



# TEXAS TECH UNIVERSITY SYSTEM

## BOARD OF REGENTS

### AGENDA BOOK

May 5, 2022



BOARD OF REGENTS  
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

May 5, 2022

BOARD OF REGENTS

Mr. J. Michael Lewis, Chairman

Mr. Mark Griffin, Vice Chairman

Ms. Arcilia C. Acosta

Mr. Cody C. Campbell

Mrs. Ginger Kerrick Davis

Mr. Pat Gordon

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Dusty Womble

Ms. Keaghan Holt, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:

Ginger Kerrick Davis (Chair); Pat Gordon (Vice Chair); and Keaghan Holt (Student Regent)

Audit:

John Steinmetz (Chair) and Arcilia Acosta (Vice Chair)

Facilities:

Dusty Womble (Chair) and Mark Griffin (Vice Chair)

Finance and Investments:

John Walker (Chair) and Cody Campbell (Vice Chair)

[NOTE: All nine board members serve as voting members of each committee.]

# **AGENDA**

**Board of Regents Meeting**

**Lubbock, Texas**

**May 5, 2022**

Abbreviated Agenda with Approximate Times\*

**Thursday, May 5, 2022**

Meeting of the Board

9:30 am Call to Order; convene as Meeting of the Board and Committee of the Whole Board  
Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

- Introductions/Recognitions
- SGA Reports

10:15 am Recess

*CONTINUED ON NEXT PAGE*

\*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Thursday, May 5, 2022, the Meeting of the Board will convene no earlier than 9:30 am. Introductions/recognitions and various reports will be presented after which the Meeting of the Board will recess and committee meetings will commence, sequentially. The Meeting of the Board will reconvene upon adjournment of the last committee meeting to complete the remainder of its business and to convene into Executive Session. The Board may convene for Executive Session whenever deemed necessary. The Meeting of the Board is expected to adjourn for the day on Thursday, May 5, 2022, on or before 4:45 pm; however, if needed, the meeting may continue beyond 4:45 pm until completed. The full board agenda is detailed on pages v through xii. 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**

**May 5, 2022**

Abbreviated Agenda with Approximate Times\*

**Thursday, May 5, 2022**

Committee Meetings

*CONTINUED FROM PREVIOUS PAGE*

- |   |   |
|---|---|
| 10:15 am<br>(or upon recess of the Meeting of the Board)          | Audit Committee<br>Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas                                  |
| 10:30 am<br>(or upon adjournment of the Audit Cmte. Meeting)      | Facilities Committee<br>Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas                             |
| 11:00 am<br>(or upon adjournment of the Facilities Cmte. meeting) | Finance and Investments Committee<br>Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas                |
| 11:45 am<br>(or upon adjournment of the Finance Cmte. meeting)    | Academic, Clinical and Student Affairs Committee<br>Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas |

*CONTINUED ON NEXT PAGE*

\*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Thursday, May 5, 2022, the Meeting of the Board will convene no earlier than 9:30 am. Introductions/recognitions and various reports will be presented after which the Meeting of the Board will recess and committee meetings will commence, sequentially. The Meeting of the Board will reconvene upon adjournment of the last committee meeting to complete the remainder of its business and to convene into Executive Session. The Board may convene for Executive Session whenever deemed necessary. The Meeting of the Board is expected to adjourn for the day on Thursday, May 5, 2022, on or before 4:45 pm; however, if needed, the meeting may continue beyond 4:45 pm until completed. The full board agenda is detailed on pages v through xii. 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**

**May 5, 2022**

Abbreviated Agenda with Approximate Times\*

**Thursday, May 5, 2022**

Meeting of the Board

*CONTINUED FROM PREVIOUS PAGE*

- |  |  |
|--|--|
| 12:15 pm<br>(or adjournment of the last committee meeting) | Call to Order; reconvene as Meeting of the Board and Committee of the Whole Board<br>Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas <ul style="list-style-type: none"><li>• Approval of minutes</li><li>• Approval of Consent and Information Agendas</li></ul> |
| 12:30 pm   | Executive Session<br>Location: Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas   |
| 4:30 pm  | Following Executive Session, reconvene into Open Session as Committee of the Whole <ul style="list-style-type: none"><li>• ES Motions, if any</li></ul> Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas  |
| 4:45 pm  | Adjournment  |

\*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Thursday, May 5, 2022, the Meeting of the Board will convene no earlier than 9:30 am. Introductions/recognitions and various reports will be presented after which the Meeting of the Board will recess and committee meetings will commence, sequentially. The Meeting of the Board will reconvene upon adjournment of the last committee meeting to complete the remainder of its business and to convene into Executive Session. The Board may convene for Executive Session whenever deemed necessary. The Meeting of the Board is expected to adjourn for the day on Thursday, May 5, 2022, on or before 4:45 pm; however, if needed, the meeting may continue beyond 4:45 pm until completed. The full board agenda is detailed on pages v through xii. 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**

**May 5, 2022**

**Agenda**

**Thursday, May 5, 2022**

**Regents Conference Room (104A), First Floor,  
System Building, 1508 Knoxville Avenue,  
Lubbock, Texas**

- I. Meeting of the Board—Call to Order; convene into Open Session of the Board.** The Board will convene in Open Session and meet as a Committee of the Whole and Meeting of the Board.....Chairman Lewis
  - A. Introductions and Recognitions ..... Chancellor Mitchell, President Hawkins, Interim President Johnston, President Schovanec, President Rice-Spearman, and President Lange
  - B. Student Government Association Reports ..... Trevor Bills, Austin Strode, Austin Phillips, Brianna Mendoza, and Georgia Blackwell
- II. Recess** .....Chairman Lewis
- III. Meeting of Standing Committees**  
Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
  - A. Audit Committee
 

	<u>Page</u>
	A
1. TTUS: Report on audits.....	2
2. Adjournment	

B. Facilities

	<u>Page</u>
	F
1. TTU: Authorize expenditures for the National Ranching Heritage Center’s Ranch Life Learning Center project (scope change and additional DP Stage II services).....	3
2. TTU: Approve total project budget for the Academic Sciences Building project and accept the CMAR’s GMP .....	5
3. TTU: Approve exception to <i>Regents’ Rules</i> and the total project budget for the Biology Building Renovation project .....	8
4. TTU: Approve exception to <i>Regents’ Rules</i> and the total project budget for the Experimental Sciences Building Renovation project.....	10
5. TTUS: Report on Facilities Planning and Construction projects.....	12
6. Adjournment	

C. Finance and Investments Committee

	<u>Page</u>
	FI
1. TTUS: Approve 2023-2024 tuition and fee rates .....	3
2. TTU: Approve a four-year contract with the City of Lubbock for bus service.....	4
3. TTU: Approve a contract with Salesforce.com, Inc. for campus customer relationship management platform licenses .....	6
4. TTUHSC: Authorize president to execute contract extension with Laura W. Bush for trademark use .....	8
5. TTUHSC El Paso: Authorization to execute revenue contract with El Paso County Hospital District .....	9
6. TTUS: Enterprise Risk Management Report .....	10



- 7. TTUS: Investment Performance Update..... 11
- 8. Adjournment

D. Academic, Clinical and Student Affairs Committee

Page  
ACS

- 1. ASU: Approve the addition of the Bachelor of Science degree with a major in Cybersecurity..... 3
- 2. ASU: Approve the addition of the Master of Science degree with a major in Business Data Science and Analytics ..... 5
- 3. MSU: Approve changes in academic rank..... 7
- 4. MSU: Approve changes in academic rank and granting of tenure ..... 8
- 5. TTU: Approve appointments with tenure ..... 10
- 6. TTU: Approve the Bachelor of Arts (B.A.) Degree in Criminology ..... 12
- 7. TTUHSC El Paso: Approve revisions to HSCEP OP 77.05 Student Leaves of Absence and Suspensions (formerly titled "Suspension and Retention")..... 15
- 8. Adjournment

- IV. Meeting of the Board—Call to Order; reconvene into Open Session of the Board.** 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: .....Chairman Lewis
- A. Approve minutes of the board meeting held on February 24, 2022 and March 7, 2022 .....Chairman Lewis
  - B. Committee of the Whole..... Vice Chairman Griffin

1. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda ..... 7

### **Consent Agenda**

- a. MSU: Approve emeritus appointments (ACS)
- b. MSU: Approve revisions to OP 06.20, Faculty Performance Review (ACS)
- c. TTU: Approve faculty leave of absence without pay (ACS)
- d. TTU: Approve faculty development leave of absence (ACS)
- e. TTU: Approve emeritus appointment (ACS)
- f. TTU: Approve revisions to the Student Handbook, effective May 5, 2022 (ACS)
- g. TTUHSC: Approve faculty development leave of absence (ACS)
- h. TTUHSC: Approve transfer of tenure within TTUHSC (ACS)
- i. TTUHSC: Approve revisions to the Student Handbook and Code of Professional Conduct, effective September 1, 2022 (ACS)
- j. TTUHSC and TTUHSC El Paso: Approve delegation of authority to require health insurance for students at health-related institutions and determine minimum coverage standards (ACS)
- k. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso and TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report (F)
- l. TTU: Approve naming of the Ranch Life Learning Center at the National Ranching Heritage Center (The Cash Family Ranch Life Learning Center) (F)
- m. TTU: Approve naming of Personal Financial Planning Clinic in Texas Tech Plaza, 3rd Floor, Suite 305 (Charles Schwab Foundation Personal Financial Planning Clinic) (F)
- n. TTU: Authorize modification to request for Permanent Right of Access and use of Texas Tech University land to the City of Lubbock (LP&L distribution line along TTU west property)

- line; monetary consideration) formerly approved by the Board (F)
- o. ASU, MSU, TTU, TTUSA, TTUHSC and TTUHSC El Paso: Approve FY 2023 holiday schedule (FI)
  - p. TTU: Authorize president to execute a consulting contract related to branding and media assistance and advisory support services for the Texas Tech University Department of Intercollegiate Athletics (FI)
  - q. TTU: Approve commissioning of police officers (FI)
  - r. TTUS and TTUHSC: Approve purchasing contract(s) in excess of \$1,000,000 (FI)
  - s. TTUS: Authorize a consulting agreement to provide support for advancing state and strategic initiatives (FI)

### **Information Agenda**

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

- (1) ASU, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2022 (as of February 28, 2022), 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. Financial reports for the most recently completed quarter for each of the component institutions are available at: <https://www.texastech.edu/offices/cfo/board-financial-reports.php>
- (2) TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules* – “The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or

suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that in-volve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per an-num amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

- (3) TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(1), *Regents’ Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) TTU and TTUHSC: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4.a of the *Regents’ Rules* – “The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents’ Rules*, the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”

- (5) TTUHSC: Contracts for Sponsored Program Projects per Section 07.12.4.b., Regents' Rules – “The following are excepted from the requirements of Section 07.12.3.a, *Regents' Rules*, the board delegates to the presidents or the presidents designee the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”
- (6) TTUHSC: Report on establishment of new centers and institutes per Section 04.11.2., *Regents' Rules* – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
- (7) TTU: Approve modification of namings within School of Veterinary Medicine, Mariposa Station by Section 13.02.2e, *Regents' Rules* – “Change in designation or name. A gift intended to fund a specific facility that the TTU system is no longer planning to construct, expand or renovate may be used or applied to naming of an alternate facility as agreed to by the donor and approved by the president, in consultation with the chancellor and VCIA, with prior notification to the board.”
- (8) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents' Rules* – “Unless prohibited by law and upon recommendation of the chancellor, 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 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.”
- (9) TTUS: Emergency or exigent circumstances approval of a major construction project by Section 08.01.7.a, *Regents' Rules* – “(a) If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency or that 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, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting."

- C. Schedule for Board meetings:  
 August 11-12, 2022, San Angelo  
 November 17-18, 2022, Lubbock  
 Consideration & approval of 2023 BOR meeting  
 schedule ..... Keino McWhinney

**V. Executive Session:** The Board will convene into Executive Session, in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: ..... Chairman Lewis

- 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

**VI. Open Session:** The Board will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville 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 Griffin
- B. Chairman’s Announcements.....Chairman Lewis

**VII. Adjournment** .....Chairman Lewis

**AUDIT**

**Audit Committee**

Committee Meeting  
May 5, 2022

**Time:** 10:15 am (or upon recess of the Meeting of the Board)

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Steinmetz (Chair) and Acosta (Vice Chair)  
(The Audit Committee consists of all nine board members.)

Agenda

- Approve minutes of committee meeting held on February 24, 2022
- III.A.** 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”), Midwestern State University (“MSU”), 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”)

	<u>Page</u>
	A
1. TTUS: Report on audits .....	2
2. Adjournment	

**NOTE:** All members of the Texas Tech University System Board of Regents serve as members on the Audit Committee. Action taken by this committee is final and does not require a report to the Full Board.



**1. TTUS: Report on audits.**

Presenter: Mrs. Kim Turner

Presentation Time: 5 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  
May 5, 2022

**Time:** 10:30 am (or upon adjournment of the Audit Committee meeting)

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Womble (Chair) and Griffin (Vice Chair)  
(The Facilities Committee consists of all nine board members.)

Agenda

- Approve minutes of committee meeting held on February 24, 2022
- III.B.** 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”), Midwestern State University (“MSU”), 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”)

Page  
F

1.	TTU: Authorize expenditures for the National Ranching Heritage Center’s Ranch Life Learning Center project (scope change and additional DP Stage II services).....	3
2.	TTU: Approve total project budget for the Academic Sciences Building project and accept the CMAR’s GMP .....	5
3.	TTU: Approve exception to <i>Regents’ Rules</i> and the total project budget for the Biology Building Renovation project .....	8
4.	TTU: Approve exception to <i>Regents’ Rules</i> and the total project budget for the Experimental Sciences Building Renovation project .....	10
5.	TTUS: Report on Facilities Planning and Construction projects .....	12
6.	Adjournment	

NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Facilities Committee. Action taken by this committee is final and does not require a report to the Full Board.

**1. TTU: Authorize expenditures for the National Ranching Heritage Center's Ranch Life Learning Center project (scope change and additional DP Stage II services).**

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) acknowledge project scope changes and anticipated budget increase; (ii) authorize expenditures of \$228,116 for a total of \$940,678 for the National Ranching Heritage Center's Ranch Life Learning Center project with an anticipated total project budget of \$7,000,000; and (iii) amend the Design Professional Agreement for additional Stage II services. The expenditures will be funded through the Revenue Finance System ("RFS") repaid with Gifts. The current total of expenditures includes the previously board authorized expenditures from Gifts (\$712,562 cash).

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$7,000,000.

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**

This approval grants authority to modify the project scope, increase the anticipated total project budget from \$5.4M to \$7.0M, and amend the Design Professional Agreement for additional Stage II services to provide planning, development, and construction documents for the project's scope modifications.

The National Ranching Heritage Center ("NRHC") proposes to build a Ranch Life Learning Center dedicated to educating the public about the fundamentals of ranching. Told from the perspective of Hank the Cowdog in partnership with famed author John Erickson, the Ranch Life Learning Center will educate both children and adults about the business and science of ranching, ranch life and natural resource management. While all ages will benefit, the focus will be on fourth-eighth grade students. In 2016, the NRHC received a grant that funded a space analysis and conceptual designs for the indoor and outdoor space and

exhibits. Currently, we have approval from the Ranching Heritage Association board to move forward with the project.

The project will renovate 2,597 SF and add 1,693 GSF to the Mallet Ranch Museum building to contain the following spaces: Orientation Theater, Prairie Ecology Exhibits, Ranching Exhibits, Instruction Space, Security Headquarters, expanded and reconfigured space within the Cogdell's General Store, addition of public spaces and a covered porch. Exterior site improvements of 19,897 SF will include: Water Resources Exhibit, Wildlife Exhibit, Ranch House, Machine Shed and Cake House, Amphitheater, Footbridge, Cowboy Workstation, Windmill Feature, hardscaping, and landscaping.

In May 2019, the Board of Regents approved a budget adjustment of \$519,412 for a total of \$712,562 for execution of Design Professional Stage II services and award of a Construction Manager At Risk ("CMAR") Agreement for pre-construction services. The anticipated budget was \$5,400,000.

In October 2018, the Board of Regents approved a preliminary budget of \$193,150 associated with the execution of a Design Professional Agreement in order to move forward on the project's vision through the Programming and Schematic Design phases, provide a Statement of Probable Cost and project schedule. The anticipated budget was \$4,000,000.

The senior vice president of administration & finance and chief financial officer of TTU has verified the source of funds. The interim vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

**2. TTU: Approve total project budget for the Academic Sciences Building project and accept the CMAR's GMP.**

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) waive the Board directed fee for landscape enhancements; (ii) waive the Board directed fee for public art; (iii) accept the Guaranteed Maximum Price ("GMP") for construction of the Academic Sciences Building project; (iv) increase the budget by \$97,011,355 for a total project budget of \$112,500,000; (v) report the project to the Texas Higher Education Coordinating Board ("THECB"); and (vi) amend the Construction Manager At Risk ("CMAR") Agreement. The total project budget will be funded through the Revenue Finance System ("RFS") repaid with General Revenue appropriations (\$12.5M), Higher Education Funds ("HEF") and Gifts. The total budget includes the previously board authorized expenditures (\$15,488,645).

The Board reasonably expects to incur debt obligations for the design, planning, and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$112,500,000.

The president further recommends that the chancellor authorize the president 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**

This approval waives the board directed fees for landscape enhancements and public art, and grants authority to construct the Academic Sciences Building for a total project budget of \$112,500,000.

The project will construct a 129,254 GSF facility which includes a basement and 3-story structure in the academic core of the campus. Located within the Historic District Zone of the campus, the new building will be adjacent to the original Chemistry Building and the Science Building and therefore, will be designed in the Spanish Renaissance campus vernacular. The new facility will provide limited office space, an active learning classroom, teaching class labs, collaboration space, support spaces, and research space. There are four core shared research labs in the building that include a Biosafety Level 3 Lab,

Histopathology Biosafety Level 2 Lab, Human Sampling, and a Clean room. A total of five (5) departments will have a presence in the building including Physics, Geosciences, Psychological Sciences, Biological Sciences, and Chemistry. Site utility infrastructure work includes new direct buried lines from CHACP I to provide heating and cooling for the new facility. The project's design incorporates a new east facing courtyard and science plaza to foster student collaboration.

The component institution and FP&C will explore the possibility of incorporating existing and/or surplus furniture, fixtures, and equipment into the project.

In February 2022, the Board of Regents authorized expenditures of \$4,729,309 to amend the Construction Manager At Risk ("CMAR") Agreement for execution of Bid Package 1A – Direct Bury Utilities. The expenditures were funded through the Revenue Finance System ("RFS"), repaid with General Revenue appropriations and Higher Education Funds ("HEF"). The current total of expenditures is \$15,488,645 for the Academic Sciences Building project.

In November 2021, the Board of Regents authorized expenditures of \$2,628,653 to amend the Construction Manager At Risk ("CMAR") Agreement for execution of Bid Package 1 – Utilities; waive the use of a Construction Manager-Agent ("CMA"); and report the project to the Texas Higher Education Coordinating Board ("THECB"). The expenditures were funded through the Revenue Finance System ("RFS"), repaid with General Revenue appropriations and Higher Education Funds ("HEF"). The current total of expenditures is \$10,759,336 for the Academic Sciences Building project.

In May 2021, the Board of Regents authorized expenditures of \$6,381,432 to amend the Design Professional Agreement for Stage II services consisting of Design Development ("DD"), Construction Documents ("CD"), Construction Administration ("CA") Phases, and to provide a Statement of Probable Cost and project design schedule. Also, to award a Construction Manager At Risk ("CMAR") Agreement to allow the CMAR to provide pre-construction activities associated with the planning and design process, i.e., project evaluation; site analysis; constructability review; value engineering; scheduling; cost control; and development of a Guaranteed Maximum Price ("GMP"). The expenditures were funded through the Revenue Finance System ("RFS") repaid with Higher Education Funds ("HEF").

In February 2020, the Board of Regents approved expenditures of \$1,749,251 to execute a Design Professional Agreement and authorize Stage I services in order to move forward on the project's vision through the Programming and Schematic Design phases, provide a Statement of Probable Cost and project schedule. The expenditures were funded through the Revenue Finance System ("RFS") repaid with Higher Education Funds ("HEF").



The senior vice president of administration & finance and chief financial officer of TTU has verified the source of funds. The interim vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

**3. TTU: Approve exception to *Regents' Rules* and the total project budget for the Biology Building Renovation project.**

Presenter: Mr. Billy Breedlove and Mrs. Noel Sloan      Presentation Time: 5 minutes  
Board approval required by: Section 08.01.3., Section 08.01.3.e, Section 08.01.3.g.,  
Section 08.02.4.a., and Section 08.02.6, *Regents' Rules*

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents (i) authorize initiation of the Biology Building Renovation project funded through the Capital Construction Assistance Projects; (ii) approve exception to the *Regents' Rules*, Section 08.01.3, in order for the project to be managed by the Texas Tech University Operations Division in lieu of TTU System Facilities Planning and Construction office; (iii) waive the use of a Construction Manager-Agent ("CMA"); (iv) waive the board directed fees for landscape enhancements; (v) waive the Board directed fee for public art; (vi) report the project to the Board of Regents at regular meetings; (vii) report the project to the Texas Higher Education Coordinating Board ("THECB"); and (viii) authorize a total project budget of \$8,399,000 for the Biology Building Renovation project. The project will be funded through the Revenue Finance System ("RFS"), repaid with funds appropriated by SB 8 of the 87<sup>th</sup> Legislature, 3<sup>rd</sup> Called Special Session.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$8,399,000.

The president further recommends that the chancellor authorize the president or the president's designee 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**

The renovation project will involve work in occupied buildings with multiple contractors working under various approved contracts available to the university. The scope of work is anticipated to extend over a 3 – 4-year time frame. The project includes the following: (1) building-wide replacement of plumbing, including hot comfort water system; (2) renovate restrooms for ADA/code compliance and other ADA/Life Safety/Renovations; (3) classroom and lab renovations include: Basement classroom, teaching lab, prep areas, offices and 2 research labs; 3rd floor teaching labs, prep areas, stockroom and research labs; 4th floor class labs and support spaces; 6th floor -remove growth chambers and incinerator, convert space to wet bench research lab, convert conference

room and unused storage space to research space; and (4) renovate Lecture Hall 100 for a Raider Room.

The component institution will explore the possibility of incorporating existing and/or surplus furniture, fixtures, and equipment into the project.

Section 08.01.3, *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C unless an exception is approved by the board.

Section 08.01.3.e., *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C with the assistance of a Construction Manager-Agent ("CMA") per Section 51.781, Texas Government Code, or an alternative method recommended by FP&C, the institution's president, and the chancellor and approved by the board.

Section 08.01.3.g., *Regents' Rules*, at each regular meeting of the board, a summary of each major construction project in progress shall be provided to the board that includes photos of the project and the status of the project's schedule and budget

Section 08.02.4.a., *Regents' Rules*, Each project shall include a statement from the chancellor and/or president as to whether public art is applicable based on the scope of the project, campus location, and proximity to other public art. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each major construction project, as defined in Section 08.01.3, will be allocated for the acquisition of original works of public art, unless an exception is approved by the board.

Section 08.02.6, *Regents' Rules*, each project shall include a statement from the chancellor and/or president as to whether landscape enhancement is applicable based on the scope of the project, campus location, and proximity to other landscaping. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features unless an exception is granted by the board.

The senior vice president for administration and finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

**4. TTU: Approve exception to *Regents' Rules* and the total project budget for the Experimental Sciences Building Renovation project.**

Presenter: Mr. Billy Breedlove and Mrs. Noel Sloan      Presentation Time: 5 minutes  
Board approval required by: Section 08.01.3., Section 08.01.3.e, Section 08.01.3.g.,  
Section 08.02.4.a., and Section 08.02.6, *Regents' Rules*

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents (i) authorize initiation of the Experimental Sciences Building Renovation project funded through the Capital Construction Assistance Projects; (ii) approve exception to the *Regents' Rules*, Section 08.01.3, in order for the project to be managed by the Texas Tech University Operations Division in lieu of TTU System Facilities Planning and Construction office; (iii) waive the use of a Construction Manager-Agent ("CMA"); (iv) waive the board directed fees for landscape enhancements; (v) waive the Board directed fee for public art; (vi) report the project to the Board of Regents at regular meetings; (vii) report the project to the Texas Higher Education Coordinating Board ("THECB"); and (viii) authorize a total project budget of \$4,350,000 for the Experimental Sciences Building Renovation project. The project will be funded through the Revenue Finance System ("RFS"), repaid with funds appropriated by SB 8 of the 87<sup>th</sup> Legislature, 3<sup>rd</sup> Called Special Session.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$4,350,000.

The president further recommends that the chancellor authorize the president or the president's designee 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**

The renovation project will involve work in an occupied building, and it is anticipated that the contract will extend over a 2–3-year time frame. The scope of work for the project will be the replacement of the entire building's controls and switchgear.

Section 08.01.3, *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C unless an exception is approved by the board.

Section 08.01.3.e., *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C with the assistance of a Construction Manager-Agent ("CMA") per Section 51.781, Texas Government Code, or an alternative method recommended by FP&C, the institution's president, and the chancellor and approved by the board.

Section 08.01.3.g., *Regents' Rules*, at each regular meeting of the board, a summary of each major construction project in progress shall be provided to the board that includes photos of the project and the status of the project's schedule and budget

Section 08.02.4.a., *Regents' Rules*, Each project shall include a statement from the chancellor and/or president as to whether public art is applicable based on the scope of the project, campus location, and proximity to other public art. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each major construction project, as defined in Section 08.01.3, will be allocated for the acquisition of original works of public art, unless an exception is approved by the board.

Section 08.02.6, *Regents' Rules*, each project shall include a statement from the chancellor and/or president as to whether landscape enhancement is applicable based on the scope of the project, campus location, and proximity to other landscaping. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features unless an exception is granted by the board.

The senior vice president for administration and finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

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

Presenter: Mr. Billy Breedlove  
Report requested by: Board of Regents

Presentation Time: 5 minutes

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

# **FINANCE AND INVESTMENTS**

**Finance and Investments Committee**

Committee Meeting  
May 5, 2022

**Time:** 11:00 am (or upon adjournment of the Facilities Committee meeting)

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Walker (Chair) and Campbell (Vice Chair)  
(The Finance and Investments Committee consists of all nine board members.)

Agenda

- Approve minutes of committee meeting held on February 24, 2022
- III.C.** Consideration of items to be recommended by the Finance and Investments Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), Midwestern State University (“MSU”), 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”)

	<u>Page</u>
	FI
1. TTUS: Approve 2023-2024 tuition and fee rates .....	3
2. TTU: Approve a four-year contract with the City of Lubbock for bus service.....	4
3. TTU: Approve a contract with Salesforce.com, Inc. for campus customer relationship management platform licenses .....	6
4. TTUHSC: Authorize president to execute contract extension with Laura W. Bush for trademark use.....	8
5. TTUHSC El Paso: Authorization to execute revenue contract with El Paso County Hospital District .....	9
6. TTUS: Enterprise Risk Management Report.....	10



- 7. TTUS: Investment Performance Update ..... 11
- 8. Adjournment

NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Finance and Investments Committee. Action taken by this committee is final and does not require a report to the Full Board.

**1. TTUS: Approve 2023-2024 tuition and fee rates.**

Presenter: Mrs. Penny Harkey

Presentation Time: 10 minutes

Board approval required by: Section 07.10 & 05.01.2, *Regents' Rules*

The presidents recommend and the chancellor concurs that the Board of Regents approve tuition and fee rates for FY 2023 to continue at the previously approved rates and continue in effect until such time that the Texas Tech University System Board of Regents approves a modification to the tuition and fee schedule.

**BACKGROUND INFORMATION**

The Board of Regents approved tuition and fees for all component institutions for FY 2021 and FY 2022, at the December 2019 Board of Regents meeting.

Tuition, fees, rentals, rates, and charges of component institutions of the Texas Tech University System are assessed and collected under specific authorization of the laws of the State of Texas, including, but not limited to, the authorization in Texas Education Code Section 54.008, Section 54.017, Section 54.051, Section 54.0513, Section 54.504, Section 55.16, and other applicable sections. In 2015, the Board of Regents delegated authority to approve all discretionary incidental fees to the President of the TTUS component institutions. Additionally, the Board of Regents has delegated to the TTUS component institution President, the authority to establish exemption and waiver criteria and exemption and waiver approval procedures for the fees, rentals, rates, and charges in accordance with state laws, including, but not limited to, Texas Education Code, Section 54.213(a), Section 54.261, Section 54.5035 and other applicable sections. Students or courses that are not eligible for state funding are not eligible for exemptions or waivers.

**2. TTU: Approve a four-year contract with the City of Lubbock for bus service.**

Presenter: Mrs. Noel Sloan

Presentation Time: 3 minutes

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

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the president, or his designee, to finalize negotiations and enter into a four (4) year contract with the City of Lubbock ("Citibus") to provide on and off campus bus service routes, benefiting TTU students.

**BACKGROUND INFORMATION**

Texas Tech University ("TTU") continues to provide a transportation system which draws on parking, busing, biking, and walking modes of transit. Bus service contributes to the overall plan by providing students additional commute options, reducing traffic congestion on campus, reducing infrastructure demands, and expediting transit between student population areas in Lubbock and TTU's campus.

The proposed Citibus contract continues the long-standing agreement between the City of Lubbock and TTU.

**Term and termination.** The contract provides bus services for four (4) years, beginning September 1, 2022 and ending on August 31, 2026. TTU may terminate the contract with 30 days prior written notice.

**Cost.** TTU will pay \$70.00 per hour for Citibus services for the first two years of the contract and \$75.00 per hour for the final two years of the contract, for an estimated total of \$4,410,000 annually for the first two years and \$4,725,000 annually for the final two years of the contract. The increase for FY 2023 will be funded utilizing fuel reserves within the Transportation Fee account.

TTU may request additional services on an as-needed basis for an additional amount.

The TTU Chief Procurement Officer has verified the solicitation and purchasing method, and the contractor selection process complies with state law and TTU system policies. The Chief Procurement Officer also confirms there are not any anticipated issues that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.a. *Regents' Rules*, requires Board of Regents approval of contracts which exceed \$1,000,000 per annum.

Section 07.12.3.c *Regents' Rules*, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000, that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board:

- (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and
- (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

**3. TTU: Approve a contract with Salesforce.com, Inc. for campus customer relationship management platform licenses.**

Presenter: Mrs. Noel Sloan

Presentation Time: 3 minutes

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

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the president, or his designee, to finalize negotiations and execute a contract with Salesforce.com, Inc. (Salesforce) to provide campus customer support and relationship management software licenses for Texas Tech University ("TTU").

**BACKGROUND INFORMATION**

Several TTU departments currently use Salesforce, and other platforms, for customer and student support, and communication and relationship management for an estimated annual expense of approximately \$450,000. TTU is seeking to consolidate existing licenses and expand the scope to include a comprehensive student engagement platform that manages the student's journey during their collegiate career and supports student success. The consolidation of multiple licenses into one master agreement will allow for bundled discounts and proper fiscal and operational management of TTU resources.

The new contract is a Social Enterprise License Agreement ("SELA") that combines several existing agreements with Salesforce, adds new service areas specific to student success and retention, consolidates for a discount off market rate, and locks in additional license rates that may be added in the future. The contract will be effective June 1, 2022 for a three-year term. The initial year cost is approximately \$1,500,000; TTU will receive a credit of \$122,436 for existing licenses in the initial year. There is a one-time implementation fee of \$2,615,093 which covers a customer success architect, implementation and data migration, and advanced technical support.

Salesforce will also partner with Texas Tech University in (1) Teaching Salesforce in the Classroom by providing free Salesforce and Tableau licenses for students and faculty to learn hands on, (2) Mentorship and Career Opportunities, (3) Workforce Development and Recruiting, and (4) Accessibility and Disability Inclusion.

The TTU Chief Procurement Officer has verified the solicitation and purchasing method, and the contractor selection process complies with state law and TTU system policies. The Chief Procurement Officer also confirms there are not any anticipated issues that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.a. *Regents' Rules*, requires Board of Regents approval of contracts which exceed \$1,000,000 per annum.

Section 07.12.3.c *Regents' Rules*, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000 that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board:

- (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and
- (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

**4. TTUHSC: Authorize president to execute contract extension with Laura W. Bush for trademark use.**

Presenter: Dr. Lori Rice-Spearman

Presentation Time: 5 minutes

Board approval required by: Section 07.12.3.d.(1)(b), *Regents' Rules*

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the president to approve a ten-year contract extension (AMEND592090-001) with Laura W. Bush (“LWB”) for Texas Tech University Health Sciences Center’s (“TTUHSC”) continued use of the mark “Laura W. Bush Institute For Women’s Health Texas Tech University Health Sciences Center (“the Mark”).

**BACKGROUND INFORMATION**

Texas Tech University Health Sciences Center has a longstanding relationship with LWB for the use and federal registration of the Mark. The original agreement (CON592090), was effective on October 1, 2012 initiating a ten-year term of use beginning on the federal registration date of March 18, 2014. The parties have agreed to begin the process of seeking an additional ten-year contract extension and preparing for the renewal of the trademark well in advance of expiration to prevent any lapse in registration and use.

Section 07.12.3.d.(1)(b) *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.

**5. TTUHSC El Paso: Authorization to execute revenue contract with El Paso County Hospital District.**

Presenter: Dr. Richard Lange

Presentation Time: 2 minutes

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

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents authorize the president to approve an anesthesiology services agreement with El Paso County Hospital District.

Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso") will contract with EPCHD to provide anesthesia services at UMC beginning July 7, 2022. It is anticipated that the contract term will be three years and the estimated total contract revenue value will be \$21,000,000 when finalized, approximately \$7,000,000 annually. The anesthesia department will include call coverage and medical directorships in addition to program enhancements.

**BACKGROUND INFORMATION**

El Paso County Hospital District ("EPCHD") d/b/a University Medical Center of El Paso (UMC) is a Texas private non-profit corporation organized and certified as a healthcare organization by the Texas Medical Board in El Paso County. University Medical Center ("UMC") is the academic teaching hospital for TTUHSC El Paso faculty and residents to provide quality medical care to the charity, indigent and uninsured patients in the El Paso area.

Texas Tech University Health Sciences Center at El Paso provides services at UMC for multiple specialties and both agencies have mutual goals through the continuation of this agreement to collaborate and improve the health and wellness of the El Paso population and maintain the requirements needed for the academic programs. Through these contractual relationships, EPCHD and TTUHSC El Paso will continue to identify opportunities for quality improvements to optimize clinical care and continuity of care for patients.

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.



**6. TTUS: Enterprise Risk Management Report.**

Presenters: Mrs. Penny Harkey & Mrs. Kim Turner      Presentation Time: 10 minutes  
Report required by: Section 3.1, TTUS Regulation 1.1.1, Enterprise Risk Management –  
Standards of Practice (Office of Risk Management); and Audit Committee Charter

Penny Harkey, TTUS Interim Vice Chancellor and CFO, and Kim Turner, Chief Audit Executive, will provide an update on the TTU System’s Enterprise Risk Management reports.

**BACKGROUND INFORMATION**

Section 3.1, Texas Tech University System Regulation 1.1.1, requires biennial updates to the board on TTUSA and components Enterprise Risk Management (“ERM”) reports. ERM is a comprehensive program to identify and proactively manage real and potential threats as well as opportunities that may affect TTUS component institutions.

**7. TTUS: Investment Performance Update.**

Presenter: Mrs. Penny Harkey  
Report requested by: Board of Regents.

Presentation Time: 10 minutes

Penny Harkey, Interim Vice Chancellor and CFO, TTUS, will provide an update on the performance of TTUS investments.

**ACADEMIC,  
CLINICAL AND  
STUDENT AFFAIRS**

**Academic, Clinical and Student Affairs Committee**

Committee Meeting

May 5, 2022

**Time:** 11:45 am (or upon adjournment of the Finance and Investments Committee meeting)

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Kerrick Davis (Chair) and Gordon (Vice Chair) and Keaghan Holt (Student Regent)  
 (The Academic, Clinical, and Student Affairs Committee consists of all nine board members and the student regent.)

Agenda

- Approve minutes of committee meeting held on February 24, 2022

**III.D.** 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”), Midwestern State University (“MSU”), 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”)

Page  
ACS

1.	ASU: Approve the addition of the Bachelor of Science degree with a major in Cybersecurity .....	3
2.	ASU: Approve the addition of the Master of Science degree with a major in Business Data Science and Analytics.....	5
3.	MSU: Approve changes in academic rank .....	7
4.	MSU: Approve changes in academic rank and granting of tenure.....	8
5.	TTU: Approve appointments with tenure.....	10

- 6. TTU: Approve the Bachelor of Arts (B.A.) Degree in Criminology ..... 12
- 7. TTUHSC El Paso: Approve revisions to HSCEP OP 77.05 Student Leaves of Absence and Suspensions (formerly titled "Suspension and Retention")..... 15
- 8. Adjournment

NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Academic, Clinical and Student Affairs Committee. Action taken by this committee is final and does not require a report to the Full Board.

**1. ASU: Approve the addition of the Bachelor of Science degree with a major in Cybersecurity.**

Presenter: Dr. Don Topliff

Presentation Time: 3 minutes

Board approval required by: 04.09.01, *Regents' Rules*; and Title 19, Part 1, Chapter 5, Subchapter C, *Texas Administrative Code*

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve the new degree program request for the Bachelor of Science ("B.S.") degree with a major in Cybersecurity in the Department of Computer Science within the College of Science and Engineering and authorize submission to the Texas Higher Education Coordinating Board seeking its approval for such a program and to the Southern Association of Colleges and Schools for its review. Implementation of this new program will begin in fall 2022.

**BACKGROUND INFORMATION**

There is high demand for cybersecurity professionals in both industry and government. As a result, there is a high demand for educational programs in cybersecurity. Many of our new recruits and parents are asking for cybersecurity education programs. According to the Bureau of Labor Statistics, the number of jobs in Information Security Analysis is 141,200 in 2020 and the expected growth from 2020 to 2030 is 33% (or 47,100), which is above average, and the median salary in 2020 is \$103,590. According to reports, there are three million cybersecurity positions currently open in the U.S.

<https://www.bls.gov/ooh/computer-and-information-technology/information-security-analysts.htm>

In 2020, ASU submitted a grant proposal to NSA for a cybersecurity capacity building grant with the aim of becoming a cybersecurity "Center of Excellence". The grant provided funding for some upgrades to computer equipment, a faculty line in cybersecurity and the establishment of cybersecurity academic programs. The proposed Bachelor of Science in Cybersecurity is one of the academic programs that were identified in the grant.

The Department of Computer Science has leveraged their current course offerings with a few new courses to establish the proposed BS program. A new faculty member is being hired with grant funds and we anticipate a significant number of students will enroll in the program beginning this fall. In addition to the degree, students will have multiple paid internship opportunities and the ability to achieve security clearances that will nearly guarantee job placement.

Table 1. Five-Year Enrollment Projection

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Total New Students</b>	20	30	35	35	35
Attrition	2	3	4	4	4
<b>Cumulative Headcount</b>	<b>20</b>	<b>48</b>	<b>68</b>	<b>79</b>	<b>85</b>
FTSE	20	48	53	57	61
Graduates	0	12	20	25	30

Table 2. Five-Year Costs and Funding Sources

Cost Category	Cost Sub-Category	1st Year	2nd Year	3rd Year	4th Year	5th Year	TOTALS
Faculty Salaries	New	\$0	\$100,000	\$200,000	\$200,000	\$200,000	\$700,000
	Reallocated	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$200,000
Program Administration	New						
	Reallocated	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Clerical/Staff	New						
	Reallocated	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000
Supplies and Materials	New						
	Reallocated						
Library & Instructional Technology Resources		\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
Equipment		\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Facilities							
<b>TOTALS</b>		\$66,000	\$166,000	\$266,000	\$266,000	\$266,000	\$1,030,000

Table 3. Anticipated Funding for the First Five Years of the Program

Funding Category	1st Year	2nd Year	3rd Year	4th Year	5th Year	TOTALS
Formula Funding			\$292,430	\$339,735	\$365,538	\$997,703
Tuition and Fees	\$200,996	\$482,390	\$683,332	\$793,871	\$854,165	\$3,014,754
Reallocation	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$255,000
<b>TOTALS</b>	\$251,996	\$533,390	\$1,026,762	\$1,184,606	\$1,270,703	\$4,267,457

**2. ASU: Approve the addition of the Master of Science degree with a major in Business Data Science and Analytics.**

Presenter: Dr. Don Topliff

Presentation Time: 3 minutes

Board approval required by: 04.09.01, *Regents' Rules*; and Title 19, Part 1, Chapter 5, Subchapter C, *Texas Administrative Code*

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve the new degree program request for the Master of Science (“M.S.”) degree with a major in Business Data Science and Analytics within the Norris-Vincent College of Business and authorize notification to the Texas Higher Education Coordinating Board seeking its approval for the program and to the Southern Association of Colleges and Schools for its review. Implementation of this new program will begin in fall 2022.

**BACKGROUND INFORMATION**

Business Data Science & Analytics is a combination of skills and technologies to convert organization data to gain insight and make decisions in a time-sensitive manner. The business skills needed are the language of business: accounting, finance, marketing, and strategy. The data science and analytics skills are the programming (data querying, data wrangling, database design, and machine learning) and technology skills to extract data and convert into meaningful insights. Combining these into a single program will prepare graduates to fill the ever-widening gap between analytics needs and the supply of analytics professionals.

Many Texas universities have business analytics programs that have been formed over the last ten years. Some of these are Texas Tech, Texas A&M, University of Texas, University of Texas at Dallas, University of Houston, and Texas A&M Commerce. As Silicon Valley companies flee high taxes and move to Texas (<https://www.investopedia.com/why-silicon-valley-companies-are-moving-to-texas-5092782>), the need for analytics will continue to grow.

Angelo State University’s proposal is integrating existing graduate courses from (1) the AACSB-accredited Norris-Vincent College of Business and (2) the Computer Science department, which in 2021, launched a M.S. in Computer Science. For both existing graduate programs, courses are delivered in a 100% online eight-week format. This program is composed of existing programs, course enrollment will be a mix of the three programs (MBA, MSCS, & MS BDS&A); consequently, both short- and long-term sustainability is robust.



Table 1. Five-Year Enrollment Projection

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Total New Students</b>	5	10	15	15	15
Attrition	0	2	2	2	2
<b>Cumulative Headcount</b>	<b>5</b>	<b>13</b>	<b>21</b>	<b>34</b>	<b>34</b>
FTSE	5	13	21	34	34
Graduates	0	5	13	13	13

Table 2. Five-Year Costs and Funding Sources

Cost Category	Cost Sub-Category	1st Year	2nd Year	3rd Year	4th Year	5th Year	TOTALS
Faculty Salaries	New	\$0	\$0	\$0	\$0	\$0	\$0
	Reallocated	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$200,000
Program Administration	New						
	Reallocated	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Clerical/Staff	New						
	Reallocated	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000
Supplies and Materials	New						
	Reallocated						
Library & Instructional Technology Resources		\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
Equipment		\$0	\$0	\$0	\$0	\$0	\$0
Facilities							
<b>TOTALS</b>		\$56,000	\$56,000	\$56,000	\$56,000	\$56,000	\$280,000

Table 3. Anticipated Funding for the First Five Years of the Program.

Funding Category	1st Year	2nd Year	3rd Year	4th Year	5th Year	TOTALS
Formula Funding			\$154,745	\$250,540	\$250,540	\$655,825
Tuition and Fees	\$32,589	\$84,732	\$136,875	\$221,608	\$221,608	\$697,412
Reallocation	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$255,000
<b>TOTALS</b>	\$83,589	\$135,732	\$342,620	\$523,148	\$523,148	\$1,608,237

**3. MSU: Approve changes in academic rank.**

Presenter: Dr. Martin Camacho

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; MSU Operating Policy 06.05.

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank, effective September 1, 2022, for the faculty as listed below.

**Promotion to Full Professor, Tenured Faculty:**

SuHua Huang, Ph.D., associate professor to professor, Department of Undergraduate Education, West College of Education;

Qian Li, Ph.D., associate professor to professor, Department of Economics, Finance, and General Business, Dillard College of Business Administration;

Suzanne Lindt, Ph.D., associate professor to professor, Department of Undergraduate Education, West College of Education;

Jonathan Price, Ph.D., associate professor to professor, Department of Geosciences, McCoy College of Science, Mathematics, and Engineering.

**BACKGROUND INFORMATION**

The faculty members whose names appear above have been judged by the appropriate departmental, collegiate, and university committees and administrative personnel as worthy of promotions for which they have been recommended. University policy (OP 06.05) for recommending the promotion of qualified members of the faculty has been carefully followed.

#### 4. **MSU: Approve changes in academic rank and granting of tenure.**

Presenter: Dr. Martin Camacho

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; MSU Operating Policy 06.05

#### **RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank and the granting of tenure, effective September 1, 2022, for the faculty as listed below.

#### **Tenure and Promotion to Associate Professor:**

Isaac Christiansen, Ph.D., assistant professor to associate professor and tenure, Department of Sociology, Prothro-Yeager College of Humanities and Social Sciences;

Geoffrey Clegg, Ph.D., assistant professor to associate professor and tenure, Department of English, Humanities, and Philosophy, Prothro-Yeager College of Humanities and Social Sciences;

Fu-Cheng Liang, Ph.D., assistant professor to associate professor and tenure, Department of Chemistry, McCoy College of Science, Mathematics, and Engineering;

Preet Sharma, Ph.D., assistant professor to associate professor and tenure, Department of Physics, McCoy College of Science, Mathematics, and Engineering;

Tyler Williams, Ph.D., assistant professor to associate professor and tenure, Department of English, Humanities, and Philosophy, Prothro-Yeager College of Humanities and Social Sciences.

#### **BACKGROUND INFORMATION**

The faculty members whose names appear above have been judged by the appropriate departmental, collegiate, and university committees and administrative personnel as worthy of promotion and tenure for which they have been recommended. University policy (OP 06.05) for recommending promotion and tenure of qualified members of the faculty has been carefully followed.

Approval of tenure of these individuals will bring the number of full-time tenured faculty at Midwestern State University in fall 2022 to 135. There are 183 full-time tenured or tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 74 percent, and

tenured faculty represent 32 percent of all faculty. Together, tenured and tenure-track faculty represent 43 percent of all faculty and 76 percent of all full-time faculty.

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

Presenter: Dr. Ronald Hendrick

Presentation Time: 2 minutes

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

### **RECOMMENDATION**

The president recommends and the chancellor that the Board of Regents approve the granting of tenure for the following faculty of Texas Tech University concurrently with their respective appointments.

Martin Camacho, D.M.A., is coming to Texas Tech University as the newly appointed dean of the J.T. & Margaret Talkington College of Visual & Performing Arts starting July 1, 2022. Dr. Camacho has been a tenured professor of music at Midwestern State University where most recently he has served as the interim provost and previously was dean of the Fain College of Fine Arts. Earlier, he was chair of the department of music at Alabama State University, assistant chair of fine arts at Barry University in Miami Shores, Florida, and dean of arts, humanities, and social sciences at the Community College of Rhode Island. He is a native of Mexico and earned his bachelor's degree in music from Instituto Superior de Arte in Havana, Cuba, a master's degree in music from the Cleveland Institute of Music, his doctorate in musical arts from the University of Miami, and a master's in business administration from Barry University.

Geoffrey Corn, J.D., is to be appointed the George R. Killam, Jr. Professor of Criminal Law in the School of Law. He received his Doctor of Jurisprudence degree from the George Washington University Law School in Washington, D.C., and later his LL.M. degree from the U.S. Army Judge Advocate General's School in Charlottesville, Virginia. He comes to Texas Tech University from a tenured position at South Texas College of Law in Houston where he served in endowed positions as the Vinson & Elkins Professor of Law and most recently the Gary A. Kuiper Distinguished Professor of National Security. Prior to South Texas College, Professor Corn had a 21-year career in the U.S. Army, advancing to Special Assistant to the Judge Advocate General for Law of War Matters and Chief of the Law of War Branch.

Tosha Dupras, Ph.D., will, on June 1, 2022, begin serving as the new dean of the College of Arts & Sciences at Texas Tech University. Dr. Dupras has been at the University of Central Florida (UCF) since 1999, where, as a tenured faculty member, she served as chair of the Department of Anthropology, interim dean of the College of Sciences, and most recently as senior associate dean of the college. In 2016, she was selected as a Women Making History Awardee by the executive board of UCF's Center for Success of Women Faculty. Dr. Dupras is a native of Canada. She earned her bachelor's degree in archaeology from Simon Fraser University

in British Columbia, master's degree in human biology from the University of Guelph in Ontario, and her doctorate in anthropology from McMaster University also in Ontario.

Davendra Shah, Ph.D., B.Vsc., joined the faculty of the School of Veterinary Medicine effective March 1, 2022. Dr. Shah comes to Texas Tech University from Washington State University where he was awarded tenure in 2014 in the College of Veterinary Medicine. He has an international reputation with continuous publications and grant submissions in his specialties of food borne bacterial pathogens, clinical microbiology, molecular microbiology, and immunology. Dr. Shah's appointment brings to Texas Tech's School of Veterinary Medicine clinical applications of microbiology important to practicing veterinarians.

### **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 promotion and tenure. University procedures (OP 32.01) for recommending tenure of qualified members of the faculty have been carefully followed.

Approval of these four faculty members will bring the number of full-time tenured faculty at Texas Tech University to 813. There are 1,121 full-time tenured and tenure-track faculty. After this appointment, the percentage of tenure-track faculty who have been awarded tenure will be 72.5%, and tenured faculty represent 40.1% of all faculty (including part-time). Together, tenured and tenure-track faculty represent 58.1% of all faculty, and 70.1% of all full-time faculty.

## 6. **TTU: Approve the Bachelor of Arts (B.A.) Degree in Criminology.**

Presenter: Dr. Ronald Hendrick

Presentation Time: 3 minutes

Board approval required by: Section 04.09.1, *Regents' Rules*; TTU Operating Policy 36.04 and Title 19, Part 1, Chapter 5, Subchapter C, Texas Administrative Code

### **RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve the new degree program, Bachelor of Arts (B.A.) in Criminology, 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 for acknowledgement of a new degree program.

### **BACKGROUND INFORMATION**

The issues of crime and terrorism are major social and political problems in every community in the United States and world-wide. This degree aims to provide students with knowledge and skills to understand why crimes are committed and the criminalization of behaviors as an attempt at social control. Students will be able to assess a situation and apply their knowledge about criminology to improve the quality of life at the community, country, and global level. Students will critically analyze empirical research, compose data driven hypotheses, design studies, and perform statistical analysis.

The fields in which criminology-trained students will work reach beyond law enforcement to include law, the military, social services, and government services. This reach fits the interests of students currently completing B.A. degree in Sociology with the 18-hour concentration in criminology. Data collected from a required, senior-level course (SOC 4325) in criminology from academic years 2012 through 2015 show that, besides law enforcement, students in the criminology concentration continue with graduate studies, enter law school, or pursue fields in the military or social and medical services.

The job-market for students with a criminology degree is good. According to a recent Texas Workforce Commission report, criminology-related jobs will increase from 2014 to 2024 by over 21%. Specifically, there will be a 20.8% increase (or 56,760) in protective services jobs, a 21.9% increase (or 20,650) in legal jobs, and a 19.5% increase (or 38,260) in community and social services jobs.

Our review of universities and colleges in Texas found 26 universities offering criminal justice degrees but did not find any university that offers a B.A. in criminology. The fields of criminology and criminal justice are distinct. Criminology is a specialization founded in sociological thought that aims to

analyze and understand the role played by social institutions in preventing and contributing to criminal activity. Criminal justice programs are vocational in nature with a component focused on the effectiveness of criminal justice procedures and laws. Five public and two private universities in Texas have a criminology/criminal justice combined curriculum that blends sociology or multi-disciplinary curricula with a traditional criminal justice curriculum.

Enrollment projections for new students not currently enrolled at TTU are given in the table below. The projections are obtained from conversations with students who are sociology majors taking the concentration in criminology. In Fall 2020, there were 377 sociology majors with 78% (293) enrolled in the criminology concentration. It is anticipated that a majority of the currently enrolled sociology students who are taking the concentration in criminology will change majors to the new criminology degree.

Table 1: Projected Enrollment in TTU's B.A. in Criminology

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>Total New Students</b>	45	55	84	99	141
<b>Attrition*</b>	5	10	13	24	27
<b>Cumulative Headcount</b>	45	93	146	209	271
<b>FTSE**</b>	27	70	106	208	254
<b>Graduates</b>	2	21	23	55	61

\* Attrition applied at the beginning of the following year.

\*\*Full-time student equivalent for the academic year.

Projected five-year costs and funding for the B.A. degree in criminology are given in the table below. No new faculty are needed to support this new program, because the required courses are already taught as a part of the criminology concentration. The department may request funding for an additional advisor in year three, which is reflected in personnel. Supplies and materials costs represent laboratory maintenance, annual software costs, and office supplies. The student costs are small scholarships for supporting eight high achieving criminology students per year.



Table 2: Projected Five-Year Costs and Revenue for TTU B.A. in Criminology

<b>Five-Year Costs</b>		<b>Five-Year Funding</b>	
Personnel (administration and salaries)	\$65,000	Reallocated Funds	\$0
Facilities and Equipment	\$0	Anticipated New Formula Funding	\$805,355
Supplies and Materials	\$70,000	Special Item Funding	\$0
Student Support	\$20,000	Tuition and Fees	\$1,945,440
<b>Total Costs</b>	<b>\$155,000</b>	<b>Total Funding</b>	<b>\$2,750,795</b>

**7. TTUHSC El Paso: Approve revisions to HSCEP OP 77.05 Student Leaves of Absence and Suspensions (formerly titled “Suspension and Retention”).**

Presenter: Dr. Richard Lange

Presentation Time: 1 minute

Board approval required by: Section 05.01.2, *Regents’ Rules*; HSCEP Operating Policy 60.01

**RECOMMENDATION**

The president recommends and the chancellor concurs that the Board of Regents approve the changes to OP 77.05, Student Leaves of Absence and Suspensions (formerly titled “Suspension and Retention”).

The revisions to HSCEP OP 77.05 include:

- Defining suspension and leave of absence
- Establishing a general framework for classifying and processing suspensions and leaves of absence in relation to essential institutional responsibilities of the registrar, student financial aid, and student services
- Clarifying the terms and authority under which a student may be summarily suspended
- Setting basic institutional expectations for the appropriate management of, and communication with, students in relation to leaves of absence and suspensions

NOTE: OP 77.05, Student Leaves of Absence and Suspensions, with proposed revisions is included as a supplemental attachment to the agenda book.

**BACKGROUND INFORMATION**

Section 05.01.2 *Regents’ Rules*, requires Board approval of changes to institutional operating policies for rules related to suspension and retention of students.

**MEETING OF THE  
BOARD/  
COMMITTEE OF  
THE WHOLE**

**Meeting of the Board**  
Thursday, May 5, 2022

**Time:** 9:30 am

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Agenda

- I. **Meeting of the Board—Call to Order; convene into Open Session of the Board.** The Board will convene in Open Session and meet as a Committee of the Whole and Meeting of the Board.....Chairman Lewis
  - A. Introductions and Recognitions ..... Chancellor Mitchell, President Hawkins, Interim President Johnston, President Schovanec, President Rice-Spearman, and President Lange
  - B. Student Government Association Reports ..... Trevor Bills, Austin Strode, Austin Phillips, Brianna Mendoza, and Georgia Blackwell
- II. **Recess** .....Chairman Lewis

III. **Meeting of Standing Committees:** Conducted sequentially and separately from the Meeting of the Board beginning at approximately 10:15 am—refer to agenda for each respective committee meeting.  
 Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

**Meeting of the Board**  
Thursday, May 5, 2022

**Time:** 12:15 pm (or upon adjournment of the last committee)

**Place:** Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Agenda

**IV. Meeting of the Board—Call to Order; reconvene into Open Session of the Board.** The Board will reconvene in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on: .....Chairman Lewis

- A. Approve minutes of Board meetings held on February 24, 2022 and March 7, 2022 .....Chairman Lewis
- B. Committee of the Whole..... Vice Chairman Griffin

Page  
CW

- 1. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso, TTUSA, and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda ..... 8

**Consent Agenda**

- a. MSU: Approve emeritus appointments (ACS)
- b. MSU: Approve revisions to OP 06.20, Faculty Performance Review (ACS)
- c. TTU: Approve faculty leave of absence without pay (ACS)
- d. TTU: Approve faculty development leave of absence (ACS)
- e. TTU: Approve emeritus appointment (ACS)
- f. TTU: Approve revisions to the Student Handbook, effective May 5, 2022 (ACS)
- g. TTUHSC: Approve faculty development leave of absence (ACS)
- h. TTUHSC: Approve transfer of tenure within TTUHSC (ACS)

- i. TTUHSC: Approve revisions to the Student Handbook and Code of Professional Conduct, effective September 1, 2022 (ACS)
- j. TTUHSC and TTUHSC El Paso: Approve delegation of authority to require health insurance for students at health-related institutions and determine minimum coverage standards (ACS)
- k. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso and TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report (F)
- l. TTU: Approve naming of the Ranch Life Learning Center at the National Ranching Heritage Center (The Cash Family Ranch Life Learning Center) (F)
- m. TTU: Approve naming of Personal Financial Planning Clinic in Texas Tech Plaza, 3rd Floor, Suite 305 (Charles Schwab Foundation Personal Financial Planning Clinic) (F)
- n. TTU: Authorize modification to request for Permanent Right of Access and use of Texas Tech University land to the City of Lubbock (LP&L distribution line along TTU west property line; monetary consideration) formerly approved by the Board (F)
- o. ASU, MSU, TTU, TTUSA, TTUHSC and TTUHSC El Paso: Approve FY 2023 holiday schedule (FI)
- p. TTU: Authorize president to execute a consulting contract related to branding and media assistance and advisory support services for the Texas Tech University Department of Intercollegiate Athletics (FI)
- q. TTU: Approve commissioning of police officers (FI)
- r. TTUS and TTUHSC: Approve purchasing contract(s) in excess of \$1,000,000 (FI)
- s. TTUS: Authorize a consulting agreement to provide support for advancing state and strategic initiatives (FI)

## Information Agenda

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

- (1) ASU, MSU, TTU, TTUHSC and TTUHSC EI Paso: Summary of Revenues and Expenditures by Budget Category, FY 2022 (as of February 28, 2022), 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. Financial reports for the most recently completed quarter for each of the component institutions are available at:  
<https://www.texas-tech.edu/offices/cfo/board-financial-reports.php>
  
- (2) TTUHSC and TTUHSC EI Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules* – “The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that in-volve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per an-num amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

- (3) TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(1), *Regents' Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) TTU and TTUHSC: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4.a of the *Regents' Rules* – “The following are excepted from the requirements of Section 07.12.3.a and 07.12.3.b, *Regents' Rules*, the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”
- (5) TTUHSC: Contracts for Sponsored Program Projects per Section 07.12.4.b., *Regents' Rules* – “The following are excepted from the requirements of Section 07.12.3.a, *Regents' Rules*, the board delegates to the presidents or the presidents designee the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”



- (6) TTUHSC: Report on establishment of new centers and institutes per Section 04.11.2., *Regents’ Rules* – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
  
- (7) TTU: Approve modification of namings within School of Veterinary Medicine, Mariposa Station by Section 13.02.2e, *Regents’ Rules* – “Change in designation or name. A gift intended to fund a specific facility that the TTU system is no longer planning to construct, expand or renovate may be used or applied to naming of an alternate facility as agreed to by the donor and approved by the president, in consultation with the chancellor and VCIA, with prior notification to the board.”
  
- (8) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents’ Rules* – “Unless prohibited by law and upon recommendation of the chancellor, 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 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.”
  
- (9) TTUS: Emergency or exigent circumstances approval of a major construction project by Section 08.01.7.a, *Regents’ Rules* – “(a) If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency or that 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, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting.”

C. Schedule for Board meetings:  
 August 11-12, 2022, San Angelo  
 November 17-18, 2022, Lubbock  
 Consideration & approval of 2023 BOR meeting  
 schedule ..... Keino McWhinney

- V. **Executive Session:** The Board will convene into Executive Session in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: .....Chairman Lewis
  - 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
  
- VI. **Open Session:** The Board will reconvene in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville 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 Griffin
  - B. Chairman’s Announcements .....Chairman Lewis
  
- VII. **Adjournment** .....Chairman Lewis

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

Presenter: Vice Chairman Griffin

Presentation Time: 2 minutes

Board approval required by: Sections 01.02.7.d(4)(b) and 01.02.07.d(4)(c), *Regents' Rules*

**RECOMMENDATION**

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of May 5, 2022; 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.

**CONSENT/  
INFORMATION  
AGENDA**

BOARD OF REGENTS  
TEXAS TECH UNIVERSITY SYSTEM

CONSENT AGENDA  
and  
INFORMATION AGENDA

May 5, 2022

BOARD OF REGENTS

Mr. J. Michael Lewis, Chairman

Mr. Mark Griffin, Vice Chairman

Ms. Arcilia C. Acosta

Mr. Cody C. Campbell

Mrs. Ginger Kerrick Davis

Mr. Pat Gordon

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Dusty Womble

Ms. Keaghan Holt, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:

Ginger Kerrick Davis (Chair); Pat Gordon (Vice Chair); and Keaghan Holt (Student Regent)

Audit:

John Steinmetz (Chair) and Arcilia Acosta (Vice Chair)

Facilities:

Dusty Womble (Chair) and Mark Griffin (Vice Chair)

Finance and Investments:

John Walker (Chair) and Cody Campbell (Vice Chair)

[NOTE: All nine board members serve as voting members of each committee.]

**TEXAS TECH UNIVERSITY SYSTEM  
BOARD OF REGENTS**

**May 5, 2022**

**TABLE OF CONTENTS**

**CONSENT AGENDA**

	<u>Page</u>
a. MSU: Approve emeritus appointments (ACS).....	1
b. MSU: Approve revisions to OP 06.20, Faculty Performance Review (ACS) .....	3
c. TTU: Approve faculty leave of absence without pay (ACS) .....	4
d. TTU: Approve faculty development leave of absence (ACS).....	5
e. TTU: Approve emeritus appointment (ACS) .....	6
f. TTU: Approve revisions to the Student Handbook, effective May 5, 2022 (ACS) .....	7
g. TTUHSC: Approve faculty development leave of absence (ACS).....	9
h. TTUHSC: Approve transfer of tenure within TTUHSC (ACS) .....	10
i. TTUHSC: Approve revisions to the Student Handbook and Code of Professional Conduct, effective September 1, 2022 (ACS).....	11
j. TTUHSC and TTUHSC El Paso: Approve delegation of authority to require health insurance for students at health-related institutions and determine minimum coverage standards (ACS) .....	14
k. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso and TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report (F).....	15
1. ASU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	15

2.	MSU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	17
3.	TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	19
4.	TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	23
5.	TTUHSC EI Paso: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	25
6.	TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	27
I.	TTU: Approve naming of the Ranch Life Learning Center at the National Ranching Heritage Center (The Cash Family Ranch Life Learning Center) (F) .....	29
m.	TTU: Approve naming of Personal Financial Planning Clinic in Texas Tech Plaza, 3rd Floor, Suite 305 (Charles Schwab Foundation Personal Financial Planning Clinic) (F) .....	30
n.	TTU: Authorize modification to request for Permanent Right of Access and use of Texas Tech University land to the City of Lubbock (LP&L distribution line along TTU west property line; monetary consideration) formerly approved by the Board (F).....	31
o.	ASU, MSU, TTU, TTUSA, TTUHSC and TTUHSC EI Paso: Approve FY 2023 holiday schedule (FI).....	33
	1. ASU: Approve FY 2023 holiday schedule .....	33
	2. MSU: Approve FY 2023 holiday schedule.....	35
	3. TTU and TTUSA: Approve FY 2023 holiday schedule .....	37
	4. TTUHSC: Approve FY 2023 holiday schedule .....	39
	5. TTUHSC EI Paso: Approve of the FY 2023 holiday schedule.....	41
p.	TTU: Authorize president to execute a consulting contract related to branding and media assistance and advisory support services for the Texas Tech University Department of Intercollegiate Athletics (FI) .....	43
q.	TTU: Approve commissioning of police officers (FI) .....	45
r.	TTUS and TTUHSC: Approve purchasing contract(s) in excess of \$1,000,000 (FI) .....	46

s. TTUS: Authorize a consulting agreement to provide support  
for advancing state and strategic initiatives (FI)..... 48



## INFORMATION AGENDA

*(Titles only; full agenda is on page 49)*  
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, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2022 (as of February 28, 2022), 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. Financial reports for the most recently completed quarter for each of the component institutions are available at: <https://www.texas-tech.edu/offices/cfo/board-financial-reports.php>
- (2) **TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – “The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that in-volve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per an-num amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”
- (3) **TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(1), *Regents' Rules*** – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”

- (4) **TTU and TTUHSC: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4.a of the *Regents' Rules*** – “The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents' Rules*, the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”
- (5) **TTUHSC: Contracts for Sponsored Program Projects per Section 07.12.4.b., *Regents' Rules*** – “The following are excepted from the requirements of Section 07.12.3.a, *Regents' Rules*, the board delegates to the presidents or the presidents designee the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”
- (6) **TTUHSC: Report on establishment of new centers and institutes per Section 04.11.2., *Regents' Rules*** – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
- (7) **TTU: Approve modification of namings within School of Veterinary Medicine, Mariposa Station by Section 13.02.2e, *Regents' Rules*** – “Change in designation or name. A gift intended to fund a specific facility that the TTU system is no longer planning to construct, expand or renovate may be used or applied to naming of an alternate facility as agreed to by the donor and approved by the president, in consultation with the chancellor and VCIA, with prior notification to the board.”
- (8) **TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents' Rules*** – “Unless prohibited by law and upon recommendation of the chancellor, 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 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."

- (9) **TTUS: Emergency or exigent circumstances approval of a major construction project by Section 08.01.7.a, Regents' Rules** – "(a) If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency or that 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, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting."

a. **MSU: Approve emeritus appointments.**

Board approval required by: Section 04.01.2, *Regents' Rules*

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

**Dr. William Cook** will retire from MSU on May 31, 2022, as Professor of Biology in the McCoy College of Science, Mathematics and Engineering. Dr. Cook has served 31 years at MSU. He earned the B.S. in Forest Sciences from the University of Washington, Seattle, the M.S. in Biology from Central Washington University, and the Ph.D. in Biological Sciences from the University of Missouri, Columbia. During his time at MSU he served as Department Chair of Biology for 19 years (1999-2018). Since stepping down from the chair position, he served as the Director of Natural Laboratories at the Dalquest Desert Research Station. Dr. Cook was named Professor of the Year, Biology Department, in 2001, 2003, 2006 and 2007. Dr. Cook created a unique course in 1998 (Tropical Rainforest Ecology) where students spend a few weeks in the classroom learning about the rainforest, and then spend ten days in that location. In 2017, Dr. Cook helped remodel the Biology introductory curriculum to improve transferability and student progress to degree.

**Dr. Mark Farris** retired from MSU on May 31, 2021, as Professor of Mathematics in the McCoy College of Science, Mathematics and Engineering. Dr. Farris served 29 years at MSU. He earned the B.A. and Ph.D. in Mathematics from Rice University. During his time at MSU he served as the Redwine Honors Program Director for seven years (2004-2011). He also served on numerous committees including the Faculty Senate for eight years and held leadership positions as secretary, vice-chairman, and was chairman of the senate for three years. Dr. Farris also served as Department Chair of Mathematics in his last year at MSU. He challenged even the brightest senior students in his upper-level courses, core courses in the department, and he initiated the use of ALEKS software to both bring students up to speed in math and support them in the algebra sequence.

**Dr. Robert Johnson** will retire from MSU on May 31, 2022, as Professor of English in the Prothro-Yeager College of Humanities and Social Sciences. Dr. Johnson has served 30 years at MSU. He earned the B.A. and M.A. in English from the University of Colorado at Denver, and the Ph.D. in English from the University of Denver. During his time at MSU he served as Graduate Coordinator for the Department of English, Humanities, and Philosophy for 20 years, and has served on the college tenure and promotion committee since 2006, chairing the committee 15 times. His depth of expertise in British literature has been essential to the education of so many of our students at both the undergraduate and graduate level.

**Dr. Dirk Lindemann** will retire from MSU on August 31, 2022, as Associate Professor of History in the Prothro-Yeager College of Humanities and Social Sciences. Dr. Lindemann has served 39 years at MSU. He earned the B.A. in History from the University of Evansville, and the M.A. and Ph.D. in World History from Ball State University. During his time at MSU he served as History Graduate Advisor for six years (2010-2016), directed numerous M.A. History Theses, and coordinated the MSU Faculty Forum Series and MSU Honors Symposium. He served as Chairman of the Goals Committee (Five-year Master Plan Task Force), and sat on the Faculty Grievance Committee. Dr. Lindemann has a loyal student fan base and has served faithfully as our only Modern Europeanist for countless years.

**Dr. Donald Maxwell** will retire from MSU on May 31, 2022, as a Professor of Music in the Lamar D. Fain College of Fine Arts. Dr. Maxwell has served 51 years at MSU. He earned a B.A. in Pre-Med/Zoology at Colgate University, a B.M. in Voice from Friends University, and a M.M. in Voice and D.M.E. in Music Education from the University of Oklahoma. During his time at MSU, he served as Chair of the Department of Music for nine years (1975-1984). He was named the Hardin Professor in 2007 and was the MSU Faculty Award recipient in 1994. Dr. Maxwell was the research grant awardee to establish the Cornelius L. Reid Archive which established 1250 cassettes, DVD's and CD's at MSU's Moffett Library. He also served as a member and Regional Governor of the National Association of Teachers of Singing for 47 years. Dr. Maxwell has been the soloist at MSU's graduation ceremonies since 1990.

### **BACKGROUND INFORMATION**

According to the *Regents' Rules*, emeritus appointments shall be honorary and without stipend. The appointments are given at retirement and are intended to recognize long and faithful service, or very distinguished service to the university.

The named individuals qualify for emeritus appointment under the policy of the Board of Regents.

b. **MSU: Approve revisions to OP 06.20, Faculty Performance Review.**

Board approval required by: Section 04.03, Regents' Rules - Guidelines for Comprehensive Performance Evaluation of Tenured Faculty

The request is to approve revisions to OP 06.20, Faculty Performance Review. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

The proposed revisions to OP 06.20, Faculty Performance Review, add a performance review area and, for faculty submitting a portfolio for tenure and/or promotion, add deadlines concerning personal reports and meeting certification. They also ensure consistency with the University's standard policy/procedure format, and compliance with Texas Tech University System *Regents' Rule* 04.03 (Guidelines for Comprehensive Performance Evaluation of Tenured Faculty).

NOTE: OP 06.20 with proposed revisions is included as a supplemental attachment to the agenda book.

**BACKGROUND INFORMATION**

Section 04.03, *Regents' Rules*, (Guidelines for Comprehensive Performance Evaluation of Tenured Faculty) requires the operating policies of a component institution to include guidelines for comprehensive performance evaluation of tenured faculty. Any changes must be approved by the Board of Regents.

**c. TTU: Approve faculty leave of absence without pay.**

Board approval required by: Section 03.09, *Regents' Rules*; TTU OP 32.15

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

Leave of absence without pay for Aliza Wong, Ph.D., professor in the Department of History and Interim Dean of the Honors College, for the period of September 1, 2022, through August 31, 2023. Dr. Wong has been appointed for up to a three-year term to serve as Director of the American Academy in Rome ("AAR"). The AAR is one of the oldest and most prestigious American overseas centers for independent studies and advanced research in the arts and humanities. As director, Dr. Wong will share in the task of forwarding the Academy's mission and encouraging programs that move across and between scholarly and artistic disciplines. With her AAR team she will be responsible for helping to support the work of diverse Rome Prize Fellows across the Academy's fellowship fields in the humanities, including Ancient, Medieval, Renaissance/Early Modern, and Modern Italian studies, and in the arts, including architecture, design, historic preservation and conservation, landscape architecture, literature, musical composition, and visual art. Artists and scholars who have been in residence at the AAR include Pulitzer Prize winners, Oscar winners, and National Book Award winners. Her full salary will be paid by the AAR for the period of leave. Extensions of the leave for the second and third years of the appointment will be requested at least four months in advance of the respective leave period. This appointment will enhance Dr. Wong's international reputation as a Texas Tech scholar and promote Texas Tech's reputation among the international community of humanities and arts scholars in Europe.

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

Board approval required by Section 4.05.1, *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 half salary for Dr. Idoia Elola, Professor in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period of September 2022 to August 2023. Dr. Elola is recipient of the prestigious Maria Zambrano Fellowship at the University of Navarra in Pamplona, Spain. The fellowship is sponsored by the Spanish government and the European Union. Having been awarded this international fellowship qualifies Dr. Elola for Texas Tech University's incentive program to foster and facilitate faculty participation in external residential fellowships. One such incentive is to provide a faculty development leave to enable the faculty member's relocation for the residential period of the fellowship. The award of this fellowship is an indication of Dr. Elola's success and international reputation as a scholar. It will provide her access to resources and colleagues in support of her ongoing research in applied linguistics and second language acquisition. It will also enhance the exposure to and reputation of the Spanish linguistics program at Texas Tech University.



