY