



**TEXAS TECH UNIVERSITY SYSTEM**

**BOARD OF REGENTS**

**AGENDA BOOK**

**August 11-12, 2016**

BOARD OF REGENTS  
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

August 11-12, 2016

BOARD OF REGENTS

Mr. Mickey L. Long, Chairman  
Mrs. Debbie Montford, Vice Chairman  
Mr. Larry K. Anders  
Mr. John D. Esparza  
Mr. L. Frederick "Rick" Francis  
Mr. Ron Hammonds  
Mr. Christopher M. Huckabee  
Mr. Tim Lancaster  
Mr. John D. Steinmetz  
Mr. Jeremy Stewart, Student-Regent

Standing Committees:

Academic, Clinical and Student Affairs:  
Tim Lancaster (Chair); Rick Francis; John Esparza; Jeremy Stewart

Audit:

John Steinmetz (Chair); John Esparza; Ron Hammonds

Facilities:

Larry Anders (Chair); John Steinmetz; Chris Huckabee

Finance and Administration:

Rick Francis (Chair); Larry Anders; Tim Lancaster

# **AGENDA**

## **Board of Regents Meeting**

**Lubbock, Texas**

**August 11-12, 2016**

### Abbreviated Agenda with Approximate Times\*

#### **Thursday, August 11, 2016**

- 9:45 am Contract Signing with Costa Rica  
Location: Red Raider Lounge (Room 119), First Floor,  
Student Union Building, 15th Street and Akron  
Avenue, Lubbock, Texas
- 10:05 am Ceremonial Swearing-in of new Student Regent  
Location: Ballroom (Room 118), First Floor, Student  
Union Building, 15<sup>th</sup> Street and Akron Avenue,  
Lubbock, Texas

#### **Meeting of Standing Committees** **(Conducted sequentially)**

- 10:10 am Finance and Administration Committee  
(or after swearing-in of student regent) Location: Ballroom (Room 118), First Floor, Student  
Union Building, 15<sup>th</sup> Street and Akron Avenue,  
Lubbock, Texas

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\*For general information. Unless otherwise noted, all open session meetings will take place in the Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. Prior to the start of the day's meetings, a contract signing ceremony will take place in the Red Raider Lounge with a delegation from Costa Rica, which will be followed by a ceremonial swearing-in of the new student regent in the Ballroom. Committee meetings will commence after the swearing-in at approximately 10:10 am on Thursday, August 11. A lunch break will be taken whenever deemed appropriate. Any committee meetings not completed on Thursday, August 11, 2016, will be completed on Friday, August 12, 2016. The Board has the option to reconvene as a Meeting of the Board/Committee of the Whole and convene into Executive Session after the last committee meeting adjourns or whenever deemed necessary on Thursday, August 11, 2016. The Meeting of the Board will reconvene at 8:30 am on Friday, August 12, 2016. If necessary, the Meeting of the Board will recess after introductions/recognitions at approximately 9:00 am to conduct any committee meetings which were not concluded on Thursday, August 11, 2016. The Meeting of the Board will reconvene upon adjournment of the any committee meeting(s) if applicable at approximately 9:30 am to complete the remainder of its business. The Meeting of the Board is expected to adjourn on or before 12:00 pm; however, if needed, the meeting may continue beyond 12:00 pm until completed. The full board agenda is detailed on pages vii through xlv. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

## **Board of Regents Meeting**

**Lubbock, Texas**

**August 11-12, 2016**

Abbreviated Agenda with Approximate Times\*

**Thursday, August 11, 2016**

Meeting of Standing Committees  
(Conducted sequentially)

*CONTINUED FROM PREVIOUS PAGE*

11:10 am (or upon adjournment of the Finance & Administration Cmte. meeting)	Academic, Clinical and Student Affairs Committee Location: Ballroom (Room 118), First Floor, Student Union Building, 15 <sup>th</sup> Street and Akron Avenue, Lubbock, Texas
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11:20 am (or upon adjournment of the Academic, Clinical and Student Affairs Cmte. meeting.)	Audit Committee Location: Ballroom (Room 118), First Floor, Student Union Building, 15 <sup>th</sup> Street and Akron Avenue, Lubbock, Texas
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11:55 am (after a lunch break or upon adjournment of the Audit Cmte. meeting)	Facilities Committee Location: Ballroom (Room 118), First Floor, Student Union Building, 15 <sup>th</sup> Street and Akron Avenue, Lubbock, Texas
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## **Board of Regents Meeting**

**Lubbock, Texas**

**August 11-12, 2016**

Abbreviated Agenda with Approximate Times\*

**Thursday, August 11, 2016**

### Meeting of the Board

*CONTINUED FROM PREVIOUS PAGE*

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|--|---|
| 1:15 pm<br>(or upon adjournment of<br>the Facilities Cmte.<br>meeting or whenever<br>deemed necessary) | Call to Order; reconvene Meeting of the Board<br>Meeting of the Committee of the Whole and the Board<br>Location: Ballroom (Room 118), First Floor, Student<br>Union Building, 15th Street and Akron Avenue,<br>Lubbock, Texas                  |
| 1:15 pm  | Executive Session<br>Location: Red Raider Lounge (Room 119), First Floor,<br>Student Union Building, 15th Street and Akron<br>Avenue, Lubbock, Texas  |
| 4:30 pm  | Following Executive Session, convene into Open Session,<br>and Meeting of the Committee of the Whole and the<br>Board<br>Location: Ballroom (Room 118), First Floor, Student<br>Union Building, 15th Street and Akron Avenue,<br>Lubbock, Texas |
| 4:35 pm  | Recess  |

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## **Board of Regents Meeting**

**Lubbock, Texas**

**August 11-12, 2016**

Abbreviated Agenda with Approximate Times\*

**Friday, August 12, 2016**

### Meeting of the Board

8:30 am Call to Order; reconvene Meeting of the Board

- Introductions and Recognitions
- Recess

Location: Ballroom (Room 118), First Floor,  
Student Union Building, 15<sup>th</sup> Street and Akron  
Avenue, Lubbock, Texas

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9:00 am Recess (only if necessary)

*If necessary, committee meetings not completed on Thursday, August 11, 2016 will reconvene.*

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9:30 am Call to Order; reconvene Meeting of the Board

- Meeting of the Committee of the Whole and the Board

Location: Ballroom (Room 118), First Floor,  
Student Union Building, 15<sup>th</sup> Street and Akron  
Avenue, Lubbock, Texas

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## **Board of Regents Meeting**

**Lubbock, Texas**

**August 11-12, 2016**

Abbreviated Agenda with Approximate Times\*

**Friday, August 12, 2016**

### Meeting of the Board

*CONTINUED FROM PREVIOUS PAGE*

- |          |   |
|----------|---|
| 10:15 am | Executive Session<br>Location: Red Raider Lounge (Room 119), First Floor,<br>Student Union Building, 15th Street and Akron Avenue,<br>Lubbock, Texas  |
| 11:55 am | Following Executive Session, convene into Open Session,<br>and Meeting of the Committee of the Whole and the<br>Board<br>Location: Ballroom (Room 118), First Floor,<br>Student Union Building, 15 <sup>th</sup> Street and Akron<br>Avenue, Lubbock, Texas |
| 12:00 am | Adjournment   |

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**Board of Regents Meeting**

**August 11-12, 2016**

**Agenda**

**Thursday, August 11, 2016**

**Ballroom (Room 118), First Floor, Student Union Building,  
15th Street and Akron Avenue,  
Lubbock, Texas**

**I. Meeting of Standing Committees**

A. Finance and Administration Committee

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1. TTUSA, TTU, ASU, TTUHSC and TTUHSC EI Paso: Approve FY 2017 operating budgets
  - a. TTUSA: Approve FY 2017 operating budget ..... 3
  - b. TTU: Approve FY 2017 operating budget ..... 4
  - c. ASU: Approve FY 2017 operating budget..... 5
  - d. TTUHSC: Approve FY 2017 operating budget..... 6
  - e. TTUHSC EI Paso: Approve FY 2017 operating budget..... 7
2. TTUHSC: Authorize president to execute contract with GCA Education Services of Texas, Inc ..... 8
3. TTUHSC EI Paso: Authorize president to execute contract with Community Health Worker Core Consensus Consultants ..... 9
4. Adjournment

B.	Academic, Clinical and Student Affairs Committee	<u>Page</u> ACS
1.	ASU: Approve appointments with tenure.....	3
2.	TTU: Approve appointments with tenure .....	4
3.	TTU: Approve Master of Science Degree in Finance .....	6
4.	TTU: Approve conferral of honorary degree .....	8
5.	TTUHSC El Paso: Approve appointment with tenure .....	9
6.	TTUHSC El Paso: Approve a “Distinction in Anatomy” M.D. diploma notation for graduates of the Paul L. Foster School of Medicine who complete the associated supplemental program requirements.....	11
7.	Adjournment	

C.	Audit Committee	<u>Page</u> A
1.	TTUS: Approve 2017 annual audit plan for the Texas Tech University System .....	3
2.	TTUS: Report on audits.....	4
3.	Executive Session: The Audit Committee will convene into Executive Session in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the <i>Texas Government Code</i> , including:	
a.	Consultation with Attorney — Section 551.071.	
b.	Discussion of personnel matters – Section 551.074.	
4.	Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, to consider appropriate action, if any, on items discussed in Executive Session.	

5. Adjournment

D. Facilities Committee

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1. ASU: Approve a project to construct the new Archer College of Health and Human Services building.....	3
2. ASU: Approve scope expansion and budget increase to the new Press Box project at the LeGrand (Football) Stadium .....	5
3. TTU: Approve scope expansion and budget increase to the Petroleum Engineering Building Renovation – Phase I project .....	6
4. TTU: Approve a project to construct the Experimental Sciences Building II .....	8
5. TTU: Authorize a Power Purchase Agreement for Texas Tech University’s Junction campus.....	10
6. TTU: Authorize president to execute a contract with the Enrollment Management Dallas Office .....	12
7. TTUHSC: Approve a project to construct the new Permian Basin Academic Facility on the Odessa campus.....	15
8. TTUHSC: Authorize the purchase of real property in Odessa, Texas .....	17
9. TTUS: Report on Facilities Planning and Construction projects.....	19
10. Adjournment	

**II. Meeting of the Board—Call to Order; convene into Open Session of the Board** ..... Chairman Long

**III. Executive Session:** The Board may convene into Executive Session in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: ..... Chairman Long

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
  - B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
  - C. Deliberations regarding prospective gifts – Section 551.073
  - D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
  - E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076
- IV. Open Session:** The Board will reconvene in Open Session in the Ballroom (Room 118), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
- A. Consideration of appropriate action, if any, on items discussed in Executive Session.....Vice Chairman Montford
- V. Recess** .....Chairman Long
- Friday, August 12, 2016**  
**Ballroom (Room 118), First Floor, Student Union Building,**  
**15th Street and Akron Avenue,**  
**Lubbock, Texas**
- VI. Meeting of the Board—Call to Order; reconvene into Open Session of the Board**
- VII. Introductions and Recognitions** .....Chancellor Duncan,  
President May  
President Schovanec,  
President Mitchell, and  
President Lange
- VIII. Recess** .....Chairman Long
- IX. Meeting of Standing Committees** (if not concluded on Thursday)
- X. Meeting of the Board—Call to Order; reconvene into Open Session of the Board**

- XI. Open Session:** The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
- A. Approve minutes of board meeting held on May 19-20, 2016, June 16, 2016 and July 7, 2016 ...Chairman Long
  - B. Committee of the Whole.....Vice Chairman Montford
- |  |             |
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|  | CW          |
- 1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda ..... 8

**Consent Agenda**

- a. ASU: Approve revisions to the Student Handbook of Angelo State University, effective August 15, 2016 (ACS)
- b. TTU: Approve leaves of absence without pay (ACS)
- c. TTU: Approve faculty development leave of absence (ACS)
- c-1. TTU: Approve emeritus appointment (ACS)
- d. TTUHSC: Approve reclassification of the Doctor of Nursing Practice (“DNP”) degree as a distance program (ACS)
- e. TTU: Approve renaming of academic buildings (F)
- f. TTU and TTUHSC: Approve Permanent Right of Access and Use of Texas Tech University and Texas Tech University Health Sciences Center land to the City of Lubbock (F)
- g. TTU: Authorize an improved real property lease in Lubbock, Texas (F)
- h. TTU: Modification of endowment (FA)
- i. TTU: Approve rate for new Honors Residence Hall (FA)
- i-1 TTU: Approve employee appointment to non-elective position (FA)
- j. TTUHSC: Approve budget adjustment for the period May 21, 2016 – August 12, 2016 (FA)
- k. TTUHSC: Approve modifications of Crofoot Family Chair in Epilepsy (FA)
- l. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUS and TTUSA: Approve delegation of signature authority (FA)

## **Information Agenda**

Information is provided as required by Section 01.02.7.d(4)(c),  
*Regents' Rules*

- (1) ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2016, per Section 01.02.8.d(3)(g), *Regents' Rules* – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) TTU, TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.d and 07.12.6.b., *Regents' Rules* – A list of renewal, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.
- (3) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) Board approval is not required, but notice of the proposed contract must be provided to the chair and the chair of the Finance and Administration Committee prior to execution of the contract. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) ASU: Emergency or exigent circumstances approval of property purchase by Section 07.12.3.g, *Regents' Rules* – “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 proposed 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.”
- (5) TTU: Note regarding the Garrison Center – The Texas Tech University System Office of Facilities, Planning and Construction has been informed by current management of the Garrison Center of an intent to re-purpose an interior section of the existing building for a therapy gym. In connection with that change of use, Garrison management wishes to add an additional 10 parking spaces to an existing parking lot currently containing 60 spaces. Under the 1999 ground lease which governs the relationship between Texas Tech University and the current lessee, Knight Health Holdings, L.L.C., Board of Regents approval would be required for any additional construction of new buildings on the premises. This is to inform the Board of Regents that the FP&C Office has been advised that the proposed addition of 10

parking spaces would not require approval of the Board of Regents under provisions of the ground lease.

- 2. TTUHSC El Paso: Authorize the use of Eminent Domain ..... 9

**XII. Reports of Standing Committees:** Standing Committee reports will be presented sequentially to the Committee of the Whole.

- A. Report of the Finance and Administration Committee ..... Regent Francs
- B. Report of the Academic, Clinical and Student Affairs Committee ..... Regent Lancaster
- C. Report of the Audit Committee ..... Regent Steinmetz
- D. Report of the Facilities Committee ..... Regent Anders

**XIII. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.**

- A. Schedule for Board meetings:
  - October 13-14, 2016, Lubbock
  - December 15-16, 2016, Lubbock
  - February 23-24, 2017, Lubbock
  - May 18-19, 2017, Lubbock
  - August 10-11, 2017, Lubbock
  - December 14-15, 2017, Lubbock ..... Ben Lock
- B. The Chancellor's Report ..... Chancellor Duncan
- C. The President's Report, ASU ..... President May
- D. The President's Report, TTU ..... President Schovanec
- E. The President's Report, TTUHSC ..... President Mitchell
- F. The President's Report, TTUHSC El Paso ..... President Lange

**XIV. Executive Session:** The Board may convene into Executive Session, in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: ..... Chairman Long

- A. Consultation with attorney regarding privileged

communications, pending or contemplated litigation and settlement negotiations – Section 551.071

- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

**XV. Open Session:** The Board will convene into Open Session in the Ballroom (Room 118), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Consideration of appropriate action, if any, on items discussed in Executive Session .....Vice Chairman Montford
- B. Chairman’s Announcements.....Chairman Long

**XVI. Adjournment** .....Chairman Long





# **FINANCE AND ADMINISTRATION**

## Finance and Administration Committee

Committee Meeting  
August 11, 2016

**Time:** 10:10 am (or upon recess of the Meeting of the Board)

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street  
and Akron Avenue, Lubbock, Texas

Regents: Francis (Chair), Anders, Lancaster

### Agenda

- Approve minutes of committee meetings held on May 19, 2016

**I.A.** Consideration of items to be recommended by the Finance and Administration Committee to the Board of Regents of the Texas Tech University System ("TTUS") for and on behalf of Angelo State University ("ASU"), TTUS, the TTU System Administration ("TTUSA"), Texas Tech University ("TTU"), Texas Tech University Health Sciences Center ("TTUHSC"), and Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso")

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1. TTUSA, TTU, ASU, TTUHSC and TTUHSC El Paso:  
Approve FY 2017 operating budgets
  - a. TTUSA: Approve FY 2017 operating budget..... 3
  - b. TTU: Approve FY 2017 operating budget..... 4
  - c. ASU: Approve FY 2017 operating budget ..... 5
  - d. TTUHSC: Approve FY 2017 operating budget ..... 6
  - e. TTUHSC El Paso: Approve FY 2017 operating  
budget ..... 7
2. TTUHSC: Authorize president to execute contract with  
GCA Education Services of Texas, Inc ..... 8
3. TTUHSC El Paso: Authorize president to execute  
contract with Community Health Worker Core Consensus  
Consultants ..... 9

4. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, August 12, 2016.

1. **TTUSA, TTU, ASU, TTUHSC and TTUHSC El Paso: Approve FY 2017 operating budgets.**

a. **TTUSA: Approve FY 2017 operating budget.**

Presenter: Mr. Jim Brunjes

Presentation Time: 10 minutes

Board approval required by: Section 07.04.2.d, *Regents' Rules*

**RECOMMENDATION**

The Texas Tech University System Administration FY 2017 Operating Budget has been approved by the chancellor and is recommended for approval by the Texas Tech University System Board of Regents. In addition, it is recommended that the Board appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

**BACKGROUND INFORMATION**

The Board is required to approve on or before September 1, 2016, an itemized budget covering operations for the ensuing fiscal year.

The FY 2017 budget has been prepared on the basis of funds appropriated by the 84th Legislature, Regular Session, including estimated local income.

The State Auditor has requested that all fund balances be appropriated by the Board of Regents or be classified as unreserved or unallocated. It is our opinion that it would be best for the Board of Regents to appropriate fund balances for the activities usually supported by the accounts unless otherwise appropriated by the Board of Regents.

**b. TTU: Approve FY 2017 operating budget.**

Presenter: Ms. Noel Sloan

Presentation Time: 10 minutes

Board approval required by: Section 07.04.2.d, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the Texas Tech University FY 2017 operating budget. In addition, it is recommended that the Board appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

**BACKGROUND INFORMATION**

The Board of Regents is required to approve on or before September 1, 2016, an itemized budget covering operations for the ensuing fiscal year.

The FY 2017 budget has been prepared on the basis of funds appropriated by the 84th Legislature, Regular Session, including estimated local income.

The State Auditor has requested that all fund balances be appropriated by the Board of Regents or be classified as unreserved or unallocated. It is our opinion that it would be best for the Board of Regents to appropriate fund balances for the activities usually supported by the account unless otherwise appropriated by the Board of Regents.

**c. ASU: Approve FY 2017 operating budget.**

Presenter: Ms. Angie Wright

Presentation Time: 10 minutes

Board approval required by: Section 07.04.2.d, Regents' Rules

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the Angelo State University FY 2017 operating budget. In addition, it is recommended that the Board appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

**BACKGROUND INFORMATION**

The Board of Regents is required to approve on or before September 1, 2016, an itemized budget covering operations for the ensuing fiscal year.

The FY 2017 budget has been prepared on the basis of funds appropriated by the 84th Legislature, Regular Session, including estimated local income.

A copy of the proposed budget has been provided to members of the Board.

The State Auditor has requested that all fund balances be appropriated by the Board of Regents or be classified as unreserved or unallocated. It is our opinion that it would be best for the Board of Regents to appropriate fund balances for the activities usually supported by the accounts unless otherwise appropriated by the Board of Regents.

**d. TTUHSC: Approve FY 2017 operating budget.**

Presenter: Mr. Elmo Cavin

Presentation Time: 10 minutes

Board approval required by: Section 07.04.2.d, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the Texas Tech University Health Sciences Center FY 2017 operating budget. In addition, it is recommended that the board appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.

**BACKGROUND INFORMATION**

Section 07.04.2 of the *Regents' Rules* requires the Board to approve on or before September 1, 2016, an itemized budget covering operations for the ensuing fiscal year.

The FY 2017 budget has been prepared on the basis of funds appropriated by the 84th Legislature, Regular Session, including estimated local income.

A copy of the proposed budget has been provided to members of the Board.

The State Auditor has requested that all fund balances be appropriated by the Board of Regents or be classified as unreserved or unallocated. It is our opinion that it would be best for the Board of Regents to appropriate fund balances for the activities usually supported by the accounts unless otherwise appropriated by the Board of Regents.

**e. TTUHSC El Paso: Approve FY 2017 operating budget.**

Presenter: Ms. Sue Fuciarelli

Presentation Time: 10 minutes

Board approval required by: Section 07.04.2.d, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the Texas Tech University Health Sciences Center at El Paso FY 2017 operating budget. In addition, it is recommended that the board appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.

**BACKGROUND INFORMATION**

Section 07.04.2 of the *Regents' Rules* requires the Board to approve on or before September 1, 2016, an itemized budget covering operations for the ensuing fiscal year.

The FY 2017 budget has been prepared on the basis of funds appropriated by the 84th Legislature, Regular Session, including estimated local income.

A copy of the proposed budget has been provided to members of the Board.

The State Auditor has requested that all fund balances be appropriated by the Board of Regents or be classified as unreserved or unallocated. It is our opinion that it would be best for the Board of Regents to appropriate fund balances for the activities usually supported by the accounts unless otherwise appropriated by the Board of Regents.



## 2. **TTUHSC: Authorize president to execute contract with GCA Education Services of Texas, Inc.**

Presenter: Mr. Elmo M. Cavin

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.a, Regents' Rules

### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president to approve and execute a contract with GCA Education Services of Texas, Inc., to provide custodial and related services at the Texas Tech University Health Sciences Center ("TTUHSC") Lubbock and Permian Basin locations.

### **BACKGROUND INFORMATION**

GCA Education Services of Texas, Inc. (aka GSA Service Group), has provided quality custodial services to TTUHSC for a variety of operations and spaces including clinical, academic, research and auxiliary space since June 2005 . The current contract is expiring this fiscal year and thus a new contract needs to be established. ASU has an existing competitively awarded contract with the vendor GCA Educational Services of Texas for custodial services. TTUHSC Physical Plant has elected to partner with ASU Physical Plant and use their existing contract to provide custodial services to TTUHSC for Fiscal Year 2017. During Fiscal Year 2017, TTUHSC, ASU, and TTUHSC at El Paso intend to conduct a joint solicitation for custodial services, which will provide sufficient economies of scale to enable the best value to be obtained for custodial services across the individual institutions. Furthermore, new buildings being added to the inventory will offer additional opportunities and advantages. The estimated annual expense to TTUHSC is approximately \$1,800,000.

The TTUHSC contract will utilize an existing contract that has been approved by the Board for Angelo State University (ASU). The ASU contract with GCA Education Services of Texas, Inc. was obtained through a competitive RFP process allowing for the utilization of the award by other TTU System entities in accordance with the group purchasing procurement method (ref. Sections 51.9335, 73.115, and 74.008, Education Code), and has renewal options to extend the term thru August 2017.

Section 07.12.3.a. *Regents' Rules*, requires Board approval on contracts that involve a stated or implied consideration that totals in excess of \$1,000,000 over the term of the contract.

**3. TTUHSC El Paso: Authorize president to execute contract with Community Health Worker Core Consensus Consultants.**

Presenter: President Richard A. Lange, M.D., M.B.A. Presentation Time: 5 minutes  
Board approval required by: Section 07.12.4.e.1, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president to execute a contract with Community Resources LLC and Caitlin G. Allen to provide expertise and encourage outreach to stakeholders and leaders in the health and human service organizations.

**BACKGROUND INFORMATION**

Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) recognizes the need to obtain expert consulting services to aid in the implementation of the Community Health Worker ("CHW") Core Consensus Project ("C3 PROJECT") which addresses the development of identified CHW clinical and community-based roles and skills, assessment approaches and identifying organizations to endorse findings of this and the previous C3 Project findings.

TTUHSC El Paso received funding in the amount of \$286,000 from Sanofi US in April 2016 and began reviewing qualifications for qualified consultants who would provide the best overall value to TTUHSC El Paso. TTUHSC El Paso is seeking approval for two consultants for this project:

- Community Resources LLC: The estimated annual cost will be \$90,000 which includes \$16,000 to reimburse the consultant for travel, lodging and out-of-pocket expenses and \$13,000 will be available upon invoicing for the payment of C3 Project advisory committee honorarium.
- Caitlin G. Allen: The estimated annual cost will be \$28,500 which includes \$3,200 to reimburse the consultant for travel, lodging and out-of-pocket expenses.

Both contracts will be effective as of August 15, 2016 and will end on October 31, 2017. The contract terms are in line with the funding provided.

NOTE: A third consultant, Josefine P. Brownstein, will assist with this project. The estimated annual cost of the Brownstein consulting contract will be \$10,500, which is below the threshold that requires Board approval. Accordingly, this contract is listed on the Information Agenda in compliance with Section 07.12.4.e(2), *Regents' Rules*.

Section 07.12.4.e(1), *Regents' Rules*, requires Board approval on consulting contracts with an initial consideration in excess of \$25,000 or a consulting contract where the initial consideration was \$25,000 or less and the modification will cause the total consideration to exceed \$25,000.

**ACADEMIC,  
CLINICAL AND  
STUDENT AFFAIRS**

**Academic, Clinical and Student Affairs Committee**

Committee Meeting  
August 11, 2016

**Time:** 11:10 am (or upon adjournment of the Finance and Administration Committee meeting)

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Lancaster (Chair), Esparza, Francis, Stewart

Agenda

- Approve minutes of committee meeting held on May 19, 2016
- I.B.** Consideration of items to be recommended by the Academic, Clinical and Student Affairs Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

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NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, August 12, 2016.

**1. ASU: Approve appointments with tenure.**

Presenter: Dr. Donald Topliff

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; ASU Operating Policy 06.23

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve granting tenure to the following faculty of Angelo State University concurrently with their appointments:

Carolyn Gascoigne, Ph.D., new dean of the College of Arts and Humanities and professor for the Department of English and Modern Languages, College of Arts and Humanities. Dr. Gascoigne assumed her duties on July 1, 2016. She was formerly a Graduate Program Chair for the University of Nebraska at Omaha from 2013 to 2015, as well as Acting Assistant Vice Chancellor of Academic Affairs at University of Nebraska at Omaha from 2012 to 2013. Dr. Gascoigne was most recently a tenured professor in the Department of Foreign Languages at the University of Nebraska at Omaha;

Herman O. Howard, Ph.D., new professor and chair in the Department of Communication and Mass Media, College of Arts and Humanities, effective August 1, 2016. Dr. Howard was formerly a department chairperson at Benedict College from 2011 to 2016, as well as a tenured associate professor in the Department of English, Foreign Languages and Mass Communication; and

Brian W. Kulik, Ph.D., new associate professor and chair in the Department of Management and Marketing, College of Business. Dr. Kulik will assume his duties August 25, 2016. He was most recently a tenured associate professor at Hawaii Pacific University.

**BACKGROUND INFORMATION**

The faculty members whose names appear above have been judged by the appropriate committees and administrative personnel as worthy of academic tenure and appointment as Associate Professors and Chairs, Professor, or Dean. The procedure established by OP 06.23: Tenure and Promotion Standards and Procedures has been carefully followed.

Approval of these individuals brings the number of tenured faculty at Angelo State University to 136. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 67 percent. The number of full-time non-tenure or non-tenure track faculty is 80.

## 2. **TTU: Approve appointments with tenure.**

Presenter: Dr. Michael Galyean

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.17

### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the granting of tenure to the following faculty upon their appointments at Texas Tech University:

Eric Bernard, M.L.A., new department chair and professor, Landscape Architecture, College of Agricultural Sciences and Natural Resources. Professor Bernard was previously a tenured associate professor of Landscape Architecture at the University of New Mexico.

Stephen Devadoss, Ph.D., the new Emabeth Thompson Professor in Risk Management in the Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources. Dr. Devadoss was most recently a tenured professor in the Department of Agricultural Economics at the University of Idaho.

John Rayfield, Ed.D., new associate professor of Agricultural Education in the Department of Agricultural Education and Communication, College of Agricultural Sciences and Natural Resources. Dr. Rayfield most recently served as a tenured associate professor in the Department of Agricultural Leadership, Education, and Communication at Texas A&M University.

David Rivera, Ph.D., new associate professor in the Department of Hospitality and Retail Management, College of Human Sciences. Dr. Rivera comes to Texas Tech from East Carolina University where he was a tenured associate professor in the School of Hospitality Leadership.

Arturo Schultz, Ph.D., new department chair and professor of Civil, Environmental and Construction Engineering in the Edward E. Whitacre Jr. College of Engineering. Dr. Schultz most recently was a tenured professor in the Department of Civil, Environmental & Geo-Engineering at the University of Minnesota, Twin Cities.

Sivalingam Sritharan, Ph.D., new professor in the Department of Civil, Environmental and Construction Engineering, Edward E. Whitacre Jr. College of Engineering. Most recently, Dr. Sritharan was the Grace Miller Wilson and T. A. Wilson Endowed Engineering Professor, a with a tenured appointment in the Department of Civil, Construction &

Environmental Engineering, College of Engineering, Iowa State University.

Jim Williamson, M.Arch., new dean and professor of Architecture, College of Architecture. Dean Williamson comes to Texas Tech from Cornell University where he was an associate professor in the College of Architecture (a non-tenured position).

Noel Zahler, D.M.A., new dean and professor of Music in the College of Visual & Performing Arts. Dr. Zahler most recently served as a tenured professor and dean and Chief Academic Officer for the College of Arts, Communications and Design at Long Island University.

### **BACKGROUND INFORMATION**

The faculty members whose names appear above have been judged by the respective department faculty, appropriate committees and administrative personnel as worthy of academic tenure. Procedures set forth in the university tenure policy (OP 32.01) for the awarding of tenure to qualified members of the faculty have been carefully followed. Fulfillment of these faculty members' appointments at Texas Tech University includes receiving tenure here.

Approval of these individuals brings the number of full-time tenured faculty at Texas Tech University to 812, and the total number of all faculty at the university, either tenured or tenure track, to a total of 1100. After these appointments, the percentage of tenure track faculty who have been awarded tenure will be 74.



### 3. TTU: Approve Master of Science Degree in Finance.

Presenter: Dr. Michael Glayean

Presentation Time: 3 minutes

Board approval required by: Section 04.09.1, *Regents' Rules*; TTU Operating Policy 36.04 and Chapter 5, Subchapter C, THECB Laws and Rules

#### RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the new degree program, Master of Science in Finance, to be offered on-campus in the Jerry S. Rawls College of Business and authorize submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its certification of such a program and to the Southern Association of Colleges and Schools Commission on Colleges for acknowledgement of a new degree program.

Currently, students in the existing Master of Science in Business Administration ("M.S.B.A.") may complete a concentration in finance. The proposed M.S. in Finance will replace that concentration in the M.S.B.A. As such, no new tenure-track faculty members are needed to support this degree within the first five years, but existing faculty load will be reallocated from the M.S.B.A. to meet demand for the new program. Neither are any new non tenure-track faculty, graduate part-time instructors, or teaching assistants anticipated to be associated with the new program. The \$1,381,250 in personnel costs listed below represents the personnel expenses associated with delivering the current finance concentration in the M.S.B.S. program. Equipment costs of \$150,000 over five years include the program's use of Bloomberg data services and equipment (the default financial data service provider used in the financial industry today). Promotion of the program and recruitment activity are expected to cost approximately \$2500 per year in the first five years, for a total of \$12,500. Together, these costs over five years total \$1,543,750. With differential tuition projected at \$3,794,344 and formula funding at \$414,074 in the same time period, the program is anticipated to generate revenue of \$4,208,418.

<b>Five-Year Costs</b>		<b>Five-Year Funding</b>	
Personnel (relocated costs)	\$1,381,250	Reallocated Funds	\$0
Facilities and Equipment	\$150,000	Anticipated New Formula Funding	\$414,074
Library, Supplies, and Materials	\$0	Special Item Funding	\$0
Other (Program Promotion)	\$12,500	Other (differential tuition)	\$3,794,344
<b>Total Costs</b>	<b>\$1,543,750</b>	<b>Total Funding</b>	<b>\$4,208,418</b>

## **BACKGROUND INFORMATION**

The proposed Master of Science in Finance is to provide graduate-level education in the use of financial analysis and tools to meet the needs and challenges of our modern financial economy. Graduates will be able to identify, analyze, and solve today's financial challenges in corporation financial matters, investments (both financial and real estate focused), as well as the management of our financial services industry.

The finance concentration in the M.S.B.A. has a current headcount of approximately 20 students, clear evidence of existing demand for master's level education in finance. Yet, the M.S.B.A. is not well known or well understood throughout the state and beyond. On the other hand, the M.S. in Finance degree is widely understood as providing graduate education concentrating on financial problems and the tools and analytical framework to provide solutions to such problems. The M.S. in Finance degree is more streamlined, slightly reducing overall credit hour requirements compared to the M.S.B.A. concentration.

Growing nationwide demand for master's level graduates with financial-analysis skills has been recently demonstrated. Thus, demand for the new program should be robust for the first five years as we estimate in the table below, assuming all students take full-time enrollment of 33 semester credit hours per year.

<b>YEAR</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Headcount</b>	25	31	38	44	44
<b>FTSE</b>	25	31	38	44	44
<b>SCH</b>	825	1023	1254	1452	1452

#### 4. **TTU: Approve conferral of honorary degree.**

Presenter: Dr. Michael Galyean

Presentation Time: 2 minutes

Board approval required by: Section 12.04, *Regents' Rules*; TTU Operating Policy 30.08

#### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the conferral of an honorary degree of Doctor of Humanities upon \_\_\_\_\_ at the December 2016 commencement ceremony or at a time and place mutually agreeable to the president, the chancellor, the board, and the recipient of the award.

Advance notice of the proposed honorary degree was provided to the members of the Board of Regents as required by Section 12.04.6, *Regents' Rules*. A complete listing of all honorary degrees conferred by Texas Tech University is provided in the back flap of the Agenda Book.

[NOTE: The name of the individual proposed to receive the honorary degree is not to be announced or publicly discussed prior to a Board decision to award the honorary degree. Each member of the Board of Regents was notified of the identity and qualifications of the nominee in advance of the Board meeting. However, in accordance with the requirements of the *Regents' Rules*, the name of the nominee will not be disclosed or publicly discussed prior to or during the Board meeting. As a matter of courtesy, the recipient will be informed of the award prior to a public announcement.]

#### **BACKGROUND INFORMATION**

Pursuant to provisions of Section 12.04.5, *Regents' Rules*, and paragraph 6, Texas Tech University Operating Policy and Procedure 30.08, an advisory committee has recommended conferral of this honorary degree. This recommendation comes after careful consideration of the proposed recipient's educational background as well as the person's exceptional service to society and reflection on Texas Tech University.

Section 12.04.5, *Regents' Rules*, stipulates that the Board of Regents must authorize the conferral of an honorary degree.

## 5. **TTUHSC El Paso: Approve appointment with tenure.**

Presenter: Richard A. Lange, M.D., M.B.A.

Presentation Time: 1 minute

Board approval required by Section 04.02, *Regents' Rules* and HSC Operating Policy 60.01

### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the granting of tenure to Koko Aung, M.D., MPH, CPH, FACP concurrent with his appointment as the professor in the Department of Internal Medicine at the Paul L. Foster School of Medicine, effective as of February 5, 2016.

Dr. Aung joins the Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso") from the University of Texas Health Sciences Center at San Antonio where he has served as a Professor of Internal Medicine and the Chief of the Division of General Internal Medicine. He also held the O. Roger Hollan Professorship in Internal Medicine. Dr. Aung was also the Director of Educational Programs for the Department of Medicine at the Health Science Center in San Antonio which included the emerging medical school of the University of Texas Rio Grande Valley at that time. He earned his medical degree from Rangoon University Medical College in Burma, and completed his internal medicine residency at Temple University/St. Luke's University Hospital in Bethlehem, Pennsylvania, where he served as the Chief Medical Resident. He received a Master of Public Health degree from the Johns Hopkins University School of Public Health. He received training on the conduct of systematic reviews and meta-analysis at Tufts University School of Medicine, Johns Hopkins University School of Public Health, and the U.S. Cochrane Center; and training on outcomes research at Harvard School of Public Health. He is board-certified by the American Board of Internal Medicine, and by the National Board of Public Health Examiners.

Dr. Aung's areas of expertise and interests include medical education leadership, educational program development, clinical internal medicine, clinical epidemiology, evidence synthesis, systematic reviews and meta-analyses. He published and delivered presentations related to clinical epidemiology, evidence synthesis and quality of health care. Dr. Aung is the current President of the Texas Chapter of the American College of Physicians Services. He is a member of Cochrane Collaboration, an international not-for-profit organization, providing up-to-date information about the effects of health care. He chairs the Society of General Internal Medicine (SGIM)-UpToDate Reviewers Leadership Committee. He also serves as a member of the United States Medical Licensing Examination Test Materials Development Committee for the National Board of Medical Examiners.

**BACKGROUND INFORMATION**

Pursuant to 04.02, *Regents' Rules*, the Board of Regents approves the awarding of academic tenure with initial appointment. Approval of this individual for tenure brings the number of tenured faculty in all academic schools of the Health Sciences Center El Paso to 38. There are a total of 71 faculty either in the tenure-track or tenured. After this appointment, the percentage of tenure track faculty who has been awarded tenure will be 54 percent. The number of faculty that is on the non-tenure track is 222.

**6. TTUHSC El Paso: Approve a “Distinction in Anatomy” M.D. diploma notation for graduates of the Paul L. Foster School of Medicine who complete the associated supplemental program requirements.**

Presenter: Richard A. Lange, M.D., M.B.A.

Presentation Time: 2 minutes

Board approval required by Section 04.09, *Regent’s Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents approve the “Distinction in Anatomy” M.D. diploma notation for graduates of the Paul L. Foster School of Medicine (“PLFSOM”) who complete the program requirements.

**BACKGROUND INFORMATION**

The first two years of the PLFSOM M.D. degree program consist primarily of highly integrated clinical presentation-based instruction in the basic biomedical sciences and introductory medical skills. Based on program feedback, the school intends to implement an elective and supplemental program of advanced instruction and scholarship in human anatomy. The program does not provide for additional course credit, and it does not change or alter the sequence of the graduation requirements for the PLFSOM Doctor of Medicine (M.D.) degree. Rather, the program consists of a set of rigorous supplemental academic requirements that upon successful completion will result in the student graduating with “Distinction in Anatomy”. The basic structure of this program is analogous to the currently approved “Distinction in Research and Scholarship”. Similar to the already approved diploma notation for “Distinction in Research and Scholarship”, TTUHSC El Paso is seeking approval for a notation of “Distinction in Anatomy” on the PLFSOM M.D. diploma for students who successfully complete the “Distinction in Anatomy” program requirements.

The proposal is considered ‘budget neutral’ as the additional costs are marginal and expected to be offset by the savings derived from the preparation of anatomical specimens by participants in the program, and the use of these specimens in the required medical school curriculum.

**AUDIT**

## **Audit Committee**

Committee Meeting  
August 11, 2016

**Time:** 11:20 am (or upon adjournment of the Academic, Clinical and Student Affairs Committee meeting)

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Steinmetz (Chair), Esparza, Hammonds,

### Agenda

- Approve minutes of committee meeting held on May 19, 2016
- I.C.** Consideration of items to be recommended by the Audit Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

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3. Executive Session: The Audit Committee will convene into Executive Session in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the <i>Texas Government Code</i> , including:	
a. Consultation with Attorney — Section 551.071.	
b. Discussion of personnel matters – Section 551.074.	
4. Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, to consider appropriate action, if any, on items discussed in Executive Session.	



5. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, August 12, 2016.

1. **TTUS: Approve 2017 annual audit plan for the Texas Tech University System.**

Presenter: Mrs. Kim Turner

Presentation Time: 10 minutes

Report to Board required by: Section 01.02.8, *Regents' Rules*; Section 07.02.7, *Regents' Rules*; Chapter 2102, *Texas Government Code*; and Audit Committee Charter

**RECOMMENDATION**

The chief audit executive recommends that the Board of Regents approve the annual audit plan.

**BACKGROUND INFORMATION**

The *Regents' Rules* and the Texas Internal Auditing Act require that the Board of Regents approve the annual audit plan. The projects included in the 2017 annual audit plan have been selected as a result of an enterprise-wide risk assessment process.

**2. TTUS: Report on audits.**

Presenter: Mrs. Kim Turner

Presentation Time: 10 minutes

Report to Board required by: Section 07.02.7, *Regents' Rules*; and Audit Committee Charter

Mrs. Kim Turner, Chief Audit Executive, will present a report on the System's audit projects.

# **FACILITIES**

## Facilities Committee

Committee Meeting  
August 11, 2016

**Time:** 11:55 am (or upon adjournment of the Audit Committee meeting)

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Anders (Chair), Huckabee, Steinmetz

### Agenda

- Approve minutes of committee meetings held on May 19, 2016
- I.D.** Consideration of items to be recommended by the Facilities Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

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6. TTU: Authorize president to execute a contract with the Enrollment Management Dallas Office.....	12

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9.	TTUS: Report on Facilities Planning and Construction projects .....	19
10.	Adjournment	

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, August 12, 2016.

**1. ASU: Approve a project to construct the new Archer College of Health and Human Services building.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) proceed with a project to plan, design, and construct the new Archer College of Health and Human Services building project with a total project budget of \$26,360,000; (ii) report the project to the Texas Higher Education Coordinating Board; (iii) amend the Design Professional contract, (iv) amend the Construction Manager Agent contract; and (v) amend the Construction Manager at Risk contract. The project budget of \$26,360,000 is comprised of the Revenue Finance System ("RFS") funding of the 84<sup>th</sup> Texas Legislature's Regular Session authorization of Tuition Revenue Bond ("TRB") (\$21,360,000) and cash gifts (\$5,000,000). The budget includes the previously approved Stage I design budget of \$797,195 which was funded through the Revenue Finance System ("RFS") repaid with the Tuition Revenue Bond ("TRB") Legislative appropriation.

It is further recommended that the Board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a project with an aggregate maximum principal amount expected to be \$21,360,000.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

**BACKGROUND INFORMATION**

In August 2015, the Board of Regents approved Stage I design services to provide for the solicitation and contracting of the Design Professional, Construction Manager Agent, and construction partners; facility functional use programming; schematic design; survey; geo-tech testing; site analysis; utility infrastructure analysis; and final package development for a full funding request.

The project will construct 56,600 gross square feet ("GSF") of teaching laboratories; classroom spaces that through the use of dividers would optimize

class sizes; a 100 seat seminar room; student study rooms; and high-tech interdisciplinary research laboratories. In addition, there would be a centralized administrative suite for college, departmental, and program administrators and support staff, faculty offices, an academic advising center, and a support center for online program development and delivery. Also included will be site development, utility infrastructure, landscape enhancements, and public art. The proposed building location is west adjacent to the existing Vincent Building, and will be designed to minimize any adverse impact to the site's existing environment.

The proposed facility will support the new realigned College of Health and Human Services ("CHHS") and its component departments and programs including Nursing, Doctor of Physical Therapy (DPT), athletic training, kinesiology, social work, applied psychology and counseling. Additionally, the building will allow for future program development and expansion including occupational therapy, and a Master of Social Work ("MSW") program.

The proposal of the CHHS building is in alignment with the Texas Tech University System and Angelo State University's strategic goal of growing ASU student enrollment to 10,000 by 2020. Close to one-third of ASU's total student enrollment, are students majoring in one of the disciplines available in the CHHS. Authorization of this item will directly address the "Closing the Gaps" goals of participation and success by increasing enrollment of diverse populations and the graduation of highly trained nursing and allied health professionals ready and able to enter high demand healthcare professions.

The vice president for finance and administration has verified the source of funds.



**2. ASU: Approve scope expansion and budget increase to the new Press Box project at the LeGrand (Football) Stadium.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) expand the project scope and increase the project budget for the new Press Box at the LeGrand (Football) Stadium at 1st Community Credit Union Field by \$500,000 for a total project budget of \$3,500,000; (ii) report the project change to the Texas Higher Education Coordinating Board; (iii) amend the design professional contract; (iv) complete the contract documents; and (v) amend the construction contract. The budget increase will be funded with a gift-in-hand.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

**BACKGROUND INFORMATION**

In February 2016, the Board of Regents approved a project to plan, design, and construct a new Press Box at the LeGrand (Football) Stadium at 1st Community Credit Union Field with a total budget of \$3,000,000. The project will demolish the existing Press Box building and construct a new 3-story Press Box building. The new 6,660 gross square foot facility will house concessions area, men's, women's, and unisex restrooms, VIP Suites, Press & Game Officials' Boxes, Coaches' Box, elevator & stairwells, MPE/utility rooms, and roof-top video deck.

The proposed project budget increase will cover modifications to (1) the window design in order to provide improved sight lines; (2) enhance ADA access within the suites; and (3) provide additional elevator stops to accommodate all visitors with total access to the concession area and the suites.

The vice president for finance and administration has verified the source of funds.

**3. TTU: Approve scope expansion and budget increase to the Petroleum Engineering Building Renovation – Phase I project.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) expand the project scope and increase the project budget for the Petroleum Engineering Building Renovations – Phase I project by \$725,000 for a total project budget of \$9,859,000; (ii) report the project change to the Texas Higher Education Coordinating Board; (iii) amend the design professional contract; (iv) complete the contract documents; and (v) amend the construction contract. The budget increase will be funded through the Revenue Finance System ("RFS") repaid with Higher Education Assistance Funds ("HEAF") (\$485,750) and Gifts (\$239,250).

The original project was funded with Higher Education Assistance Funds ("HEAF") (\$3,800,000), gifts (\$750,000), and indirect cost recovery (\$450,000) for a total \$5.0 million project funding. The first budget increase was funded through the Revenue Finance System ("RFS") repaid with Higher Education Assistance Funds ("HEAF") (\$4,134,000) for an amended project budget total of \$9,134,000.

It is further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of Treasury Regulations, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a project with an aggregate maximum principal amount expected to be \$9,859,000.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

**BACKGROUND INFORMATION**

In March 2015, the Board of Regents approved Phase I of the project with a total project budget of \$5,000,000. The project renovated approximately 17,062 square feet on the second floor of the Petroleum Engineering building for the Industrial Engineering Department. The renovation updated one wet lab, created a new office suite for the department chair, provided faculty/staff offices,

conference rooms, and support space, as well as, student offices and study space. Upgrades to the mechanical, electrical and plumbing systems were accomplished, along with a new access control system integrated into the existing infrastructure.

In February 2016, the Board of Regents approved a project scope expansion and budget increase of \$4,134,000 for a total project budget of 9,134,000. The project budget increase renovated 20,480 square feet of the first floor to create industrial labs; a CadCam Computer Lab; conference room; upgrade two existing classrooms; renovate restrooms to meet ADA; upgrade all finishes and provide distance education capabilities and equipment installation in several classrooms. Also, the Board of Regents approved re-naming the former Petroleum Engineering building the "Industrial Engineering" building for utilization by the College of Engineering.

The proposed project budget increase covers the expanded scope to include renovation of an additional 3,237 square feet in the building, and modification to a lab within the previously approved scope. The project will (1) renovate Rooms 118A and 118B for the Advanced Manufacturing Teaching Lab; (2) renovate Room 119 into a study room; and (3) convert Lab #111 from the previously approved dry lab to a wet lab function.

The vice president for administration and finance and chief financial officer has verified the source of funds.

#### **4. TTU: Approve a project to construct the Experimental Sciences Building II.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

#### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) proceed with a project to plan, design, and construct the Experimental Sciences Building II ("ESB II"), a new Research Building, with a total project budget of \$77,000,000; (ii) report the project to the Texas Higher Education Coordinating Board; (iii) amend the Design Professional contract, (iv) amend the Construction Manager Agent contract; and (v) amend the Construction Manager at Risk contract. The project budget of \$77,000,000 is comprised of the Revenue Finance System ("RFS") funding of the 84th Texas Legislature's Regular Session authorization of Tuition Revenue Bond ("TRB") (\$70,000,000) and the balance will be funded through RFS repaid by Higher Education Assistance Funds ("HEAF") (\$7,000,000). The budget includes the previously approved Stage I design budget of \$2,217,364 which was funded through the Revenue Finance System ("RFS") repaid with the Tuition Revenue Bond ("TRB") Legislative appropriation.

It is further recommended that the Board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a project with an aggregate maximum principal amount expected to be \$77,000,000.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

#### **BACKGROUND INFORMATION**

In August 2015, the Board of Regents approved Stage I design services to provide for the solicitation and contracting of Design Professional, Construction Manager Agent, and construction partners; facility functional use programming; schematic design; survey; geo-tech testing; site analysis; utility infrastructure analysis; and final package development for a full funding request.

The facility's functional use programming has revealed a change to the original project scope of a new facility and renovation of vacated backfill spaces. The revised fiscal strategy is to maximize the budget to build as much new research space as possible. The current program's gross square footage ("GSF") range is between 120,000 GSF – 140,000 GSF. The building will be designed as a flexible, open, and modular high-tech interdisciplinary research facility with laboratories, principal research investigator offices, laboratories for science disciplines, and academic offices and support space to foster Texas Tech's growing research enterprise. The new science laboratories created will be efficient, modern with cutting-edge scientific equipment. The new research laboratory space will be characterized by an interdisciplinary "institute" environment.

The building will be located in close proximity to the current Experimental Sciences Building ("ESB"). The site's development provides an opportunity to strengthen the campus master plan's corridors, improve pedestrian connections, and create new open spaces and amenities to be shared within the campus community. The scope of the project will also include site and utility infrastructure work, landscape enhancements, and public art.

The vice president for administration and finance and chief financial officer has verified the source of funds.

**5. TTU: Authorize a Power Purchase Agreement for Texas Tech University's Junction campus.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.d, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president or the president's designee to (i) negotiate and execute a Power Purchase Agreement ("PPA") with Paru USA, LLC ("Paru") and its subsidiary, Sun Action Trackers, LLC, which includes a grant of access to approximately 3 acres of Texas Tech University's Junction campus so it may install and operate a solar powered electric generating system ("System") that will further research and development of solar energy, and (ii) authorize the TTU System Office of Facilities Planning and Construction to coordinate the System's site location, plans, and any construction.

**BACKGROUND INFORMATION**

On January 13, 2015, TTU received a \$13 million dollar award from the State of Texas Emerging Technology Fund (currently operating under the Office of the Governor's Office of Economic Development and Tourism), to support research and innovation related to TTU's Global Laboratory for Energy Asset Management and Manufacturing ("GLEAMM"). GLEAMM is a program aimed at increasing research, innovation and revenue related to microgrid, renewable energy, cybersecurity and other electricity grid modernization initiatives. Under the GLEAMM award, TTU has certain milestones to fulfill.

Paru approached TTU about granting access to land on TTU's Junction campus for the installation of the System to further research and development of solar energy. TTU evaluated and approved the System as a proprietary purchase based on Paru's patent for unique real time sensory technology.

The proposed agreement will provide explicit terms for research access to the System by TTU researchers. The System is expected to qualify as a GLEAMM milestone by allowing TTU (either directly or indirectly, through a subaward to another entity) to commission a solar array at no cost to TTU. Furthermore, TTU has plans to deploy a phasor measurement unit at or near the site in fulfillment of a GLEAMM milestone.

The TTU College of Engineering has identified three initial research projects for the System:

1. Modeling and Data analysis of electricity grid connected solar system;
2. Solar Panels operation mode analysis; and

### 3. Storage of Solar Energy as Chemical Fuels.

The initial term of the PPA will be fifteen years from the date the System is operational (“Initial Term”), and there are two optional five-year optional renewal periods (each a “Renewal Term”), if agreed upon by the parties prior to the end of the Initial or then current Renewal Term. TTU will have the ability to terminate the PPA early for two reasons: (1) after the first 6 months post execution if Paru USA, LLC has not commenced the installation of the Solar Project within that time period, or (2) upon an event of default that remains uncured, including Paru USA’s or Sun Action Trackers, LLC’s making any misrepresentation to TTU; abandonment of the System; failure to operate the System; failure to perform any obligation under the PPA; and insolvency or bankruptcy.

TTU will permit access to the land for installation, maintenance of the System, and associated solar energy research, all of which will be funded entirely by Paru. TTU will not be responsible for any installation or operations costs, or insurance. For use of the land, Paru will provide TTU with sole control over a portion of the System, so that TTU may to conduct its own research.

The parties estimate the System will supply 50% of TTU’s power needs in Junction. In 2014, TTU spent \$44,890 on electricity at the Junction campus for approximately 448,890 kWh. The System is anticipated to generate approximately 200,000 kWh. TTU will pay Paru \$0.035 per kWh for power generated by the System, all of which will be delivered to TTU. Therefore, TTU’s cost for the estimated power generated by the System would be \$7,000, a savings of approximately \$13,000 per year on electric utilities.

Prior to expiration of the PPA, TTU will have the option to purchase the System for the then fair market value of the System. TTU must exercise its option not more than 12 months but not less than 9 months prior to the expiration of the PPA. If TTU does not exercise its option, the PPA will expire and Paru will decommission the System.

Section 07.12.3.d. *Regents’ Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

**6. TTU: Authorize president to execute a contract with the Enrollment Management Dallas Office.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.d, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president or his designee to negotiate and execute a lease agreement with PFV/Realty III, L.P. in Dallas, Texas, for use by the Department of Enrollment Management's Dallas Office.

Texas Tech University ("TTU"), on behalf of its Department of Enrollment Management, issued a Request for Qualifications (RFQ 2015-672), seeking qualified brokers of retail leased space in Dallas, Texas. TTU selected Ryland Enterprise, Inc. dba ARVO Realty Advisors, who brokered for TTU adequate retail space at Preston Forrest Village in Dallas. Specifically, TTU wishes to lease 5,200 square feet of retail space at 11661 Preston Road, Preston Forrest Village, Dallas, Texas 75230, from PFV/Realty III, L.P., for use by Enrollment Management for recruiting efforts in the Dallas area.

The initial term of the lease is seven years and would begin upon completion of negotiations after Board of Regent approval. The lease allows for one extension of five years if TTU provides the Landlord with at least one year's notice prior to the expiration of the initial term. For the initial term of the lease, TTU will pay annual rent as follows:

<u>Lease Year</u>	<u>Annual Base Rent</u>	<u>Monthly Rent</u>
1	\$88,400.00	\$7,366.67
2	\$90,168.00	\$7,514.00
3	\$91,971.36	\$7,664.28
4	\$93,810.79	\$7,817.57
5	\$95,687.00	\$7,973.92
6	\$97,600.74	\$8,133.40
7	\$99,552.76	\$8,296.06

If renewed, TTU will pay annual rent as follows:

<u>Lease Year</u>	<u>Annual Base Rent</u>	<u>Monthly Rent</u>
8	\$101,543.81	\$8,461.98
9	\$103,574.69	\$8,631.22
10	\$105,646.18	\$8,803.85
11	\$107,759.11	\$8,979.93
12	\$109,914.29	\$9,159.52



The additional costs for this lease are (i) a security deposit of \$11,145.34 (to be returned at the end of the lease); (ii) "Tax Rent" of 1/12 of TTU's annual share of taxes pursuant to the Landlord's estimates; (iii) utilities costs for the leased space during the term; (iv) maintenance costs for the leased space during the term, (v) the cost of a shopping center sign not-to exceed \$4,000; (vi) TDLR accessibility inspection fees (vii) costs for renovations to the premises that exceed the \$208,000 improvement budget at an amount not-to-exceed \$10,000; and (viii) "Common Area" rent of \$17,784 for the first year, to be paid in 12 equal installments along with the annual rent payment. Thereafter, the Common Area rent payment will increase by 4% each year of the term.

### **BACKGROUND INFORMATION**

Texas Tech University Dallas Regional Recruitment Center has been in the same location for 19 years. The center is currently located two miles south of Love Field Airport, near I-35, inside the Wells Fargo Bank Building, which is a seven story office building. Due to the density of surrounding buildings, the location provides little to no visibility for traffic to the Recruitment Center. Safety of the office has been a concern for some years, since the facility only provides one security officer during the hours of 8:00 a.m. to 5:00 p.m. Additionally, due to the expanded program offerings and the number of staff that occupy the space, there is no opportunity for expansion within the current office building.

The Dallas Regional Center's recruitment territory covers all of the DFW metroplex area, East Texas, and the Waco, Temple, and Killeen area. In total, the office services 980 high schools and 51 community college campuses through targeted recruitment visits, programs, and communication. The office is responsible for 34.7% of the total number of applications that are received by Texas Tech. Additionally, the office generates 35% of the total number of students that enroll each year at Texas Tech University. The Dallas Regional Recruitment Center is responsible for outreach to nearly 36,000 students annually.

Usage of the Dallas Regional Recruitment Center varies from a variety of different programs which include application workshops, high school and community college advisor workshops, information sessions, financial aid nights, as well as individual student appointments. The office is equipped to process enrollment documents making the recruitment center a "one-stop shop" for students and parents who are interested in Texas Tech University.

The center has seen a 22% increase in walk in traffic, however, that is low in comparison to the retail space in Austin. This is primarily due to the fact that students and parents do not recognize the location and it does not lend itself to walk in traffic. In the last three years the number of programs offered at the center have increased by 41%. Not only have the programs and services provided in the recruitment center grown over the years, so has the staff that

occupy the center. In fact, reconfiguration of the space to accommodate the increased number of employees has limited the centers' ability to host large events at the office.

Acknowledging the benefits of the existing Dallas Regional Recruitment Center as well as the progress towards and desire to expand and grow the offerings in the largest metropolitan recruitment territory, Undergraduate Admissions wishes to continue such operations in Dallas, but housed in a retail based location. They have found that the retail concept lends itself well to the role in which a Regional Recruitment Center serves. The value of retail for visibility, convenience for students and parents, parking and safety, as well as the ability to expand the offerings of the center justify the additional costs required for such operations in Dallas.

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

**7. TTUHSC: Approve a project to construct the new Permian Basin Academic Facility on the Odessa campus.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) proceed with a project to plan, design, and construct a new Permian Basin Academic Facility on the Odessa campus with a total budget of \$22,300,000; (ii) report the project to the Texas Higher Education Coordinating Board; (iii) amend the Design Professional contract, (iv) amend the Construction Manager Agent contract; and (v) amend the Construction Manager at Risk contract. The project budget of \$22,300,000 is comprised of the Revenue Finance System ("RFS") funding of the 84<sup>th</sup> Texas Legislature's Regular Session authorization of Tuition Revenue Bond ("TRB") (\$14,256,000), Unexpended Plant Funds cash (\$5,544,000), and gift (\$2,500,000 pledge). The budget includes the previously approved Stage I design budget of \$552,665 which was funded through the Revenue Finance System ("RFS") repaid with the Tuition Revenue Bond ("TRB") Legislative appropriation.

It is further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a project with an aggregate maximum principal amount expected to be \$16,756,000.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

**BACKGROUND INFORMATION**

In August 2015, the Board of Regents approved Stage I design services to provide for the solicitation and contracting of the Design Professional, Construction Manager Agent, and construction partners; facility functional use programming; schematic design; survey; geo-tech testing; site analysis; utility infrastructure analysis; and final package development for a full funding request.

The project will construct a new 51,000 GSF building centrally sited on the main Odessa campus. The proposed structure and its adjacency to other facilities will

provide accessibility and promote the use of the building by the campus community in order to continue to meet current and upcoming programmatic changes. The project will include academic space for lecture halls & classrooms, research laboratories, faculty/researcher and staff offices, education and conference center, specialized instruction and other support spaces. Classrooms to include extensive data communications and HealthNet distance learning capabilities.

The proposed project will provide a new facility on the Odessa campus to accommodate expansion of undergraduate medical students and other healthcare disciplines to the Permian Basin. The facility will support the expanded School of Medicine and other academic program changes and growth. For example, each medical class is increasing from 25 to 36 students, 3rd and 4th year respectively. Also 31 new faculty and 3 new researchers are being hired and they have inadequate offices and teaching space.

A new facility will also foster the ability to recruit, retain and provide a high quality educational experience to our future health care professionals in critical and high-demand fields. Program design of the spaces will promote collaborations, partnerships and opportunities with other external entities and stakeholders. This project will offer the unique opportunity to engage all of the schools and departments in partnership, service and interdisciplinary work.

The executive vice president for finance and administration has verified the source of funds.

**8. TTUHSC: Authorize the purchase of real property in Odessa, Texas.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.d, *Regents' Rules; Texas Administrative Code, §17.10*

**RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) establish a total project budget of \$10,500; (ii) negotiate and execute an agreement to purchase Dotsy Avenue between 4<sup>th</sup> Street and 3<sup>rd</sup> Street; 0.37 acres (16,225 square feet) of, Odessa, Texas; and (iii) report the purchase to the Texas Higher Education Coordinating Board. The property purchase will be funded with Designated Funds Interest Earnings.

The city street have been assessed by the Odessa Central Appraisal District for an approximate value of \$10,500. TTUHSC will negotiate a not-to-exceed amount of \$10,500 for the improved real property.

The chancellor further recommends that the president be authorized to negotiate and execute any and all agreements with the city, state, and county agencies, utility companies, and other entities required to successfully complete the project.

**BACKGROUND INFORMATION**

In August 2015, the Board of Regents approved the Stage I design services for the new Permian Basin Academic Facility, the first new structure on the campus since 1999. The new facility will provide 51,000 GSF of space to accommodate expansion of the undergraduate medical student programs and various other healthcare disciplines on the Permian Basin campus. Along with this new facility is the overall vision to unify the campus. The purchase of this improved real property is vital in fulfilling that expansion vision of the Texas Tech University Health Sciences Center Permian Basin Campus at Odessa, Texas.

The purchase of Dotsy Avenue and ultimate closing will allow for the creation of a green belt / pedestrian corridor that will tie the campus buildings together. Acquisition of the property will not only allow TTUHSC to convert asphalt paving to a green belt, park like setting, but also provide a buffer zone from the property to the east. Emergency and fire access will be incorporated into this design as well.

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

Title 19, Chapter 17, Subchapter A of the Texas Administrative Code requires approval of the governing board before submitting the appropriate documentation to the Texas Higher Education Coordinating Board for their information on the purchase of real property.

The executive vice president for finance and administration has verified the source of funds.

**9. TTUS: Report on Facilities Planning and Construction projects.**

Presenter: Mr. Michael Molina  
Report requested by: Board of Regents

Presentation Time: 5 minutes

Mr. Michael Molina, Vice Chancellor for Facilities Planning and Construction, TTUS, will present a report on Facilities Planning and Construction managed projects.

**MEETING OF THE  
BOARD**



**Meeting of the Board**  
Thursday, August 11, 2016

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- I. Meeting of Standing Committees:** Conducted sequentially and separately from the Meeting of the Board; refer to agenda for each respective committee meeting.  
Location: Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas
- 

**Time:** 1:45 pm (or upon adjournment of the last committee meeting of the day or whenever deemed necessary)

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Agenda

- II. Meeting of the Board—Call to Order; convene into Open Session of the Board**.....Chairman Long
- III. Executive Session:** The Board may convene into Executive Session in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: .....Chairman Long
- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
  - B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
  - C. Deliberations regarding prospective gifts – Section 551.073
  - D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
  - E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

**IV. Open Session:** The Board will reconvene in Open Session in the Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

A. Consideration of appropriate action, if any, on items discussed in Executive Session.....Vice Chairman Montford

**V. Recess** .....Chairman Long

**Meeting of the Board**  
Friday, August 12, 2016

**Time:** 8:30 am

**Place:** Ballroom (Room 118), First Floor, Student Union Building, 15th Street  
and Akron Avenue, Lubbock, Texas

Agenda

- VI. Meeting of the Board—Call to Order; reconvene into Open Session of the Board**.....Chairman Long
  - VII. Introductions and Recognitions**.....Chancellor Duncan,  
President May,  
President Schovanec  
President Mitchell, and  
President Lange
  - VIII. Recess** .....Chairman Long
  - IX. Meeting of Standing Committees** (if not concluded on Thursday)
  - X. Meeting of the Board—Call to Order; reconvene into Open Session of the Board**
  - XI. Open Session:** The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
    - A. Approve minutes of Board meetings held on May 19-20, 2016, June 16, 2016, and July 7, 2016 .....Chairman Long
    - B. Committee of the Whole.....Vice Chairman Montford
- Page  
CW
- 1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA, and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda..... 8

**Consent Agenda**

- a. ASU: Approve revisions to the Student Handbook of Angelo State University, effective August 15, 2016 (ACS)

- b. TTU: Approve leaves of absence without pay (ACS)
- c. TTU: Approve faculty development leave of absence (ACS)
- c-1. TTU: Approve emeritus appointment (ACS)
- d. TTUHSC: Approve reclassification of the Doctor of Nursing Practice (“DNP”) degree as a distance program (ACS)
- e. TTU: Approve renaming of academic buildings (F)
- f. TTU and TTUHSC: Approve Permanent Right of Access and Use of Texas Tech University and Texas Tech University Health Sciences Center land to the City of Lubbock (F)
- g. TTU: Authorize an improved real property lease in Lubbock, Texas (F)
- h. TTU: Modification of endowment (FA)
- i. TTU: Approve rate for new Honors Residence Hall (FA)
- i-1 TTU: Approve employee appointment to non-elective position (FA)
- j. TTUHSC: Approve budget adjustment for the period May 21, 2016 – August 12, 2016 (FA)
- k. TTUHSC: Approve modifications of Crofoot Family Chair in Epilepsy (FA)
- l. ASU, TTU, TTUHSC, TTUHSC EI Paso, TTUS and TTUSA: Approve delegation of signature authority (FA)

### **Information Agenda**

Information is provided as required by Section 01.02.7.d(4)(c), *Regents' Rules*

- (1) ASU, TTU, TTUHSC and TTUHSC EI Paso: Summary of Revenues and Expenditures by Budget Category, FY 2016, per Section 01.02.8.d(3)(g), *Regents' Rules*: All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) TTU, TTUHSC and TTUHSC EI Paso: Contract Renewals per Sections 07.12.4.d and 07.12.6.b., *Regents' Rules* – A list of renewal, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.

- (3) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules*: “(a) Board approval is not required, but notice of the proposed contract must be provided to the chair and the chair of the Finance and Administration Committee prior to execution of the contract. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) ASU: Emergency or exigent circumstances approval of property purchase by Section 07.12.3.g, *Regents' Rules*: “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 proposed 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.”
- (5) TTU: Note regarding the Garrison Center – The Texas Tech University System Office of Facilities, Planning and Construction has been informed by current management of the Garrison Center of an intent to re-purpose an interior section of the existing building for a therapy gym. In connection with that change of use, Garrison management wishes to add an additional 10 parking spaces to an existing parking lot currently containing 60 spaces. Under the 1999 ground lease which governs the relationship between Texas Tech University and the current lessee, Knight Health Holdings, L.L.C., Board of Regents approval would be required for any additional construction of new buildings on the premises. This is to inform the Board of Regents that the FP&C Office has been advised that the proposed addition of 10 parking spaces would not require approval of the Board of Regents under provisions of the ground lease.

2. TTUHSC El Paso: Authorize the use of Eminent Domain ..... 9

**XII. Reports of Standing Committees:** Standing Committee reports will be presented sequentially to the Committee of the Whole.

- A. Report of the Finance and Administration Committee ..... Regent Francis
- B. Report of the Academic, Clinical and Student Affairs Committee ..... Regent Lancaster
- C. Report of the Audit Committee ..... Regent Steinmetz

D. Report of the Facilities Committee ..... Regent Anders

**XIII. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.**

A. Schedule for Board meetings:  
October 13-14, 2016, Lubbock  
December 15-16, 2016, Lubbock  
February 23-24, 2017, Lubbock  
May 18-19, 2017, Lubbock  
August 10-11, 2017, Lubbock  
December 14-15, 2017, Lubbock ..... Ben Lock

B. The Chancellor's Report ..... Chancellor Duncan

C. The President's Report, ASU ..... President May

D. The President's Report, TTU ..... President Schovanec

E. The President's Report, TTUHSC ..... President Mitchell

F. The President's Report, TTUHSC El Paso..... President Lange

**XIV. Executive Session:** The Board may convene into Executive Session in the Red Raider Lounge (Room 119), First Floor, Student Union Building, 15<sup>th</sup> Street and Akron Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: ..... Chairman Long

A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071

B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072

C. Deliberations regarding prospective gifts – Section 551.073

D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074

E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

- XV. Open Session:** The Board will convene into the Ballroom (Room 118), First Floor, Student Union Building, 15th Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
  - A. Consideration of appropriate action, if any, on items discussed in Executive Session.....Vice Chairman Montford
  - B. Chairman’s Announcements.....Chairman Long
- XVI. Adjournment** .....Chairman Long

1. **ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS:  
Approve Consent Agenda; acknowledge review of  
Information Agenda.**

### **RECOMMENDATION**

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of August 11-12, 2016; and (ii) acknowledge its review of the Information Agenda for the same meeting.

### **BACKGROUND INFORMATION**

Pursuant to Section 01.02.6.b(2), *Regents' Rules*, the Board of Regents approves certain administrative actions.

This action is required to authorize the various officers and officials of Texas Tech to perform the tasks and duties delineated in the policies of the Board of Regents. This action also confirms the authority to prepare reports, execute contracts, documents, or instruments approved within the Consent Agenda and further confirms that such authority has been delegated to the officer or official preparing and/or executing the said item.



## **2. TTUHSC El Paso: Authorize the use of Eminent Domain.**

Presenter: Richard A. Lange, M.D., M.B.A.

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.d, *Regents' Rules*; Section 2206.053, *Texas Government Code*

### **RECOMMENDATION**

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee use of the power of eminent domain on behalf of Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso") to acquire the property located at 4900 Gateway Boulevard East in El Paso, Texas (Exhibit A / Legal Description: F NEVE SURV 8 ABST 162 3-A (0.5346 AC) & 3-B (0.2689 AC) for a total of 0.8035 acres). The purchase of this improved real property is vital to the mission of TTUHSC El Paso.

### **BACKGROUND INFORMATION**

The purchase of this improved real property is vital to fulfill the mission of the Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso"). This property is located near the TTUHSC El Paso main campus and has a Hotel building that can be adapted for other facilities, including clinical and administrative space for TTUHSC El Paso departments, such as the Department of Neurology. These factors will help support the institution's educational, patient and research missions.

As the final offer is sent to the property owner, we anticipate that the offer will not be accepted which would require TTUHSC El Paso to begin the eminent domain process. In order to properly institute eminent domain proceedings, the Chancellor recommends the Board of Regents authorize use of the power of eminent domain as needed for that property.

Per Section 109.051 of the Texas Education Code, the Board of Regents has power of eminent domain to acquire land needed to carry out the purposes of the university system and the component institutions, including TTUHSC El Paso.

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

Section 2206.053 of the Texas Government Code sets forth particular requirements for a governmental entity's public vote on use of eminent domain.

**CONSENT/  
INFORMATION  
AGENDA**

TEXAS TECH UNIVERSITY SYSTEM  
BOARD OF REGENTS

August 11-12, 2016

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## INFORMATION AGENDA

*(Titles only; full agenda is on page 23)*  
Information is provided as required by  
Section 01.02.7.d(4)(c), *Regents' Rules*

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

- (1) **ASU, TTU, TTUHSC and TTUHSC EI Paso: Summary of Revenues and Expenditures by Budget Category, FY 2016, per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) **TTU, TTUHSC and TTUHSC EI Paso: Contract Renewals per Sections 07.12.4.d and 07.12.6.b., *Regents' Rules*** – A list of renewal, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.
- (3) **TTUHSC and TTUHSC EI Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules*** – “(a) Board approval is not required, but notice of the proposed contract must be provided to the chair and the chair of the Finance and Administration Committee prior to execution of the contract. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) **ASU: Emergency or exigent circumstances approval of property purchase by Section 07.12.3.g, *Regents' Rules*** – “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 proposed 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.”
- (5) **TTU: Note regarding the Garrison Center** – The Texas Tech University System Office of Facilities, Planning and Construction has been informed by current management of the Garrison Center of an intent to re-purpose an interior section of the existing building for a therapy gym. In connection with that change of use, Garrison management wishes to add an additional 10 parking spaces to an existing parking lot currently containing 60 spaces. Under the 1999 ground lease which governs the relationship between Texas Tech University and the current lessee, Knight Health Holdings, L.L.C.,

Board of Regents approval would be required for any additional construction of new buildings on the premises. This is to inform the Board of Regents that the FP&C Office has been advised that the proposed addition of 10 parking spaces would not require approval of the Board of Regents under provisions of the ground lease.

a. **ASU: Approve revisions to the *Student Handbook* of Angelo State University, effective August 15, 2016.**

Board approval required by: Section 05.01.2, *Regents' Rules*

The request is to approve revisions to the Student Handbook and *Code of Student Conduct* for Angelo State University, effective August 15, 2016. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**Executive Summary**

The Student Handbook is intended to inform the Angelo State University community of the expectations, regulations, and/or standards by which members abide and procedures which guide campus activities. The Student Handbook is available electronically at: <http://www.angelo.edu/student-handbook/>.

Revisions were coordinated by the Executive Director of Student Affairs, Director of Title IX Compliance, Senior Executive Assistant to the President and General Counsel, and the Texas Tech University System Office of General Counsel. Proposed revisions are largely editorial in nature and include changes/updates to more accurately reflect current practices and operating policies.

- The University Discipline Committee Hearing structure outlined in Part I, Section A, 1.c was revised and renamed a Panel Hearing. Revisions to the Hearing structure reflect current best practices are as follows:
  - Reduction in the number of voting members from 5 to 3. Student representation will be included in each Panel Hearing with the exception of Title IX cases.
  - The addition of Administrative Hearing Officer membership to the pool of members (currently faculty, staff, and students) that can be selected for a Panel Hearing.
  - Only Administrative Hearing Officer members may serve on Panel Hearings for Part I, section B.2 (Actions against Members of the University Community and Others), or other sensitive issues.
- Removed the phrase “safety of self” in Part I, Section B, 2.b: Harmful, Threatening, or Endangering Conduct
- Reviewed and updated Part I, Section B, 2: Actions against Members of the University Community and Others
- Clarified the definition of Complicity in Part I, Section B, 2.g.1.
- Clarified the definition and role of an “Advisor” in a Conduct Hearing in Part I, Section C, 2.b.2: Rights and Responsibilities.

- Part II, Section I, C. The Anti-Discrimination Policy was updated to reflect and link to the System's updated Operating Policies, ASU O.P. 16.02 Non-Discrimination and Anti-Harassment Policy and Compliant Procedure for Violations of Employment and Other Laws and ASU O.P. 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Compliant Procedure for matters concerning Sexual Misconduct.
- Part II, Section E.5. Updated to reflect updated Operating Policies, ASU O.P. 16.02 Non-Discrimination and Anti-Harassment Policy and Compliant Procedure for Violations of Employment and Other Laws and ASU O.P. 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Compliant Procedure for matters concerning Sexual Misconduct. The piece on "Faculty/Staff and Student Relationships" was also moved within this section.
- Part II, Section I. The Sexual Violence piece was updated to link to the updated Operating Policy 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure. The title of this section was also changed to reflect the policy's new title. This policy covers the following:
  - Definitions of behavior covered by the Sexual Misconduct Policy;
  - Contact information for the Director of Title IX/Title IX Coordinator, ASU's Office of Human Resources and the TTU System's Equal Employment Opportunity Office;
  - Reporting Sexual Misconduct;
  - Complaints by or against Students;
    - This explains conduct procedures as described in Part I.C. and Part I.D. (for student organizations);
  - Employee Complaint Procedures, Including Student Employees;
  - Complaints Involving Non-University Employees;
  - Retaliation;
  - Interim Measures;
  - Confidentiality;
  - Interference with an Investigation;
  - Training and Education;
  - Websites and Other Resources; and
  - Authoritative References.
- Added website links to:
  - RamPort;
  - Incident Reporting Form;
  - Mental Health Information; and
  - Housing and Residential Programs.
- Section P: Use of University Space

- Moved the appeal authority from the Executive Director of Student Affairs to the Director of Business Services.

[NOTE: The Angelo State University Student Handbook with proposed revisions is included as an attachment to the agenda book.]

### **BACKGROUND INFORMATION**

In accordance with the Regents' Rules 05.01.2, revisions to the Student Handbook and *Code of Student Conduct* must be approved annually by the Board of Regents. On August 6-7, 2015 the Board of Regents approved revisions to the Student Handbook effective August 10, 2015 (Minute Order XII.D.2.).

The Student Handbook is reviewed annually by university departments with related content. The *Code of Student Conduct* as a section of the Student Handbook (Part I) is reviewed annually by the *Code of Student Conduct* Review Committee including faculty, staff, and student representatives, along with further review by the Director of Title IX, Executive Director of Student Affairs, Senior Executive Assistant to the President, TTUS General Counsel, and the Office of the Vice President for Student Affairs and Enrollment Management.



**b. TTU: Approve leaves of absence without pay.**

Board approval required by: Section 04.05.1, *Regents' Rules*

The request is to approve the following leaves of absence without pay. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Leave without pay for Andrew Farley, Associate Professor in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period of August 24, 2016 through May 20, 2017. Dr. Farley seeks leave for purposes of personal development.

Leave without pay for Starra Priestaf, Assistant Professor in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period September 1, 2016 through August 31, 2017. Dr. Priestaf seeks personal leave in support of family care.

**BACKGROUND INFORMATION**

Section 04.05.1, *Regents' Rules*, requires Regents' approval of leaves of absence for faculty. The existing policy provides that leaves may be granted under conditions allowable by the State of Texas. Faculty members submit requests for leave through their respective deans to the provost. The provost has approved the leaves as indicated.

**c. TTU: Approve faculty development leave of absence.**

Board approval required by: Section 04.05.1, *Regents' Rules*; TTU OP 32.29

The request is to approve the following faculty development leave of absence. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Faculty development leave with salary for Natalia Velikova, Associate Professor in the Department of Hospitality and Retail Management, College of Human Sciences, for the period September 1, 2016 through December 31, 2016. Dr. Velikova has received a Fulbright Scholar Award for study and teaching at the Agricultural University of Georgia where she will teach an upper-level course in wine marketing and conduct research to develop wine tourism and wine marketing strategies for the Georgian wine industry.

**BACKGROUND INFORMATION**

Per Section 04.05.1, *Regents' Rules*, Board approval is required for leaves of absence for faculty. The existing policy provides that leaves may be granted under conditions allowable by the State of Texas. Faculty members submit requests for leave through their respective deans to the provost. The provost has approved each leave as indicated.

The principle objective of faculty development leaves is to enable faculty members to engage in study, research, writing, field work, or similar professional activities for a period of time free from their obligations to the university. The ultimate purpose of faculty development leaves is to subsequently enhance educational offerings available to Texas Tech University students through the faculty members' refreshed or expanded knowledge gained from the leave activities. Faculty development leaves may be granted for one semester at full salary or for an academic year (two semesters) at one-half salary. Occasionally, a faculty development leave is recommended according to the program of Targeted External Awards for Faculty sponsored by the Provost and the Vice President for Research. In addition to a development leave, faculty who receive one of these prestigious external awards (such as a Fulbright Award) are granted a travel and relocation supplement for their project, and a one-time stipend upon completion of the project.

**c-1. TTU: Approve emeritus appointment.**

Board approval required by: Section 04.01.02, *Regents' Rules*

**RECOMMENDATION**

The request is to grant emeritus status to the staff member named below. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Peggy Flores, Commencement Coordinator *Emerita*

**BACKGROUND INFORMATION**

According to the *Regents' Rules*, emeritus appointments shall be honorary and without stipend. Emeritus appointments may be given at retirement and are intended to recognize long and faithful service, or very distinguished service to the university. The *Regents' Rules* specifically provide that administrative officers may be considered for emeritus appointments at the time of their retirement.

On August 31, 2015, Ms. Peggy Flores retired after completing 33 years as Texas Tech University's Commencement Coordinator. She has been temporarily working in a part-time capacity to assist the new Commencement Coordinator with the transition, and her part-time position will end with the August 2016 commencement ceremony.

To recognize her exceptional service to this university and to thousands of graduates and their families and friends, Texas Tech University wishes to confer upon Peggy Flores the title of Commencement Coordinator *Emerita*.

**d. TTUHSC: Approve reclassification of the Doctor of Nursing Practice (“DNP”) degree as a distance program.**

Board approval required by: Section 04.09.1, *Regents’ Rules*; HSC Operating Policy 60.11 and Chapter 5, subchapter C, Rule §5.46 of the THECB Laws and Rules

The request is to approve the Texas Higher Education Coordinating Board’s (“THECB”) reclassification of the Texas Tech University Health Sciences Center’s (“TTUHSC”) Doctor of Nursing Practice (“DNP”) degree. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

The current TTUHSC DNP program was approved by the Board of Regents in May of 2006 as a hybrid model with 51% face-to-face and 49% online delivery of course content. The proposed change will result in course delivery of approximately 35% face-to-face and 65% online. The THECB classification for a distance program is greater than 50% of course content delivered via distance education methods. The purpose and educational objectives of the DNP program will not be altered with the reclassification and all required courses, semester credit hours, and curriculum will remain unchanged. Furthermore, the reclassification will not impact the number of students enrolled, currently 62, or existing faculty. Cost and funding to support the program will also remain unchanged. School of Nursing faculty and support staff have extensive experience in online education and will facilitate the transition of course content with no impact on quality.

The number of DNP programs in Texas has grown steadily to the current 13 programs in public and private institutions. At least one additional private school in West Texas is planning to open a DNP program in the near future. Several of these DNP programs are fully online while others are a combination of online and face-to-face delivery methods. TTUHSC DNP students are located across Texas and travel to Lubbock for on-campus three-day session three times per semester (9 days per semester). To stay competitive with the growing number of DNP programs, and to attract the best and brightest students from around the state, TTUHSC must reduce travel time and cost for potential students by decreasing the on-campus requirement and increasing the online component of our program. The proposed distance program will be a reduction of one on-campus session per semester and will significantly reduce time and travel costs for students without impacting quality. The additional 16% content delivered online will have no impact on the quality of the program as faculty already teach 49% of the course content via online teaching strategies with excellent outcomes.

Chapter 5, subchapter C, Rule §5.46 of the THECB Laws and Rules, requires Board approval of the delivery of doctoral programs through distance education.

**e. TTU: Approve renaming of academic buildings.**

Board approval required by: Section 08.05.1, *Regents' Rules*

The request is to approve the re-naming of several buildings within the Engineering Key as follows: (1) the Industrial Engineering building (former Petroleum Engineering building #0016) the "Industrial, Manufacturing and Systems Engineering" ("IMSE") building; (2) the Industrial Engineering building (former Textile Engineering building #0003) the "Mechanical Engineering South" ("MES") building; and (3) the Mechanical Engineering building (#0374) the "Mechanical Engineering North" ("MEN") building. These changes reflect the reorganization of the departments and alignment of the programs within the College of Engineering. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

The original Textile Engineering building (TTU Inventory Building #0003) located at the north end of the north-south axis of the Engineering Key is currently named the Industrial Engineering building.

In February 2016, the Board of Regents approved re-naming the former Petroleum Engineering building (TTU Inventory Building #0016) the Industrial Engineering building. That facility has been re-purposed for use by the College of Engineering's Industrial Engineering Department for relocation and consolidation of their academic and research programs, and the department's faculty and staff offices.

Due to additional reorganization within the College of Engineering, this recent renaming will be changed along with two other academic buildings within the College. The former Industrial Engineering building (#0003) will be vacated by the Department of Industrial Engineering and the Department of Mechanical Engineering will occupy the space. Therefore, the building will be re-named Mechanical Engineering South. The department of Mechanical Engineering occupies building #0374, which is adjacent to building #0003, the building will be renamed Mechanical Engineering North.

*Regents' Rules*, Section 08.05.1, requires that the Board of Regents approve the naming of Texas Tech buildings and facilities.

**f. TTU and TTUHSC: Approve Permanent Right of Access and Use of Texas Tech University and Texas Tech University Health Sciences Center land to the City of Lubbock.**

Board approval required by: Section 07.12.3.d, *Regents' Rules*

The request is to approve (i) a permanent right of access and use by the City of Lubbock for 0.0073 acres (320 square feet) of Texas Tech University land and 0.0262 acres (1,140 square feet) of Texas Tech University Health Sciences Center land. This right of use will allow for the installation of the City of Lubbock's domestic water line/utility corridor to support the Museum Life Safety Upgrade and Air Management Replacement project; and (ii) approval of the final architectural and engineering plans. This request has been approved administratively by the presidents and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

In August 2015, the Board of Regents approved a project to plan, design, and construct the Museum Life Safety Upgrade and Air Management Replacement with a total project budget of \$7,650,000. The project entails selective asbestos abatement in association with the installation of the fire suppression system and other life safety upgrades to the existing multi-story Museum building. The heating, ventilation, and air conditioning ("HVAC") components of the buildings' infrastructure that support the life safety system, as well as the buildings' electrical systems, and affected interior finishes will be upgraded as required. Replacement of two air handlers in the basement will be a part of the project. The project will be designed to comply with all applicable federal, state and local laws, regulations, and codes; thereby bringing the existing building into full compliance with current life safety codes.

In addition to the work within the interior of the Museum, the water utility infrastructure serving the museum and several other facilities in the area will require a piping upgrade in order to provide proper pressure and flow for the new fire suppression system. Therefore, the need to provide the City of Lubbock with a utility corridor, in two locations, in order to extend a domestic water line to the project's infrastructure.

The City of Lubbock will pay all costs associated with planning, constructing and maintaining this proposed connector and any related work. Final architectural and engineering plans of the proposed utility corridor will be provided to TTUS for review and approval. Additionally, the City of Lubbock will be required to return the property to original condition or an acceptable state.

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

**g. TTU: Authorize an improved real property lease in Lubbock, Texas.**

Board approval required by: Section 07.12.3.d, *Regents' Rules*

The request is to authorize the president or his designee to negotiate and execute a lease agreement with Gordon Davis, an individual, in order to provide warehouse space for the Southwest Collections' ("SWC") storage. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

The president of TTU recognizes the need for storage of collection materials for the Southwest Collections / Special Collections Library. TTU requests authorization to enter into a lease agreement with Gordon Davis, an individual, for approximately 10,400 square feet of warehouse space.

The initial lease term is for three years with two 1-year renewal options. The lease rate is \$4,000 per month. The facility is located at 1020 SE Loop 289, Lubbock, Texas, which is in close proximity to the Library's existing offsite warehouse facilities.

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.



## **h. TTU: Modification of endowment.**

Board approval required by: Section 06.02.2, *Regents Rules* and TTU OP 02.08.4

This request is to approve a modification of the loan fund established under the Last Will and Testament of Carl H. Gelin (the “Gelin Fund”) to create an endowed scholarship fund to Texas Tech University, as follows:

The endowment shall be known as the Mr. and Mrs. Carl H. Gelin Scholarship Fund. Earnings from the endowment shall provide financial assistance to deserving graduate students, at the discretion of the Dean of the Graduate School, in accordance with the normal and customary policies and procedures of the institution with respect to endowments. Assistance includes, but is not limited to, recruiting scholarships, research awards, emergency scholarships and other scholarships. Recipients of all awards must demonstrate satisfactory academic progress and financial need.

The 99<sup>th</sup> District Court of Lubbock County, Texas issued an Order to Modify Testamentary Gift Endowment of Carl H. Gelin on the 19<sup>th</sup> day of May, 2016, modifying the Last Will and Testament of Carl H. Gelin to establish an endowed scholarship fund, per the request of the Texas Attorney General’s Office, Texas Tech University and the Gelin Family.

This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

### **BACKGROUND INFORMATION**

Carl H. Gelin (“Donor”) passed away on November 9, 1996. Donor’s Last Will and Testament, dated March 19, 1963 (the “Will”), bequeathed all the rest and residue of Donor’s estate to Texas Tech University, under the following provision:

“All the rest and residue of my estate shall be reduced to cash by Executor and such funds shall be given to Texas Technological College to be used to establish a scholarship loan fund and be administered by said College in accordance with its rules and regulations . . .”

Texas Tech University endowed The Mr. and Mrs. Carl H. Gelin Scholarship Loan Fund, also known as the Mr. and Mrs. Carl H. Gelin Emergency Loan Fund, Gelin Quasi Endowment Fund (the “Gelin Fund”), on November 13, 1998, with the total amount received under the Will of \$918,594.51 to provide emergency loans to graduate students in any field.

Six hundred and two student loan funds have been made from the Gelin Fund since 1998, with an average of fifty-six loans made annually between 2002 and 2009. The amount of loans made from the Gelin Fund has decreased since 2011—with an

average of twenty loans made annually and only eleven loans made in 2014, despite Texas Tech University's substantial efforts to ensure all graduate students are aware of the Gelin Fund. Despite the increase in tuition costs since 1998, students are no longer using school-specific, donor-funded loans to finance their higher education, but instead access a wide range of Federal and state loan programs to cover increasing education costs—a development in financial aid unforeseen by Donor at the time his Will was drafted.

The terms of the Will require the Gelin Fund be “repaid in accordance with the terms and interested as determined by the [Texas Tech University] officials who administer such funds.” Texas Tech University's policy regarding the repayment of donor-funded loans require that such loans be repaid by the borrowing student prior to the borrowing student's graduation date. The majority of donor-funded loans are used by students otherwise ineligible for private loans because they are residents of countries other than the United States; therefore, the University has little to no recourse if a borrowing student returns to his or her country of citizenship and subsequently defaults on the obligation to repay a donor-funded loan like the Gelin Fund. The majority of these loans are taken out by students in emergency situations.

Seventy-seven (77) Gelin Fund loans totaling \$98,269.11 remain active and outstanding at this time. Of those active loans, an aggregate \$91,971.61, comprising sixty-eight (68) of the previously issued Gelin Fund loans, are in default or at least ninety days past due. University repayment policies places an additional burden on students already in difficult financial circumstances.

Donor established the Gelin Fund to assist students going through unexpected financial hardships, not create new hardships in the process—an outcome the Donor could not have intended or expected at the time the Gelin Fund was created. Therefore, Texas Tech University System Office of Institutional Advancement, at the request of the Texas Tech University Graduate School with the approval of Donor's relatives that remain living, reached out to the Office of the Attorney General, State of Texas, to modify the Gelin Fund from a loan fund to an endowed scholarship, in accordance with the Donor's charitable purpose.

The modification was approved by the 99<sup>th</sup> District Court, Lubbock County, Texas, by an Order to Modify Testamentary Gift Endowment of Carl H. Gelin, issued on the 19<sup>th</sup> day of May, 2016.

The total value of the Gelin Loan Fund as of June 30, 2016 is \$2,152,302.77, including the corpus and spendable accounts for the fund.

**i. TTU: Approve rate for new Honors Residence Hall.**

Board approval required by: Section 07.10.2, *Regents' Rules*

The request is to approve the rates as listed below to be assessed and collected from students residing in the new Honors Residence Hall effective with the fall semester, 2017. The rate to be assessed for the applicable academic school year of 9 months for the new Honors Residence Hall is set at \$5,750. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

<b>Residence Hall</b>	<b>FY 2018</b>
Traditional Halls - Double Occupancy	4,510.00
Traditional w/Additional Single Room Fee	5,640.00
Traditional Halls - Triple Occupancy	3,510.00
Traditional Hall Suite - Double Occupancy	5,220.00
Traditional Hall Suite Single	6,520.00
Honors Hall - Modified Traditional	5,750.00
Gordon - Double Occupancy	5,220.00
Gordon Including Single Room Fee	6,520.00
Gordon Efficiency	5,220.00
Carpenter/Wells - All Suites - All Suites	5,830.00
Murray - All Suites	5,830.00
Talkington - All Suites	6,440.00
West Village - Single Occupancy	7,750.00
West Village - Double Occupancy	7,400.00
West Village - Quad	7,000.00

**BACKGROUND INFORMATION**

Room and board rates of Texas Tech University are charged and collected under specific authorization of the laws of the State of Texas, including, but not limited to, authorization in *Texas Education Code*, Section 51.002.

**i-1 TTU: Approve employee appointment to non-elective position.**

Board approval required by: Article 16, Section 33, Texas Constitution; Chapter 667.007, Texas Government Code and 70.15 TTU Operating Policy

The request is to approve the following employee appointment to a non-elective position. Further, the president and chancellor recommend that the Board of Regents find with respect to the appointee that his service is of benefit to the State of Texas and Texas Tech University and that his services does not conflict with his respective position of employment at Texas Tech University. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

Mr. Lee Sonnenberg, associate managing director, Transportation and Parking Services, Texas Tech University, appointed as a member of the Policy Council for Children and Families with the Texas Health and Human Services Commission ("HHSC") by the HHSC Executive Commissioner.

The Board of Regents approved the appointment, of Mr. Lee Sonnenberg, to the Board of Trustees for the Texas School for the Blind and Visually Impaired as a consent agenda item on May 16, 2013 (Minute Order VIII.B.1.c-1).

The Texas Constitution, *Texas Government Code*, and Texas Tech University Operating Policy require a finding of fact before a university employee may accept an appointment to serve in a non-elective state office.

This appointment will not conflict with the appointee's employment at Texas Tech University. This individual will serve without compensation, but may be reimbursed for necessary travel and per diem in the performance of their duties as a member of the body to which they are appointed.

**j. TTUHSC: Approve budget adjustment for the period May 21, 2016 – August 12, 2016.**

Board Approval required by: Section 07.04.4.a., *Regents' Rules*

The request is to approve a budget adjustment for the period May 21, 2016 – August 12, 2016. This request has been approved administratively by the president and the chancellor is recommended for approval by the Board of Regents.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER – BOARD APPROVAL ITEM  
(May 21, 2016 – August 12, 2016)

Activity	Source of Funds		Expense
	Other	Income	
<b>Board Action</b>			
<b>Correctional Managed Healthcare</b>		<b>\$8,000,000</b>	<b>\$8,000,000</b>
Additional revenue from the Texas Department of Criminal Justice (TDCJ) to fund the increased costs of providing healthcare to the TDCJ inmates.			
<b>Total</b>		<b>\$8,000,000</b>	<b>\$8,000,000</b>

**BACKGROUND INFORMATION**

Per Section 07.04.4.a., *Regents' Rules*, Board approval is required for budget adjustments that exceed certain limits or pertain to certain types of activities or transactions.

**k. TTUHSC: Approve modifications of Crofoot Family Chair in Epilepsy.**

Board approval required by: Section 06.02.2, *Regents' Rules* and TTUHSC OP 02.08.4

The request is to approve modifying the name of the Crofoot Family Chair in Epilepsy to the "Crofoot Presidential Endowment in Epilepsy," and modifying the purpose of the endowment from funding an Epilepsy Chair to the following:

- 1) Primary focus is funding for the continued support of the epilepsy clinic and any needs the clinic may have in order to provide high quality, state of the art clinical care to patients with epilepsy;
- 2) Provide funds for research in and education regarding epilepsy annually based on the following time frame:
  - October/November – submission of funding needs by faculty to the Office of the President;
  - December/January – annual reporting to the family on progress of the epilepsy clinic, research and education initiatives as well as review of funding requests by faculty for next year's funding.
- 3) If at some future point a need for a Chair in Epilepsy is demonstrated, the funding will revert back to the donors' initial intent."

This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents. The donors have made the request, in writing, and concur with the proposed modifications.

**BACKGROUND INFORMATION**

The Crofoot Family Chair in Epilepsy was established at the Texas Tech University Health Sciences Center by Terry Crofoot, on behalf of the Crofoot Family ("Donor"), on September 27, 2006, for the purpose of establishing an endowed chair in epilepsy (the "Endowment"), to be occupied an academic epileptologist; to establish a comprehensive epilepsy diagnosis, research, treatment and high-quality clinical program for citizens of the West Texas region; and to provide certain operational needs of the Epilepsy Program.

A need for a Chair in Epilepsy does not exist at this time; therefore, Texas Tech University Health Sciences Center and Donor desires to modify the existing Endowment to continue to provide support for the existing Epilepsy Clinic primarily, as well as providing annual grant funding for proposed research and education initiatives in epilepsy.

The fund balance as of May 9, 2016 was \$2,370,192.53.

Texas Tech University Health Sciences Center Operating Policy 02.08.4 states that modification of an endowment with a principal balance of greater than \$25,000.00

requires a written request of the donor and approval of the Board of Regents of the Texas Tech University System.

**I. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUS and TTUSA:  
Approve delegation of signature authority.**

Board approval required by: Title III Section 6.3b of the Texas General Appropriations Act; and Section 09.02.3, *Regents' Rules* which requires the annual delegation of signature authority to appropriate officers and employees each fiscal year.

The request, in accordance with Title III Section 6.3b of the Texas General Appropriations Act, is to approve the following signature authority. This request has been approved administratively by the chancellor and respective component presidents, and is recommended for approval by the Board of Regents.

- (1) To authorize the chancellor to designate officers and employees of the System and its components, to approve all employee travel, except to countries outside the United States other than United States possessions, Canada, and Mexico, provided that such travel contributes to the mission of the System and its components, and is in accordance with current travel regulations. The authorization is effective September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first.
- (2) To authorize the chancellor to designate officers and employees of the System and its components, to approve official travel reimbursement from State appropriations and all other funds for all officers and employees, provided that the purpose of the travel and reimbursement for such are in accordance with state travel regulations, other statutory requirements, or other action promulgated by this board. This authorization is effective September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first.
- (3) To authorize the chancellor to designate officers and employees of the System and its components, to approve and pay all accounts covering expenditures for state-appropriated funds and all other System or components-controlled funds. This authorization is effective September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first.
- (4) To authorize and approve the sale, purchase, and transfer of stocks, bonds, and any other investment vehicles which are owned or controlled by the System and to approve contracts with investment managers funded with assets owned or controlled by the System, provided such action is approved by any two of the individuals listed below. This authorization is effective September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its



components, or are assigned other responsibilities,, whichever comes first, in which case the authorization applies to their successor:

**Texas Tech University System**

Officers and employees authorized to sign, or countersign:

Jim Brunjes, Vice Chancellor and CFO, TTUS  
Timothy Barrett, Associate Vice Chancellor and CIO, TTUS  
Eric Fisher, Assistant Vice Chancellor TTUS  
Chelle Hillis, Assistant CFO, TTUS  
Chris Gailey, Operations Manager, TTUS  
Michael Nichols, Investment Officer, TTUS  
Maleia Torres, Treasury Manager, TTUS  
Tim Barnes, Senior Analyst, TTUS

In addition to those listed for Texas Tech University System above, for the sale and purchase of gifted investments for TTUS Institutional Advancement, the following individuals are also authorized to effect transactions:

Mikela Bryant, Attorney, TTUS  
Kip Pearce, Chief Accountant, TTUS

**Angelo State University**

In addition to those listed for Texas Tech University System above, officers and employees authorized to sign, or countersign:

Angie Wright, Vice President for Finance and Administration, ASU  
Denise Brodnax, Controller, ASU

- (5) To authorize the signature and/or countersignature of checks drawn on all depository accounts of the System or its components in any depository bank. This authorization is effective from September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first, in which case the authorization applies to their successor. Any manually signed check shall be reviewed and signed by two authorized signers, and any mechanically signed check of \$25,000 or more shall be reviewed by any authorized signer.

**Texas Tech University**

Officers and employees authorized to sign, or countersign:  
Jim Brunjes, Vice Chancellor and CFO, TTUS

Noel A. Sloan, Chief Financial Officer and Vice President for  
Administration & Finance, TTU

Sharon Williamson, Assistant Vice President and Controller, TTU

Grace Hernandez, Chief of Staff and Associate Vice President for  
Administration, TTU

Simone Hasie, Managing Director, Accounting Services, TTU

Crista McCune, Managing Director, Budget and Resource Planning  
and Management, TTU

Jennifer Adling, Managing Director, Procurement Services, TTU

Lawrence Schovanec, President, TTU

### **Texas Tech University Health Sciences Center**

Officers and employees authorized to sign, or countersign:

Tedd Mitchell, M.D., President, TTUHSC

Jim Brunjes, Vice Chancellor and CFO, TTUS

Elmo M. Cavin, Executive Vice President for Finance and  
Administration, TTUHSC

Michael Crowder, Associate Vice President for Business Affairs,  
TTUHSC

Carole Wardroup, Director of Finance System Management, TTUHSC

Melody Oliphint, Director of Accounting Services, TTUHSC

Rebecca Aguilar, Associate Managing Director of Accounting Services,  
TTUHSC

Suzanne Dean, Associate Director of Accounting Services, TTUHSC

### **Texas Tech University Health Sciences Center at El Paso**

Officers and employees authorized to sign, or countersign:

Jim Brunjes, Vice Chancellor and CFO, TTUS

Richard Lange, M.D., M.B.A., President, TTUHSC El Paso

Sue Mitchell Fuciarelli, Vice President for Finance and Administration  
and CFO, TTUHSC El Paso

Jessica Fisher, Executive Director of Business Affairs, TTUHSC El  
Paso

Robert Ortega, Senior Director of Accounting Services,  
TTUHSC El Paso

Maria E. Chavez, Unit Associate Director of Accounting Services,  
TTUHSC El Paso

Marcos Amendariz, Unit Associate Director of Accounting Services,  
TTUHSC El Paso

**Angelo State University**

Any manually signed check shall be reviewed and signed by two authorized signers, and any mechanically signed check of \$10,000 or more shall be reviewed by any authorized signer

Officers and employees authorized to sign, or countersign:

Jim Brunjes, Vice Chancellor and CFO, TTUS  
Angie Wright, Vice President for Finance and Administration, ASU  
Denise Brodnax, Controller, ASU  
Janet Coleman, Director of Accounting, ASU  
Candy Woodul, Accounts Payable Manager, ASU

- (6) To authorize the transfer of funds, by wire or other electronic means, from System or component depositories. This authorization is effective from September 1, 2016 through August 31, 2017, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first, in which case the authorization applies to their successor.

**Texas Tech University**

Wire transfers shall be approved by any two authorized individuals listed:

Jim Brunjes, Vice Chancellor and CFO, TTUS  
Eric Fisher, Assistant Vice Chancellor, TTUS  
Maleia Torres, Treasury Manager, TTUS  
Tim Barnes, Senior Analyst, TTUS  
Cynthia Jobe, Executive Administrative Associate, TTUS  
Leslie Perrydore, Executive Administrative Associate, TTUS  
Noel A. Sloan, Chief Financial Officer and Vice President for  
Administration & Finance, TTU  
Sharon Williamson, Assistant Vice President and Controller, TTU  
Grace Hernandez, Chief of Staff and Associate Vice President for  
Administration, TTU  
Simone Hasie, Managing Director, Accounting Services, TTU  
Crista McCune, Managing Director, Budget and Resource Planning  
and Management, TTU

**Texas Tech University Health Sciences Center**

Wire transfers shall be approved by any two authorized individuals listed:

Tedd Mitchell, M.D., President, TTUHSC  
Jim Brunjes, Vice Chancellor and CFO, TTUS

Eric Fisher, Assistant Vice Chancellor, TTUS  
Maleia Torres, Treasury Manager, TTUS  
Tim Barnes, Senior Analyst, TTUS  
Cynthia Jobe, Executive Administrative Associate, TTUS  
Elmo M. Cavin, Executive Vice President for Finance & Administration,  
TTUHSC  
Michael Crowder, Associate Vice President for Business Affairs,  
TTUHSC  
Carole Wardroup, Director of Finance System Management, TTUHSC  
Melody Oliphint, Director of Accounting Services, TTUHSC  
Rebecca Aguilar, Associate Managing Director of Accounting Services,  
TTUHSC  
Suzanne Dean, Associate Director of Accounting Services, TTUHSC

**Texas Tech University Health Sciences Center at El Paso**

Wire transfers shall be approved by any two authorized individuals listed:

Jim Brunjes, Vice Chancellor and CFO, TTUS  
Eric Fisher, Assistant Vice Chancellor, TTUS  
Maleia Torres, Treasury Manager, TTUS  
Tim Barnes, Senior Analyst, TTUS  
Cynthia Jobe, Executive Administrative Associate, TTUS  
Richard Lange, M.D., M.B.A., President, TTUHSC El Paso  
Sue Mitchell Fuciarelli, Vice President for Finance and Administration  
and CFO, TTUHSC El Paso  
Jessica Fisher, Executive Director of Business Affairs, TTUHSC El  
Paso  
Robert Ortega, Senior Director of Accounting Services, TTUHSC El  
Paso  
Maria E. Chavez, Unit Associate Director of Accounting Services,  
TTUHSC El Paso  
Marcos Armendariz, Unit Associate Director of Accounting Services,  
TTUHSC El Paso

**Angelo State University**

Wire transfers shall be approved by any two authorized individuals listed:

Jim Brunjes, Vice Chancellor and CFO, TTUS  
Eric Fisher, Assistant Vice Chancellor, TTUS  
Maleia Torres, Treasury Manager, TTUS  
Tim Barnes, Senior Analyst, TTUS  
Cynthia Jobe, Executive Administrative Associate, TTUS  
Angie Wright, Vice President for Finance and Administration, ASU  
Denise Brodnax, Controller, ASU

Janet Coleman, Director of Accounting, ASU  
Candy Woodul, Accounts Payable Manager, ASU

**BACKGROUND INFORMATION**

Title III Section 6.3b of the Texas General Appropriations Act, and Section 09.02.3, *Regents' Rules* requires the annual delegation of signature authority to appropriate officers and employees each fiscal year.

## CONTENTS OF THE INFORMATION AGENDA

Section 01.02.7.d(4)(c), *Regents' Rules*, provides: “material required by a provision of the *Regents' Rules* to be furnished to the Board as information will be listed in the information agenda.”

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

## INFORMATION AGENDA

Information is provided as required by  
Section 01.02.7.d(4)(c), *Regents' Rules*

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

**(1) ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2016, per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.

- (a) ASU: Report dated May 31, 2016 for fiscal year 2016 (available for review upon request);
- (b) TTU: Report dated May 31, 2016 for fiscal year 2016 (available for review upon request); and
- (c) TTUHSC: Report dated May 31, 2016 for fiscal year 2016 (available for review upon request).
- (d) TTUHSC El Paso: Report dated May 31, 2016 for fiscal year 2016 (available for review upon request).

**(2) TTU, TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.d and 07.12.6.b., *Regents' Rules*** – A list of renewal, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.

TTU:

- (a) City of Lubbock (“Citibus”) and City Transit Management Company to provide on-campus and off-campus student transportation services; estimated at \$3,678,307 per annum plus additional amounts due if the service is utilized during additional university events as requested by the university; 9/1/2016 to 8/31/2017; the original item is VII.B.1.f. in the minutes of the August 17, 2004, Board of Regents meeting, with subsequent renewals reported as information items to the Board of Regents on August 12, 2005, August 11, 2006, August 10, 2007, and August 8, 2008. The Board of Regents approved the annual renewal of the contract for FY 2010 on August 7, 2009, as an action item on the Finance & Administration Committee agenda (Minute Order V.A.2.). The renewals for FY 2011 and FY 2012 were reported as information items to the Board of Regents on August 12, 2010 and August 5, 2011, respectively. The Board of Regents approved the annual renewal of the contract for FY 2013 on August 10, 2012, as an action item out of Executive Session (Minute Order X.A.2). The renewal for FY 2014 was reported as an information item to the Board of Regents on August 9, 2013. The Board of Regents approved the annual renewal of the contract for FY 2015 on August 7, 2014, as an action item on the Finance and Administration Committee agenda (Minute Order IX.D.2.). The Board of Regents approved the annual renewal of the contract for FY 2016 on August 6, 2015, as an action item on the Finance and Administration committee agenda (Minute Order XI.B.1.(2) (a)).

- (b) Lydick - Hooks roofing services; amount per annum will vary based upon services required for maintenance and repair; 9/18/2014 to 9/17/2016; the original item was not presented as an agenda item as historical expenditures did not exceed \$1,000,000 per annum but will reach such amount in FY 2016 and potentially in future fiscal years. The contract includes four two-year renewal terms upon mutual agreement of the parties.
- (c) Tectra America roofing services; amount per annum will vary based upon services required for maintenance and repair; 9/18/2014 to 9/17/2016; the original item was not presented as an agenda item as historical expenditures did not exceed \$1,000,000 per annum but will reach such amount in FY 2016 and potentially in future fiscal years. The contract includes four two-year renewal terms upon mutual agreement of the parties.

## TTUHSC:

- (a) CON1592381 (13440) University Medical Center - UMC Lubbock; renewal of agreement for professional services hospitalist program; \$1,625,000
- (b) CON1592372 (13440) University Medical Center - UMC Lubbock; renewal of agreement for neurosurgery services; \$1,200,000
- (c) AMEND592606-002 (13440) Discovery Medical Network Inc; amendment of agreement for 1115 waiver services to extend schedule of services and compensation terms at assigned location Lubbock County Hospital District; \$6,376,414
- (d) AMEND592606-003 (13440) Discovery Medical Network Inc; amendment of agreement to remove services from 1115 waiver agreement transitioned to University Medical Center - UMC Lubbock agreement(s); reduced by \$4,930,358
- (e) AMEND597030-002 (92177) Covenant Health System; amendment of agreement for physician services to extend term 5/1/2016 – 4/30/2017; \$5,297,028
- (f) AMEND597030-003 (92177) Covenant Health System; amendment of agreement for residency program directors to extend term 5/1/2016 – 4/30/2017; \$2,460,981

## TTUHSC El Paso:

- (a) 01370; El Paso County Clinical Services Inc.; "Core Resident Services Agreement", \$12,612,284.00.

- (3) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), Regents' Rules – "(a) Board approval is not required, but notice of the proposed contract must be provided to the chair and the chair of the Finance and Administration Committee prior to execution of the contract. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting."**

## TTUHSC:

- (a) CON1581714 Lisa Williams and Associates LLC; Consultant Capacity / Staffing Assessment - Family Medicine; \$20,000

## TTUHSC El Paso:

- (a) 02488; Josefine P. Brownstein; "Consultant Services Agreement" for TTUHSC-El Paso campus, RE: Consulting services for the implementation of the Community Health Worker Core Census Project, \$10,500.
- (b) 02513; Thomas Cleary; "Consultant Services Agreement" for TTUHSC-El Paso campus, RE: Consulting services for initial application for independent Southern Association of Colleges and Schools Commission on Colleges accreditation, \$10,000.



- (4) **ASU: Emergency or exigent circumstances approval of property purchase by Section 07.12.3.g, Regents' Rules** – “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 proposed 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.”
- (a) ASU – Purchase of improved real property located at 2419 W. Avenue N., San Angelo, Texas for price not to exceed \$255,000.
- (5) **TTU: Note regarding the Garrison Center** – The Texas Tech University System Office of Facilities, Planning and Construction has been informed by current management of the Garrison Center of an intent to re-purpose an interior section of the existing building for a therapy gym. In connection with that change of use, Garrison management wishes to add an additional 10 parking spaces to an existing parking lot currently containing 60 spaces. Under the 1999 ground lease which governs the relationship between Texas Tech University and the current lessee, Knight Health Holdings, L.L.C., Board of Regents approval would be required for any additional construction of new buildings on the premises. This is to inform the Board of Regents that the FP&C Office has been advised that the proposed addition of 10 parking spaces would not require approval of the Board of Regents under provisions of the ground lease.

# **ATTACHMENTS**

# **ATTACHMENT**

# **1**

**TTU Honorary Degrees Conferred**

## HONORARY DEGREES CONFERRED

<u>NAME</u>	<u>DEGREE</u>	<u>DATE</u>
Amon G. Carter	Doctor of Laws	Spring, 1930
Clifford Winslow Seibel	Doctor of Science	Spring, 1937
John Augustus Hulen	Doctor of Laws	Spring, 1940
Ernest Othmor Thompson	Doctor of Laws	Spring, 1940
John William Carpenter	Doctor of Laws	Spring, 1940
Clifford Bartlett Jones	Doctor of Laws	Spring, 1940
T. Whitfield Davidson	Doctor of Laws	Nov., 1944
Thomas Campbell Clark	Doctor of Laws	Spring, 1947
William M. Whyburn	Doctor of Laws	Spring, 1947
Dan Thorton	Doctor of Laws	Spring, 1952
Fred G. Marley	Doctor of Laws	Spring, 1953
Dessie Marion Wiggins	Doctor of Laws	Spring, 1953
Robert Earl Karpor	Doctor of Science	Fall, 1957
Charles Bates Thornton	Doctor of Laws	Fall, 1957
Houston Harte	Doctor of Laws	Spring, 1958
Charles Collins Thompson	Doctor of Laws	Spring, 1958
Fred Farrel Florence	Doctor of Laws	Spring, 1959
Leonard Franklin McCollum	Doctor of Laws	Spring, 1960
George Herman Mahon	Doctor of Laws	Spring, 1962
Wilfred Thomas Doherty	Doctor of Science	Spring, 1963
Cal Farley	Doctor of Humanities	Spring, 1963
George W. Pfeiffenberger	Doctor of Science	Spring, 1964
John B. Connally	Doctor of Laws	Spring, 1965
George W. Dupree	Doctor of Laws	Spring, 1965
Peter Hurd	Doctor of Fine Arts	Spring, 1966
Licenciado Don Emilio Portes Gil	Doctor of Laws	Nov. 1, 1966
Stewart L. Udall	Doctor of Laws	Nov. 1, 1966
John W. Gardner	Doctor of Laws	Nov. 1, 1966
Laurance S. Rockefeller	Doctor of Humanities	Nov. 1, 1966
Waymond Austin Davis	Doctor of Science	Spring, 1967
Preston Smith	Doctor of Laws	Spring, 1967
Ben Barnes	Doctor of Laws	Spring, 1967
Carey Croneis	Doctor of Science	Spring, 1967
Lyndon Baines Johnson	Doctor of Laws	Oct. 26, 1967
Licenciado Gustavo Diaz Ordaz	Doctor of Laws	Oct. 26, 1967
Charles Armor Guy	Doctor of Laws	June 1, 1968
Lewis George Weeks	Doctor of Science	May 16, 1970
Harold Hinn	Doctor of Science	May 16, 1970
Philip Overton (MS)	Doctor of Science	Dec. 4, 1975
W.O. Milligan	Doctor of Science	May 3, 1980
Carolyn Eisele	Doctor of Humanities	May 3, 1980
Betty Jane Brisco (HSC)	Doctor of Humane Letters	June 1, 1980
Alvin R. Allison	Doctor of Laws	May 15, 1981
Robert Cabaniss Goodwin	Doctor of Humane Letters	May 15, 1981
Sybil Harrington (HSC)	Doctor of Humane Letters	May 31, 1981
Sister Maureen Van der Zee (HSC)	Doctor of Humane Letters	May 14, 1982
Henry G. Cisneros	Doctor of Laws	Dec. 17, 1982
Billy Wayne Clayton	Doctor of Laws	May 13, 1983
Richard S. Colley	Doctor of Science	May 13, 1983
John Goodwin Tower	Doctor of Laws	May 11, 1984
George Valter Brindley, Jr. (HSC)	Doctor of Humane Letters	May 11, 1984
James Harris Sammons (HSC)	Doctor of Humane Letters	Jan. 18, 1985
May Owen (HSC)	Doctor of Humane Letters	Jan. 18, 1985
James Laurence Johnson	Doctor of Humane Letters	May 14, 1989
Trammell Crow	Doctor of Humane Letters	May 14, 1988
Turgut Ozal	Doctor of Humane Letters	Dec., 1988
J. Fred Bucy, Jr.	Doctor of Science	Dec. 17, 1994

Glenna Goodacre	Doctor of Fine Arts	May 11, 1996
Queen Noor of Jordan	Doctor of Humane Letters	Dec. 14, 1996
Elmo Russell Zumwalt, Jr.	Doctor of Humane Letters	May 10, 1997
Thomas Royal Phillips	Doctor of Laws	Dec. 20, 1997
Bobby G. Stevenson	Doctor of Humane Letters	May 9, 1998
Elmer Kelton	Doctor of Humane Letters	Dec. 19, 1998
Barry Lopez	Doctor of Humane Letters	Dec. 16, 2000
D. Allan Bromley	Doctor of Sciences	Dec. 15, 2001
Joe Pevehouse	Doctor of Humane Letters	Aug. 10, 2002
Dolph Briscoe	Doctor of Humane Letters	Dec. 14, 2002
Jack Dale	Doctor of Humane Letters	May 17, 2003
John A. Buesseler	Doctor of Humane Letters	Dec. 17, 2005
Susan Polgar	Doctor of Humane Letters	May 12, 2007
Becky J. Lanier	Doctor of Laws	May 15, 2010
Margaret Talkington	Doctor of Humanities	Dec. 18, 2010
Carin M. Barth	Doctor of Humane Letters	Aug. 6, 2011
Wayne Isom	Doctor of Science	Dec. 14, 2013
Timothy Cole (posthumously)	Degree in Law & Social Justice	May 15, 2015
Lauro F. Cavazos	Doctor of Science	May 21, 2016

# **ATTACHMENT**

# **2**

ASU Student Handbook 2016-2017

# ANGELO STATE UNIVERSITY

## Student Handbook 2016-2017

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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.

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 11, 2016 to be effective Monday, August 15, 2016](#).

### **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,](#)

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[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 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 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.](#)

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# PART I: CODE OF STUDENT CONDUCT

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## 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 Affairs 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

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The authority to enact and enforce regulations of the University is vested in the Board of Regents. The responsibility for enforcing the regulations and imposing penalties is delegated to the President of the University and any University officials the President designates. The Office of [the Vice President for Student Affairs and Enrollment Management](#) is the principal agency for the administration of student conduct. The [Executive Director of Student Affairs](#), [the Director of Title IX Compliance](#), [Office of Student Affairs](#), and [the Office 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, Assistant Director of Student Conduct,~~ 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 ~~Discipline Committee~~Hearing Panel, the Student Conduct Officer/Investigator will present the information and evidence obtained through the investigation to the ~~Committee~~Hearing Panel, which will make a determination of responsible or not responsible, and assign a sanction. In cases heard through the Administrative Hearing process, or completed via an Informal Resolution, the Student Conduct Officer/Investigator may render findings and issue sanctions. Investigators are assigned to cases by the ~~Executive Director of Student Affairs, 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. may be staff members in the Office of Student Affairs, or trained staff in other departments such as Housing and Residential Programs, the Office of Student Life, and University Recreation.~~

**b. Administrative Hearing Officer**

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

**c. University Discipline Committee**Hearing Panel

~~The composition of the University Discipline Committee consists of a trained pool of faculty, staff, and students. In cases involving Part I, Section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including Part I?, Section B.2.2? (discrimination, sexual misconduct, or other sensitive issues), the Committee will only include faculty and staff. 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.

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The Hearing panel will consist of full-time faculty members, full-time staff members, and full-time students. This pool will be made up of three (3) full-time faculty and staff members from each division on campus along with three (3) full-time students, and a pool of Administrative Hearing Officers. Panel appointments will be made as follows;

a. Student Recommendations;

The President of the Student Government Association is invited to make recommendations for full-time student Panel members. Upon recommendation and review, three (3) full-time student members will be appointed by the Executive Director of Student Affairs or designee. To be eligible for appointment, students must be considered full-time students, be in academic and disciplinary good standing, and have completed at least 15 hours of academic credit with a cumulative GPA of at least 2.0.

b. Faculty and Staff Recommendations;

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

c. Administrative Hearing Officer Appointments;

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

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2. ~~Committee Composition~~ Hearing Panel Terms

Each member will be appointed for a single one-year term by the Executive Director of Student Affairs or Director of Executive Student Affairs. Panel members may be re-appointed for consecutive one-year terms but must complete Hearing Panel training annually.

The University Discipline Committee will conduct disciplinary Hearings in referred cases after they have completed Office of Student Affairs training. The Committee pool will be composed of full-time faculty members, full-time students and full-time staff members and will be recognized as a University Committee. Each member will be appointed for a single one-year term by the Assistant Director of Student Conduct, in consultation with the Executive Director of Student Affairs. Committee members may be re-appointed for consecutive one-year terms, but must complete Office of Student Affairs training each year.

3. ~~Committee Appointments~~ Hearing Panel Composition

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

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University Discipline Committee appointments will be made as follows:

The President of the Student Government Association is invited to make recommendations for full-time student Committee members. Upon recommendation and review, full-time student members will be appointed by the Executive Director of Student Affairs or designee. Upon completion of the application process, full-time student members will be appointed by the Assistant Director of Student Conduct, in consultation with the Executive Director of Student Affairs.

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The President of the Faculty Senate is invited to make recommendations for full-time faculty Committee members. Upon recommendation and review, full-time faculty members will be appointed by the Executive Director of Student Affairs or designee.

The President of the Staff Senate is invited to make recommendations for full-time staff Committee members. Upon recommendation and review, full-time staff members will be appointed by the Executive Director of Student Affairs or designee.

#### 3.4. Committee Removals 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 Committee when, in his/her judgment, the member has failed or refused to effectively serve and perform the duties and functions of this Panel Committee. 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.

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#### 4.5. Committee Chairperson Resource Person

The Director of Title IX Compliance or designee will appoint a Resource Person chair of a Committee Hearing will be selected prior to the commencement of a University Discipline Hearing and will be a member of the faculty or staff. 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 chairperson is responsible for composing the Panel's Committee's decision, rationale, and appropriate sanctions.

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#### 5.6. Committee Meetings Panel Hearings

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The Executive Director of Student Affairs, Director of Title IX Compliance or designee will establish hearing meeting dates and times during which cases will be heard. Panel Hearings will be conducted by a subgroup of the Hearing Panel Members pool, and will also provide for scheduling special meetings as needed. Committee Hearings will be conducted by a subgroup of the Committee members.

6.7. ~~Committee Panel~~ Quorum

A quorum for the Panel Hearing Committee consists of three (3) five (5) members, provided that at least one (1) member is present from each of the representative categories. In cases involving Part I, Section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.

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7.8. ~~Panel Committee~~ Deliberation

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

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8.9. ~~Additional Panel Committee~~ Members

The Executive Director of Student Affairs, Director of Title IX Compliance, or designee may appoint additional members of the Hearing Panel University Discipline Committee 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 University Discipline Committee 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) University Discipline Committee.

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9.10. ~~Panel Committee~~ Orientation & Training

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

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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 Affairs. 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

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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.

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2. ***Committee Composition***

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

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- 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.

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4. ***Committee Meetings***

The [Office of 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.

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5. ***Committee Quorum***

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

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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.

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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*.

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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 [appliesapply](#) 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 [Executive Director of Vice President for Student Affairs and Enrollment Management or designee](#) determines that the off-campus conduct affects a substantial University interest, such as situations where a student’s conduct may present a danger or threat to the health or safety of him/herself or others; situations that infringe on the rights of other students; situations causing significant disruption to the educational community or are detrimental to the educational mission of the University. Proceedings under the *Code of Student Conduct* may be carried out prior to, independent of, concurrent with, or following civil or criminal proceedings.

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

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* 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 ~~M~~ail 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, ~~they/he/she~~ should ~~contact the sender of the message 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 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, or the Director of Title IX Compliance, or designee Office of Student Affairs~~ 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://rampport.angelo.edu>.

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### 4. Timelines

It is recommended that reports of alleged violations of the *Code of Student Conduct* should be ~~received by the Office of Student Affairs-reported as soon as possible after within ten (10) University business 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. Incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This timeline may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

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### 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.

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### 6. Reporting Allegations of Misconduct

To file allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online [Incident Reporting Form](#). ~~The written allegation should describe the action or behavior in question.~~ Individuals may also file a report in person at the [Office of Executive Director of Student Affairs or designee](#), located in suite 112 of the Houston Harte University Center. ~~Staff are also available in the Office of Student Affairs to take initial reports of allegations and assist with conduct processes.~~

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The ~~Office of~~ Executive Director of Student Affairs, Director of Title IX Compliance, or designee also regularly reviews reports submitted from the Angelo State University faculty and staff community, University Student Housing and Residential Programs, and the 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 ~~an~~ the online Incident Reporting Form. Individuals may also file a report in person with the Center for Student Involvement, room 001 of the Houston Harte University Center with the Executive Director of Student Affairs or designee. ~~Staff are also available in the Office of Student Affairs to discuss reports of misconduct against student organizations.~~

Student organization leaders ~~also can~~ 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, it is less likely that the organization would be held responsible for behavior that may be a policy violation. The self-report allows the University, in conjunction with the student organization, to collect information, begin individual student conduct processes, and ensure that behavior has ceased and does not reoccur. When incidents are unreported by organizations and instead come to the attention of the University via a Complainant Reporting Party or ~~third 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 ~~also~~ become aware ~~that 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 for Student Affairs or designee ~~Life staff~~ 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, ~~or by contacting the appropriate student organization or fraternity/sorority life staff member in the Center for Student Involvement, room 001 of the Houston Harte University Center.~~

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 Sexual Misconduct misconduct, to protect the University Community, and to the extent allowed by law. However, because the University also has an obligation to maintain an

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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.

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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.

• University Health Clinic and Counseling Services:

[http://www.angelo.edu/services/health\\_clinic\\_counseling/](http://www.angelo.edu/services/health_clinic_counseling/)

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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~~ University Community, the University may be required to investigate irrespective of the ~~Complainant's~~ 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.

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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~~ the Responding Student or witnesses in the case, some information may need to be shared with those involved parties in order to complete a thorough investigation.

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

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## 8. Anonymity

Angelo State University understands the sensitive nature of some incidents of alleged misconduct. Further, the University is mindful of ~~Complainants'~~ the Reporting Party's

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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-Doing so~~, however, can often ~~times~~ make it more difficult to thoroughly and effectively investigate an alleged incident. The University will work with each student on 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 ([www.angelo.edu/ferpa/](http://www.angelo.edu/ferpa/)).

#### 10. Student Organizations

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

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

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

#### 11. Reporting Criminally

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

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local law enforcement, or to both. Angelo State University administrators are happy 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 addiction to the attention of the University prior to any conduct incidents or reports.

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

## 13. Withdrawal

A responding student facing an alleged violation of the *Code of Student Conduct* may not be permitted to withdraw from the University until all allegations are resolved.

## 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.

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- 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.
- 4.5. Possession, at any time, or current or previous course materials without the instructor's permission.
- 5.6. 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.
- 6.7. 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.
- 7.8. 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.
- 8.9. 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.
- 9.10. Falsifying research data, laboratory reports, and/or other academic work offered for credit.
- 10.11. 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.

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***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.

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***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.

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**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, or credit for attendance in order 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/perpetuated against a member of the University community/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, and/or 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 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.

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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 ~~a threat or intent to inflict bodily harm upon specific individuals or groups of individuals intent to inflict harm upon any person, group of people, or damage to any property.~~

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3. *Intimidation*

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

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4. *Intimate Partner/Relationship Violence*

~~Violence or abuse, verbal or physical, by a person in an intimate relationship with another.~~

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5.4. *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.

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b. Severe, pervasive, and objectively offensive behaviors that intimidate or intentionally harm or control another person emotionally.

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6. *Stalking*

~~Behavior which includes, but is not limited to, knowingly and repeatedly engaging in conduct that the individual knows or reasonably should know the other person will regard as unwelcome and would cause a reasonable person to be fearful or suffer substantial emotional distress.~~

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

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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.

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1. *Interpersonal Violence*

An offense that meets the definition of domestic violence or dating violence:

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a. Domestic Violence - Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common, by a person with whom the Reporting Party is cohabitating (or has cohabitated) with a spouse or intimate partner, by a person similarly situated to a spouse of

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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.

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Domestic Violence is also defined in Texas Family Code, Chapter 71, Section 71.004

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(<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.71.htm#71.004>).

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

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Dating Violence is also defined in Texas Family Code, Chapter 71, Section 71.0021

(<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.0021>).

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### *Sexual Harassment*

Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience or creates a hostile educational environment.

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### 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:

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

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### *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:

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

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### 3. Sexual Assault

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

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

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

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

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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.

Sexual Assault is also defined in Texas Penal Code, Chapter 22, Section 22.011 (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

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. 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:

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

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. Sexual Harassment

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

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
- Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or

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

Nonconsensual Sexual Intercourse

Sexual penetration or intercourse, however slight and with any object, without consent. Penetration can be oral, anal, or vaginal.

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.

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

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

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

**d. Hazing**

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

1. Any type of physical brutality, such as whipping, beating, using a harmful substance on the body, or similar activity.
2. Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.
4. Any activity that intimidates or threatens a student with ostracism, that subjects a student to extreme mental stress, shame or humiliation, adversely affects the mental health or dignity of a student, or discourages a student from entering or remaining enrolled at the University, or may reasonably be expected to cause a student to leave the organization or the University rather than submit to acts described above.
5. Any activity in which a person solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing; intentionally, knowingly, or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing

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incident which has occurred 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.

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**f. 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.

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**g. Complicity**

1. ~~Assisting~~Failure of a student, via acts or omission, through an act, to assist 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.
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.

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

**3. Alcoholic Beverages**

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

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**4. Narcotics or Drugs**

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

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**5. Smoking/Tobacco**

Smoking in unauthorized areas on University property as designated by the Angelo State University [Smoke/Tobacco-Free Environment policy \(OP 34.23 Smoke/Tobacco-Free Environment\)](#).

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**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, ~~T~~asers, or explosive or noxious materials on University premises ~~that would constitute a violation of any~~ ~~except in accordance with~~ federal, state, ~~and/or~~ local law, and/or Angelo State University policy. ([OP 02.10 Concealed Carry of Handguns on Campus](#)).

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*NOTE: See RESIDENCE HALL HANDBOOK 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.

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

- a. Attempted or actual theft of property or services of the University, ~~other University students, other members of the University community, or campus visitors 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, ~~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.
- 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.

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

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

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## **10. False alarms or Terroristic 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.

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## **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~~ ~~symbols~~; ~~however~~, registered student organizations are permitted to use the complete statement "a registered student organization at Angelo State University."

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- 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 ~~other or her~~ duties.
- c. Failure to comply with the sanctions imposed by a Student Conduct Officer/Investigator under the *Code of Student Conduct* or the Student ~~H~~handbook.

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## 13. Abuse, Misuse, or Theft of ~~U~~niversity Information Resources

- ~~a.~~ 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*. "Information resources" means procedures, equipment and software, regardless of location, that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit University information, and associated personnel, including consultants and contractors, regardless of whether the personnel are employed by the University or retained as independent contractors. Usage of Angelo State University 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 is also subject to the [Information Technology Operating and Security Policy](#) (OP 44.00), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information resources includes, but is not limited to the following:
  - ~~b.a.~~ Unauthorized use of University information resources 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 resources.
  - ~~e.b.~~ Use of University information resources 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).
  - ~~d.c.~~ Using University information resources to violate Part I, Section B.2 (Actions ~~A~~gainst Members of the University Community and Others).
  - ~~e.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 resources, compromising the privacy of another user or disrupting the intended use of Angelo State University information resources.
  - ~~f.e.~~ Attempted or actual use of the Angelo State University information resources for unauthorized political or commercial purposes, or for personal gain.
  - ~~g.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

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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.

**h.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 resources.

**h.h.** Attempted or actual use of Angelo State University information resources to interfere with the normal operation of the University.

**h.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 resources.

#### **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.

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#### **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.

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*NOTE: Refer to University Parking Services regulations at:  
[http://www.angelo.edu/services/parking\\_services/](http://www.angelo.edu/services/parking_services/)*

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

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

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- a. [University Parking Services](#)
- b. [Housing and Residential Programs](#)
- c. [Student Life](#)
- d. [Multicultural and Student Activities Programs](#)
- ee. [University Recreation](#)
- fd. [Texas Tech University System Board of Regents' Rules](#)
- ge. [Angelo State University Operating Policies and Procedures](#)
- hf. [Community Policies of the Student Handbook \(Part II\)](#)

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

Misconduct which may constitute a violation of federal, ~~and/or~~ state, local laws, and/or Angelo State University policy will be considered a violation of this policy, and will be

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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.

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## **SECTION C: CONDUCT PROCEDURES FOR STUDENTS**

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Upon notice of an alleged violation of the *Code of Student Conduct*, the Executive Director of Student Affairs ~~or~~, the ~~Assistant~~ Director of ~~Title IX Compliance, or designee Student Conduct~~ 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 Complainant statement. If it determined that the information reported does not warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question.

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

When a ~~Complainant 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 ~~Complainant Reporting Party~~ while weighing the interests of the campus community and the possibility of a continuing threat. If the ~~Complainant 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 Respondent, the University will proceed with the student conduct process to the extent of the information available. If the ~~Complainant 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.

### **1. Remedies and Resources**

The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the ~~Complainant 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 ~~Complainant Reporting Party~~ while respecting due process rights of the ~~Respondent~~ Responding Party. Remedies for students may include, but are not limited to, counseling services, victim's advocate assistance, ~~and~~ modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

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#### **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 Office of Executive Director Student Affairs, Director of Title IX Compliance, or designee ~~is~~ also available to help students understand the student conduct process and identify resources.

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#### **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, 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 ~~or~~, 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 ~~or~~, 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

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be eligible. At the discretion of the Executive Director of Student Affairs ~~or, 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 student. Students are informed of interim actions by the official notice procedures outline 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 ~~Complainant~~ Reporting Party, ~~Respondent~~ 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 ~~Office of Student Affairs or~~ Executive Director of Student Affairs ~~or, 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 ~~Office of Executive Director of~~ Student Affairs ~~or, the Director of Title IX Director~~ Compliance, or designee. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension during 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 ~~or, the Director of Title IX Compliance,~~ 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 ~~or, the Director of Title IX Compliance,~~ or designee will ~~notify the Assistant Director of Student Conduct to~~ initiate appropriate conduct

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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 Office](#) 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;
- 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.

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### 3. *Other Interim Actions*

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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*

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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 Office of Student Affairs](#) [the Executive Director of Student Affairs 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 [or Director of Title IX Compliance](#) 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 ~~Student Conduct Officer/Investigator and~~ Executive Director of Student Affairs, [Director of Title IX Compliance or designee](#), it is determined that:

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

If the Executive Director of Student Affairs [or the Director of Title IX Compliance](#) 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 [or the Director of Title IX Compliance](#) 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. ~~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 record until the student is readmitted.

**NOTE:** [See Texas Education Code, Sections 51.233-51.244](#)

**2. The Conduct Process**

**a. Notice of Involvement**

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

**b. Rights and Responsibilities**

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

A student has the right to:

1. A prompt, fair, and equitable process.
2. Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student **not otherwise involved in the case**), a Victim’s Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor’s role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused 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. The Complainant and/or the student accused of alleged misconduct is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct

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Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of a Student Conduct Officer/Investigator upon written request five (5) University business days in advance of the scheduled Hearing date.†

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 Investigator's questions but not others), then during the Hearing, the student will only be permitted to speak to the information he or she provided, with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.

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

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

It is the student's responsibility to:

1. Be responsive to all correspondence from the University.†
2. Provide information relevant to the incident or situation.†

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

**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 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.

During the investigative process, [Complainants Reporting Parties](#) and [Respondents Responding Parties](#) are responsible for providing all information or evidence that they believe should be considered.

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

Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigative Process at which point the Student Conduct Officer/Investigator explains the options for resolution to the involved

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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/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/Reporting Party](#) and the [Respondent/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. Mediation will not be used to resolve cases involving Title IX ([sexual misconduct](#))-based allegations. The Informal Resolution, while not considered mediation, will also not be utilized to resolve cases of nonconsensual sexual intercourse.

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 [Office of 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/University Discipline Committee Hearing](#), the Pre-Hearing Process will be followed. Once the investigative process is complete, the responding student 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 allegations and the completion of an Administrative or [Panel Hearing/University Discipline Committee Hearing](#). During

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this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and/or other documents to be used in the Administrative or ~~Panel Hearing~~~~University Discipline Committee Hearing~~. Other documents reviewed may include notification of Respondent's allegations, ~~Panel Committee~~ 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 ~~University Discipline Committee 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 ~~University Discipline Committee 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 ~~University Discipline Panel Committee~~ 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~~~~Complainants~~ and ~~Respondents~~~~Responding Parties~~ will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

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

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

In cases requiring a ~~Hearing Panel~~~~University Discipline Committee~~, the Student Conduct Officer/Investigator will share the list of committee members which consists of faculty, staff, and students trained for ~~Panel Hearings~~~~University Discipline Committees~~. Students will be given the opportunity to request to strike any member of the ~~Hearing Panel~~~~University Discipline Committee~~ whose impartiality may be in question. In order to strike a member of the ~~Hearing~~

~~Panel University Discipline Committee~~, 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 University Discipline Committee~~ is set, the ~~Student Conduct Officer/Investigator~~ ~~Executive Director of Student Affairs and/or the Director of Title IX Compliance or designee~~ will schedule the ~~Panel University Discipline Committee~~ Hearing.

### 3. 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 University Discipline Committee~~ Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative or ~~Panel University Discipline Committee~~ 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 University Discipline Committee~~ Hearing, the Student Conduct Officer/Investigator or the ~~Hearing Panel University Discipline Committee~~ may consider the information contained in the Investigation Report and render a decision. ~~In cases involving Part I, Section B.1 (Academic Misconduct), the hearing will be conducted by the Academic Dean of the college housing the course where the violation occurred or designee or the Academic Integrity Committee. Additional sanctions in Part I, Section C.4a-g could also be assigned on a case-by-case basis by the Executive Director of Student Affairs or designee.~~

Hearings are closed to the public. In cases involving another student (a ~~Complainant 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 ~~Complainant Reporting Party~~ and the ~~Respondent Responding Party~~ 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 reporting~~ 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 Affairs prior to the scheduled Hearing.

#### 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 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.

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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 Appeals Procedures outlined in Part II, Section C.5.

**b. Panel Hearing/University Discipline Committee Hearing**

~~A For each Panel/University Discipline Committee Hearing panel consists of a panel of three (3) five (5) Hearing Panel/University Discipline Committee members will be chosen from the available pool by the Executive Director of Student Affairs and/or 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, including faculty, staff, and students. Availability may determine a different composition for the Panel. For allegations involving Part 1, 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. In cases including Part I, Section 2.2B.2 (discrimination, sexual misconduct, or other sensitive issues), the Committee will only include faculty and staff. In cases involving Part I, Section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty from the Academic Integrity Committee.~~

~~During the Panel/University Discipline Committee Hearing, a designated Resource Person/Committee Chairperson will facilitate the Hearing process. Hearing proceedings, excluding the deliberations of the University Discipline Committee, will be recorded by the University.~~

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

- Prepare the Panel/University Discipline Committee Hearing materials;
- Record the Panel Hearing/University Discipline Committee proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;

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- Ensure proper decorum throughout the ~~Panel University Discipline Committee~~ Hearing;
- Ensure the procedural soundness of the ~~Panel University Discipline Committee~~ Hearing;
- Provide student conduct history as well as any documented Policy Warnings issued to the Responding Party, during the sanctioning phase, if necessary; of the Responding Partyent during the sanctioning phase, if necessary;
- Transcribe the findings of the ~~University Discipline Committee~~ Hearing ~~Panel~~;
- Compile the post-Hearing documentation;
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report/~~materials~~, evidence, witnesses, allegation(s), and questions for deliberation. ~~Both t~~The ~~Reporting Party~~~~Complainant~~ and ~~Respondent~~~~ing Party~~ have the right to add or make additional comments about the facts of the case. The ~~Hearing Panel~~ ~~University Discipline Committee~~ may question the Student Conduct Officer/Investigator, ~~Complainant~~~~Reporting Party~~, ~~Responding Party~~ent, and any witnesses. The ~~Complainant~~~~Reporting Party~~ and ~~Responding party~~ent do not have the right to 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~~~~chair of the Hearing~~ removes a student due to misconduct (~~Reporting Party~~~~Complainant~~, ~~Respondent~~~~ing Party~~, or witnesses), the alleged misconduct will be forwarded to the ~~Office of Executive Director of Student Affairs~~, ~~Director of Title IX Compliance or designee~~.

Following the Hearing, the ~~Hearing Panel~~ ~~University Discipline Committee~~ 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~~ ~~University Discipline Committee~~ have any questions for the Student Conduct Officer/Investigator, the ~~Complainant~~~~Reporting Party~~, and/or the ~~Responding Party~~ent, the ~~University Discipline Committee~~ 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~~~~University Discipline Committee~~ will be provided to the student(s) in writing within five (5) University business days of the conclusion of the ~~Panel~~ ~~University Discipline Committee~~ Hearing. Decisions made through the ~~University Discipline Committee~~ Hearing ~~Panel~~ may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section C.5.



#### 4. Sanctions

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a University Discipline Committee may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or ~~University Discipline Committee~~ 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/services/saem/student\\_affairs.php](http://www.angelo.edu/services/saem/student_affairs.php)~~~~<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 ~~University Discipline Committee~~ Hearing Panel/Academic Integrity Committee. The Student Conduct Officer/Investigator, Administrative Hearing Officer, and/or the ~~University Discipline Committee/Academic Integrity Committee~~ Hearing Panel may deviate from the grid.

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.

All records related to the disciplinary process will remain on file in ~~room 112 of the Houston Harte University Center~~~~the Office of Student Affairs or Housing and Residential Programs Center for Student Empowerment~~ for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, Administrative Hearing, or ~~Hearing Panel~~ University Discipline Committee/Academic Integrity Committee 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 ~~D~~isciplinary ~~R~~eprimand 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 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.

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**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.

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**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 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.

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**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.

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**f. *Conditions***

A condition is an educational or personal element that is assigned by Student Conduct Officer/Investigator, Administrative Hearing Officer, or ~~University Discipline Committee~~ [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:

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Personal and/or academic counseling intake session.†

- Discretionary educational conditions and/or programs of educational service to the University and/or community.†
- Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities.†
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement.†
- Monetary assessment owed to the University.†
- Completion of an alcohol or drug education program.†
- Referral to the Alcohol & Drug Abuse Council for the Concho Valley (ADACCV) for assessment <http://www.adaccv.org/index.php?id=about-us>

#### ***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.

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#### ***h. Academic Penalties***

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

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

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**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.

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**5. Disciplinary Appeals Procedures**

A student may appeal the finding or the sanction(s) imposed in an Administrative Hearing or ~~Panel University Discipline Committee~~ 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.

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The ~~Executive Director of Student Affairs~~ 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 Vice President for Student Affairs and Enrollment Management or designee will be the designated appeal officer for cases involving Sexual Misconduct.~~ The designated appeal officer will be a trained University staff of 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.

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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:

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- 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
- 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 ~~Complainant Reporting Party~~ or ~~Responding Party~~ may appeal the decision of the ~~Hearing Panel~~ Office of Student Affairs. In such cases, the ~~Office of Vice President for Student Affairs or designee~~ will provide the request for appeal to the other party and provide opportunity for response.

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

If the designated appeal officer determines that the sanction, appeal is valid, 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/University Discipline Committee](#)/Academic Integrity Committee. 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 [PanelBody](#); or
- Remand the case to a new Hearing [PanelBody](#).

The Office of [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 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 [PanelBody](#), the decision of that Hearing [PanelBody](#) is final and may not be appealed.

## **6. 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 ~~Executive Director of Student Affairs~~[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 ~~Executive Director of Student Affairs~~[Vice President for Student Affairs and Enrollment Management or designee](#) to submit evidence in writing supportive of his/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

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~~Executive Director of Student Affairs~~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 ~~or, 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 ~~Complainant~~Reporting Party's statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question.

### **1. Initial Inquiry**

An initial inquiry would occur to review information about the alleged misconduct and to evaluate the accuracy, credibility, and sufficiency of the information. When an initial report does not identify victims of misconduct or victims are not available, it can limit the ability to investigate the incident. When the ~~reporting party or Complainant~~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 ~~Complainant~~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~~Complainant does not want to participate in the investigative process but has no aversion to the University pursuing the conduct process, the University will proceed to the extent of the information available.

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

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

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### 3. Remedies & Resources to Reporting Parties/Complainants

- a. The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the ~~Reporting Party Complainant~~ 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 Complainant~~ while respecting due process rights of the ~~Respondent~~ ~~Responding Party~~. Remedies for students may include, but are not limited to, counseling services, victim's advocate assistance, and modifications to on-campus housing, modifications to parking permission, and modification to academic schedule. Remedies will be evaluated on a case-by-case basis.
- b. Assistance and resources are provided to the ~~Reporting Party Complainant~~ 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 staff member in the Office of Student Life, Office of Student Affairs, or by~~ the Executive Director of Student Affairs ~~or, 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.

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### 4. Interim Actions

Under the *Code of Student Conduct*, the Executive Director of Student Affairs ~~or, 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, 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 ~~or, 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

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effort to protect the safety and well-being of the Reporting Party/Complainant, 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 Involvement**

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

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

In most cases, the appropriate Student Organization or Fraternity/Sorority/Greek Life staff will ask the student organization President and Faculty/Staff Advisor or Alumni Advisor for an initial response to the information received within a prompt timeframe. At this time, student organization officers and members accused of conduct violations will also receive information about resources that can assist them during the conduct proceedings. When organization leaders are prompt, cooperative and forthcoming with information to assist in the inquiry, it can reduce conduct findings and sanctions. Organizations should be aware that information gathered during this initial contact is documented for use during conduct proceedings. Organizations that fail to comply with or respond to a notice issued as part of conduct procedures and/or fail ~~ure~~ to appear will not prevent the continuation of the conduct process. Likewise, a student organization that ignores requests for information, misrepresents information, or conceals information can face additional allegations of misconduct and increased sanctions.

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

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

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#### **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

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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, in situations involving criminal legal proceedings, an attorney.
  - An advisor’s role is that of support – he or she may not speak on behalf of the organization and does not have an active, participatory role in the conduct process. If an advisor for the organization is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend on behalf of the University.
  - In the case of a student organization conduct proceeding, the President of the student organization is asked to make a response on behalf of the organization. During these processes, the President is also encouraged to include the faculty/staff advisor for the student organization. In many cases, the President may not be able to speak on behalf of the local advisory board to the student organization, so the inclusion of a local alumni advisor is also allowed.
  - In the case of student organizations, the current President of the organization, is responsible for presenting information during the formal hearing. The roles of the advisors during formal hearings should be for support and guidance, not to speak or participate directly in the formal hearing unless authorized.
  - 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.
- 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.
- 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 ~~panelboard~~ 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 inter/national or regional organization headquarters staff to assist with collaborative investigations.
- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

Student organization responsibilities include:

- j. Be responsive to all communications from the ~~U~~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 ~~or, 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 concern.
- b. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. In student organization incidents there is potential for three or more separate investigations to be occurring in a similar time frame:
  - Angelo State University Student Organization Conduct Investigation.

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

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

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

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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 letter~~ would be issued to the organization and the incident would be closed.
  - If there is sufficient evidence to proceed to a hearing, the investigation report will outline the formal allegations against the student organization.
  - A discussion would occur around the opportunity for an informal resolution or a formal hearing.
- b. In cases proceeding to a formal hearing, the student organization representative(s) would review the formal hearing script and the pool of faculty, staff, and students trained for the ~~Hearing Panel/University Discipline Committee~~.

#### **11. Informal Resolution**

- a. Upon review of the investigation report and the investigation process, the organization may have the opportunity to resolve the issue informally. The investigator would provide an informal resolution in writing to the organization representatives for their consideration. The organization would agree to the outlined findings of responsibility for misconduct and the outlined sanctions. If there is a complaint, the ~~Reporting Party/Complainant~~ must also agree to the informal resolution. To participate in the Informal Resolution process, student organizations must accept both the finding and the sanction. There is no appeal of signed informal resolutions.

Once completed, the informal resolution completes the conduct process. The case will only be reopened if new materials, previously unavailable, are presented.

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

- a. In cases involving an Administrative or ~~Panel/University Discipline Committee~~ 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/University Discipline Committee~~ 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/University Discipline Committee~~ Hearing. Other documents include notification of ~~Respondent's~~ ~~Responding Party's~~ allegations, ~~Panel/Committee~~ 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.

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- 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 ~~judgement~~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 University Discipline Committee~~ 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 University Discipline Committee~~ 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 University Discipline Committee~~ 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 R~~report, during the Pre-Hearing, ~~Complainants the Reporting Party~~ and ~~Responding Party~~s will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

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

- d. Student organizations may indicate whether an Administrative Hearing or ~~Panel University Discipline Committee~~ Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing or ~~Panel University Discipline Committee~~ Hearing will be held notwithstanding the student's preference.
- e. In cases requiring a ~~Hearing Panel University Discipline Committee~~, the Student Conduct Officer/Investigator will share the pool of faculty, staff, and students trained for ~~Hearing Panels University Discipline Committees~~. Student organization representatives will be given the opportunity to request to strike any member of the ~~Hearing Panel University Discipline Committee~~ whose impartiality may be in question. In order to strike a member of the ~~Hearing Panel University Discipline Committee~~, 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 University Discipline Committee~~ is set, the ~~Executive Director of Student Affairs, Director of Title IX Compliance, or designee will schedule the Panel~~ Student Conduct Officer/Investigator will schedule the ~~University Discipline Committee~~ Hearing.

### 13. Formal Hearings

- a. Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student organization, the University may proceed to conduct either an Administrative or a Panel University Discipline Committee Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative Hearing or Panel University Discipline Committee 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 University Discipline Committee Hearing, the Student Conduct Officer/Investigator or the Hearing Panel University Discipline Committee may consider the information contained in the Investigation Report and render a decision. Student organization conduct processes are typically adjudicated by a Panel Hearing University Discipline Committee.
- b. Hearings are closed to the public. Complainants-The Reporting Party and Respondents-Reporting 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 complainant-the Reporting Party and Responding students-Party are not present in the hearing room at the same time.
- c. Student organizations are typically represented by the current President and an advisor.
- d. In situations where the organization no longer has a current student representing the organization, the conduct process will continue with the information available at the time. Organizations with 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.
- e. 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 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.

f. Panel Hearing University Discipline Committee Hearing

f.

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

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(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 Panel. A University Discipline Committee Hearing panel consists of five (5) University Discipline Committee members including faculty, staff, and students. Availability may determine a different composition for the Hearing panel. In cases involving Part I, Section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including In cases including Part I, Section B.2 (discrimination, sexual misconduct, or other sensitive issues), discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.

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 University Discipline Committee~~ Hearing, a designated Resource Person~~Committee Chairperson~~ will facilitate the Hearing process. Hearing proceedings, excluding the deliberations of the University Discipline Committee, will be recorded by the University.

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

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

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- Deliver notification to student parties.

g. The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. ~~Both the Complainant Reporting Party and Respondent Responding Party~~ have the right to add or make additional comments about the facts of the case. The ~~Hearing Panel University Discipline Committee~~ may question the Student Conduct Officer/Investigator, ~~Reporting Party Complainant, Responding Partyent,~~ and any witnesses. The ~~Complainant Reporting Party and Respondent Responding Party~~ do not have the right to 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 chair~~ of the Hearing ~~Panel~~ removes a student due to misconduct (~~Complainant Reporting Party, Responding Partyent,~~ or witnesses), the alleged misconduct will be forwarded to the ~~Office of Executive Director of Student Affairs, the Director of Title IX Compliance, or designee Center for Student Affairs. Empowerment for additional processing as appropriate Office of Student Affairs.~~

h. ~~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 ~~I~~investigator ~~will~~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 Angelo State University to help ~~inform sanctioning the panel determine appropriate sanctioning.~~

~~Following the Hearing, the University Discipline Committee 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 University Discipline Committee~~ have any questions for the Student Conduct Officer/Investigator, the ~~Complainant Reporting Party,~~ and/or the ~~Responding Partyent,~~ the ~~University Discipline Committee~~ 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 University Discipline Committee will~~should be provided to the student(s) ~~organization~~ in writing within five (5) University business days of the conclusion of the ~~Panel University Discipline Committee~~ Hearing. Decisions made through the ~~University Discipline Committee~~ Hearing ~~Panel~~ may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined ~~s~~ in Part I, Section C.5.

#### 14. Sanctions

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A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a [Hearing Panel University Discipline Committee](#) may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or [Panel University Discipline Committee](#) 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 University Discipline Committee](#).

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 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.

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.

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***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.

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***c. Deferred Disciplinary Suspension***

Deferred Disciplinary Suspension is utilized for misconduct that could have resulted in suspension, but the suspension is deferred for a period of observation and review. Deferred suspensions are assigned for no less than one semester. Further instances of misconduct 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.

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***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

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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 inter/national or regional organization suspends the charter of an organization, this results in a sanction no less than time-limited suspension for the time period of the suspended charter. Notification of disciplinary suspension of a student organization will indicate the date on which it begins and the earliest date the student organization's application for registration will be considered. The Student Conduct Officer/Investigator may deny an application for registration if the organization's misconduct during suspension would have warranted additional disciplinary action. If the student organization has failed to satisfy any sanction that was imposed prior to application for registration, the Student Conduct Officer/Investigator may deny registration to the student organization. On a denial of student organization registration, the Student Conduct Officer/Investigator, ~~or~~ 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.

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***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:

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- 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***

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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, 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, intramurals, 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.

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### **15. Disciplinary Appeals 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 designated appeal officers within five (5) University business days of receiving the written decision.
- b. The ~~Executive Director of~~ [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:
  - 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 ~~H~~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 ~~A~~against Members of the University Community and Others), either the [Reporting Party Complainant](#) or ~~Respondent~~ [Responding Party](#) may appeal the decision of the ~~Hearing Panel, Office of Student Affairs~~. In such cases, the Office of [the Vice President](#)

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- 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 University Discipline Committee~~. 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 ~~Panel Body~~;
    - Remand the case to a new Hearing ~~Panel Body~~.
  - h. The ~~Office of 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 Body~~, the decision of that Hearing ~~Panel Body~~ 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 inter/national or regional headquarters or organizations as appropriate.

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## PART II: COMMUNITY POLICIES

### SECTION A: ALCOHOL POLICY & INFORMATION

#### a. 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

#### a. 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.

#### 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 I, 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 Executive Director for 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 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

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to the 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, and 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-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 and for adjudication as a the Student Code of Conduct, violation when 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 Provost and Vice President for Academic Affairs for approval to drop the course or withdraw from the University retroactively.
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 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).

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**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.

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**f. Referrals to the [Office-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 [Office Executive Director](#) of Student Affairs [or designee](#) for the assignment of disciplinary

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sanctions. Instructions for reporting academic dishonesty violations are available in the Code of Student Conduct. A student referred to the Office-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 violation occurred and the 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-Executive Director of Student Affairs or designee as outlined in the Code of Student Conduct.

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

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

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The University does not tolerate discrimination or harassment based on or related to sex, race, national origin, religion, age, disability, protected veteran status, genetic information, or other protected 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.

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Angelo State University does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, status as a covered veteran, or other protected categories, classes, or characteristics. While sexual orientation is not a protected category under state or federal law, it is Angelo State University policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student'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. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.

#### **1. Harassment**

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a. Harassment based on a person's protected class under this policy is a form of discrimination. Unlawful harassment is 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 that:

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1. Create an intimidating, hostile, or offensive working or educational environment.
2. Have the purpose or effect of unreasonably interfering with an employee's or student's educational performance.
3. Adversely affect an employee's employment opportunities or student's educational opportunities.

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4. Is severe or pervasive.

a-b. 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 cartoons 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. Additional information on reporting can be found at:

<https://www.angelo.edu/services/title-ix/> or in University Operating Policy 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure for matters concerning Sexual Misconduct. An online reporting form is also available at: <https://www.angelo.edu/services/title-ix/file-a-complaint.php>.

b. Students reporting discrimination or harassment in their employment capacity should contact the ASU Office of Human Resources at (325)942-2168 or Texas Tech University's Office of Equal Employment Opportunity at (806)742-3627.

**4. Office ~~for~~ Civil Rights Complaints**

Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office ~~for~~ Civil Rights (OCR), 400

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Maryland Avenue, SW Washington, DC 20202-1100 or Customer Service Hotline (800) 421-3481 or <http://www.ed.gov/ocr>  
<http://www2.ed.gov/about/offices/list/ocr/index.html>.

#### 1.5. ~~Non-Ret~~Retaliation

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

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#### 6. Confidentiality

~~The Confidentiality of both the Reporting Party Complainant and the Responding Party accused will be honored by the University to the such extent as is 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 and harassment and only in instances where there is no credible threat to the safety of the Complainant, Respondent, or others. The willful and unnecessary disclosure of confidential information by anyone, including the Reporting Party or Responding Party, alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party affect the integrity of the investigation.~~

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#### 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.~~

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#### 1. Discriminatory Harassment

a. ~~Discriminatory harassment is verbal or physical conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics and is so severe, persistent,~~

or pervasive 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. ~~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, screen savers, e-mails, or cartoons in any format that reflects disparagingly upon a class of persons or a particular person;~~
- ~~• Derogatory remarks about a person's national origin, race or other ethnic characteristic;~~
- ~~• Disparaging or disrespectful comments if such comments are made because of a person's protected status;~~
- ~~• Loud or angry outburst or obscenities in the academic environment directed toward another student, faculty, staff, or visitor; or~~
- ~~• Disparate treatment without a legitimate business reason.~~

## **2. Sexual Harassment**

a. ~~Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with the student's educational experience.~~

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

- ~~• Sexual teasing, jokes, remarks, questions;~~
- ~~• Sexual looks and gestures;~~
- ~~• Sexual innuendos 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;~~
- ~~• Unwelcome physical contact (touching, patting, stroking, rubbing);~~
- ~~• Non-consensual video or audio taping of sexual activity;~~
- ~~• Inappropriate discussion of private sexual behavior;~~

- ~~Exposing one's genitals or inducing another to expose their genitals;~~
- ~~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 their genitals;~~
- ~~Sexual assault; or~~
- ~~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.*

### **3. Reporting Concerns**

Student complaining of discriminatory and sexual harassment should contact the Director of Title IX Compliance, room 112 Houston Harte University Center, (325)942-2047. Students complaining of discriminatory and sexual harassment in their employment capacity should contact the Office of Human Resources, East Annex Building, (325)942-2168. An online reporting form is also available.

### **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>.

### **5. Non-retaliation**

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or Hearing. Retaliatory harassments is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.

### **6. Confidentiality**

Confidentiality of both Complainant and accused will be honored to such extent as is possible without compromising the University's commitment to investigate allegations of discrimination and harassment and only in instances where there is no credible threat to the safety of the Complainant,

Respondent, or others. The willful and unnecessary disclosure of confidential information by anyone, including the alleged victim, regarding discrimination and harassment complaints to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

## **SECTION (?): FACULTY/STAFF AND STUDENT RELATIONSHIPS**

### **7. 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. 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 Executive Director of Student Affairs.

### **8. Grievance or Complaint Processes**

A grievance is a formal complaint pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or Angelo State University policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. Additional information about grievance and complaint processes is available here. Complaint processes are outlined in Part II, Section E of the Student Handbook.

### **9. Grievances and Investigations – Complaints Involving Other Students**

Grievances and investigations of formal complaints against other student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or Angelo State University policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part I, Section B (*Code of Student Conduct*).

### **9. Grievances and Investigations- Complaints Involving Employees, Whether Faculty, Staff, or Students**

- a. This grievance process is applicable to all students who choose to complain about unlawful discrimination, harassment, or other violations of the law that adversely affect their educational environment and the responding party is an employee, whether faculty, staff, or student.
- b. All grievance investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.