**e. TTU: Approve emeritus appointment.**

Board approval required by: Section 04.01.2, *Regents' Rules* and TTU OP 10.07

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

**Michael San Francisco, Ph.D.**, has served a distinguished career as a professor of Biological Sciences at Texas Tech University, advancing through a variety of faculty administrator appointments, most recently as Interim Dean of the College of Arts and Sciences until his retirement as of December 2021. Prior to his interim dean role with Arts and Sciences, he served for six years as the Dean of the Honors College. He had previously been an associate dean in the Honors College, interim vice president for research, chair of the Department of Biological Sciences, an adjunct faculty member in Honors, Director of the Clark Scholars Program, and an adjunct professor in the Department of Immunology and Molecular Microbiology at the Texas Tech University Health Sciences Center. As one colleague has written about Dr. San Francisco:

His experience as a student, a faculty member, a chair, an interim vice president for research, a dean allows him a breadth of experience that very few academics enjoy on a college campus. It is this range and depth that makes him such a unique educator, an inspiring leader. He understands the special duties each one of those roles plays in creating an engaged and innovative classroom. He embraces the challenge of communicating the very technical language of science with the broader vocabularies of research funding with the nuances of the arts and humanities. He sees the educational experience of his students not as simply the focused attainment of marketable skills, but the profound opportunity to seek the humanity, the humility of being a part of a greater good.

Dr. San Francisco was among the TTU faculty members granted faculty emeritus status by the Board of Regents at its February 2022 meeting. This request is to specifically grant him dean emeritus status.

**BACKGROUND INFORMATION**

According to the *Regents' Rules*, emeritus appointments shall be honorary and without stipend. The appointments are given at retirement and are intended to recognize long and faithful service, or very distinguished service to the university.

The named individual qualifies for emeritus appointment under the policy of the Board of Regents.

**f. TTU: Approve revisions to the Student Handbook, effective May 5, 2022.**

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 Texas Tech University, effective May 5, 2022. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

[Note: The TTU Student Handbook 2022-2023 with proposed revisions is included as a supplemental attachment to the agenda book.]

**Executive Summary**

The Student Handbook is intended to inform the Texas Tech 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.depts.ttu.edu/dos/handbook/>.

Proposed revisions contain edits to include clarifying language and the following updates to ensure alignment with current best practices in higher education and TTU operating policies: Updates made to: Part I, Section B: Misconduct and Part II, Section C: Anti-Discrimination Policy; Section N: Student Organizations

**BACKGROUND INFORMATION**

In accordance with Regents' Rules, Section 05.01.2, revisions to the Student Handbook and *Code of Student Conduct* must be approved by the Board of Regents. On May 13, 2021, the Board of Regents approved revisions to the Student Handbook effective May 14, 2021 (Minute Order I.B.2.e.).

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 1) is reviewed annually by the *Code of Student Conduct* Review Committee including faculty, staff, and student representatives, along with further review by the Office of Student Conduct, the Office of the Dean of Students, Title IX, and General Counsel.

The proposed revisions to the Student Handbook are listed in detail in the executive summary of revisions:

**Part I, Section A: Student Conduct Mission and Policies**

- Clarified language - “from which a prompt resolution is generated”

**Part I, Section B: Misconduct**

- **1. a. 4** – Added language to cover attempting to buy or sell academic information
- **2.5** – Added language to include unlawful possession or distribution of nicotine products
- **2.f.** - Clarified language associated with bullying, cyber bullying, and harassment

**Part I, Section C: Conduct Procedures for Students**

- **6.A** – Added language to say you are in good disciplinary standing
- **6.B** – Added language to say you are not in good disciplinary standing

**Foreword**

- Updated to include TTUHSC sites

**Part II**

- Updated references, citations, hyperlinks, and contact information

**Part II, Section C. 9: Student Initiated Grievances or Complaints and Investigations – Involving Employees, Whether Faculty, Staff, or Student**

- Removed reference to a grievance or complaint form available on Office of the Dean of Students website and replaced with link to EEO website and forms

**Part II, Section L: Student Identification, e**

- Removed specific cost of ID card

**Part II, Section L: Student Identification, g**

- Clarified text to indicate when ID would be disabled, after the individual is no longer affiliated with the institution

**Part II, Section Q: Use of University Space, 3**

- Clarified notification and options for student organizations without an advisor

**g. TTUHSC: Approve faculty development leave of absence.**

Board approval required by Section 04.05.1, *Regents' Rules*, and HSC OP 60.02

The request is to approve faculty development leave with full salary for Min Kang, PharmD, a tenured professor in the Department of Pediatrics in the Texas Tech University Health Sciences Center ("TTUHSC") School of Medicine for the period July 2022 through December 2022. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

The purpose of this leave is to study bioinformatics at Seoul National University Biomedical Informatics (SNUBI) in South Korea. The primary objectives of the project include learning to effectively and proficiently analyze sequencing data in research; writing a federal grant application for a new collaborative research project; establishing international collaborations for future projects; and developing a training program in bioinformatics for students. Not only will this training benefit Professor Kang's current research, but it will also promote future collaborations within and outside TTUHSC.

**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. Pursuant to TTUHSC OP 60.02, faculty members submit requests for leave through their respective deans to the president. The president has approved the leave as indicated.

**h. TTUHSC: Approve transfer of tenure within TTUHSC.**

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

The request is to authorize the transfer of tenure for several faculty members from the Department of Public Health in the Graduate School of Biomedical Sciences to the Julia Jones Matthews School of Population and Public Health. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

The establishment of the Julia Jones Matthews School of Population and Public Health was approved by the Board of Regents at the August 5-6, 2021, Board of Regents meeting. The effective date of the transfers for the impacted faculty will be May 24, 2022.

Proposed transfers with their original tenure dates include:

- (1) Theresa Byrd, DrPH, Professor and Chair (June 2011);
- (2) Jeffrey Dennis, PhD, Associate Professor (February 2021);
- (3) LisaAnn Gittner, PhD, Associate Professor (February 2017);
- (4) Hafiz Khan, PhD, Professor (February 2019);
- (5) Rubini Pasupathy, PhD, Associate Professor (February 2017); and
- (6) Julie St. John, DrPH, Associate Professor (February 2019).

**i. TTUHSC: Approve revisions to the Student Handbook and Code of Professional Conduct, effective September 1, 2022.**

The request is to approve revisions to the Student Handbook and Code of Professional Conduct for Texas Tech University Health Sciences Center, effective September 1, 2022. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

[Note: The TTUHSC Student Handbook and Code of Professional Conduct 2022-2023 with proposed revisions is included as a supplemental attachment to the agenda book.]

**EXECUTIVE SUMMARY**

The Student Handbook and Code of Professional Conduct is intended to inform the Texas Tech University Health Sciences Center community of the expectations, regulations, and/or standards by which members abide and procedures which guide campus activities. Revisions were coordinated by the Assistant Provost for Student Affairs in cooperation with the Executive Student Affairs Workgroup, Title IX Coordinator, General Counsel, and other TTUHSC stakeholders. The Student Handbook is available electronically at <https://www.ttuhsoc.edu/student-affairs/handbook.aspx>.

Proposed revisions contain the addition of content for the Julia Jones Matthews School of Population and Public Health, as well as other minor editorial revisions and clarifying language.

**Proposed changes:**

**Throughout:** Changed all references of the Assistant Provost of Student Affairs to the Associate Provost of Student Affairs to reflect an updated position title.

**Table of Contents:** Updated pagination.

**Title Page:** Added “Julia Jones Matthews School of Population and Public Health.”

**Statement of Accreditation:** Deleted TTUHSC acronym and replaced with full institution name and added SACSCOC hyperlink.

**Part I:**

- Section A – Clarified existing language and referenced to the Julia Jones Matthews School of Population and Public Health.
- Section C – Clarified existing language.
- Section F, Items 5 & 13 – Updated item reference number.
- Section F, Item 22 – Clarified existing language.
- Section F, Items 22b, d, f, – Updated conduct administrator definition.

- Section F, Item 23 – Added conduct board information for the Julia Jones Matthews School of Population and Public Health.
- Section F, Item 24 – Clarified existing language.
- Section F, Item 26 – Updated definition of student organization.

**Part II:**

- Section D, Item 3 – Formatting change.
- Section E – Updated ethical standards information for the School of Health Professions; added ethical standards information for the Julia Jones Matthews School of Population and Public Health.
- Section F, Item 4f – Clarified existing language.
- Section F, Item 4j – Changed committee to conduct board.

**Part IV**

- Section B – Deleted phrase “genetic information”.
- Section B – Updated EEO & Title IX contact information.
- Section B – Updated section reference citation.
- Section B – updated link for TTUHSC complaint forms.
- Section B – Clarified existing language consistent with current practices.
- Section C, Item 3 – Clarified existing language.
- Section C, Item 6 – Updated confidential resources list.
- Section C, Item 7 – Clarified existing language consistent with current practices and removed bulleted list
- Section C, Item 7c – Inserted new information about “No contact orders”
- Section C, Item 8 – Deleted “CARE Coordinators may also attend any meeting or hearing in addition to the student’s advisor”.

**Part V:**

- Section C, Item 1a – Clarified existing language consistent with current practices.
- Section C, Item 1b – Removed “official”.

**Part X:**

- Section A, Item 8 – Added language around non-compliance with COVID vaccine mandates.
- Section A, Item 10 – Added contact information for Office of Institutional Health.
- Section A, Item 13 – Added reference to TTUHSC OP 51.04 and renamed item from “Disabilities” to “Student Disabilities”.
- Section A, Item 20 – Clarified existing language consistent with current practices.
- Section A, Item 25c – Clarified existing language.
- Section A, Item 29g – Updated statement for Board of Regents approval of tuition and fees for students.
- Item 31 – Added Veterans Resources Center information.

**Part XI**

- Section E – Updated grade appeal procedures.
- Section F, Item 1c – Clarified existing language.
- Section F, Item 2c – Updated titles in appeals section.
- Section G, Item 5 – Updated complaint forms and links.

**Part XII**

- Added Julia Jones Matthews School of Population and Public Health Student Affairs contact information.



j. **TTUHSC and TTUHSC El Paso: Approve delegation of authority to require health insurance for students at health-related institutions and determine minimum coverage standards.**

Board approval required by: Section 51.952, Texas Education Code

The request is to approve the delegation of authority to the presidents of Texas Tech University Health Sciences Center (“TTUHSC”) and Texas Tech University Health Sciences Center El Paso (“TTUHSC El Paso”), or their designee, to require a health insurance policy for students enrolled at their institutions and to determine the minimum coverage standard for the required health insurance policy.

**BACKGROUND INFORMATION**

Section 51.952, *Texas Education Code* provides that “the governing board of a medical and dental unit may require a student enrolled at a medical and dental unit to have in effect during the calendar year of enrollment a health insurance policy for health care services received by the student.” Furthermore, “the governing board of a medical and dental unit shall determine the minimum coverage standards for health insurance required under this section.” Both TTUHSC and TTUHSC El Paso currently have provisions within their operating policies to provide requirements and guidelines related to the health insurance requirements for their students.

k. **ASU, MSU, TTU, TTUHSC, TTUHSC El Paso and TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

1. **ASU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Angelo State University Five-Year Capital Projects Plan and authorize the submission of Angelo State University's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The ASU Five-Year Capital Projects Plan is attached on the following page.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.

**FIVE-YEAR CAPITAL PROJECTS PLAN (FY2023 - 2027)**  
**Angelo State University**  
**April 14, 2022**

GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION																	
Priority	Bldg. No.	Project Description	New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Acres	CIP Code	Projected Total Project Cost	HEF - Cash	HEF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Local Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Capital Construction Bonds	Other	Unfunded
1	622	Carr Hall Renovation	X		X					18,014	0	0	733000	5,554,210													5.55
2	IN01	Cooling Tower Conversion, Hydronic Plant Retrofit and West Campus Central Plant Addition			X					0	0	0	831000	40,000,000											\$ 36.00		4.00
3	624	Concho Hall Renovation	X		X					99,483	0	0	733000	30,000,000													30.00
4	365	Vanderenter Plaza Conversion - E&G Offices and Support Facilities	X		X					10,000	6,500	0	000000	2,000,000	0.18												1.83
5	102	Sol Mayer Administration Building Theater Renovation	X	X						8,255	0	0	500501	4,604,571													4.60
6	109	Porter Henderson Library Conversion - Additional Technology Commons and Offices	X		X					16,200	9,600	0	827100	3,999,000	1.00												3.00
7	IN02	Pedestrian Mall Lighting Replacement and Safety Modifications				X				0	0	0	000000	1,000,000													1.00
8	NEW	ASU Aviation Facility	X							14,400	10,000	0	000000	3,881,214													3.98
9	118	Junell Center Stephens Arena Telescoping Seating Replacement	X		X					19,532	0	0	000000	2,300,000				2.30									-
10	NEW	Biomedical Research Facility	X							13,680	9,550	0	000000	7,000,000													7.00
11	NEW	Indoor Athletic Competition and Practice Complex	X							40,000	0	0	720100	26,800,000													26.80
12	130	Mayer Museum Expansion	X							4,400	0	0	000000	1,600,000						1.60							-
13	NEW	ASU Short Game Golf Facility	X							0	0	10	000000	2,000,000						2.00							-
14	LA01	Real Property Purchase				X				0	0	12	000000	1,000,000													1.00
		Estimated Total Project Budget Modified												131,835,995	1.18	-	-	2.30	-	3.60	-	-	-	-	36.00	-	88.76
		Project Scope and Budget Modified																									
		New Project																									

**2. MSU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Midwestern State University Five-Year Capital Projects Plan and authorize the submission of Midwestern State University's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The MSU Five-Year Capital Projects Plan is attached on the following pages.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.



**3. TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Texas Tech University Five-Year Capital Projects Plan and authorize the submission of Texas Tech University's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The TTU Five-Year Capital Projects Plan is attached on the following pages.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.

**FIVE-YEAR CAPITAL PROJECTS PLAN (FY2023 - 2027)**  
 Texas Tech University  
 May 4, 2022

Priority	Bldg. No.	Project Description	GENERAL PROJECT INFORMATION						FINANCIAL INFORMATION																			
			Project Type			Square Footage			Project Budget	Funding Source (Millions)							Other		Unfunded									
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Acres	CIP Code	Projected Total Project Cost	HEF - Cash	HEF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Capital Construction Assistance Project Bonds				
1	0271	Biology Renovations (ADA/Life Safety/Class Lab/Classroom/Infrastructure)	X		X					144,940	96,834	0		\$ 8,899,000	\$ 0.20										\$ 8.40			
2	0271	Biology South and North Greenhouse	X		X					8,994	8,984	0		\$ 3,900,000											\$ 3.50			
3	0011	Music Building Hemmie Hall Renovation	X		X					8,120	7,696	0	500901	\$ 3,000,000	\$ 2.20						\$ 0.80						\$ -	
4	INF	Infrastructure - North Sewer Force Main (4th Street to North Loop)				X				0	0	0	000000	\$ 2,000,000											\$ 2.00		\$ -	
5	0230	Psychology Renovation	X		X					36,939	19,739	0	420000	\$ 6,235,000	\$ 3.00											\$ 3.24		\$ -
6	0011	Music Life Safety	X		X					104,131	48,088	0	500901	\$ 2,850,000	\$ 2.85												\$ -	
7	0438	Experimental Sciences Building Controls and Switchgear	X		X					113,304	66,923	0		\$ 4,350,000											\$ 4.35			
8	0401	Vivarium Modular Building	X			X				3,683	3,683	0		\$ 10,000,000											\$ 3.00		\$ 7.00	
9	0326	NRHC - Ranch Life Learning Center	X		X					5,818	4,073	0	000000	\$ 7,000,000						\$ 7.00							\$ -	
10	0008	Science Renovations	X		X					109,343	67,754			\$ 18,681,000	\$ 2.50										\$ 16.18			
11	0555	Reese 555TIEHH Chiller and Roof Replacement	X		X					46,426	34,046			\$ 1,950,000											\$ 1.95			
12	0012	Holden Hall Renovations	X		X					171,846	97,829	0		\$ 50,000,000	\$ 14.22										\$ 10.78		\$ 25.00	
13	NEW	Jerry S. Rawls College of Business South Addition	X							37,000	35,890	0		\$ 12,000,000													\$ 12.00	
14	0005	Chemistry Renovations	X		X					177,142	100,625	0		\$ 11,274,100											\$ 11.27			

**FIVE-YEAR CAPITAL PROJECTS PLAN (FY2023 - 2027)**  
 Texas Tech University  
 May 4, 2022

Priority	Bldg. No.	Project Description	GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION														
			Project Type					Square Footage					Project Budget					Funding Source (Millions)									
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Acres	CIP Code	Projected Total Project Cost	HEF - Cash	HEF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Capital Construction Assistance Project Bonds	Other	Unfunded	
15	Multi	Junction Renovations		X																				\$ 4.00			
16	NEW	TTU Center at Junction Research Facility	X																					\$ 4.00			
17	New	Music Building	X					45,000	27,000	0																\$ 50.00	
18	NEW	Gordon W. Davis Agricultural Building	X					50,000	30,000	0																	\$ 30.00
19	0007	Agricultural Sciences Elevator Renovation		X				0	0	0																	
20	0272	Architecture Building Renovation		X				154,408	92,705	0																	\$ 20.00
21	0205	Library Addition and Life Safety Upgrades		X				430,046	290,462	0																	\$ 30.00
22	0374	Mechanical Engineering North Renovations		X				81,793	53,866	0															\$ 3.76		
23	0003	Mechanical Engineering South Renovations		X				26,877	20,538	0															\$ 3.11		
24	0027	Doak Hall Renovation for ADA/Life Safety/Parking		X				81,768	26,170	0																	\$ 45.00
25	0006	Math Stacks Area Renovation		X				7,800	7,800	0																	\$ 4.00
26	INF	Research Park Infrastructure Buildout			X			0	0	0															\$ 4.00		
27	INF	Drive of Champions			X			0	0	0																	\$ 1.25
28	0004	Electrical Engineering Class Lab Renovation		X				3,027	3,027	0																	\$ 1.20



**FIVE-YEAR CAPITAL PROJECTS PLAN (FY2023 - 2027)**  
 Texas Tech University  
 May 4, 2022

Priority	Bldg. No.	Project Description	GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION														
			Project Type					Square Footage					Project Budget					Funding Source (Millions)									
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Acres	CIP Code	Projected Total Project Cost	HEF - Cash	HEF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Capital Construction Assistance Project Bonds	Other	Unfunded	
29	0191	Weeks Hall South Wing Renovation		X						4,353	4,353	0		\$ 1,500,000	\$ 1.50												
30	0405	TTU Plaza Renovate West Wing 1st Floor for Psychology		X						8,520	3,400	0		\$ 2,535,000	\$ 0.71			\$ 1.83									
31	0227	Gates Hall Replace Air Handler Units		X						96,792	0	0		\$ 1,670,287				\$ 1.67									
32	0226	Wall Hall Replace Air Handler Units		X						78,804	0	0		\$ 1,678,849				\$ 1.68									
33	0034	Sheed Hall Sam's Place Renovation		X						6,300	0	0		\$ 3,206,450				\$ 3.20									
34	NEW	West Village II Residence Hall	X							105,000	0	0	733000	\$ 37,500,000				\$ 37.50								\$ -	
35	0035	Bedsee Hall Room and Corridor Upgrades		X						3,420	0	0	733000	\$ 1,250,000				\$ 1.25									
36	NEW	Recreational Center Satellite Location	X							24,000	0	0	714000	\$ 17,000,000				\$ 17.00								\$ -	
37	0234	Hulen Hall Replace Air Handler Units		X						100,867	0	0		\$ 1,250,000				\$ 1.25									
38	0235	Clement Hall Replace Air Handler Units		X						76,197	0	0		\$ 1,250,000				\$ 1.25									
39	0479	J.T. Wilkinson Commons 2nd Floor Renovation		X						7,746	0	0		\$ 2,000,000				\$ 2.00									
40	0408	Sports Performance Center Office Addition		X						3,800	0	0		\$ 1,463,000												\$ 1.46	
		Estimated Total Project Budget Modified																									
		Project Scope and Budget Modified																									
		New Project												\$ 418,832,686	\$ 29.66	\$ -	\$ 2.30	\$ 66.80	\$ 3.08	\$ 7.00	\$ 0.80	\$ -	\$ -	\$ 79.54	\$ 4.00	\$ 225.66	
													TOTALS														

**4. TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Texas Tech University Health Sciences Center Five-Year Capital Projects Plan and authorize the submission of Texas Tech University Health Sciences Center's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The TTUHSC Five-Year Capital Projects Plan is attached on the following pages.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.

**FIVE-YEAR CAPITAL PROJECTS PLAN (FY2023 - 2027)**  
**Texas Tech University Health Sciences Center**

April 4, 2022

Priority	Bldg. No.	Project Description	GENERAL PROJECT INFORMATION							FINANCIAL INFORMATION																		
			Project Type		Square Footage		Project Budget			Funding Source (Millions)																		
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Acres	CIP Code	Total Cost	HEF - Cash	HEF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Capital Construction Assistance Project Bonds	Other	Unfunded	
1	New	Amarillo Shop Building	X									0	832000 \$	3,000,000 \$	3,000													
2	6502	Dallas Campus Renovation - 6th floor		X			X			17,000	11,900	0	513801 \$	3,900,000			3,900											
3	New	Midland Physicians Assistant (PA) Building 2 (CCAP)	X							16,000	11,200	0	510912 \$	18,700,000														18,700
4	1001	LARC Expansion (CCAP)		X			X					0	511201 \$	15,000,000														15,000
5	1001	TTUHSC Research Lab Renovation (CCAP)		X			X					0	000000 \$	45,000,000														45,000
6	IN	Various Facility Modernization and Renewal Renovations		X			X			0	0	0	839900 \$	18,000,000 \$	18,000													
7	New	Amarillo Academic and Clinical Expansion	X							90,000	63,000	0	816000 \$	48,500,000														48,500
8	1001	Preston Smith Library Renovation (Center for Innovative Learning)		X						115,200	83,440	0	510000 \$	29,200,000														29,200
9	New	Abilene Clinical and Research Expansion	X				X			40,000	28,000	0	000000 \$	26,000,000														26,000
10	New	Southwest Lubbock Interprofessional Clinic Building	X							94,000	65,800	0	000000 \$	61,000,000														61,000
11	IN	Real Property Purchase					X			0	0	5	000000 \$	16,000,000					16,000									
		Estimated Total Project Budget Modified																										
		Project Scope Modified and Budget Increased																										
		New Project											TOTALS \$	284,300,000 \$	21,000					19,900						78,700		164,700

**5. TTUHSC El Paso: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Texas Tech University Health Sciences Center El Paso Five-Year Capital Projects Plan and authorize the submission of Texas Tech University Health Sciences Center El Paso's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The TTUHSC El Paso Five-Year Capital Projects Plan is attached on the following page.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.

			GENERAL PROJECT INFORMATION							FINANCIAL INFORMATION																																																																					
Priority	Bldg. No.	Project Description	Project Type										Square Footage	Acres	CIP Code	Start Date	Finish Date	Projected Total Project Cost	Funding Source (Millions)								Other	Unfunded																																																			
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Information Resources	Leased Space	Gross	Educational & General	Other Revenue Bonds							Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Capital Construction																																																					
1	NEW	Dental School Building	X											225,000	117,000	0	510004	09/2023	02/2026	192,866,946																\$ 192.87																																											
2	NEW	Clinical Sciences Building	X											220,000	114,400	0	511201	09/2023	06/2026	194,164,562																	\$ 194.16																																										
3	NEW	Family Medicine Clinic	X											35,000	18,200	0	510000	09/2023	02/2025	32,668,595																\$ 32.67																																											
4	3104	Northeast Surgery Center	X								X			12,333	6,413	0	612701	09/2021	06/2023	7,396,505															\$ 7.39																																												
5	NEW	El Paso Parking Garage No. 2 (NOTE 1)	X											420,000	0	0	000000	09/2026	09/2028	57,526,877																\$ 57.53																																											
6	IN	Real Property Purchase - El Paso (Adjacent to Main Campus) (NOTE 2)												0	0	10	000000	09/2019	06/2025	16,000,000																\$ 16.00																																											
7	3011	Miles Building Renovation - 301 Rick Francis								X				56,297	29,149	0	000000	09/2024	02/2026	16,286,503															\$ 16.29																																												
Estimated Total Project Budget Modified																																																																															
Project Scope Modified and Budget Increased																																																																															
New Project																																																																															
TOTALS																																																									\$ 517,103,988	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 517.10
Notes 1: If Federal BUILD 2022 Grant is awarded to the City of El Paso, project will begin within a year and have an 18 month construction time. TTUHSCEP's contribution will be approximately \$3M.																																																																															
Notes 2: Properties adjacent to campus to include privately owned and City Properties 3123M using an estimate of \$20PSP. UTEP Properties \$3.3M at \$20PSP																																																																															

**6. TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.**

Board approval required by: *Texas Education Code*, §61.0582

The request is to approve the updated Texas Tech University System Five-Year Capital Projects Plan and authorize the submission of Texas Tech University System's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB"). This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

[NOTE: The TTUS Five-Year Capital Projects Plan is attached on the following page.]

**BACKGROUND INFORMATION**

Institutions of higher education must submit to the Texas Higher Education Coordinating Board ("THECB") annual updates to the Capital Expenditure Plan/MP1 report. This report, which is based on the Institution's Five-Year Capital Projects Plan, lists all capital construction and major repair and renovation projects, real property acquisition, and major information technology projects that it may accomplish in the next five-years. The report is due to the THECB on July 1, 2022.

The System staff will adjust the MP1 report to meet any last-minute changes to the administrative requirements of the report that may occur. Any significant changes or modifications required will be coordinated with the Board of Regents before the submission to THECB.



**I. TTU: Approve naming of the Ranch Life Learning Center at the National Ranching Heritage Center (The Cash Family Ranch Life Learning Center).**

Board approval required by: Section 13.02.2a, *Regents' Rules*

The request is to approve the naming of the Ranch Life Learning Center at the National Ranching Heritage Center as the “The Cash Family Ranch Life Learning Center.” The donor concurs with the naming of this space. Signage for the space will specify the approved name. This request has been approved administratively by the president and the chancellor and is recommended for acknowledgement by the Board of Regents.

**BACKGROUND INFORMATION**

The Cash Foundation (“Donor”) made a generous commitment of \$3.5 million, pledged over a period of ten (10) years, to support the National Ranching Heritage Center. To honor and recognize this contribution, the Ranch Life Learning Center located in the National Ranching Heritage Center will be named “The Cash Family Ranch Life Learning Center.” Signage for the space will specify the approved name.

The Donor was established in 1997 to provide support for the arts, health organizations, higher education, and human services. It was founded by Don and Kay Cash, and their son, Clay. Don received his bachelor’s in industrial engineering in 1966; Kay received her bachelor’s in education in 1967; and Clay received his bachelor’s in management in 1997; all are graduates of Texas Tech University. Don served as a member of the Texas Tech Foundation Board of Directors, including service as chairman and culminating in being named an emeritus director. Clay currently serves on the Texas Tech Foundation Board of Directors. To date, the Cashes have generously contributed over \$19 million to the Texas Tech University System, including support for the Cash Foundation Clubhouse Don-Kay-Clay & Cash Family Team Facility for Golf, the Don-Kay-Clay Cash Foundation ticket office at Jones AT&T Stadium, the Cash Family Sports Nutrition Center, and the establishment of over 20 endowments throughout the System.

The gift meets the minimum fifty percent (50%) threshold requirement for naming a subunit within a facility, as verified by the vice chancellor of facilities planning and construction.

*Regents' Rules* Section 13.02.2a requires board approval for namings of a facility within the TTU system resulting from a private gift.



m. **TTU: Approve naming of Personal Financial Planning Clinic in Texas Tech Plaza, 3rd Floor, Suite 305 (Charles Schwab Foundation Personal Financial Planning Clinic).**

Board approval required by: Section 13.02.2a, *Regents' Rules*

The request is to approve the naming of the Personal Financial Planning Clinic in Texas Tech Plaza, 3<sup>rd</sup> Floor, Suite 305 the "Charles Schwab Foundation Personal Financial Planning Clinic." The donor concurs with the naming of this space. Signage for the space will specify the approved name. This request has been approved administratively by the president and the chancellor and is recommended for acknowledgement by the Board of Regents.

**BACKGROUND INFORMATION**

Charles Schwab Foundation ("Donor") made a generous commitment of \$500,000 to support Texas Tech University and the Personal Financial Planning Clinic. To honor and recognize this contribution, the Personal Financial Planning Clinic in Texas Tech Plaza, 3<sup>rd</sup> Floor, Suite 305 will be named "Charles Schwab Foundation Personal Financial Planning Clinic." Signage for the space will specify the approved name.

The Donor was founded in 1993 to help individuals and families achieve financial well-being through education, volunteerism, and advocacy. It has made various contributions to Texas Tech University, the College of Human Sciences, and the School of Financial Planning. To date, the Donor has generously contributed over \$3.3 million to the Texas Tech University System.

The gift meets the minimum fifty percent (50%) threshold requirement for naming a subunit within a facility, as verified by the vice chancellor of facilities planning and construction.

*Regents' Rules* Section 13.02.2a requires board approval for namings of a facility within the TTU system resulting from a private gift.

n. **TTU: Authorize modification to request for Permanent Right of Access and use of Texas Tech University land to the City of Lubbock (LP&L distribution line along TTU west property line; monetary consideration) formerly approved by the Board.**

Board approval required by: Section 07.12.3.d(1)(a), *Regents' Rules*

The request is to authorize the president to (i) modify the original request from LP&L by removing the request for a permanent right of access and use (Easement #1) of 0.209 acres (9,116 square feet) of raw land, north of North Loop 289 along TTU's west property line; Erskine Street south to the north Right-of-Way line of the frontage road for North Loop 289; which was formerly approved during the August 6, 2020, meeting of the Board of Regents; and (ii) modify the appraised fee value to a market value; (iii) conclude negotiations; and (iv) execute a Permanent Right of Access and Use Agreement of Texas Tech University ("TTU") land with the City of Lubbock, Texas, a Texas home rule municipal corporation, acting by and through its Electric Utility Board and City Council (referred to herein collectively as Lubbock Power & Light ("LP&L")). This agreement would grant LP&L a perpetual easement on TTU land, totaling 1.109 acres, as an LP&L north-south utility transmission corridor from the new Red Raider Station. The granting document will:

- (i) grant LP&L a permanent right of access and use (formerly proposed Easement #2) of 1.109 acres (48,311 square feet) of raw land, south of North Loop 289 along TTU's west property line; south Right-of-Way line of the south frontage road of North Loop 289, south to the north Right-of-Way line of Fourth Street, for the proposed distribution line for which TTU will receive payment of its fair market value (determined by comparative cost of appraised values as \$27,500);
- (ii) authorize the Texas Tech University System and Texas Tech University to review final engineering plans and coordinate the project with university and component operations; and
- (iii) require LP&L to pay all costs associated with the project.

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

### **BACKGROUND INFORMATION**

Texas Tech University ("TTU") wishes to grant Lubbock Power & Light ("LP&L") a Permanent Right of Access and Use Agreement ("Easement") that will allow access and construction along the western boundary of TTU property in Lubbock, Lubbock County, Texas. Description of Easement is as follows:

Easement (formerly Proposed Easement #2):

- 12-Foot-Wide Utility Easement in Section 22, Block A, Lubbock County, Texas (South of North Loop 289 to North side of Fourth Street)
- Easement request 48,311 square feet (1.109 acres)
- Market Value of 30% of the Appraised Fee Value (\$1.90) = \$0.57/SF
- Requested Monetary Value 48,311 SF x \$0.57/SF = \$ 27,537.27

LP&L will pay all costs associated with improvements and access which include, but are not limited to, construction, installation, operation, maintenance, use, and repairs of the north-south power distribution lines, connectors, and any related work. The Texas Tech University System and Texas Tech University will have authority to review final engineering plans and coordinate the project with university and component operations prior to construction.

In August 2020, the Board of Regents authorized the president to negotiate and execute two Permanent Right of Access and Use Agreements (“Easements”) that would allow access and construction along the western boundary of TTU property. Thereby granting LP&L a perpetual easement on TTU land, totaling 1.318 acres, as an LP&L north-south utility transmission corridor from the new Red Raider Station for a total anticipated value of \$174,797.32.

In March 2018, Texas Tech University executed a memorandum of lease with the City of Lubbock, Texas, a Texas home rule municipal corporation, acting by and through its Electric Utility Board and City Council (referred to herein collectively as Lubbock Power & Light (“LP&L”)). A ground lease of 2.525 acres would allow LP&L to erect certain property (new Red Raider Station) related to the delivery of electrical power to the campus of Texas Tech University (“TTU”) and Texas Tech University Health Sciences Center (“TTUHSC”), among others, from which approximately fifty (50%) of the power delivered or generated would be dedicated for the benefit of TTU and TTUHSC. The initial thirty (30) year lease term included option to extend the lease for two (2) successive ten (10) year terms.

*Regents’ Rules*, Section 07.12.3.d(1)(a), require board approval of a lease of land and/or improvements thereon for more than four years, where a TTU System entity is either the lessor or the lessee.

**o. ASU, MSU, TTU, TTUSA, TTUHSC and TTUHSC El Paso: Approve FY 2023 holiday schedule.**

Board approval required by: Section 03.08, *Regents' Rules*, and Section 662.011, *Texas Government Code*

**1. ASU: Approve FY 2023 holiday schedule.**

Board approval required by: Section 03.08, *Regents' Rules*, and Section 662.011, *Texas Government Code*

The request is to approve the FY 2023 holiday schedule for Angelo State University as presented on the attached page. This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

Title 6, Section 662.011, *Texas Government Code*, as amended, authorizes the Board to establish the holiday schedule for Angelo State University provided that the number of holidays to be observed does not exceed the number of holidays observed by other state agencies.

State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) of the state holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) holidays for FY 2023.

It is recommended that the actual observance of some holidays be transferred to coincide with the academic holiday schedule. This will provide an efficient academic schedule and permit energy conservation and cost avoidance by closing offices during periods when classes are not in session.

**ANGELO STATE UNIVERSITY**  
**Holiday Schedule for 2022-2023**

	<b>DATE</b>	<b>DAY OF WEEK</b>	<b>HOLIDAY</b>
<b>2022</b>	September 5	Monday	Labor Day
	November 24	Thursday	Thanksgiving Day
	November 25	Friday	Thanksgiving Day
	December 23	Friday	Winter Holiday
	December 26	Monday	Winter Holiday
	December 27	Tuesday	Winter Holiday
	December 28	Wednesday	Winter Holiday
	December 29	Thursday	Winter Holiday
	December 30	Friday	Winter Holiday
<b>2023</b>	January 16	Monday	Martin Luther King, Jr. Day
	April 7	Friday	Spring Holiday
	May 29	Monday	Memorial Day
	July 4	Tuesday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS: 13**

NOTE: University employees who wish to observe Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday may do so, but must use their vacation leave.

State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) observable holidays for FY 2023.

**2. MSU: Approve FY 2023 holiday schedule.**

Board approval required by: Section 03.08, *Regents' Rules*, and Section 662.011, *Texas Government Code*.

The request is to approve the FY 2023 holiday schedule as presented on the following page. This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

Title 6, Subchapter A, Section 662.011, *Texas Government Code*, authorizes the Board to establish the holiday schedule for Midwestern State University provided that the number of holidays to be observed does not exceed the number of holidays observed by other state agencies.

State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) of the state holidays fall on weekends and cannot be substituted for other regular working days. This result is thirteen (13) holidays for FY 2023.

**MIDWESTERN STATE UNIVERSITY  
Holiday Schedule for 2022-2023**

	<b>DATE</b>	<b>DAY OF WEEK</b>	<b>HOLIDAY</b>
<b>2022</b>	September 5	Monday	Labor Day
	November 24	Thursday	Thanksgiving
	November 25	Friday	Thanksgiving
	December 23	Friday	Winter Break
	December 26	Monday	Winter Break
	December 27	Tuesday	Winter Break
	December 28	Wednesday	Winter Break
	December 29	Thursday	Winter Break
	December 30	Friday	Winter Break
<b>2023</b>	January 16	Monday	Martin Luther King, Jr. Day
	March 17	Friday	Spring Break
	May 29	Monday	Memorial Day
	July 4	Tuesday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS: 13**

NOTE: State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) of the state holidays fall on weekends and cannot be substituted for other regular working days. This result is thirteen (13) holidays for FY 2023.

### **3. TTU and TTUSA: Approve FY 2023 holiday schedule.**

Board approval required by: Section 03.08, Regents' Rules; Section 662.011, Texas Government Code

The request is to approve the FY 2023 holiday schedule for Texas Tech University and Texas Tech University System Administration as presented on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

#### **BACKGROUND INFORMATION**

Title 6, Section 662.011, *Texas Government Code*, as amended, authorizes the Board to establish the holiday schedule for Texas Tech University and Texas Tech University System Administration provided that the number of holidays to be observed does not exceed the number of holidays observed by other state agencies.

State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) holidays for FY 2023. It is recommended that the actual observance of some holidays be transferred to coincide with the academic holiday schedule. This will provide an efficient academic schedule and permit energy conservation and cost avoidance by closing offices during periods when classes are not in session.



**TEXAS TECH UNIVERSITY  
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION  
HOLIDAY SCHEDULE 2022-2023**

<b>DATE</b>	<b>DAY OF WEEK</b>	<b>HOLIDAY</b>
<b>2022</b>		
September 5	Monday	Labor Day
November 24	Thursday	Thanksgiving
November 25	Friday	Thanksgiving
December 23	Friday	Winter Break
December 26	Monday	Winter Break
December 27	Tuesday	Winter Break
December 28	Wednesday	Winter Break
December 29	Thursday	Winter Break
December 30	Friday	Winter Break
<b>2023</b>		
January 16	Monday	Martin Luther King, Jr. Day
March 17	Friday	Spring Break
May 29	Monday	Memorial Day
July 4	Tuesday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS: 13**

NOTE: State law provides for seventeen (17) state holidays in FY 2023. In FY 2023, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) holidays for FY 2023.

**4. TTUHSC: Approve FY 2023 holiday schedule.**

Board approval required by: Section 3.08, *Regent's Rules*; Section 662.011, Texas Government Code

The request to approve the FY 2023 holiday schedule as presented on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

Section 662.011, Title 6 of the Texas Government Code, as amended, authorizes the Board to establish the holiday schedule for Texas Tech University Health Sciences Center provided that the number of holidays scheduled do not exceed the number of holidays observed by other state agencies.

State law provides for 17 state holidays. In FY 2023, four (4) holidays fall on a weekend and cannot be substituted for other regular working days. The state will observe thirteen (13) holidays for FY 2023. TTUHSC will observe ten (10) holidays. An additional three (3) days of holiday entitlement will be accrued to employees' holiday comp balance at the rate of two hours per month with a maximum accrual of 24 hours.

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER  
Holiday Schedule for 2022-2023**

DATE	DAY OF WEEK	HOLIDAY
2022		
September 5	Monday	Labor Day
November 24	Thursday	Thanksgiving Day
November 25	Friday	Thanksgiving Holiday
December 23	Friday	Winter Holiday
December 26	Monday	Winter Holiday
December 30	Friday	Winter Holiday
2023		
January 16	Monday	Martin Luther King, Jr. Day
March 17	Friday	Spring Break
May 29	Monday	Memorial Day
July 4	Tuesday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS: 13**  
**TTUHSC OBSERVED HOLIDAYS: 10**

NOTE: State law provides for 17 state holidays. In FY 2023 four (4) holidays fall on a weekend and cannot be substituted for other regular working days. The state will observe thirteen (13) holidays in FY 2023. TTUHSC will observe ten (10) holidays. An additional three (3) days of holiday entitlement will be accrued to employees' holiday comp balance at the rate of two hours per month with a maximum accrual of 24 hours.

Under the provisions of Article V of Senate Bill 5, 73rd Legislature, Regular Session, a state employee is entitled to observe optional holidays, such as Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday. Since the university is closed on scheduled holidays, employees who wish to take an optional holiday will be required to use vacation leave or compensatory time.

**5. TTUHSC El Paso: Approve of the FY 2023 holiday schedule.**

Board approval required by: Section 3.08, *Regent's Rules*

The request to approve the following FY 2023 holiday schedule for Texas Tech University Health Sciences Center El Paso as presented on the attached page has been approved administratively by the President and the Chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

Section 662.011, Title 6 of the Texas Government Code, as amended, authorizes the Board to establish a holiday schedule for Texas Tech University Health Sciences Center El Paso provided that the number of holidays scheduled do not exceed the number of holidays observed by other state agencies.

There are 17 days in the state's holiday schedule. In FY 2023, four (4) holidays fall on a weekend and cannot be substituted for other regular working days. The result is 13 holidays for FY 2023. It is recommended that the actual observance of some holidays be transferred to coincide with the academic and clinical holiday schedule. This will provide efficient academic and clinical holiday schedules and permit energy conservation and cost avoidance by closing offices during periods when classes and/or clinics are not in session. TTUHSC El Paso will observe 10 days as holidays for academic, administrative and clinical operations and an additional three days of holiday entitlement will be accrued to employees' holiday comp time leave balances.

Approval of the FY 2023 holiday schedule is subject to current law and any necessary changes in state holidays made by the 88th State Legislature will be made in August if necessary.

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO**  
**Holiday Schedule for 2022-2023**

	<b>DATE</b>	<b>DAY OF WEEK</b>	<b>HOLIDAY</b>
<b>2022</b>	September 5	Monday	Labor Day
	November 24	Thursday	Thanksgiving Day
	November 25	Friday	Thanksgiving Holiday
	December 23	Friday	Winter Holiday
	December 26	Monday	Winter Holiday
<b>2023</b>			
	January 2	Monday	New Year's Holiday
	January 16	Monday	Martin Luther King, Jr. Day
	May 29	Monday	Memorial Day
	July 3	Monday	Independence Holiday
	July 4	Tuesday	Independence Day

**TOTAL ALLOWABLE HOLIDAYS: 10**

NOTE: State law provides for 17 state holidays. In FY 2023 four (4) holidays fall on a weekend and cannot be substituted for other regular working days. The state will observe thirteen (13) holidays in FY 2023, which is more than FY 2022. TTUHSC EP will observe ten (10) holidays. An additional three (3) days of holiday entitlement will be accrued to employees' holiday comp balance at the rate of two hours per month with a maximum accrual of 24 hours.

Under the provisions of Article V of Senate Bill 5, 73rd Legislature, Regular Session, a state employee is entitled to observe optional holidays, such as Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday. Since the university is closed on scheduled holidays, employees who wish to take an optional holiday will be required to use vacation leave or compensatory time.

**p. TTU: Authorize president to execute a consulting contract related to branding and media assistance and advisory support services for the Texas Tech University Department of Intercollegiate Athletics.**

Board approval required by: Section 07.12.3.e.(1)(a) and 7.12.3.e.(1)(c), *Regents' Rules*

The request is to authorize the president, or his designee, to approve and execute a contract with Sports Media Advisors, LLC ("SMA") to provide consulting services related to branding and media assistance and advisory support services for the Texas Tech University ("TTU") Department of Intercollegiate Athletics. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

SMA has extensive experience in providing advice and assistance to universities, governments, and companies regarding optimization of multi-platform content distribution strategies, developing and executing growth strategies for sports related businesses, and performing diligence and deal support for those considering media, technology, and/or sports related opportunities.

SMA will serve as an extension of TTU to provide services, which could include but are not limited to: 1) Analyzing relative media value; 2) Continuing to refine and strengthen TTU's brand; 3) Providing media perspective on matters related to TTU Athletics; and, 4) Briefing TTU on sports media industry trends.

TTU has engaged SMA to provide consulting services for a period of three months at \$22,500 a month for a total amount of \$67,500. TTU requests to amend the contract to continue the consulting services for an additional period of twenty-four (24) months at \$22,500 a month for a total of \$540,000. TTU will also reimburse SMA's actual travel, lodging, and out-of-pocket expenses related to the services provided. Additionally, and at TTU's sole discretion with Board of Regent approval, TTU may provide a contract completion payment.

This agenda item is to satisfy Section 07.12.3.e.(1)(b) *Regents' Rules* requirement to provide notice for consulting services less than \$100,000 and seeking approval to continue consulting services in excess of \$100,000 (Section 07.12.3.e.(1)(c)).

Section 07.12.3.e(1)(b). *Regents' Rules*, requires notice to the Board on consulting contracts with an initial consideration of \$100,000 or less.

Section 07.12.3.e(1)(c). *Regents' Rules*, requires Board approval prior to execution for any modification to a consulting contract where the initial

consideration was \$100,000 or less and the modification will cause the total consideration to exceed \$100,000.

q. **TTU: Approve commissioning of police officers.**

Board approval required by: Section 51.203, *Texas Education Code*

The request is to commission the following individuals as a police officer, effective on the date indicated below. This request has been approved administratively by the chancellor and the president and is recommended for approval by the Board of Regents:

Stephen Amador, effective March 16, 2022

**BACKGROUND INFORMATION**

The Board of Regents routinely takes action to commission certain employees as peace officers in accordance with *Texas Education Code*, Section 51.203.



r. **TTUS and TTUHSC: Approve purchasing contract(s) in excess of \$1,000,000.**

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

The request is to approve purchasing contracts in accordance with *Regents Rules* 07.12.3.a, including those contracts with a value exceeding \$5,000,000 in accordance with *Regents' Rules* 07.12.3.c as listed on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

**BACKGROUND INFORMATION**

In accordance with *Regents' Rules*, the Board is routinely requested to approve purchasing contracts under which the TTUS components spend more than \$1,000,000 per annum. Purchasing contracts are procured and executed in compliance with Texas Education Code §51.9335 as well as the *Regents' Rules* and TTUS component Operating Policies and Procedures.

Section 07.12.3.a, *Regents' Rules*, requires Board approval for contracts that total in excess of \$1,000,000 per annum, unless a different consideration is specified by this policy.

However, Section 07.12.3.c provides that, for all purchasing contracts that exceed a total value of \$5,000,000 per annum of the contract (even if the annual amount is less than \$1,000,000), the Board must be provided:

- (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU System policies; and
- (2) information on any potential issue(s) that may arise in the solicitation, purchasing, or contractor selection process.

The attached table shows: (1) purchasing contracts for which Board approval is required; and (2) purchasing contracts that exceed \$5,000,000 over the life of the contract for which the special reporting is required.

### TTUS and TTUHSC: Approve purchasing contracts

**Regents' Rules 07.12.3.a and 07.12.3.c**

Component	Vendor	Service to Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method
TTUS	Mpulse Healthcare Technology CDW Government Inc #C13116	IT Goods and Services	\$ 1,000,000	\$ 9,000,000	8/1/2018	07/31/2027 (Extension)	E&I Cooperative

**Regents' Rules 07.12.3.a**

Component	Vendor	Service to Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method
TTUHSC	Adaptive Technology Systems (200105)	Extreme Networks Premier Support (3yrs)	\$2,153,151 (Upfront cost in yr. 1)	\$2,153,151	10/1/2022	9/30/2025	TIPS Cooperative
TTUHSC	Besse Medical (P0911680)	Specialty Ophthalmic Pharmaceuticals	\$1,500,000	\$1,500,000	9/1/2021	8/31/2022	Competitive Quotations

s. **TTUS: Authorize a consulting agreement to provide support for advancing state and strategic initiatives.**

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

The request is to authorize the chancellor to execute an agreement with Hance Scarborough, LLP to advance state and strategic initiatives for the Texas Tech University System ("TTUS") and its components. This request has been approved administratively by the chancellor and is recommended for approval by the Board of Regents.

Services and objectives of Hance Scarborough, LLP include advancing state and strategic initiatives with TTUS: 1) supporting state affairs and legislative initiatives for TTUS; 2) coalition building of stakeholders for TTUS and in higher education; 3) supporting strategy and advancement of specific initiatives identified by the chancellor.

The estimated cost for this engagement is to be determined by the chancellor based on services needed. TTUS will also reimburse reasonable direct expenses of the consultant, only with prior approval from TTUS, as outlined in the consulting agreement.

**BACKGROUND INFORMATION**

Section 07.12.3e, *Regents' Rules*, requires board approval for consulting agreements with specific terms and monetary amounts.