- e. ~~The filing of a grievance shall not affect the ability of Angelo State University to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance.~~
- d. ~~A student may consult with the Executive Director of Student Affairs to determine if he/she wishes to file a formal grievance. Students wishing to file a grievance should complete the Incident Reporting Form. However, even if a formal grievance is not filed, the Executive Director of Student Affairs may notify key personnel at his or her discretion about the allegation, and other action may be taken by Angelo State University as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing alleged offenders of Angelo State University's policy and educating departments and supervisors as needed on this and other policies.~~
- e. ~~If the grievance involves the Executive Director of Student Affairs, the grievance should be presented to the Office of Human Resources.~~
- f. ~~Student complaints of discrimination or harassment by an employee will be investigated jointly by the Office of Student Affairs and the Office of Human Resources.~~
- g. ~~The investigation may consist of the review of the grievance 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 Office of Student Affairs and/or the Office of Human Resources. Other administrators may be consulted to assist with the investigation.~~
- h. ~~After the investigation is complete, the Office of the Student Affairs and/or the Office of Human Resources or designee will provide a written determination to the student who had filed the grievance, the accused parties, and the appropriate administrators.~~
- i. ~~The finding of the Office of Student Affairs and/or the Office of Human Resources is final and not appealable.~~
- j. ~~In the event a finding of a violation of this policy is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.~~
- k. ~~If either party disagrees with the imposed disciplinary action, or lack thereof, he or she may appeal within ten (10) business days through procedures established in OP 06.11 Faculty Grievance Procedures and OP 52.17 Staff Employee Complaint Procedure.~~
- l. ~~Any disciplinary action taken in connection with a grievance filed pursuant to this policy shall be reported in writing to the Office of Student Affairs and the Office of Human Resources at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via a copy of a counseling or other written disciplinary action, resignation, termination document, etc.~~
- m. ~~At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Human Resources. Likewise, in the event the student believes unlawful retaliation for filing a grievance has taken place, the student should contact the Executive Director of~~

~~Student Affairs or the Office of Human Resources and/or file a grievance for retaliation.~~

~~n. In the event of a finding of a violation of this policy, the Office of Human Resources will follow up with the grievant within sixty (60) days to ensure that the complained of behavior has ceased.~~

## 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 [Office of 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 ~~Angelo State~~ University Operating Policy 10.19, [Student Absences for Observance of Religious Holy Days](#).

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

- a. According to the Undergraduate and Graduate Catalog, faculty, department chairpersons, directors, or others responsible for a student representing the University on officially approved trips should notify the student's instructors of the departure and return schedules in advance of the trip. The instructor so notified must not penalize the student, although the student is responsible for material missed. Students absent because of the University business must be given the same privileges as other students (e.g., if other students are given the choice of dropping one of four tests, then students with excused absences must be given the same privilege).
- b. According to ~~Angelo State~~ 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/~~Grievances~~

Angelo State University has various procedures for addressing written student complaints/~~grievances~~. Students may seek assistance from the [Office of Executive Director of Student Affairs, Director of Title IX, or designee](#) as they go through a written complaint/~~grievance~~ process. The [Office of Executive Director of Student Affairs](#),

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[Director of Title IX or designee](#) 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 [University Operating Policy 10.07](#), [Undergraduate Academic Status](#), Operating Policy 10.11, [Grading Procedures](#), and 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, may appeal their academic status to the Academic Dean of their academic college for review of mitigating factors or the use of grade replacement to impact grade point average~~. Graduate students may appeal to the Graduate School for review.

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

Conduct of ~~the~~ 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 ~~De~~partment ~~C~~hair.

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## 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.

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## 5. ~~Discriminatory and/or 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.~~

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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. 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.

a. Angelo State 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 his or her rights under Title IX or other laws have been violated, Operating Policy 10.22 Anti-Discrimination Policy and Grievance Procedure for Students sets forth procedures for filing, investigating, and remedying complaints of harassment and discrimination.

b. For complaints by a student against another student regarding incidents of discrimination or harassment, see Part I, Section B.2 and Part I, Section C of the Code of Student Conduct in the Angelo State University Student Handbook.

c. For complaints by students against faculty of staff regarding incidents of discrimination or harassment, see the Anti-Discrimination Policy in Part II, Section C of the Angelo State University Student Handbook and Operating Policy 10.22 Anti-Discrimination Policy and Grievance Procedure for Students.

d. For complaints against student organizations related to incidents of discrimination or harassment, detailed policies and procedures are available in Part I, Section B.2 and Section D in the Angelo State University Student Handbook.

**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

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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 Executive Director of Student Affairs or designee. The ADA Campus Coordinator for Students is the Director of Student Disability Services, 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.

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### 8. Disciplinary Action

The University ~~conduct procedure for students~~disciplinary appeals process 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.~~

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### 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 Operating Policy [16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#)~~52.40 Anti-Discrimination Policy and Grievance Procedure for Violations of Employment and Other Laws.~~

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### 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 computations, 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 Grievances](#). A copy of the grade appeal procedures may be obtained from any academic college dean's office or from the Provost/[Vice President of Academic Affairs's Office](#). Also, refer to the [Angelo State University Student Handbook Part I, Section B.1 \(Academic Misconduct\)](#).

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### 11. Parking Citations

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

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### 12. Graduate School Requirements

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- a. Graduate student complaints related to academic standing and performance follow processes outlined in [University Operating Policy \(OP\) 42.01, Admission to the College of Graduate Studies, Operating Policy\(OP\) 42.02, College of Graduate Studies Enrollment Policy, Operating Policy\(OP\) 42.03, Graduate Students Employed as Teaching Assistants, Graduate Assistants, and Graduate Research Assistants](#), and [Operating Policy\(OP\) 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 dean of the college in which the course is offered and are guided by process in [Operating Policy 10.03, Grade Grievances](#).

### 13. Housing Complaints

Housing regulations and processes are outlined in ~~the Angelo State~~ 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.

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### 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/saem/student\\_affairs.php](http://www.angelo.edu/services/saem/student_affairs.php).

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

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

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## SECTION F: FINANCIAL RESPONSIBILITY

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### 1. Financial Responsibility of Students

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- 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 fraudulent~~ 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

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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. ~~Before registering or requesting a transcript,~~

~~students may check on the presence of holds by accessing their records at: <https://ramport.angelo.edu/cp/home/displaylogin> (Student Services tab).~~

d. Before registering or requesting a transcript, students may check for holds by accessing their records at: <http://ramport.angelo.edu/cp/home/displaylogin> (Student Services tab).

e. For more information, please visit the Student Accounts/Bursar's Office website at <http://www.angelo.edu/services/controller/>.

## SECTION G: FREEDOM OF EXPRESSION

### 1. Freedom of Expression

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

## SECTION H: HOUSING REQUIREMENTS

### 1. Housing Information

- a. The Angelo State University residence halls system includes a variety of living options and provides convenient and affordable housing for approximately ~~2448400~~ 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, ~~with the exception of Honors housing which is in~~ Texan Hall, ~~and Concho Hall~~. Centennial Village, which is arranged in two-bedroom/one bath units or four-bedroom/two

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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 to men and women. 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. ~~Priority for assignment to the private suites in Carr and apartments in Vanderventer will be given to students of sophomore or higher classification.~~ Plaza Verde, Mary Massie and Robert Massie Residence Halls all house residents in a double-occupancy room with its own bath. Concho Hall offers ~~private~~ suites with two ~~double~~single-occupancy rooms adjoined by a shared bath. ~~for graduate students or undergraduate students with 90 or more credit hours.~~

- 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 manages each residence hall. Each residence hall office provides assistance to residents with concerns, including maintenance requests, room and roommate assignments, and resource information.
- d. The interests of students living on campus are promoted through the Residence Hall Association. The Residence Hall Association sponsors social, cultural, educational, and recreational activities and participation in the activities is a wonderful way for students to be engaged in their community.
- e. Complete information regarding campus housing can be found at [http://www.angelo.edu/dept/residential\\_programs/](http://www.angelo.edu/dept/residential_programs/). Information regarding residence hall policies can be found at: [https://www.angelo.edu/dept/residential\\_programs/Housing\\_Requirements/university\\_housing\\_requirements.php](https://www.angelo.edu/dept/residential_programs/Housing_Requirements/university_housing_requirements.php).

## 2. Housing Policy

In support of the Strategic Plan of Angelo State University, the University requires students ~~to reside on campus their first year. If, at the end of their first year, they have not completed 30 credit hours, they will be required to reside on campus an additional year. with 59 or fewer hours 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 GPA's in comparison to students living off campus. 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:

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- 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~~100-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 ~~60 or more semester hours of academic credit prior to the student's enrollment or re-enrollment. 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 has completed four long semesters (fall and spring terms) of living on campus in the Angelo State University residence halls; or provides sufficient evidence of living on campus at another university prior to off-campus residence eligibility.~~
  - 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 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 Director of Housing and Residence Life Student Affairs](#) or designee and in accordance with the *Code of Student Conduct* of Angelo State University.
  - 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

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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.
- f. 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 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 ~~5060~~ percent of the academic year room and dining plan rate for the fall semester and ~~5040~~ percent for spring semester. Students entering the residence halls for the spring semester with an academic year contract are charged ~~5040~~ percent of the academic year rate.

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

#### **Sexual Violence/Sexual Misconduct/Title IX Information**

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: [Information about Angelo State University's response and prevention of sexual violence and misconduct](https://www.angelo.edu/services/title-ix/). Information about Angelo State University University's response and prevention of sexual violence and misconduct can be found at <https://www.angelo.edu/services/title-ix/>.

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

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### 1. General Policy

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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

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- 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

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- 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 Operating Policy 26.07 University Name Seal and Logo found at <http://www.angelo.edu/opmanual/>.

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### 4. Jurisdiction

- a. All solicitation requests should be directed to the Executive Director of Student Affairs or Life for designee for review. Requests should be submitted online using the Solicitation/Sales Request Form. Requests must be submitted at least ten (10) University business days before intended use. Solicitation requests regarding food/beverage items on campus are subject to the approval of the Director of Business Services and are submitted via the Solicitation/Sales Request Form.
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the Executive Director of Student Affairs or designee.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Vice President for Student Affairs and Enrollment Management 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

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administered by the Executive Director of 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 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 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 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](#), [Official Logos and Visual Elements](#) on the [University Communications and Marketing](#) website and also to the Angelo State 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 https://reservations.angelo.edu](https://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 Life Affairs](#), or [the Director of Business Services](#), [or designee](#) rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the [Executive Director of Vice President for Student Affairs and Enrollment Management or designee](#).
- g. A written appeal describing the objections to the denial [addressed](#) to the [Executive Director of 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 Life Affairs](#), [or the Director of Business Services or designee](#).

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- 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 [Student Life 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 [Executive Director of Vice President for Student Affairs and Enrollment Management](#).

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#### 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.

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- 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 [either online through the Business Services website or in the Office of Special Events located in the Houston Harte University Center, Student Life, room 001, Houston Harte University Center](#).

**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 Houston Harte University Center by the Director of Business Services](#).
- 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.

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**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*.

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**SECTION K: STUDENT IDENTIFICATION**

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### 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 a \$20.00 fee to replace lost or stolen cards. 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.
- e. A student must pay a replacement charge for lost, stolen, or damaged ASU OneCards.

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. RAMTV and RAMRADIO highlight aspects of Angelo State University to the San Angelo Community and beyond.](#)

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RamTV 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 stores 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.

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

### **3. Veterans Educational and Transitional Services Affiliated Military and Veterans Services**

The Affiliated Military and Veteran Services Center Veterans Educational and Transitional Services (VETS) Center is here to assist veterans, active duty 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. The Affiliated Military and Veteran Services Center VETS Center acts as a central point of intake and processing for the following educational benefits: oversees the certification of Veterans Education Benefits such as:

a. VA Education Benefits (Montgomery GI Bill; Post-9/11 GI Bill, Dependents Educational Assistance, and Vocational Rehabilitation).

The exemption for Texas Veterans under the Hazelwood Act which provides an education benefit to honorably discharged or separated Texas veterans and to eligible dependent children and spouses of Texas veterans.

b. Tuition Assistance for all active duty and reserve military personnel. The educational programs such as the various educational benefits offered through the Department of Veteran Affairs.

c. Texas Veterans Commission Hazlewood Tuition Exemption Program.

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

## **SECTION M: STUDENT ORGANIZATIONS**

### **1. Registered Student Organizations**

a. A registered student organization is a group (president, treasurer and a minimum of eight (8) other members) comprised of at least ten (10) students enrolled at Angelo State University who voluntarily come together under a common purpose. The purposes and activities of the organization shall be lawful and not in conflict with the policies, rules, regulations and standards of the University and/or federal, state and/or local statutes.

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- 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 and Student Activities Programs](#)~~Center for Student Involvement~~.

## 2. Club Sports

- a. The Angelo State University Club Sports program is administered by [the Office of the Center for Student Involvement in conjunction with the Department of University Recreation Multicultural and Student Activities Programs](#) and is designed to provide opportunities for students to participate in a variety of sports activities. This program exists to promote and develop interest in sports. 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 the Center for Student Involvement 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 [the Center for Student Involvement Multicultural and Student Activities Programs](#) to initiate the application process for Club Sports affiliation. After obtaining Club Sports status, groups must also comply with the guidelines of [the Multicultural and Student Activities Programs department and facility usage with of](#) University Recreation.

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## 3. Social Fraternities/Sororities

- a. The ~~Office e~~[Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~ is responsible for the oversight of Angelo State University [Social-Greek Life Programs](#) (Fraternities and Sororities). A group seeking ~~social fraternity~~[social fraternity](#) or sorority status should first contact the Center ~~for Student Involvement Multicultural~~[for Multicultural and Student Activities Programs](#) to discuss their interest and the specific (if any) national organization with which they wish to affiliate. Students should understand that the decision to bring a new sorority or fraternity to campus is a joint decision made by the students, the University, and the national organization. All parties must work in concert for the relationship to be successful. A group seeking social fraternity or sorority status must be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.
- b. All student organizations registering as a social fraternity or social sorority must show proof of their Title IX exemption by attaching to the registration application a letter from their national affiliate with their IRS 501 (c) number.

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#### 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 ~~Student Involvement~~[Multicultural and Student Activities Programs](#).
- d. All funds allocated to a registered student organization from University- controlled sources must be maintained in a ~~registered student organization bank~~[university](#) account. Additional resources acquired by fundraising may be kept in an off-campus organizational account. ~~Resources acquired by the club may be kept in non-university or alternate accounts. It is recommended that the advisor either co-sign the organization's checks or be a reviewer of the account. If an account becomes dormant due to an inactive club, it is recommended that the remaining funds be remitted to the ASU Foundation and placed in the Ram Family Student Scholarship Endowment. Please see the Center for Multicultural and Student Activities Programs website for a list of financial best-practices.~~
- e. The student organization shall show initiative in effectively meeting its stated purpose and be lawful and peaceful in its activities. The ~~Center for Multicultural and Student Activities Programs~~[Center for Student Involvement](#) is available to assist in organizational development.
- f. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Angelo State University.
- g. Only organizations that are an official part of the University and receive direct funding by the University or organizations that are an extension of an academic department may use the name, logo, or symbols of the University as part of its name or in its publications ~~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.

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- 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 ~~in from the~~ [Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~. 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. 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.

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

- a. New and/or re-forming student groups that desire to become a registered student organization should contact the [Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~ 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 Organizations Registration/Renewal Form](#)" and a Student Organization constitution with the [Student Organizations/Activities Coordinator](#)~~reordinator for student organizations~~. The initial constitution must follow the template provided by the [Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~. 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 Senate for review and a recommendation on registration. After receiving the recommendation of the Student Senate, the [Student Organizations/Activities Coordinator](#)~~Assistant Director of Student Life~~ 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.

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**6. Annual Registration and Renewal Process**

- a. A complete Student Organization Registration/Renewal form must be received by the [Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~ by the deadline each September. The form will include the names and contact information for the organization officers and the president of the organization must certify that the organization still has at least ten (10) full-time students who are in good standing with the University.

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- 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 2.00 cumulative grade point average at the time of election, must earn at least a 2.00 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 [Office of Center for Multicultural and Student Activities Programs](#) ~~Center for Student Involvement~~, and a free web-link. Registered student organizations may apply for funding through the Student Organization Leadership Fund (SOLF) administered through the [Center for Multicultural and Student Activities Programs](#) ~~Center for Student Involvement~~.
- b. ~~Club Sports.~~ 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.

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**8. Faculty or Staff Advisor**

- a. Each registered student organization shall have a full-time University faculty or unclassified staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning and decision-making and the advisor should work directly with the student organization regarding the financial best practices located online within the [Center for Multicultural and Student Activities Programs](#) ~~Center for Student Involvement~~ 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. With regard to student organization ~~If a student organization~~ travels, the advisor is the responsible party for submitting travel requests, for obtaining any travel advances, and for reconciling the travel expenses after the trip in accordance with University procedures. The [Center for Multicultural and Student Activities Programs](#) ~~Center for Student Involvement~~ sponsors various advisor training programs throughout the year to assist advisors

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in working with their organizations. A training program on risk management is mandated by State law and organization advisors must attend this program. Specific information on complying with this training requirement is available in the [Center for Multicultural and Student Activities Programs](#)~~Center for Student Involvement~~.

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

#### **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](#)~~Center for Student Involvement~~:

- 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.

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- 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 and Student Activities Programs](#) ~~Center for Student Involvement~~ 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 and Student Activities Programs](#) ~~Center for Student Involvement~~.
- 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 and~~ applicable policies, rules, regulations, and standards of the University and/or federal, state, and/or local statutes.
- e. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the [Center for Multicultural and Student Activities Programs](#) ~~Center for Student involvement~~.
- 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 and Student Activities Programs](#) ~~Center for Student Involvement~~. A minimum of ~~one~~<sup>two</sup> organization officers, the president, ~~and the~~ 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~~ <sup>Compliance Form</sup>.
- 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 ~~Center for Student Involvement and/or the~~ [Executive Director of Student Affairs](#), Director of [Multicultural and Student Activities Programs](#), or ~~designee~~ <sup>Student Life</sup> 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.

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## 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 information can be found on the Angelo State University Student Affairs web page: <https://www.angelo.edu/content/files/22342-2015-campus-crime-and-fire-rep>.  
[http://www.angelo.edu/services/saem/student\\_affairs.php](http://www.angelo.edu/services/saem/student_affairs.php).

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

## SECTION O: STUDENT RECORDS

### 1. General Policy

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

### 2. Address of Record

Students must maintain an accurate permanent address with the Registrar's Office. The address is used for official notifications including billing and ~~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 <https://ramport.angelo.edu/cp/home/displaylogin> via the Student Services tab, RAMS Logon link, and Personal Information tab.

### 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.

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- Personally identifiable information such as ~~classification~~, 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:

- 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).
- Employment records of a University employee who is not a student.
- 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.
- 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.

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#### 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:

- Officials, faculty, and staff employed by the University if they have a legitimate educational interest.
- Officials of other educational institutions in which the student intends ~~to enroll~~ or seeks to enroll if the student is notified of what is being released and given a copy if desired.
- Authorized representatives of the Comptroller General of the United States, the Secretary of Education and administrative heads of educational agencies or state educational authorities.
- Individuals needing this information in connection with a student application for, or receipt of, financial aid.
- Federal, state and local officials to whom laws (in effect on or before Nov. 19, 1984) require information to be reported.

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- 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.

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**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.

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- 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

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- 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 three years after the last date of enrollment. In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely.

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#### **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.

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## 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 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>.

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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.

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### 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 [Student Involvement 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.

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### 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 [Request for Facilities Fee Waiver fee-waiver Form](#) is located online at <http://reservations.angelo.edu>.

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- 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 by an active member of~~ the student organization using the online request form at <http://reservations.angelo.edu>.

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~~All requests must include the full name, department, and phone number of the student organization's full-time faculty or staff advisor.~~ 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

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

d. *Intercollegiate Athletic Facilities*

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

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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.

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g. *Lake Facility*

The Angelo State University Lake Facility, located at 1925 Beatty 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>.

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## 5. Use of Campus Grounds

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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~~ ~~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. Reservation requests ~~for the Lake Facility~~ must be submitted to the Office of Special Events online at <http://reservations.angelo.edu>.

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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 General Counsel's Office~~, Risk Management Office, ~~Senior Executive Assistant to the President and General Counsel~~, or other University departments ~~or others~~ 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, ~~and 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.

**67. Appeals of Campus Grounds Use Request Denials**

Students or registered student organizations, whose requests for the use of [University grounds Forum Area\(s\)](#) are denied, may appeal to the Director of [Student Affairs](#) [Business Services](#) [Director of Student Life](#) as follows:

- A written appeal describing the objections to the denial presented to the [Director of Business Services](#) [Director of Student Life](#) 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](#) [Director of Student Life](#).
- The Director of [Business Services](#) [Student Life](#) will convey the appeal decision, in writing, to the student or registered student organization ~~or to be the Executive Director of Student Affairs~~ within a reasonable time from the receipt of the written appeal.

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**76. Freedom of Expression Activities and Forum Areas**

- 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.
- 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.
- 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.
- 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.

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- 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.

#### **7. Appeals of Ground Use Request Denials**

~~Students of registered student organizations, whose requests for the use of Forum Area(s) are denied, may appeal to the Director of Student Life as follows:~~

- ~~a. A written appeal describing the objections to the denial presented to the Director of Student Life must be filed no later than five (5) University business days after the receipt of notice of the denial from the Director of Student Life.~~
- ~~b. The Director of Student Life will convey the appeal decision, in writing, to the student or registered student organization or to be the Executive Director of Student Affairs 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

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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 Assistant Director of ~~Business Services~~ [Special Events 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 Assistant Director of ~~Business Services~~ [Special Events 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.

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- 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 [Assistant Director of Business Services Special Events 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.

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## SECTION Q: WITHDRAWALS

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### 1. Voluntary Withdrawal from the University

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- According to the Undergraduate and Graduate Catalog, students who find it necessary to withdraw from the University during a semester or summer term must apply to the Registrar's Office prior to the term withdrawal deadline. A student wishing to drop to zero hours must withdraw from the institution. If a student withdraws on the 13<sup>th</sup> class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the Center for International Studies as a part of the withdrawal procedure. Student athletes must receive clearance from the Director of Athletic Academic Services.
- Students considering withdrawal for medical reasons may contact the Office of Student Affairs to discuss additional University resources and services.
- 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.
- Refunds  
The Undergraduate and Graduate Catalog indicates that students withdrawing to zero hours at their request or those who have been withdrawn due to University action may be eligible to receive a refund of paid tuition and fees. A tuition and fee refund schedule is listed in the Undergraduate and Graduate Catalog and at [http://www.angelo.edu/services/registrar/office/withdrawals\\_refunds.php](http://www.angelo.edu/services/registrar/office/withdrawals_refunds.php).
- 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

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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; 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 e-mail account.

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Students not responding to requests for meetings or assessments may be referred to the ~~Office of 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 ~~Executive Director of Student Affairs,~~ 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.
- ~~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 Academic Dean, Director of the Student Counseling Services, ~~the appropriate representative from the Student Health Clinic, Director of Student Development,~~ 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. ~~The student may elect to attend the Involuntary Withdrawal Committee Hearing and present information on his or her 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 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

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### 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.

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### Responding Party

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

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### Complainant

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

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### 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*.

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### Consent

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

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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.

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

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

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~~Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for sexual activity.~~

### **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 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 ~~University Discipline Committee~~ 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 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 Registrar’s Office.

### **Policy**

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

### **Policy Warning**

~~The term “Policy Warning” refers to a verbal or written reminder to a student or student organization regarding a *Code of Student Conduct* provision. A student or student~~

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organization's history of Policy Warnings may be considered in the sanctioning phase of an Informal Resolution or Formal Hearing.

### **Preponderance of Evidence**

The term of "preponderance of evidence" is the standard of proof used by Student Conduct Hearing Officers, Office of Student Affairs and ~~University Student~~ 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.

### **Respondent**

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

### **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**

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

### **Student Organization**

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

### **University**

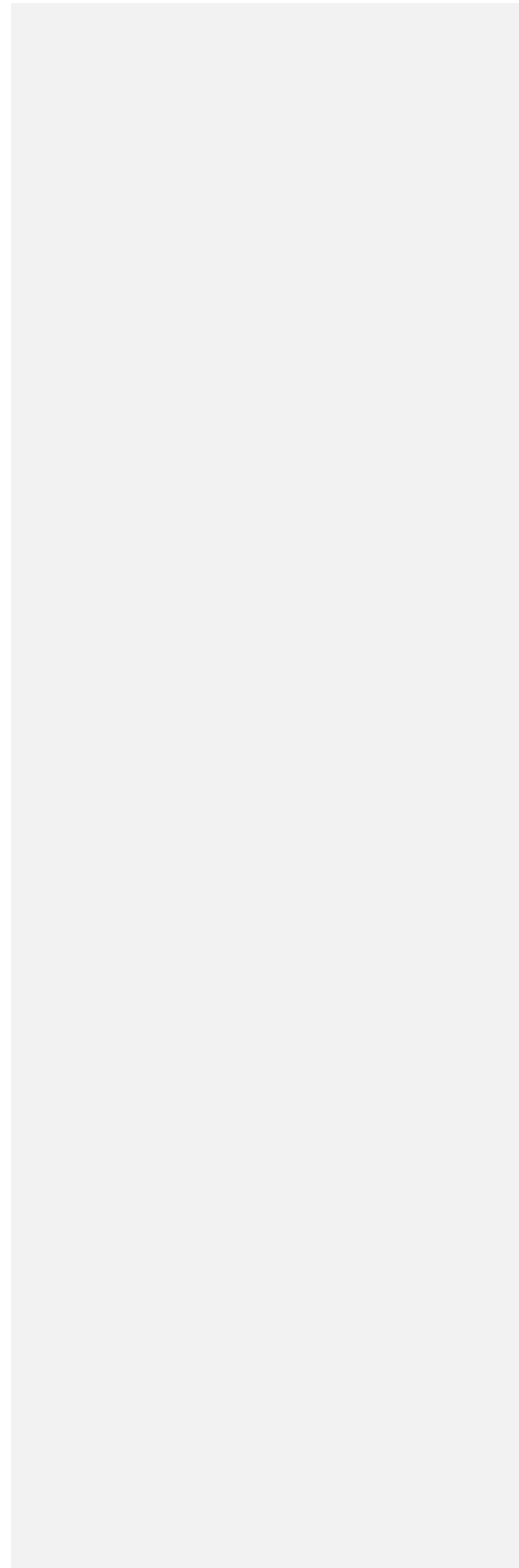
The term "University" means Angelo State University.

**University Official**

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

**University Premises**

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



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

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

*Angelo State University  
Office of Student Affairs*

### **Introduction**

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

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

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

1. A prompt, fair, and equitable process;
2. Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student not otherwise involved in the case), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused 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. The Complainant and/or the student accused of alleged misconduct is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Office. 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 Office/Investigator upon written request five (5) University business days in advance of the scheduled Hearing date;
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

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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 for details on inclusion of new, previously unavailable information after conclusion of the investigative process.*

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

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

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

7. Know the Angelo State University conduct policies and procedures, and where to find them;

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

9. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action;

It is the student's responsibility to:

1. Be responsive to all correspondence from the University;

2. Provide information relevant to the incident or situation;

3. Be honest and provide true and accurate information during the investigation;

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4. Review the *Code of Student Conduct* in order to fully understand all aspects of the student conduct process.