## 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, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2022 (as of February 28, 2022), 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. Financial reports for the most recently completed quarter for each of the component institutions are available at: <https://www.texastech.edu/offices/cfo/board-financial-reports.php>
- (2) **TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – “The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that in-volve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per an-num amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

TTUHSC					
<i>Regents' Rules, 07.12.4.c</i>					
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Start Date	End Date	Extension/ Amendment
TTUHSC	(AMEND304136 9-001) University Medical Center - UMC Lubbock	Amendment to Compensation - Pediatric Surgery Services	1/1/2022	6/30/2022	Amendment

TTUHSC at El Paso					
<i>Regents' Rules, 07.12.4.c</i>					
TTUHSC EP	(09003) El Paso County Hospital District dba UMC	Medical Services	04/01/22	03/31/25	Extension
TTUHSC EP	(09403) El Paso County Hospital District dba UMC	Medical Services	04/01/22	03/31/25	Extension

- (3) **TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(1), Regents' Rules** – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”

TTU					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
TTU	(C18342) Association for Advancing Quality in Educator Preparation	AAQEP philosophy, standards, process, and procedure as well as facilitation and planning tools	\$6,000	Upon Execution	05/31/2022

TTUHSC					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
TTUHSC	(CON3139173) EVERSANA Life Science Services LLC	Consulting Services - FDA Establishment Review, 21 CFR 1271 Gap Assessment	\$ 12,000	1/20/2022	12/31/2022
TTUHSC	(CON3167893) TK Consulting Physician Assistant Education LLC	Consultation on Accreditation Processes for Physicians Assistant Program	\$ 20,875	10/1/2021	12/31/2022

TTUHSC at El Paso					
<i>Regents Rules, 07.12.4.e.(2)</i>					
TTUHSC EP	(09425) Mildred Norris	SACSCOC Compliance Certification	\$15,000	03/01/22	07/31/22
TTUHSC EP	(09422) Deborah C. Norris	SACSCOC Compliance Certification	\$10,000	02/01/22	07/31/22

- (4) **TTU and TTUHSC: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4.a of the *Regents’ Rules*** – “The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents’ Rules*, the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”

TTU: Approved Purchasing Contracts								
<i>Regents Rules, 07.12.4</i>								
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Per Annum Consideration	Term Consideration (includes renewal)	Start Date	End Date	New or Extension	Procurement Method
TTU	(C13164) Federal Express Corporation (FedEx)	Small package overnight, 2nd day, ground delivery services	\$350,000/year	\$2.8 mil.	08/01/2018	11/27/2026	Extension	Texas SmartBuy/ State of Texas Contract
TTU	(C09742) LVR Carpet Center	Various Maintenance Services	\$300,000/year	\$2.4 mil.	07/08/2016	07/07/2024	Extension	RFP
TTU	(C09501) JNI Contractors	Various Maintenance Services	\$175,000/year	\$1.4 mil.	07/11/2016	07/10/2024	Extension	RFP
TTU	(C09722) Carpet Tech, Ltd.	Various Maintenance Services	\$200,000/year	\$1.6 mil.	07/07/2016	07/06/2024	Extension	RFP

TTU	(C11458) Cargill Meat Solutions	Raider Red Meats for Resale and Specialty Food Items	\$525,000/year	\$4.2 mil.	09/07/2017	09/06/2025	Extension	RFP
TTU	(C18519) MWI Veterinary Supply	Various Veterinary Pharmaceutical, Medical, and Animal Care Supplies	\$500,000/year	\$4.0 mil.	Upon execution	8 years after execution	New	RFP

TTUHSC Approved Purchasing Contracts								
<i>Regents Rules, 07.12.4</i>								
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Per Annum Consideration	Term Consideration (includes renewal)	Start Date	End Date	New or Extension	Procurement Method
TTUHSC	(AMEND16 45105-003) University Medical Center - UMC Lubbock	Amendment Schedule 1-3 - CodeAssist - Data Storage - E&M Code Monitor	Avg \$ 232,908	\$ 1,164,543	12/30/2016	01/14/2027	Extension	Interlocal
TTUHSC	(AMEND59 0970-004) Consilium Staffing LLC	Amendment to Compensation – Staffing Services TDCJ Units	Avg \$ 95,004	\$ 1,288,777	6/1/2013	8/31/2022	Extension	Professional Services

**(5) TTUHSC: Contracts for Sponsored Program Projects per Section 07.12.4.b., Regents’ Rules** – “The following are excepted from the requirements of Section 07.12.3.a, Regents’ Rules, the board delegates to the presidents or the presidents designee the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”

(a) Health Resources and Services Administration grant funding entitled “Health Center Program”; grant year 03/01/2022 through 02/28/2023; award amount \$3,231,853

**(6) TTUHSC: Report on establishment of new centers and institutes per Section 04.11.2., Regents’ Rules** – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”



- (a) The Institute of Anatomical Sciences (“IAS”) seeks to promote interdisciplinary anatomical education, research, and outreach missions across all schools of the Texas Tech University Health Sciences Center with an ultimate goal of increasing health care delivery and effectiveness based on a greater knowledge and understanding of clinical anatomy. An interdisciplinary group known as the Anatomical Review Council provides collaborative advisement to the IAS, reviewing requests for use of anatomical sciences resources and working to ensure compliance with state and university regulations regarding the use of human cadavers. The IAS is led by co-directors Dr. Kerry Gilbert and Dr. Brandt Schneider.

**(7) TTU: Approve modification of namings within School of Veterinary Medicine, Mariposa Station by Section 13.02.2e, Regents’ Rules – “Change in designation or name. A gift intended to fund a specific facility that the TTU system is no longer planning to construct, expand or renovate may be used or applied to naming of an alternate facility as agreed to by the donor and approved by the president, in consultation with the chancellor and VCIA, with prior notification to the board.”**

- (a) (The Allsup Family Charitable Foundation Equine Clinical Skills Lab, formerly approved as Allsup Equine Skills Lab) – The Allsup Family Charitable Foundation (“Donor”) made a generous commitment of \$1 million to support the School of Veterinary Medicine. To honor and recognize this contribution, the School of Veterinary Medicine – Mariposa Station, Room B108 was approved to be named “Allsup Equine Skills Lab” during the February 24, 2022, meeting of the Board of Regents.

The Donor and the Texas Tech University School of Veterinary Medicine have determined the revised name – “The Allsup Family Charitable Foundation Equine Skills Lab” – more wholly encompasses the purpose and use of the lab. Signage for the space will specify the approved revised name.

- (b) (Cactus Feeders Bovine Clinical Skills Lab, formerly approved as Cactus Feeders Bovine Skills Training) – The Cactus Feeders (“Donor”) made a generous contribution of \$1 million to support the School of Veterinary Medicine. To honor and recognize this contribution, the School of Veterinary Medicine, Room B101 was named “Cactus Feeders Bovine Skills Training” during the May 7, 2021, meeting of the Board of Regents.

The Donor and the Texas Tech University School of Veterinary Medicine have determined the revised name – “Cactus Feeders Bovine Clinical Skills Lab” – more wholly encompasses the purpose and use of the lab. Signage for the space will specify the approved revised name.

**(8) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, Regents’ Rules – “Unless prohibited by law and upon recommendation of the chancellor, 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 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) On April 18, 2022, Chairman Lewis granted an exigent circumstances approval that authorized President Schovanec to execute an amended employment agreement for Mark Adams to continue as the Head Coach for

the Texas Tech University men’s basketball program. All regents were provided information regarding the terms of the updated employment agreement.

- (b) On April 18, 2022, Chairman Lewis granted an exigent circumstances approval for a nepotism policy exception for Luke Adams, son of TTU men’s basketball Head Coach Mark Adams, to be hired as a director of player development for the basketball program. All regents were provided information regarding the nepotism exception.

**(9) TTUS: Emergency or exigent circumstances approval of a major construction project by Section 08.01.7.a, Regents’**

**Rules** – “(a) If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency or that 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, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting.”

- (a) On April 19, 2022, following consultation with the chairs of the Facilities Committee and the Finance and Investments Committee, Chairman Lewis granted an exigent circumstances approval that authorized use of the Revenue Finance System for the individual total project budgets of the Capital Construction Assistance Projects for TTU system institutions. This approval allowed the chancellor or the chancellor’s designee to (i) proceed with use of funds appropriated by SB 8 of the 87th Legislature, 3rd Called Special Session to the Texas Higher Education Coordinating Board (“THECB”) to be allocated to the TTUS Institutions for debt service in FY 2023; (ii) implement the individual projects of the Texas Tech University System (“TTUS”) authorized by SB 52 of the 87th Legislature, 3rd Called Special Session in the total amount of \$299,434,902; and (iii) use of the Revenue Finance System (“RFS”) for debt service funding the individual total project budgets of the TTUS’s Capital Construction Assistance Projects (“CCAP”), including the reimbursement to the System for project expenses previously expended, as described more fully below.

The Texas Tech University System received authorization from SB 8 and SB 52 of the 87<sup>th</sup> Legislature, 3<sup>rd</sup> Called Special Session to initiate projects at each TTUS institution and receive debt service funding (SB 8). The TTUS campuses per SB 52 have been authorized the following amounts totaling \$299,434,902:

Angelo State University	\$ 36,000,000
Midwestern State University	\$ 44,922,833
Texas Tech University	\$ 72,000,000
TTU – Junction	\$ 8,000,000
TTUHSC	\$ 59,897,111
TTUHSC – Midland	\$ 18,717,847
TTUHSC El Paso	\$ 59,897,111

In accordance with the legislative guidelines and TTUS *Regents’ Rules* the projects shall follow: (1) all projects must be approved by the Board of Regents, regardless of the total project budget per SB 8 Funding; (2) major capital projects, \$4.0M or greater, will proceed through the normal board approval process; and (3) the Comptroller’s Contract Advisory Team (“CAT”)

must approve solicitation documents prior to posting for A/E and construction contract of \$5M or greater.

# **ATTACHMENTS**

# **ATTACHMENT**

## **1**

**TTUHSC El Paso OP 77.05, Student Leaves of  
Absence and Suspensions, with proposed revisions  
(ACS Item 7.)**



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

HSCEP OP: \_\_\_\_\_77.05, Student Leaves of Absence and Suspensions~~Suspension of Enrollment~~

**PURPOSE:** The purpose of this Texas Tech University Health Sciences Center El Paso Operating Policy and Procedure (HSCEP OP) is to ensure understanding and a standardized approach regarding ~~suspensions~~interruptions ~~of~~ student enrollment. This HSCEP OP applies to all schools of the Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso, also referred to in this policy as the University).

**REVIEW:** This HSCEP OP will be reviewed by May 1 every even-numbered year (ENY) by each school's ~~Director of Admissions and~~ Dean or designee, with recommendations for revisions forwarded to the vice president for academic affairs or designee by May 15.

### DEFINITIONS:

**Enrollment:** Registration in credit bearing course(s) as a student in a school or degree program.

~~**Suspension**~~**Interruption of enrollment:** A temporary interruption/cessation of break in ~~in~~ a student's enrollment and participation in academic activities at the University for a specific period, after which the student ~~is may be eligible~~permitted to re-register/re-enroll, and resume participation in academic activities. ~~Conditions impacting registration/enrollment and/or participation in academic activities or institutional benefits, may be imposed as defined in the terms of the suspension of enrollment.~~

**Suspension:** A school-imposed ~~and~~ mandatory ~~[GF1]~~ interruption in a student's participation in coursework and other curricular activities, including clinical rotations, based on non-fulfillment of academic performance standards or misconduct. A suspension may or may not be associated with an interruption of enrollment depending upon its duration and whether the student is expected to complete the affected academic term as originally enrolled. A suspension does not affect a student's admission status, though that status may be affected by the student's non-compliance with the terms/conditions of the ~~s~~suspension. of the leave of absence, including failure to return as planned ~~[GF2][BR3].~~

~~A suspension of enrollment may be requested by a student due to compelling personal circumstances, or may be imposed by the institution based on academic performance, conduct, health, or safety concerns, as defined in the Institutional Student Handbook and/or in the relevant school-level student handbook. In all cases, such decisions shall comply with applicable institutional policies and law relating to fair treatment, disability, and reasonable accommodations (including, but not limited to, the Americans with Disabilities Act, the Rehabilitation Act, and the Architectural Barriers Act—reference [ada.gov](http://ada.gov)).~~

**Leave of absence (LOA):** A school or student-initiated and discretionary mutually agreed upon temporary interruption in a student's participation in coursework, including clinical rotations, and other curricular activities. A student – initiated request for a LOA must be approved by the school. A LOA/leave of absence ~~leave of absence~~ may or may not be associated with an suspension/interruption of enrollment depending upon its duration and whether the student is expected to complete the affected academic term as originally enrolled. A LOA leave of absence does not affect a student's admission status, though that status may be affected by the student's non-compliance with the terms/conditions of the LOA/leave of absence, including failure to return as planned.

A LOA/leave of absence/leave of absence without suspension/interruption of enrollment (abbreviated as LOA-NI) may be issued only by the dean of the school in which the student is enrolled, senior academic officer for student affairs for the school in which the student is enrolled (or, in their absence, by

~~the senior academic officer for the student's educational program) or their designee, and may last no more than one month. - A LOA-NI Leave of absence Niss without suspension of enrollment~~ may be granted for health, personal, or professional reasons<sup>[GF4]</sup>.

~~Academic leaves of absence are typically limited to one year except for military service. A leave of absence with interruption of enrollment (LOA-IE) may be requested by a student due to compelling personal circumstances, or circumstances or may be imposed by the institution based on academic performance, conduct, health, or safety concerns as defined in the Institutional Student Handbook and/or in the relevant school-level student handbook. In all cases, such decisions shall comply with applicable institutional policies and procedures and law relating to fair treatment, disability, and reasonable accommodations (including, but not limited to, the Americans with Disabilities Act, the Rehabilitation Act, and the Architectural Barriers Act – reference ada.gov).~~

## **POLICY/PROCEDURE:**

1. ~~Suspension~~**Suspension of enrollment based on non-fulfillment of academic performance standards or misconduct:**
  - a. Students may be suspended for non-fulfillment of academic performance standards ~~as established for~~according to the standards and policies of the college and degree or certificate program in which they are enrolled.
  - b. Students may be suspended for misconduct as outlined in the TTUHSC El Paso Student Handbook: Code of Professional and Academic Conduct.
2. **Performance standards:** Students must meet specific departmental/program performance standards. Individual departments or programs within each school may apply higher academic and performance standards ~~for probation and suspension higher~~ than those established in each school. Each student is responsible for maintaining awareness of the performance and academic standards for the program(s) in which they are enrolled.
3. **Grading and academic and enrollment status:** Grading standards, grading symbols, grade point scales, GPA determinations, and other considerations regarding the quality of work of students are the prerogative of the faculty of the programs, as are issues of promotion and advancement. Each student is responsible for ongoing awareness of their academic and enrollment status. See also HSCEP OP 59.05.
4. **Summary suspension**~~of enrollment:~~
  - a. A student may be summarily suspended (i.e., suspended with immediate effect) due to any of the following:
    - i. Misconduct relateding to possible violations of local, state, or federal law may be subject to a summary suspension, whether or not the alleged violation occurs on University property or in connection with any University-sponsored activity; violations of criminal or civil law without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution
    - ii. Misconduct involving physical harm or threat of harm to any person, including any conduct that endangers the health or safety of any person;
    - iii. Behavior that disrupts the normal operation of TTUHSC El Paso, including the ordinary activities of its students, employees, volunteers, or visitors;
    - iv. Conduct that otherwise interferes with, or creates a hostile or intimidating environment for, ~~or~~ the expected activities and progression of any TTUHSC El Paso student, employee, volunteer, or visitor; or,
    - v. Egregious violations of the TTUHSC El Paso Student Code of Professional and Academic Conduct, as defined in the Institutional Student Handbook.
  - b. Summary suspensions~~of enrollment~~ shall be issued only by the dean of the school in

~~which the student is enrolled (or their designee), or by the assistant vice president for student services, senior academic officer for student affairs for the school in which the student is enrolled, or by the assistant vice president for student services and student engagement. The senior academic officer for the student's educational program may act on behalf of the relevant senior academic officer for student affairs in their absence. The assistant vice president for student services and student engagement shall issue summary suspensions of enrollment only under conditions and terms specified in the Institutional Student Handbook: Code of Professional and Academic Conduct [GF5]. All summary suspensions are to be immediately reported to the dean in which the student is enrolled, the assistant vice president for student services, the registrar, and the vice president for academic affairs.~~

- ~~c. All summary suspensions of enrollment are to be immediately reported to the senior academic officer for student affairs (in case of absence), the senior academic officers for the educational program, and the dean of the school in which the student is enrolled. Institutional officials requiring immediate notification the assistant vice president for student services and student engagement, the registrar, and the vice president for academic affairs.~~
- c. Summary suspensions of enrollment ~~may~~ **must** be communicated to the affected student verbally (in person, ~~or by phone, or video conferencing platform or internet over the phone~~) or in writing (by certified mail, letter, and email, or text message). ~~In addition, the issuing official is responsible for~~ **must issue and document** ~~delivering~~ **issuing** this formal notification ~~within 24 hours, including confirmation of the student's acknowledgement of their suspension, within 24 hours. Subsequently, typically within one week, the student shall be provided with an additional~~ **Formal notification** ~~outlining the reason for the suspension, the effect of the suspension on their enrollment status and academic transcript, and any stipulations relating to their return or, if indicated, their re-enrollment. This notification shall~~ **must** occur via the student's institutional e-mail account and by registered mail to the student's address on file with the registrar. ~~In addition, this notification shall be copied to the relevant dean, the assistant vice president for student services, the registrar, and the vice president for academic affairs.~~
- d. ~~Any substantial changes in the terms of a student's suspension shall result in the issuance of updated notifications as described in paragraph 4.c above.~~
- ~~d.~~
- e. The issuing official shall collect all relevant documents, **eye witness and corroborative testimony and contact information**, and artifacts pertaining to a summary suspension ~~'s underlying circumstances and events, including a written explanation for their issuance of the summary suspension.~~ All documentation, **including eye witness and corroborative witness testimony and contact information**, and artifacts ~~shall be securely retained~~ **must be filed and maintained** ~~by the relevant school as directed by the dean or their designee in the relevant Student Affairs office, and copies must be provided to and filed in the Office of Student Services and Student Engagement.~~ ~~All files must be stored and maintained according to University policies and applicable State and Federal laws concerning maintenance and disclosure of student records, protection of a student's right of privacy, and the disclosure of personal student information.~~ [LAS6][GF7][BR8]
- f. A student may appeal a summary suspension ~~of enrollment~~ by sending a letter or email within ~~48 hours~~ **two business days** [WW9][BR10] of ~~their notification~~ **the issuance of the suspension** to the ~~relevant dean.~~ ~~If no appeal is received within 48 hours, the suspension shall be considered uncontested of the school in which they are enrolled.~~ The dean shall have ~~48 hours~~ **two business days** to confirm or retract the suspension. ~~(if no appeal is received within 48 hours, the right to appeal shall be considered waived).~~ If the suspension is upheld, the student may ~~subsequently~~ appeal to the president (or the president's designee) ~~via but must do so by~~ letter or email within ~~48 hours~~ **two business days** of the decision by the dean ~~(if no appeal is received within 48 hours, the right to appeal shall be considered waived).~~ The president (or designee) shall have ~~48 hours~~ **two business days** to confirm or retract the suspension, and the president's (or designee's) decision shall be final. ~~Suspended students who are part of~~



~~clinical rotations shall not take part in any assigned rotation while they are suspended and any other University-sponsored programming.~~

- g. ~~Following~~ Upon issuance of a summary suspension and the resolution of any appeals under paragraph 4.f above ~~of enrollment~~, the ~~u~~University, and the ~~relevant school(s) in which the student is enrolled~~, shall ~~will~~ initiate formal ~~administrative processes as indicated~~ reviews and/or hearings ~~by according to~~ their student handbooks and policies to address as dictated by the academic and/or conduct issues underlying the ~~suspension aspects of the case.~~ Those processes may modify the terms of the suspension as indicated by their findings and discretion under policy.

5. ~~Student-Initiated Suspension/~~ **Leave of Absence with Interruption of Enrollment (LOA-IE):** A student may request ~~and/or a school may recommend a student initiated an discretionary suspension~~ ~~interruption in enrollment~~ ~~LOA-IE~~, also referred to as a Leave of Absence (LOA), due to compelling personal circumstances. ~~Students seeking to request an LOA-IE, shall contact, by contacting~~ the Office of Student Affairs of the school in which they are enrolled.

~~Academic~~ LOA-IEs refer to, and are limited to, students ~~in a enrolled in a degree~~ program ~~for which requiring~~ continuous enrollment ~~is expected~~, who have completed a minimum of one academic term of program course work, ~~and who are in, while in~~ good academic ~~and conduct~~ standing, ~~and who are compelled/forced~~ to ~~temporarily~~ withdraw ~~temporarily~~ due to reasons beyond their control (such as illness, military service, or ~~other~~ pressing personal reasons justifying an interruption of the degree program). ~~The maximum duration of an Academic LOA-IE is~~ are typically limited up to one year, except ~~when related to a~~ for military service ~~obligation~~. The following restrictions apply:

- a. Students receiving federal financial aid, may be subject to restrictions and should contact the Financial Aid Office for applicable enrollment requirements.
- b. The student must meet with the ~~relevant dean~~ ~~Office of Student Affairs, or their designee, of the school in which they are enrolled~~ for approval to end ~~their LOA-IE~~ leave of absence status and re-enroll.
- c. ~~If a student on a LOA-IE does not re-enroll within on or before the end date designated by the School one year (except if due to military service), then the~~ The student shall be considered to ~~have be~~ withdrawn ~~and they or on LOA in excess of one year must be must be~~ formally re-admitted ~~to be eligible to before~~ re-enroll and resume their intended program of study ~~resuming a program of study~~.
- d. ~~Students subject to an LOA-IE who are participating in clinical rotations shall not take part in any assigned clinical rotation and or -any other University-sponsored programming while the LOA-IE is in effect.~~
- e. ~~A student's eligibility to participate~~ Engagement in co-curricular activities, student leadership roles, and other school-sponsored extracurricular activities ~~are~~ shall be suspended ~~during for the term of an the~~ LOA-IE [GF11].

6. **Leave of Absence without Interruption in Enrollment (LOA-NI):** LOA-NI is generally apply to situations which are expected to last no longer than one month, and in which the student is expected to complete the affected academic term as originally enrolled. They are administered entirely within the relevant school until or unless the student's status changes to an LOA-IE or suspension (in which case the stipulations related to those situations immediately apply [GF12] [BR13]).

## 7. Administration of de-enrollment and re-enrollment

6-

- a. Each school, in collaboration with the Office of the Registrar (see paragraph 7.b below), shall, ~~in collaboration with the Office of the Registrar (see paragraph b. below)~~, define program-specific procedures for managing student LOA-IEs and suspensions, including ~~suspension of enrollment related~~ exit ("check-out") and re-entry ("check-in") processes, as well as the notifications and updates required per paragraphs 4.c and 4.d above). These procedures should address the school-level actions necessary to ensure the integrity and security of their programs [BR14], including the notifications of that include prompt and

~~definitive notifications of the assistant vice president for student services and engagement, the Office of the Registrar, and the all- course directors, other faculty, and staff curriculum administrators, course directors, and student services administrators with a~~with\_a need to know ~~based on~~based-on a legitimate educational interest under the Family Educational Rights and Privacy Act (FERPA).

~~b.~~The Office of the Registrar shall define the information and procedures required to administer de-enrollments and re-enrollments in the student information system[BR15].

b.

# **ATTACHMENT**

# **2**

**MSU OP 06.20, Faculty Performance Review,  
with proposed revisions  
(Consent Item b.)**



MIDWESTERN STATE UNIVERSITY

## Operating Policies & Procedures Manual

### University Operating Policy/Procedure (OP)

#### OP 06.20: Faculty Performance Review

<b><u>Approval Authority:</u></b>	<u>President Board of Regents</u>
<b><u>Policy Type:</u></b>	<u>University Operating Policy and Procedure</u>
<b><u>Policy Owner:</u></b>	<u>Provost and Vice President for Academic Affairs President</u>
<b><u>Responsible Office:</u></b>	<u>Provost and Vice President for Academic Affairs</u>
<b><u>Next Scheduled Review:</u></b>	<u>05/01/2024 (by Feb. 1 of every even-numbered year by the Provost with faculty senate review and recommendations presented to the President by March 1 and to the Board of Regents for approval)</u>

#### **I. Policy Statement**

This operating policy/procedure (OP) establishes guidelines and procedures for conducting an Annual Performance Review of all tenured and non-tenured, full-time faculty members, department chairs, and college deans at Midwestern State University (“MSU” or “University”), a component institution of the Texas Tech University System (“System” or “TTUS”).

#### **II. Reason for Policy**

The purpose of this OP is to establish uniform guidelines and procedures for conducting an Annual Performance Review of all tenured and non-tenured, full-time faculty members, department chairs, and college deans.

#### **III. Application of OP**

This OP applies to all tenured and non-tenured, full-time faculty members, department chairs, and college deans.

#### **IV. Definitions**

See OP 06.05: Faculty Tenure and Promotion for definition of common terms to college tenure and promotion policies.

#### **V. Procedures and Responsibilities**

Department Chairs will be responsible for conducting an Annual Performance Review of all tenured and non-tenured, full-time faculty in their academic department. Deans will

be responsible for conducting an Annual Performance Review of all chairs in their colleges and assume the role assigned to the Department Chair in this policy, while the Provost and Vice President for Academic Affairs will assume that of the Dean. The Provost and Vice President for Academic Affairs will be responsible for conducting an Annual Performance Review of all Deans and assume the role assigned to the Department Chair in this policy. If the faculty member is tenured, the Annual Performance Review constitutes a post-tenure review. If the faculty member is leaving during or at the end of the academic year, the annual review need not be conducted.

#### **A. Performance Review Areas**

The performance review will include written documentation of:

1. Teaching effectiveness
2. Research and scholarly activity
3. Service to the University, the profession/community, and the community
4. Compliance with MSU Policies and Procedures
5. Compliance with MSU Guiding Principle (as per OP 06.05: Faculty Tenure and Promotion, Section V.D.1)
6. Performance at the graduate faculty level

#### **B. Personal Reports**

By September 20 of each year, each faculty member will complete an Annual Faculty Personal Report, which will include written documentation of the faculty member's performance in each of the first three performance review areas. Faculty submitting a portfolio for tenure and/or promotion will complete and submit the annual evaluation to the Chair by the 1<sup>st</sup> day of the Fall semester. This process will be established according to the official academic calendar and begin with Week One (week of faculty meetings and the week faculty report back to campus in August). An official summary of evaluations and a record of the grade distribution for each of the courses taught during fall and spring semesters of the evaluation period must be attached to the Annual Faculty Personal Report.

#### **C. Performance Indicators**

Department Chairs will evaluate each performance review area, as to whether it:

1. is satisfactory and, therefore, meets the evaluator's expectations,
2. needs self-improvement, or
3. needs improvement with supervision, and, if the judgment is not satisfactory, add explanatory comments.

#### **D. Meeting Certification**

By October 20, Department Chairs will meet with all faculty members in their departments to review their evaluation and comments. Faculty submitting a

portfolio for tenure and/or promotion will complete this meeting with the Chair by the 1<sup>st</sup> Friday of the Fall semester. At the conclusion of the meeting, the faculty member will certify that the information supplied in the report is accurate, and a meeting with the department chair has occurred by signing the document. If the faculty member declines to sign, the Department Chair will indicate as much on the signature line and enter the date of the evaluation on the dateline. The Department Chair will sign to indicate that his/her written comments and evaluative judgments have been reviewed with the faculty member and provide a copy to the faculty member and the Dean of the relevant college. By November 5, the Dean will sign to indicate that the review has been conducted and that the report has been filed, and will distribute copies to the faculty member and relevant Department Chair. For faculty submitting a portfolio for tenure and/or promotion, the Dean will sign by the 4<sup>th</sup> Friday of the Fall semester.

### **E. Faculty Member Rights**

The faculty member has the right to:

1. Possess a copy of the Annual Performance Review subsequent to the Department Chair's review,
2. Have a conference with the Department Chair concerning the evaluation, and
3. Appeal the process through the following Appeal Procedure:

#### **a. Process**

The faculty member who wishes to appeal the statements in the evaluation must discuss the evaluation with the department chair. If the appeal cannot be resolved at that level, the faculty member may then appeal to the Dean and Provost and Vice President for Academic Affairs. The final resolution of all appeals rests with the President.

#### **b. Timetable**

The appeal process must be initiated within fifteen (15) working days of the date of the meeting between the Department Chair and the faculty member.

### **F. Development Plans**

#### **1. First year**

When overall performance (either performance review area 1, teaching effectiveness, or two or more performance review areas from among areas 2, 3, or 4 in section A above) is evaluated as needing improvement with supervision, the Dean, Department Chair, and faculty member will jointly prepare a development plan listing goals and actions for the faculty member and the support and resources requested of the University.

#### **a. Certification**

The development plan will be signed by the faculty member, the Department Chair, and the Dean.

#### **b. Support**

If University funds or other support are required beyond the resources of the

college, the Provost and Vice President for Academic Affairs must indicate whether or not such university support will be provided.

c. **Documentation**

(1) **Faculty member**

The faculty member will attach written documentation of any efforts to implement the faculty development plan to the following year's Annual Personal Report.

(2) **Department Chair**

The Department Chair will document the degree of success of the development plan as part of the annual review.

2. **Second Year**

In the event the results of the initial plan are not acceptable (performance expectations are not met for either review area 1, teaching effectiveness or two or more performance review areas from among areas 2, 3, or 4 in section A above) the faculty member, Department Chair, and Dean may jointly develop a second plan for improvement. The process is identical to that of the first improvement plan.

3. **Third and Subsequent Years**

If the Department Chair documents and the Dean agrees that the faculty member's performance does not meet the expectations identified in the current plan for improvement, the Dean and Department Chair will decide either to develop a subsequent improvement plan together with the faculty member or to invoke the procedures detailed in MSU OP 06.06 (Dismissal of Tenured Faculty for Cause).

**G. EEO Compliance**

Reviews will be monitored to ensure that they are based upon consistent, fair and measurable standards and that they do not reflect a pattern of discrimination on the basis of race, color, religion, gender, age, national origin, or disability, or indicate retaliation against an employee who may have filed a grievance or alleged violations of law or University policy.

**VI. Related Statutes, Rules, Policies, Forms, and Websites**

**Related Statutes/Rules:**

Texas Education Code, Section 51.942 (Performance Evaluation of Tenured Faculty)

Texas Tech University System Regents' Rule 04.03 (Guidelines for Comprehensive Performance Evaluation of Tenured Faculty) ("Each component institution of the TTU system shall publish and maintain as part of the institution's operating manual Guidelines for Comprehensive Performance Evaluation of Tenured Faculty. The institutional operating policies for the comprehensive performance evaluation of tenured faculty, and any changes thereto, must be approved by the board.")

**Related Operating Policies:**

[OP 06.04: Academic Freedom and Academic Responsibility](#)

[OP 06.05: Faculty Tenure and Promotion](#)

[OP 06.06: Dismissal of Tenured Faculty for Cause](#)

[OP 06.16: Written Terms of Employment for Faculty](#)

[OP 06.17: Faculty Workload](#)

[OP 06.19: Office Hours for Faculty](#)

[OP 06.22: Administrators with a Faculty Appointment](#)

[OP 06.27: Dismissal of Non-Tenured Faculty for Cause](#)

[OP 42.01: Graduate Faculty Requirements and Procedures](#)

### **Related Resources:**

The University receives guidance from:

AAUP Statement on Professional Ethics adopted in 1966:

<http://www.aaup.org/AAUP/pubsres/policydocs/contents/statementonprofessionalethics.htm> (in determining standards for professionalism)

AAUP Statement of Principles on Academic Freedom and Tenure adopted in 1940:

<http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm> (in ensuring traditional safeguards for academic freedom)

### **Related Forms/Attachments:**

[Faculty Member's Annual Personal Report](#)

[Department Chair's Annual Personal Report](#)

[Dean's Annual Personal Report](#)

## **VII. Responsible Office(s)**

Provost and Vice President for Academic Affairs

Phone: (940) 397-4226

E-mail: [martin.camacho@msutexas.edu](mailto:martin.camacho@msutexas.edu)

## **VIII. History**

- 10 Nov. 1989: Comprehensive review and renumbering of MSU policies and procedures approved by the MSU Board of Regents that resulted in Policy 2.435 being renumbered to 3.114 - Faculty Performance Rating.
- 8 Aug. 1997: Deleted the original two sentences of the policy (“Annually, in anticipation of recommendations for faculty promotions and contracts, Division Directors will review the teaching effectiveness and other professional characteristics of each faculty member. The report of these evaluations is submitted to the Vice President for Academic Affairs as an annual merit rating.”), and the policy is thoroughly revised and renamed: Faculty Performance Review.
- 6 Aug. 2004: Revised by adding a requirement showing that faculty evaluated with regard to compliance with MSU policies and procedures.
- 10 Feb. 2006: Revisions include: enhancing and defining role of department chair; clarifying how to deal with faculty whose performance is judged to need improvement; adding paragraph at beginning of policy; requiring



personal reports to be due by September 20 of each year; added paragraph on Meeting Certification; and paragraph C is rewritten and named “Third and Subsequent Years.”

- 6 Nov. 2009: Revised by including in the annual performance review areas listed in Section I.5 performance at the graduate faculty level.
- 13 May 2016: Revised by adding Section “VII. EEO Compliance” providing that performance evaluations will be reviewed for equal employment opportunity (EEO) compliance as recommended by the Texas Workforce Commission.
- 5 Aug. 2021: Comprehensive revision and renumbering of *MSU Policies and Procedures Manual* which is renamed *Operating Policies and Procedures Manual of Midwestern State University*. Former Policy 3.114 renumbered as OP 06.20: Faculty Performance Review.
- May 2022: Revised to ensure consistency with the University’s standard policy/procedure format, added a performance review area and, for faculty submitting a portfolio for tenure and/or promotion, added deadlines concerning personal reports and meeting certification. Following approval by MSU Interim President James Johnston (6 April 2022), the revisions are approved / not approved by the Texas Tech University System Board of Regents.

---

J. Michael Lewis, Chairman  
Texas Tech University System Board of Regents

Date Signed: \_\_\_\_\_

**FORMER MSU POLICY/PROCEDURE 3.114**  
**Provost and Vice President for Academic Affairs**  
**FACULTY PERFORMANCE REVIEW**  
**Date of Adoption/Most Recent Revision: 05/13/2016**

Department chairs will be responsible for conducting an Annual Performance Review of all tenured and non-tenured, full-time faculty in their academic department. Deans will be responsible for conducting an Annual Performance Review of all chairs in their colleges and assume the role assigned to the department chair in this policy, while the provost and vice president for academic affairs will assume that of the dean. The provost and vice president for academic affairs will be responsible for conducting an Annual Performance Review of all deans and assume the role assigned to the department chair in this policy. If the faculty member is tenured, the Annual Performance Review constitutes a post-tenure review. If the faculty member is leaving during or at the end of the academic year, the annual review need not be conducted.

**I. Performance Review Areas**

The performance review will include written documentation of:

1. Teaching effectiveness
2. Research and scholarly activity
3. Service to the university, the profession/community, and the community
4. Compliance with MSU Policies and Procedures
5. Performance at the graduate faculty level

**II. Personal Reports**

By September 20 of each year, each faculty member will complete an Annual Faculty Personal Report, which will include written documentation of the faculty member's performance in each of the first three performance review areas. An official summary of evaluations and a record of the grade distribution for each of the courses taught during fall and spring semesters of the evaluation period must be attached to the Annual Faculty Personal Report.

**III. Performance Indicators**

Department chairs will evaluate each performance review area, as to whether it:

1. is satisfactory and, therefore, meets the evaluator's expectations,
2. needs self-improvement, or
3. needs improvement with supervision, and, if the judgment is not satisfactory, add explanatory comments.

**IV. Meeting Certification**

By October 20, department chairs will meet with all faculty members in their departments to review their evaluation and comments. At the conclusion of the meeting, the faculty member will certify that the information supplied in the report is accurate, and a meeting with the department chair has occurred by signing the document. If the faculty member declines to sign, the department chair will indicate as much on the signature line and enter the date of the evaluation on the dateline. The department chair will sign to indicate that his/her written comments and evaluative

judgments have been reviewed with the faculty member and provide a copy to the faculty member and the dean of the relevant college. By November 5, the dean will sign to indicate that the review has been conducted and that the report has been filed, and will distribute copies to the faculty member and relevant department chair.

#### V. **Faculty Member Rights**

The faculty member has the right to:

1. Possess a copy of the Annual Performance Review subsequent to the department chair's review,
2. Have a conference with the department chair concerning the evaluation, and
3. Appeal the process through the following Appeal Procedure:
  - a. **Process**  
The faculty member who wishes to appeal the statements in the evaluation must discuss the evaluation with the department chair. If the appeal cannot be resolved at that level, the faculty member may then appeal to the dean and provost and vice president for academic affairs. The final resolution of all appeals rests with the president.
  - b. **Timetable**  
The appeal process must be initiated within fifteen (15) working days of the date of the meeting between the department chair and the faculty member.

#### VI. **Development Plans**

##### 1. **First year**

When overall performance (either performance review area 1, teaching effectiveness, or two or more performance review areas from among areas 2, 3, or 4 in section I above) is evaluated as needing improvement with supervision, the dean, department chair, and faculty member will jointly prepare a development plan listing goals and actions for the faculty member and the support and resources requested of the university.

- a. **Certification**  
The development plan will be signed by the faculty member, the department chair, and the dean.
- b. **Support**  
If university funds or other support are required beyond the resources of the college, the provost and vice president for academic affairs must indicate whether or not such university support will be provided.
- c. **Documentation**
  - a. **Faculty member**  
The faculty member will attach written documentation of any efforts to implement the faculty development plan to the following year's Annual Personal Report.
  - b. **Department Chair**  
The department chair will document the degree of success of the development plan as part of the annual review.

##### B. **Second Year**

In the event the results of the initial plan are not acceptable (performance

expectations are not met for either review area 1, teaching effectiveness or two or more performance review areas from among areas 2, 3, or 4 in section I above) the faculty member, department chair, and dean may jointly develop a second plan for improvement. The process is identical to that of the first improvement plan.

**C. Third and Subsequent Years**

If the department chair documents and the dean agrees that the faculty member's performance does not meet the expectations identified in the current plan for improvement, the dean and department chair will decide either to develop a subsequent improvement plan together with the faculty member or to invoke the procedures detailed in section 3.124 (Dismissal of Tenured Faculty for Cause).

**EEO COMPLIANCE**

Reviews will be monitored to ensure that they are based upon consistent, fair and measurable standards and that they do not reflect a pattern of discrimination on the basis of race, color, religion, gender, age, national origin, or disability, or indicate retaliation against an employee who may have filed a grievance or alleged violations of law or university policy.

# **ATTACHMENT**

# **3**

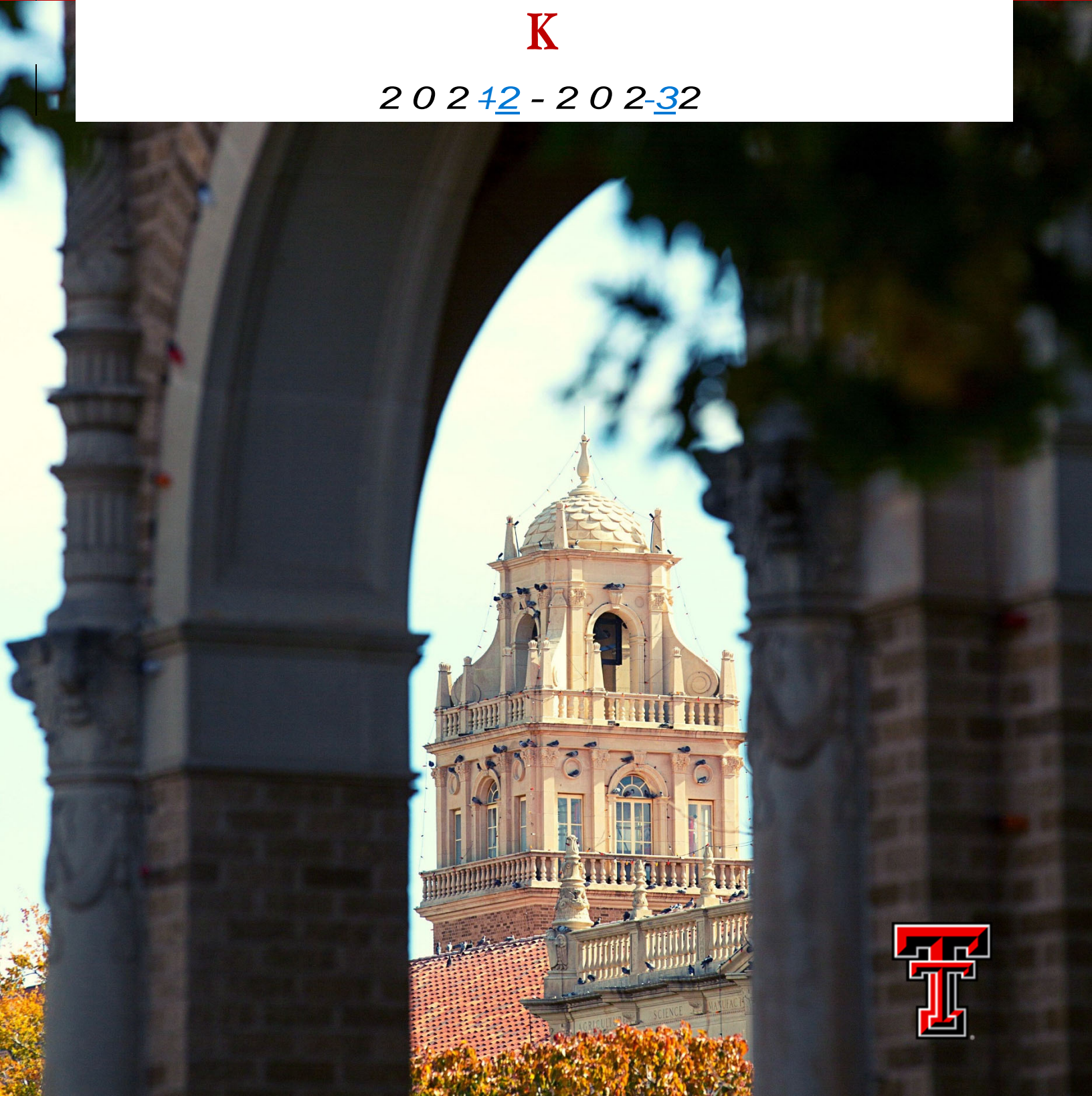
**TTU Student Handbook 2022-2023 with proposed revisions  
(Consent Item f.)**

TEXAS TECH UNIVERSITY

---

STUDENT HANDBBOO  
K

20242 - 20232



**TEXAS TECH UNIVERSITY STUDENT  
HANDBOOK 20212-20223**

**TABLE OF CONTENTS**

**Foreword**

**Part I: Code of Student Conduct**

- Section A: Student Conduct Mission and Policies
- Section B: Misconduct
- Section C: Conduct Procedures for Students
- Section D: Sexual Misconduct Procedures for Students
- Section E: Conduct Procedures for Student Organizations

**Part II: Community Policies**

- Section A: Alcohol Policy & Information
- Section B: Academic Integrity
- Section C: Anti-Discrimination Policy
- Section D: Class Absences
- Section E: Complaint Processes
- Section F: Student Support Services
- Section G: Financial Responsibility
- Section H: Freedom of Expression
- Section I: Gender-based Harassment, Sexual Misconduct, Discrimination, and Title IX
- Section J: Student Housing Requirements
- Section K: Solicitations, Advertisements and Printed Materials
- Section L: Student Identification
- Section M: Student Involvement & Representation
- Section N: Student Organizations
- Section O: Student Right to Know
- Section P: Student Records
- Section Q: Use of University Space
- Section R: Withdrawals

**Appendix**

- Appendix A: Definitions

## **General Purpose**

## **FOREWORD**

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

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

The University reserves the right to make changes to this *Code* as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online [<http://www.depts.ttu.edu/dos/handbook>] for the updated versions of all policies and procedures. Students are also informed of changes to the *Code of Student Conduct* by electronic notification outlets and/or official campus publications. The Student Handbook was approved by the Board of Regents on May 14<sup>5</sup>, 2021<sup>2</sup> to be effective May 14<sup>5</sup>, 2021<sup>2</sup>.

## **Membership in the TTU Community**

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

## **Texas Tech University Vision**

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



### **Texas Tech University Mission**

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

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

### **Texas Tech Statement of Ethical Principles**

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

### **School of Law, School of Veterinary Medicine, and Texas Tech University Health Sciences Center**

Students enrolled in, and student organizations registered with, the Texas Tech University School of Law and School of Veterinary Medicine are subject to the *Code of Student Conduct*.

Law students found responsible for misconduct under the University's Conduct Code and process face potentially heightened sanctions and other outcomes in that process from the University and the Law School under the law school's Law School Heightened and Secondary Outcomes Policy. The Law School Heightened and Secondary Outcomes Policy is located here: [Heightened Secondary Outcomes Policy | School of Law | TTU](#).

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

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

School of Veterinary Medicine students and registered student organizations are also subject to the Veterinary School Student Code of Honor and Professionalism. In specific situations, students may find themselves in violation of either the *Code of Student Conduct* or the Honor Code of the School of Veterinary Medicine, respectively or both. Students enrolled in the School of Veterinary Medicine will also adhere to Texas Tech University policies and procedures as well as policies and procedures established by the School of Veterinary Medicine, policies and procedures may be found here:

<https://www.depts.ttu.edu/vetschool/academics/policies/>

Questions concerning the respective jurisdiction of the *Code of Student Conduct* and the Honor Code of the Veterinary School Student Code of Honor and Professionalism, respectively, will be resolved by the Vice Provost Student Affairs and the Dean of the respective school.

Students enrolled in the Schools of [Health Professions, Medicine, Nursing, Pharmacy, or Public and Population Health](#), or the [Graduate School of Biomedical Sciences](#), and organizations registered with the [Texas Tech University Health Sciences Center](#) are subjected to the [TTUHSC Student](#)

Handbook/Code of Professional Conduct, Medicine, Health Professions, Nursing, Pharmacy, Graduate School of Biomedical Sciences, and organizations registered with the Texas Tech University Health Sciences Center are subject to the TTUHSC Student Handbook/Code of Professional

Conduct.

**PART I  
CODE OF STUDENT CONDUCT**

**SECTION A: STUDENT CONDUCT MISSION AND POLICIES**

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

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

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

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

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

**1. Disciplinary Authority**

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

The Dean of Students, Managing Director of the Office of Student Conduct and the Title IX Administrator, herein after referred to as the Managing Director or designee, will assume

responsibility for the investigation of an allegation of misconduct to determine if the complaint

has merit.

a. Investigator

An Investigator is a trained University staff member whose role is to conduct a thorough, reliable, and impartial investigation and compile the information that they gathered into an Investigation Report. In most cases heard by a Hearing Panel, the Investigator will present the information and evidence obtained through the investigation to the Panel, which will make a determination of responsible or not responsible and assign a sanction. In non-Title IX cases heard through the Administrative Hearing process, or completed via an Informal Conference, the Investigator may issue allegations, may render findings and may issue sanctions. In Sanction Only Hearings for non-Title IX cases, the Investigator will issue allegations and the finding and may issue the sanction(s) but may at times only issue the allegations and the finding.

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

b. Administrative Hearing Officer

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

c. Hearing Panel

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

1. Hearing Panel Appointments

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

a. Student Recommendations

The President of the Student Government Association, Graduate Student Advisory Council, and the President of the Residence Halls Association, and Associate Academic Deans are invited to make recommendations for student members to serve on the Hearing Panel. Upon recommendation, student members will be invited to participate in an application process, prior to appointment. Upon completion of the application process, selected student members will be appointed by the Managing Director or designee. To be eligible for appointment, undergraduate students must be considered full-time students, be in academic good standing and have completed 12 hours of Texas Tech University academic credit with a cumulative GPA of at least 2.5, be in good standing with the Office of Student Conduct throughout the semester(S) in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in

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

b. Faculty Recommendations

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

c. Staff Appointments

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

d. Administrative Hearing Officer Appointments

An Administrative Hearing Officer may be appointed as member of the Hearing Panel by the Managing Director or designee and are selected from the group of trained University staff members designated as Administrative Hearing Officers. Administrative Hearing Officers who served as Investigators in the case may not serve on the Hearing Panel as a voting participant or as the non-voting Resource Person, and will participate only as the Investigator in the Panel Hearing.

2. Hearing Panel Terms

Each member will be appointed for a single one-year term by the Managing Director or designee. Members may be re-appointed for consecutive one-year terms, but must complete the Hearing Panel training each year.

3. Hearing Panel Composition

For each Panel Hearing, a Panel of three (3) members will be chosen from the available pool by the Managing Director or designee. The Hearing Panel will usually be comprised of one student, one faculty member, and one staff member or Administrative Hearing Officer. Availability may determine a different composition for the Panel. In cases involving Part I, section B.1 (Academic Misconduct), the Hearing Panel will be comprised only of students and faculty. In cases involving Part I, section B.2 (Actions against Members of the University Community and Others), or other sensitive issues, the Managing Director or designee will appoint three Hearing Panel members for the Panel. A Hearing Panel Chair may be selected in order to assist the Resource Person in conducting an orderly hearing. A Hearing Panel Chair may not be a student.