## **FERPA**

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

## **Records Retention**

Disciplinary records are maintained in room 112 of the Houston Harte University Center Office of Affairs and both electronic and paper records are destroyed after seven (7) years from the last date a student is seen in the office.

## **Important Reminders**

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

## **Retaliation**

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge, testifies, assists, or participates in an investigative proceeding or hearing. Retaliatory harassment is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.

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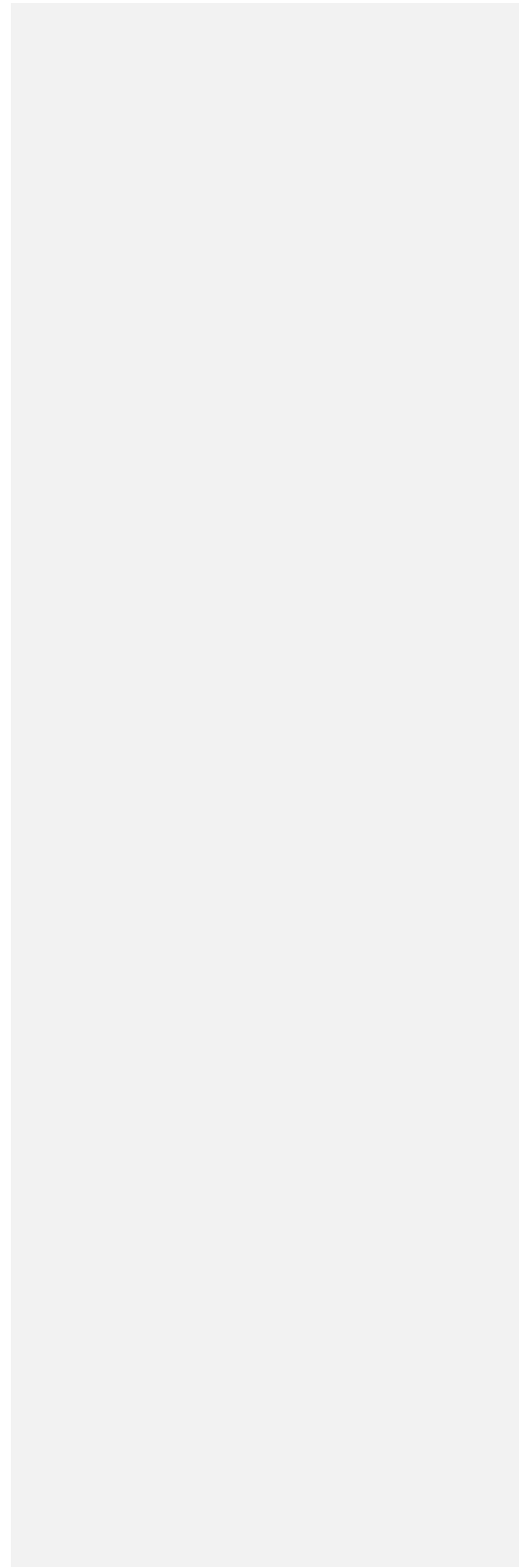
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# **APPENDIX B: RIGHTS AND RESPONSIBILITIES**

## **INVESTIGATION**

\_\_\_\_\_ Angelo State University  
\_\_\_\_\_ Office of Student Affairs

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STUDENT'S NAME / CASE:	<input type="text"/>
CAMPUS ID NUMBER:	<input type="text"/>
DATE/TIME OF MEETING:	<input type="text"/>
LOCATION OF MEETING:	<input type="text"/>

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### **Introduction**

Prior to any investigation or student conduct proceeding, Angelo State University 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, Respondent, or witness. 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 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 (See <http://www.angelo.edu/student-handbook/>);
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 in the event they chose to participate in the Conduct process;~~
- ~~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.~~

~~**A student should UNDERSTAND that:**~~

~~Information gathered during the course of an investigation and/or 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, a lawfully issued subpoena, or under a specific exception to the Family Education Rights and Privacy Act (FERPA).~~

~~**FERPA**~~

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

~~**Records Retention**~~

~~Disciplinary records are maintained in the Office of Student Affairs and both electronic and paper records are destroyed after seven years from the last date a student is seen in the office. **Exception: Records are kept indefinitely in cases of suspension or expulsion.**~~

~~**Important Reminders:**~~

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

~~**Non-Retaliation**~~

~~Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, opposes a charge or testifies, or assists or participates in an investigative proceeding or hearing. Retaliatory harassment is an intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a grievance process.~~

**Acknowledgement:**

*I have read and understand the above information. I know that the complete student conduct policy/procedures can be found in the Angelo State University Student Handbook and Code of Student Conduct, which is accessible online (See [http://www.angelo.edu/student\\_handbook/](http://www.angelo.edu/student_handbook/)). 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's Signature** \_\_\_\_\_  
**and/or Student Organization Representative** \_\_\_\_\_ *Printed Name*

\_\_\_\_\_  
\_\_\_\_\_  
*Signature* \_\_\_\_\_ *Date*

**Primary Investigator's Signature** \_\_\_\_\_  
\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
\_\_\_\_\_  
*Signature* \_\_\_\_\_ *Date*

**Secondary Investigator's Signature** \_\_\_\_\_  
**(If applicable)** \_\_\_\_\_ *Printed Name*

\_\_\_\_\_  
\_\_\_\_\_  
*Signature* \_\_\_\_\_ *Date*

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## APPENDIX C: SANCTIONING GRID

Violation	Code of Student Conduct Sections	Possible Sanctions Finding
<b>Academic Misconduct</b>	<b>Subsection 1.</b>	
<b><i>Cheating</i></b>	<b><i>Subsection 1</i></b>	<b>Possible Sanctions</b>
Copying from another student's academic work, test, quiz, or other assignment.	B.1.a.1.	Reprimand-Expulsion
Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.	B.1.a.2.	Reprimand-Expulsion
The use or possession of materials or devices during academic work, test, quiz, or other assignment which are not authorized by the person administering the academic work, test, quiz, or other assignment.	B.1.a.3.	Reprimand-Expulsion
Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an un-administered test, test key, homework solution, or computer program/software. <del>Possession, at any time, of current or previous tests materials without the instructor's permission.</del>	B.1.a.4.	Reprimand-Expulsion
<u>Possession, at any time, of current or previous tests materials without the instructor's permission.</u>	<u>B.1.a.5.</u>	<u>Reprimand-Expulsion</u>
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.65.	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.76.	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.87.	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.98.	Reprimand-Expulsion
Falsifying research data, laboratory reports, and/or other academic work offered for credit.	B.1.a.109.	Reprimand-Expulsion

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Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment.	B.1.a.110.	Reprimand-Expulsion
<b>Plagiarism</b>		
The representation of words, ideas, illustrations, structure, computer code, other expression or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials.	B.1.b.1.	Reprimand-Expulsion
Self-plagiarism which involves the submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.	B.1.b.2.	Reprimand-Expulsion
<b>Collusion</b>		
The unauthorized collaboration with another individual to complete academic work, test, quiz, or other assignment, providing unauthorized assistance to another student, allowing another student access to completed academic work, and/or conspiring with another person to commit a violation of academic dishonesty.	B.1.c.	Reprimand-Expulsion
<b>Falsifying Academic Records</b>		
Altering or assisting in the altering of any official record of the <u>U</u> niversity 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 <u>U</u> niversity.	B.1.d.2.	Reprimand-Expulsion
<b>Misrepresentation Facts</b>		
Providing false grades, <b>falsifying information on a resu<u>me</u>s, or falsifying</b> 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 <b>official</b> documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, <b>or credit for attendance and/or in order to</b> obtain an academic or financial benefit for oneself or another individual. Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses family and personal emergencies, and signing into class and failing to remain the entire time.	B.1.e.3.	Reprimand-Expulsion
<b>University Violation of Professional Standards</b>		
Any act or attempted act that violates specific Professional Standards or a published Code of Ethics. Students are held accountable under this policy based on their college or school of enrollment, declared major, degree program, and/or pre-professional program.	B.1.f.	Reprimand-Expulsion
<b>Unfair Academic Advantage</b>		

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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.	B.1.g.	Reprimand-Expulsion
<b>Actions against Members of the University Community and Others</b>	<b>Subsection 2.</b>	<b>Possible Sanctions</b>
<u>Any act, or attempted act, perpetrated against another person or persons including, but not limited to:</u>		
<u><b>Disruptive and/or Obstructive Conduct</b></u>		
Intentional or reckless behavior that disrupts or obstructs the normal operation of the University, its students, faculty, and/or staff and/or University visitors.	B.2.a.	Reprimand-Expulsion
<del>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:</del>	<del>B.2.b.</del>	<del>Reprimand-Expulsion</del>
<u><b>Harmful, Threatening, or Endangering Conduct</b></u>		
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:	B.2.b.	
<u>Assault</u>		
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
<u>Threats</u>		
<del>Threats</del> 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 <del>threat or</del> intent to inflict <del>bodily</del> harm upon <del>specific individuals or groups of individuals</del> any person, group of people, or damage to any property.	B.2.b.2	Reprimand-Expulsion
<u>Intimidation</u>		
An implied threat or act that causes a reasonable fear of harm in another.	B.2.b.3.	Reprimand-Expulsion
<u>Intimate partner/relationship violence</u>		
<del>Violence or abuse, verbal or physical, by a person in an intimate relationship with another.</del>	<del>B.2.b.4.</del>	<del>Probation-Expulsion</del>
<u>Bullying/Cyber Bullying</u>		
Repeated <del>and</del> or severe aggressive behaviors that intimidate or intentionally harm or control another person physically <del>or emotionally</del> . <u>Activities protected by freedom of speech will not be considered violations of the Code of Student Conduct.</u>	B.2.b.45.a.	Reprimand-Expulsion

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Severe, pervasive, and objectively offensive behaviors that intimidate or intentionally harm or control another person emotionally.	B.2.b.45.b.	Reprimand-Expulsion
<b>Stalking</b>		
<del>Behavior which includes, but is not limited to, knowingly and repeatedly engaging in conduct that the individual knows or reasonably should know the other person will regard as unwelcome and would cause a reasonable person to be fearful or suffer substantial emotional distress.</del>	<del>B.2.b.6.</del>	<del>Probation-Expulsion</del>
<b>Sexual Misconduct</b>		
<del>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.</del>	<del>B.2.c.</del>	
<b>Interpersonal Violence</b>		
<del>An offense that meets the definition of domestic violence or dating violence.</del>	<del>B.2.c.1.</del>	
<b>Domestic Violence</b>		
<del>Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting party shares a child in common, by a person with whom the Reporting Party is cohabitating (or has cohabitated) with a spouse or intimate partner, by a person similarly situated to a spouse of the Reporting party under the domestic or family violence laws of the State of Texas, or by any other person against an adult of youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.</del>	<del>B.2.c.1.a.</del>	<del>Probation-Expulsion</del>
<b>Dating Violence</b>		
<del>Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship will be determined based on the Reporting Party's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social contact</del>	<del>B.2.c.1.b.</del>	<del>Probation-Expulsion</del>

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<u>shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.</u>		
<b>Sexual Harassment</b>		
Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student's educational experience or creates a hostile educational environment.	B.2.c.1.	Reprimand-Suspension
Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:	B.2.c.2.	Reprimand-Suspension
<b>Sexual Exploitation</b>		
Photography or video recording of another person in a sexual, intimate, or private act without that person's full knowledge or consent;	B.2.c.2.a.	Deferred-Suspension-Expulsion
Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;	B.2.c.2.b.	Deferred-Suspension-Expulsion
Sexual Voyeurism;	B.2.c.2.c.	Deferred-Suspension-Expulsion
Inducing another to expose one's genitals or private areas;	B.2.c.2.d.	Deferred-Suspension-Expulsion
Prostituting another student;	B.2.c.2.e.	Deferred-Suspension-Expulsion
Engaging in sexual activity while knowingly infected with an STD.	B.2.c.2.f.	Deferred-Suspension-Expulsion
<u>Public Indecency</u>		
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.g.	Probation-Expulsion
<u>Sexual Assault</u>		
<u>Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual Assault includes non-consensual sexual contact and non-consensual sexual intercourse.</u>	B.2.c.3.	
<u>Non-Consensual Sexual Contact</u>		
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. Sexual Contact includes: intentional contact with the breasts, buttock, groin, or genitals; touching another with any of these body parts; making another touch you	B.2.c.3.a.	Deferred Suspension-Expulsion

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<u>or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner.</u>		
<u><b>Non-Consensual Sexual Intercourse</b></u> Sexual penetration or intercourse, however slight, <del>and with any object, without consent. Penetration can be oral, anal, or vaginal. Refer to Appendix A: Definitions for a comprehensive definition of consent with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.</del>	<u>B.2.c.35.b.</u>	Suspension-Expulsion
<u><b>Sexual Exploitation</b></u> Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:	<u>B.2.c.4.</u>	
<u>Purposeful recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent;</u>	<u>B.2.c.4.a.</u>	<u>Deferred Suspension-Expulsion</u>
<u>Sexual voyeurism;</u>	<u>B.2.c.4.b.</u>	<u>Deferred Suspension-Expulsion</u>
<u>Inducing another to expose one's genitals or private areas;</u>	<u>B.2.c.4.c.</u>	<u>Deferred Suspension-Expulsion</u>
<u>Prostituting another; or</u>	<u>B.2.c.4.d.</u>	<u>Deferred Suspension-Expulsion</u>
<u>Knowingly exposing someone to or transmitting a sexually transmitted disease.</u>	<u>B.2.c.4.e.</u>	<u>Deferred Suspension-Expulsion</u>
<u><b>Sexual Harassment</b></u> <u>Unwelcome verbal, written, or physical conduct of a sexual nature when;</u>	<u>B.2.c.5.</u>	
<u>Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;</u>	<u>B.2.c.5.a.</u>	<u>Reprimand-Expulsion</u>
<u>Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or</u>	<u>B.2.c.5.b.</u>	<u>Reprimand-Expulsion</u>
<u>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.</u>	<u>B.2.c.5.c.</u>	<u>Reprimand-Expulsion</u>
<u><b>Stalking</b></u> 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	<u>B.2.c.6.</u>	<u>Probation-Expulsion</u>

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<u>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.</u>		
<b>Hazing</b>		
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:	B.2.d.	Reprimand-Expulsion
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	B.2.d.5.	Reprimand-Expulsion

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occurred and knowingly fails to report the incident in writing to the Office of Student Affairs.		
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 <a href="#">Texas Education Code</a> , Sections 37.151-37.155 and Section 51.936.	B.2.d.7.	Reprimand-Expulsion
<b><i>Discriminatory Harassment</i></b>		
<b><i>Discriminatory Harassment</i></b> Conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive that is adversely affects the victim's education or creates an 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
<b><i>Retaliatory Discrimination or Harassment</i></b>		
<b><i>Retaliatory Discrimination or Harassment</i></b> Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant <del>(or supporter of a participant)</del> in a conduct process, civil rights grievance proceeding, or other protected activity.	B.2.f.	Reprimand-Expulsion
<b><i>Complicity</i></b>		
<del>Assisting, via acts or omission, Failure of a student, through an act, to assist</del> another student, individual, or group in committing or attempting to commit a violation of the <i>Code of Student Conduct</i> , specifically <u>violations that constitute</u> 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 <a href="#">Part II: Community Policies</a> , Section <a href="#">GQ</a> .	B.2.g.2.	Reprimand-Expulsion
<b>Alcoholic Beverages</b>	<b>Subsection 3.</b>	<b>Possible Sanctions</b>
Use, possession, sale, delivery, manufacture or distribution of alcoholic beverages that would constitute	B.3.a.	Reprimand-Expulsion

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a violation of any federal, state, local law, and/or Angelo State University policy.		
Being under the influence of alcohol and/or intoxication <del>that would constitute a violation of anyas defined by</del> federal, state, local law, and/or Angelo State University policy.	B.3.b.	Reprimand-Expulsion
<b>Narcotics or Drugs</b>	<b>Subsection 4.</b>	<b>Possible Sanctions</b>
Use, possession, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound or other controlled substance <del>or drug paraphernalia that would constitute a violation of any, except in accordance with</del> federal, state, <del>and/or</del> 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, <del>and/or</del> local law, and/or Angelo State University policy.	B.4.b.	Reprimand-Expulsion
Being under the influence of narcotics, drugs, <u>medicine prescribed to another person</u> <del>prescription drugs,</del> chemical compound or other controlled substance that would constitute a violation of any federal, state, <del>and/or</del> local law, and/or Angelo State University policy.	B.4.c.	Reprimand-Expulsion
<b>Smoking/Tobacco</b>	<b>Subsection 5.</b>	<b>Possible Sanctions</b>
Smoking in unauthorized areas on University property as designated by the Angelo State University Smoke/Tobacco-Free Environment policy.	B.5.	Reprimand-Expulsion
<b>Firearms, Weapons, and Explosives</b>	<b>Subsection 6.</b>	<b>Possible Sanctions</b>
Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, tasers, or explosive or noxious materials on University premises <del>that would constitute a violation of any except in accordance with</del> federal, state, <del>and/or</del> local law, and/or Angelo State University policy. See <i>RESIDENCE HALL HANDBOOK</i> for specific approved devices allowed in the residence halls.	B.6.	Reprimand-Expulsion
<b>Flammable Materials/Arson</b>	<b>Subsection 7.</b>	<b>Possible Sanctions</b>
Use or possession of flammable materials, including incendiary devices or other dangerous materials, or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by University officials. <del>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.</del>	B.7.a.	Reprimand-Expulsion

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<u>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.</u>	<u>B.7.b.</u>	<u>Reprimand-Expulsion</u>
<b>Theft, Damage, Littering, or Unauthorized Use</b>	<b>Subsection 8.</b>	<b>Possible Sanctions</b>
Attempted or actual theft of property or services of the University <del>or of another, other University students, other members of the University community, or campus visitors.</del>	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, <del>littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University,</del> by other University students, other members of the University community, or campus visitors.	B.8.c.	Reprimand-Expulsion
<u>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.</u>	<u>B.8.d.</u>	<u>Reprimand-Expulsion</u>
Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, OneCard account information and/or personal check, or other unauthorized use of personal property or information of another.	B.8. <u>ed.</u>	Reprimand-Expulsion
Altercation, forgery or misrepresentation of any form of identification.	B.8. <u>fe.</u>	Reprimand-Expulsion
Possession or use of any form of false identification.	B.8. <u>gf.</u>	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. <u>hg.</u>	Reprimand-Expulsion
<b>Gambling, Wagering, Gaming, and /or Bookmaking</b>	<b>Subsection 9.</b>	<b>Possible Sanctions</b>
Gambling, wagering, gaming, and bookmaking as defined by federal, state, <del>and/or</del> local laws, and/or Angelo State University policy are prohibited on University premises involving the use of University equipment or services.	B.9.	Reprimand-Expulsion
<b>False Alarms or Terroristic Threats</b>	<b>Subsection 10.</b>	<b>Possible Sanctions</b>
Intentional sounding of a false 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	B.10.	Reprimand-Expulsion

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police reports, or improperly possessing, tampering with or destroying fire equipment or emergency signs on University premises.		
<b>Unauthorized Entry, Possession, or Use</b>	<b>Subsection 11.</b>	<b>Possible Sanctions</b>
Unauthorized entry into or use of University premises or equipment including another student's room.	B.11.a.	Reprimand-Expulsion
Unauthorized possession, use, duplication, production or manufacture of any key or unlocking device, University identification card or access code for use on the University premises or equipment.	B.11.b.	Reprimand-Expulsion
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."	B.11.c.	Reprimand-Expulsion
Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University.	B.11.d.	Reprimand-Expulsion
<b>Failure to Comply</b>	<b>Subsection 12.</b>	<b>Possible Sanctions</b>
Failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties.	B.12.a.	Reprimand-Expulsion
Failure to present student identification on request or identify oneself to any University official acting in the performance of his or her duties.	B.12.b.	Reprimand-Expulsion
Failure to comply with the sanctions imposed by a Student Conduct Officer/Investigator under the <i>Code of Student Conduct</i> or the Student Handbook.	B.12.c.	Reprimand-Expulsion
<b>Abuse, Misuse, or Theft of University Information Resources</b>	<b>Subsection 13.</b>	<b>Possible Sanctions</b>
Unauthorized use of University information resources is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the <i>Code of Student Conduct</i> . "Information resources" means procedures, equipment and software, regardless of location, that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit University information, and associated personnel, including consultants and contractors, regardless of whether the personnel are employed by the University or retained as independent contractors. Usage of Angelo State University 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 is also subject to the Information Technology Operating	B.13.a.	Reprimand-Expulsion

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and Security Policy (OP 44.00), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information resources includes, but is not limited to, the following:		
Unauthorized use of University information resources 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 resources.	B.13. <u>ab</u> .	Reprimand-Expulsion
Use of University information resources 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. <u>be</u> .	Reprimand-Expulsion
Using University information resources to violate Part I, Section B.2. (Actions <u>A</u> gainst Members of the University Community and Others).	B.13. <u>cd</u> .	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 resources, compromising the privacy of another user or disrupting the intended use of Angelo State University information resources.	B.13. <u>de</u> .	Reprimand-Expulsion
Attempted or actual use of the Angelo State University information resources for unauthorized political or commercial purposes, or for personal gain.	B.13. <u>ef</u> .	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 resource must be reported to the Chief Information Officer immediately.	B.13. <u>fg</u> .	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 resources.	B.13. <u>gh</u> .	Reprimand-Expulsion

Attempted or actual use of Angelo State University information resources to interfere with the normal operation of the University.	B.13. <u>hi</u> .	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 resources.	B.13. <u>ij</u> .	Reprimand-Expulsion
<b>Providing False Information or Misuse of Records</b>	<b>Subsection 14.</b>	<b>Possible Sanctions</b>
Knowingly furnishing false information to the University, to a University official in the performance of his or her duties, or to an affiliate of the University, either verbally or through forgery, alteration or misuse of any document, record, or instrument of identification.	B.14.	Reprimand-Expulsion
<b>Skateboards, Rollerblades, Scooters, Bicycles, or Similar Modes of Transportation</b>	<b>Subsection 15.</b>	<b>Possible Sanctions</b>
Use of skateboards, rollerblades, scooters, bicycles, or other similar modes of transportation in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property. Refer to University Parking Services regulations at <a href="http://www.angelo.edu/services/parking_services/">http://www.angelo.edu/services/parking_services/</a>	B.15.	Reprimand-Expulsion
<b>Violation of Published University Policies, Rules, or Regulations</b>	<b>Subsection 16.</b>	<b>Possible Sanctions</b>
<u>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 Regent’s Rules.</u>	<u>B.16.</u>	
<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>	<u>B.16.c.</u>	<u>Reprimand-Expulsion</u>
<u>Multicultural and Student Activities Programs</u>	<u>B.16.d.</u>	<u>Reprimand-Expulsion</u>
<u>University Recreation</u>	B.16.ee.	Reprimand-Expulsion
<u>Texas Tech University System Board of Regents’ Rules</u>	B.16.fe.	Reprimand-Expulsion
<u>Angelo State University Operating Policies and Procedures</u>	B.16.ge.	Reprimand-Expulsion
<u>Community Policies of the Student Handbook (Part II)</u>	B.16.hf.	Reprimand-Expulsion
<b>Violation of Federal, State, Local Law, and/or University Policy</b>	<b>Subsection 17.</b>	<b>Possible Sanctions</b>
Misconduct which may constitute a violation of federal, and/or 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	B.17.	Reprimand-Expulsion

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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>Abuse of the Discipline System</b>	<b>Subsection 18.</b>	<b>Possible Sanctions</b>
Failure of a student to respond to a notification to appear before a Student Conduct Officer/Investigator during any stage of the conduct process.	B.18.a.	Reprimand-Expulsion
Falsification, distortion, or misrepresentation of information in disciplinary proceedings.	B.18.b.	Reprimand-Expulsion
Disruption or interference with the orderly conduct of a disciplinary proceeding.	B.18.c.	Reprimand-Expulsion
Filing an allegation known to be without merit or cause.	B.18.d.	Reprimand-Expulsion
Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.	B.18.e.	Reprimand-Expulsion
Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding.	B.18.f.	Reprimand-Expulsion
Influencing or attempting to influence another person to commit an abuse of the discipline system.	B.18.g.	Reprimand-Expulsion

# APPENDIX D: CAMPUS RESOURCES

## Office of Academic Affairs

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

## College of Arts and ~~Humanities~~ **Sciences**

Dean of the College of Arts and

~~Humanities~~ **Sciences**.....CARR 146

~~Department of Agriculture~~.....VIN 212

~~Department of Biology~~.....CAV 101

~~Department of Chemistry and Biochemistry~~.....CAV 102B

Department of Communication and Mass Media.....LIB B309

~~Department of Computer Science~~.....MCS 205

~~Department of Civil Engineering~~.....West Annex 106

Department of English and Modern Languages .....A 010

Department of History .....A

~~210 Department of Mathematics~~.....MCS 220

~~Department of Physics and Geosciences~~.....VIN 114

Department of Political Science and Philosophy .....RAS 213

Department of Security Studies and Criminal Justice .....HAR 202

Department of Visual and Performing Arts.....CARR 139

## College of Business

Dean of the College of Business.....RAS 262

Department of Accounting, Economics, and Finance.....RAS 258

Department of Aerospace Studies .....RAS 227

Department of Management and Marketing.....RAS 212

## College of Education

Dean of the College of Education .....CARR 104

Department of Curriculum and Instruction.....CARR

~~154~~

Department of Teacher Education.....CARR

~~145~~54

**College of Graduate Studies**.....AD 109

## **Archer College of Health and Human Services**

Dean of the **Archer** College of Health and Human Services.....VIN

175

Department of Kinesiology .....Ben Kelly CHP

~~201~~407

Department of Nursing .....VIN 268

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Department of Physical Therapy.....VIN  
 2676  
 Department of Psychology, Sociology and Social Work.....A 204

**College of Science and Engineering**

Department of Agriculture.....VIN 212  
 Department of Biology.....CAV 101  
 Department of Chemistry and Biochemistry.....CAV 102L  
 Department of Computer Science.....MCS 205  
David L. Hirschfeld Department of ~~Civil~~ Engineering.....West Annex  
 100K  
 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).....Houston Harte University Center 107  
 Director of Counseling Services (Counseling Records).....University Clinic  
 Director of Financial Aid (Financial Aid and Scholarship Records).....HAR  
 1010  
 Director of Housing and Residential Programs (Housing Records).....Centennial Village  
Director of Multicultural Programs/Student Activities Center (Student Organization Records).....UC 106  
 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 (~~Student Organization~~  
 Records).....UC 001  
Director of Title IX Compliance (Title IX Records).....UC 112  
Director of University Recreation.....Ben Kelly CHP 113  
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

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