4. Resource Person

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

5. Removal of a Hearing Panel Member

The Managing Director or designee may remove a member from this Panel when, in his/her judgment, the member has failed or refused to effectively serve and perform the duties and functions of the Panel. The Hearing Panel member may recuse themselves on a case by case basis if there is a conflict of interest. Additionally, the Complainant or Respondent may request the removal of a Panel Member whose ability to be impartial is in question. The Managing Director or designee will review and approve or deny student requests for removal of a Panel Member.

6. Panel Hearings

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

7. Panel Hearing Deliberation

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

8. Additional Hearing Panel Members

The Managing Director for the Office of Student Conduct or designee may appoint additional members of the Hearing Panel to expedite the orderly disposition of cases and/or to aid in the administration of disciplinary action within the University. The additional member(s) of the Hearing Panel will complete the same training, have the same duties and Responsibilities, and the same authority as the original Hearing Panel member.

9. Hearing Panel Orientation & Training

Prior to serving in a Hearing, members of the Hearing Panel will be required to participate in an orientation and training program facilitated by the Office of Student Conduct. Members are encouraged to attend additional trainings throughout their service on the Hearing Panel.

d. The *Code of Student Conduct* Review Committee

The *Code of Student Conduct* is reviewed every year by the *Code of Student Conduct* Review Committee in conjunction with the Office of Student Conduct, University Student Housing, Dean of Students, and the Vice Provost for Student Affairs. The *Code of Student Conduct* Review Committee will conduct an annual review of the *Code of Student Conduct* and make recommendations to the Vice Provost for Student Affairs regarding omissions, clarifications, constructive changes and other matters relevant to the proper interpretation and operation of the *Code of Student Conduct*. The Vice Provost for Student Affairs will then present the *Code of Student Conduct* for review and consideration by the Board of Regents.

1. Committee Appointment

The *Code of Student Conduct* Review Committee members are appointed by the Managing Director or designee who will invite recommendations by the President of

the Faculty Senate, President of the Staff Senate, President of the Student Government Association, President of the Graduate Student Assembly, and the President of the Residence Halls Association.

2. Committee Composition

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

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

3. Committee Removals

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

4. Committee Meetings

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

5. Committee Quorum

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

6. Additional Committee Members

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

2. **Jurisdiction**

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

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

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

The *Code of Student Conduct* applies to behaviors that take place on University premises, at University-sponsored activities and events, and may apply to off-campus behavior when the Dean of Students or Managing Director or designee determine that the off-campus conduct



affects a substantial University interest, such as situations where a student's conduct may present a danger or threat to the health or safety of him/herself or others; situations that infringe on the rights of other students; situations causing significant disruption to the educational community or detrimental to the educational mission of the University.

Proceedings under the *Code of Student Conduct* may be carried out prior to, independent of, concurrent with or following civil or criminal proceedings. Misconduct which may constitute a violation of federal, state, local laws, and/or Texas Tech University policy will be considered a violation of this policy, and will be investigated and adjudicated through the University conduct system and standard of proof. A lack of conviction in any criminal proceeding will not, in and of itself, serve as evidence in a University conduct proceeding.

Determinations made and/or sanctions imposed as a result of University disciplinary proceedings will not be subject to change because criminal charges arising out of the same facts that resulted in the violation of University rules were dismissed, reduced, or resolved in favor of or against a criminal law defendant.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to reenroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied prior to reenrollment eligibility. In the event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree. The University reserves the right to address and adjudicate behavior of previously enrolled students when there is a continued University interest.

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

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

### **3. Notice**

Notice is deemed to have been properly provided when written notification is sent to the student's official assigned Texas Tech University email address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address. Students will be given a reasonable amount of time to respond to requests to meet with University officials. Pre-Scheduled meetings

are scheduled around a student's published academic schedule and include the opportunity to reschedule in the event of unavoidable conflicts. Should a student wish to reschedule an appointment, they should do so in a timely manner. The University will make all reasonable efforts to accommodate student schedule conflicts, but will not permit unreasonable delays in the Conduct Process. After proper notice has been given to the student, the Investigator or designee may proceed with the conduct process. Should a student fail to comply with the requests of an Investigator or designee, the Office of Student Conduct may issue a 'Failure to Comply' *Code of Student Conduct* allegation to the student. Students are advised to keep their most current local address, permanent address, and local telephone number updated in the student records system at [www.raiderlink.ttu.edu/](http://www.raiderlink.ttu.edu/).

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

#### **4. Timelines**

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

The Office of Student Conduct and/or the Office for Student Rights & Resolution will make every effort to complete the process as quickly as possible. Timelines may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal Investigations, breaks between academic semesters, and other delays.

#### **5. Standards of Evidence**

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

#### **6. Reporting Allegations of Misconduct**

To file allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online [incident report form](#). The written allegation should describe the action or behavior in question. Individuals may also file a report in person at the Office of Student Conduct, located in suite 211 of the Student Wellness Building. Staff are also available in the Office of the Dean of Students to take initial reports of allegations and assist with conduct processes. The Office of Student Conduct also regularly reviews reports submitted from Texas Tech University faculty and staff, University Student Housing, and the Texas Tech Police Department.

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

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

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

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

#### **7. Confidentiality**

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

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

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

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

investigation.

**8. Anonymity**

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

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

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the complainant or subject of a crime of violence or a nonforcible sex offense concerning the final results of a disciplinary Hearing.

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

**10. Student Organizations**

Information gathered during an Investigation of student organization misconduct, as well as any conduct findings and decisions, may be shared with the student organization's Headquarters, sponsoring department, or organization as appropriate. This otherwise confidential information will not be shared with other students or the Greek community.

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

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

**11. Reporting Criminally**

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

**12. Amnesty**

The University will provide educational options in lieu of conduct proceedings in certain

situations. Examples of the amnesty provision include, but are not limited to:

- Victims of or witnesses to misconduct who were engaging in policy violations, such as underage drinking or drug use, at the time of the incident.
  - In investigations into matters of Actions Against Members of the University Community and Others, all involved parties may be reviewed under this amnesty provision.
- Students who offer assistance to others by calling medical personnel or law enforcement.
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.
- The university will not take any disciplinary action against a student who in good faith reports being the victim of, or witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the *Code of Student Conduct* occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the disciplinary process regarding the incident.
- Students or Student Organizations who voluntarily and in good faith reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident.
- A student may not receive amnesty for reporting the student's own act of hazing of at least one or more others.
- A student may not receive amnesty if the student reports an act of hazing in bad faith or with malice.

Abuse of amnesty provisions can result in a violation of the *Code of Student Conduct*. Amnesty does not preclude students from being charged with allegations of misconduct related to Part II, section B.2 (Actions against Members of the University Community and Others). *The Code of Student Conduct* amnesty provisions do not influence criminal proceedings or charges. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling, alcohol assessments, and other requirements. The Office for Student Rights & Resolution may also assist with questions related to amnesty provisions, but the final determination regarding amnesty will be made by the Managing Director of the Office of Student Conduct or designee or the Title IX Administrator or designee in Title IX cases.

### **13. Withdrawal**

A responding student facing an alleged violation of the *Code of Student Conduct* may have a hold placed on their transcript requiring them to contact the Managing Director or designee to request permission to withdraw from the University. While a student may be permitted to withdraw from the University, the hold will remain on the student's transcript until all allegations are resolved. The investigation into alleged conduct violations may continue regardless of the student's withdrawal or choice to participate in the Investigation. The University reserves the right to reinstate a student who withdraws at any point during the conduct process.

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

## SECTION B: MISCONDUCT

### 1. Academic Misconduct

Academic misconduct includes cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, violations of published professional ethics/standards, and any act or attempted act designed to give unfair academic advantage to oneself or another student. Additional information about academic misconduct is available in the Texas Tech University Community Policies section.

#### a. Cheating

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

#### b. Plagiarism/Self-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. The submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.

c. Collusion

Any unauthorized collaboration or attempted collaboration with another individual to complete academic work, test, quiz, or other assignment that results in similarities in the work, including but not limited to providing unauthorized assistance to another student and/or allowing another student access to completed academic work.

d. Falsifying academic records

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

e. Misrepresenting facts

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

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

f. Violation of Professional Standards

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

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

g. Unfair Academic Advantage

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

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

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

a. Disruptive and/or Obstructive Conduct

Intentional or reckless behavior that disrupts or obstructs the University operations including the cessation or temporary cessation of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus.

b. Harmful, Threatening, or Endangering Conduct

Intentional or reckless behavior that harms, threatens, or endangers the health or safety of self or others.

c. Assault

Intentionally, recklessly, or knowingly causing physical harm to another individual and/or causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or as harmful.

d. Threats

Any act or communication (written, oral, or otherwise) a reasonable person would interpret as a serious expression of intent to injure the health, safety, or property of a person(s) and/or inflict bodily harm upon a person(s), including intimidation to cause injury, implied threats or acts that cause a reasonable fear of harm.

*NOTE: Examples may include but are not limited to, threats of mass violence, issuing a bomb threat, constructing mock explosive devices, etc., against any person, group of people, or property.*

e. Intimate partner/relationship violence/dating violence

For the purposes of this policy, see Part I, Section D.

f. Bullying/cyber bullying/harassment

Behavior(s) directed toward an individual or group of individuals that, to a reasonable person, are so severe, persistent, or pervasive~~Repeated or severe aggressive behaviors that~~ that they intimidate, ~~or intentionally harm,~~ or control the individual or group of individuals~~another person physically or emotionally~~. Activities protected by freedom of expression will not be considered violations of the Code of Student Conduct.

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

g. Stalking

A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety/safety of others or would cause the person to suffer substantial emotional distress. A “course of conduct” means two or more acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with the person’s property. This may also be covered under Part I, Section D.

h. Mutual Combat

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

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

i. Sexual Misconduct

For the purposes of this policy, see Part I, Section D.

j. 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 for the purpose of pledging or associating with, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose membership consists of primarily students. Consent and/or acquiescence by a student or students subjected to hazing is not a reasonable defense in a disciplinary proceeding. Hazing includes, but is not limited to:

1. Any type of physical brutality, such as whipping, beating, using a harmful substance on the body or similar activity.
2. Any type of activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as humiliation, sleep deprivation, exposure to the elements, confinement, personal servitude, or calisthenics.
3. Any activity that involves consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance, other than as described by item 4 below, which



subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.

4. Any activity that induces, causes, or requires the student to perform a duty or task that involves coercing a student to consume a drug, an alcoholic beverage, or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.
5. Any activity in which a person solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; intentionally, knowingly or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred or may occur; witnesses or participates in a specific hazing incident, and knowingly fails to report the incident in writing to the Office of Student Conduct.
6. Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates or alumni of the organization of committing or assisting in the commission of hazing.
7. Any activity that involves coercing a student to consume an alcoholic beverage, liquor, or drug, or creates an environment in which the student reasonably feels coerced to consume any of those substances.

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

k. **Discriminatory Harassment**

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

l. **Retaliatory Discrimination or Harassment**

Any intentional, adverse action taken by an individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a conduct process, civil rights grievance proceeding, or other protected activity.

m. **Complicity or Knowingly Present**

1. Assisting via acts or omissions another student, individual, or group in committing or attempting to commit a violation of the Code of Student Conduct.
2. Complicity with or failure of any organized group to address known or obvious violations of the Code of Student Conduct by its members.
3. Any person who is knowingly present for the commission of a violation of the Code of Student Conduct and does not take steps to remove themselves from the location of the violation.

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

**3. Alcoholic Beverages**

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

**4. Narcotics or Drugs**

Possession, use, sharing, furnishing or distribution of illegal drugs, intoxicants, controlled substances and/or drug paraphernalia; including the distribution, use or possession of prescription

medications contrary to a valid prescription; being under the influence of illegal drugs, intoxicants, and/or controlled substances.

#### **5. Smoking, Vaping, and/or Tobacco Use**

Smoking, vaping, and/or tobacco use (including smokeless tobacco) in unauthorized areas on University property as designated by the Texas Tech University [smoke-free and tobacco-free environment policy](#) (OP 60.15). [This includes the unlawful possession, use or distribution of products containing nicotine.](#)

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

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

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

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

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

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

- a. Attempted or actual theft of property or services, including, but not limited to property or services of the University, other University students, other members of the University community, campus visitors or others.
- b. Possession of property known to be stolen or belonging to another person without the owner's permission.
- c. Attempted or actual damage to property including, but not limited to property owned or leased by the University, by other University students, by other members of the University community, by campus visitors or others
- d. Littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University, by other University students, other members of the University community, campus visitors, or others.
- e. Failure to meet financial obligations owed to the University, or components owned or operated by the University, including but not limited to, issuing payment to your student financial account from accounts with insufficient funds.
- f. Possession, alteration, forgery, misrepresentation, or use of any form of identification, not belonging to you or used for the purpose originally issued.
- g. Selling items including but not limited to: stolen items, student identification cards and/or any item which may be used as a form of false identification.

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

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

#### **10. False Alarms**

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

## **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 in University premises or equipment.
- c. Unauthorized use of the University name, logo, registered marks or symbols; however, registered student organizations are permitted to use the word "Tech" as a part of their organizational names or to use the complete statement "a registered student organization at Texas Tech University."
- d. Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University.
- e. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, eRaider account information and/or personal check, or other unauthorized use of personal property or information of another.

## **12. Failure to Comply**

- a. Failure to comply with reasonable directives of a University official acting in the performance of their duties.
- b. Failure to present student identification on directive or identify oneself to any University official acting in the performance of their duties.
- c. Any intentional, retaliatory, or adverse action taken by a respondent individual or third party, absent legitimate nondiscriminatory purposes, against a party or supporter of a party to a Misconduct or Sexual Misconduct proceeding or other protected activity under this Code of Student Conduct.
- d. Failure to comply with the sanctions imposed by the University under the Code of Student Conduct or the Student Handbook.

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

## **13. Abuse, Misuse, or Theft of University Information Resources**

"Information resources" means procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors (as defined by Texas Government Code §2054.003(7).) Per Texas statutes, TTU information resources are strategic assets of the state of Texas that must be managed as valuable state resources. Unauthorized use of University information resources is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the Code of Student Conduct. Usage of TTU information resources may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information resources, regardless of location or method of access, is also subject to the Information Technology Security Policies (<http://depts.ttu.edu/infotech/security/>), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information resources includes, but is not limited to the following:

- a. Unauthorized use of University information resources including, but not limited to, confidential and/or sensitive information and passwords, including the unauthorized sharing of confidential and/or sensitive information or passwords with individuals who have not been

- granted access to University information resources.
- b. Use of University information resources:
    - 1. For unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).
    - 2. To violate Part I, Section B.2 of the Code of Student Conduct (Actions against Members of the University Community and Others).
  - c. Attempted or actual:
    - 1. Breach of the security of another user's account and/or computing system, depriving another user of access to TTU information resources, compromising the privacy of another user or disrupting the intended use of TTU information resources.
    - 2. Use of TTU information resources to interfere with the normal operation of the University.
    - 3. Use of TTU information resources for unauthorized political or commercial purposes, or for personal gain. This includes email signatures that promote personal or commercial gain or political agendas.
    - 4. Destruction, disruption, or modification of programs, records, or data belonging to or licensed by the University or another user, or destruction of the integrity of computer-based information using TTU information resources.
  - d. Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the explicit approval by the TTU official processes regarding academic ethical issues. Discovery of obscene material, including child pornography, on any TTU information resource must be reported to the Information Security Officer or Chief Information Officer immediately.
  - e. Intentional "spamming" of students, faculty, or staff (defined as the sending of unsolicited and unwanted electronic communications, including but not limited to e-mails and text messages to parties with whom the sender has no existing business, professional or personal relationship) using TTU information resources.

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

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

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

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

*NOTE: Refer to University Parking Services Regulations at*

*<http://www.parking.ttu.edu/Resources/pdf/rulesregulations.pdf>*

#### **16. Interference with Expressive Activities**

Unduly interfering with the expressive activities of others on campus resulting in the inability for expressive activities to occur or to continue. Consistent with TTUS Regulation 07.04, students who unduly interfere with the expressive activities of others on campus will be subject to the disciplinary policies and procedures outlined in the Code of Student Conduct. The terms of such

Regulation shall control in the event of any conflict between the provisions set forth in this Handbook and the terms of such Regulation.

*NOTE: See also Code of Student Conduct Part II, Section H – Freedom of Expression Activities & Section Q – Use of University Space*

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

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

1. Transportation & Parking Services
2. University Student Housing
3. Recreational Sports
4. Student Organization and Fraternity and Sorority Life
5. Texas Tech University Board of Regents' Rules
6. Texas Tech University Operating Policies and Procedures
7. Community Policies of the Student Handbook
8. TTU Athletics

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

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

### **19. Abuse of the Discipline System**

~~a. Failure of a student to respond to a notification to appear before an Investigator during any stage of the conduct process.~~

~~b.a.~~ Falsification, distortion, or misrepresentation of information in disciplinary proceedings.

~~e.b.~~ Disruption or interference with the orderly conduct of a disciplinary proceeding.

~~d.c.~~ Filing an allegation known to be without merit or cause.

~~e.d.~~ Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.

~~f.e.~~ Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during and/or after the disciplinary proceeding.

~~g.f.~~ Influencing or attempting to influence another person to commit an abuse of the discipline system.

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

Upon notice or receipt of potential violation(s) of the *Code of Student Conduct*, The Dean of Students or the Managing Director or designee will appoint an Investigator who will inquire, gather and review information about the reported student misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

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

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

When a Complainant is identified, but is reluctant to participate in the investigative process and/or the student conduct process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing conduct action with respect to the named Respondent, the University will proceed with the student conduct process to the extent of the information available. If the Complainant does not want the University to pursue the report in any respect, the University will investigate further only if there is reason to believe that a significant continuing threat to the campus community exists.

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

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

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

#### **a. Resources**

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

#### **b. Interim Actions**

Under the *Code of Student Conduct*, the Managing Director or designee may impose restrictions and/or separate a student from the community pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. Through an interim action or during an interim suspension, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Managing Director or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Managing Director or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an

impact as possible on the responding student. Students are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension are not sanctions. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim action may result in additional allegations of the *Code of Student Conduct*. A student who receives an interim action(s) or interim suspension may request a meeting with the Managing Director or designee to demonstrate why an interim action(s) or suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a hearing.

1. No Contact Order

When initial inquiry indicates persistent and potentially escalating conflict between members of the University community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Office of Student Conduct or Dean of Students via the student's official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order may result in additional disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension pending the completion of the conduct process. The term of a No Contact Order is "one year from the date of issuance, or the graduation of one or both parties, whichever comes first."

2. Immediate Temporary Suspension – Students

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

Upon Immediate Temporary Suspension, the student may no longer attend classes, use University services and/or resources, and is not allowed to be on campus until the conduct proceedings have been concluded or the Interim Action has been modified. Any instances whereby the student should need to return to campus must be coordinated through the Office of Student Conduct and the Texas Tech Police Department. Conduct, on or off campus that typically results in immediate temporary suspension:

- A significant and articulable threat to the health or safety of a student or other



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

### 3. Other Interim Actions

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

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

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

### 4. Non-Student Interim Actions

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

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

### 5. Withdrawal of Consent

#### a. Grounds for Removal

The Investigator or another University agent acting in accordance with his/her duties may recommend to the Dean of Students that, in accordance with the Texas Education Code, the student have his/her consent to remain on the campus withdrawn if, in the judgment of the Investigator and Dean of Students, it is determined that:

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

material threat to the orderly operation of the premises.

- If the Dean of Students concurs with the recommendation, permission for the student to be on University premises will be withdrawn. This Withdrawal of Consent will not be longer than fourteen (14) calendar days and a Hearing must be held within these fourteen (14) calendar days to determine the student's status at the University. Permission to be on University premises must be coordinated through the Dean of Students and the Texas Tech Police Department. The Dean of Students will notify all parties of the final decision using the written notification procedures outlined in Part I, section A.3 within five (5) University working days.

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

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

*NOTE: See Texas Education Code, sections 51.233-51.244*

**2. Referral Meeting**

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

**3. Voluntary Resolution**

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

**4. The Conduct Process**

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

A student will be given notice of their involvement in regard to a referral received by the University or once the University is put on notice by receipt of a "Notice of Investigation/Notice of Involvement" Letter. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with an Investigator. In the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Investigator receives an appropriate response. Failure to comply with or respond to a notice

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

b. Rights and Responsibilities

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview with the Investigator. The Student Rights and Responsibilities document informs the student of their rights to be exercised before and during the investigative process. Information gathered during the course of the Investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process.

Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student has the right to:

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

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

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

It is the student's responsibility to:

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

c. Investigation

The Managing Director or designee will appoint an Investigator who will conduct a thorough, reliable, and impartial Investigation of the reported allegation. Reported allegations of misconduct under the *Code* have varying degrees of complexity and severity. Therefore, the Investigation procedures described below may vary.

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

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

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

Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned

at the conclusion of the Investigation at which point the Investigator explains the options for resolution to the involved parties. Should students not participate in the Investigative Process, the conduct process may continue without their participation. The Investigator may assign allegation(s) to the respondent based on the information that the Investigator collected without the student's participation, if appropriate.

1. Informal Conference

If after the Investigation, the responding student accepts responsibility for the allegations of the *Code of Student Conduct* outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Conference Process, the Investigator conducting the initial inquiry/Investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Conference process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal.

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

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

2. Pre-Hearing Process

In cases involving an Administrative or Panel Hearing, the Pre-Hearing Process will be followed. Once the Investigation is complete, the involved parties will participate in the Pre-Hearing Process. During the Pre-Hearing Process, students will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or Panel Hearing. Other documents reviewed may include notification of Respondent's allegations, Hearing Panel composition, and Hearing Script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in Part I, section A.3 of a date, time, and location of the Hearing. Should students not participate in the Pre-Hearing Process, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative or Panel Hearing.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or Panel Hearing, the student should inform the Investigator immediately. If the new information is pertinent to the consideration of the case, the Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative or Panel Hearing.

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

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

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

In cases requiring a Hearing Panel, the Investigator will share the pool of faculty, staff, and students trained for Hearing Panels. Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student must provide the Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Investigator will schedule the Panel Hearing.

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

## 5. **Hearings**

Upon completion of the initial inquiry/Investigation, after the allegation(s) have been assigned, and proper notice has been given to the student, the University may proceed to conduct either an Administrative or a Panel Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative or Panel Hearing may be held and a decision made, regardless of whether the student responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student fail to attend the Administrative or Panel Hearing, the Investigator or the Hearing Panel may consider the information contained in the Investigation Report and render a decision. If the student accepts responsibility for the allegations issued in the Investigation Report the student may request a Sanction Only Hearing. Arrangements can be made for either party to participate electronically, from another room, etc., if requested in advance of the Hearing date.

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

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

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

a. Administrative Hearing

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director or designee. The Investigator or Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, as appropriate. Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Conduct Appeal Procedures outlined in Part II, section C.5.

b. Panel Hearing

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

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

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

The Panel Resource Person may:

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

- Compile the post- Hearing documentation,
- Deliver notification to student parties.

The Investigator will present the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent may make an opening statement about key points of the case. During the opening statement phase of the conduct process, the Complainant and the Respondent may not make character statements about themselves or others and may not make impact statements. Likewise, the Complainant and Respondent may make additional comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Investigator. Should new evidence be presented without prior discussion with the Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the Resource Person of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct for additional processing, as appropriate.

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

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

c. Sanction Only Hearing

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



Note: *A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.*

## 6. **Sanctions**

An Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Conference, Administrative Hearing, or Panel Hearing, when a student is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid at <http://www.depts.ttu.edu/studentconduct>. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer, or the Hearing Panel. The Investigator, Administrative Hearing Officer and/or the Hearing Panel may deviate from the grid for sufficient reason.

Note: Law students found responsible for misconduct under the University's Conduct Code and process face potentially heightened sanctions and other outcomes in that process from the University and the Law School under the Law School Heightened and Secondary Outcomes Policy. The Law School's Professional School Secondary Outcomes process is a supplement to the University's student conduct process to consider the assignment of additional outcomes for misconduct reflecting the higher professional standards that apply to law students. The Law School Heightened and Secondary Outcomes Policy is located here: [Heightened Secondary Outcomes Policy | School of Law | TTU](#).

Implementation of the disciplinary sanction(s) will begin immediately or as assigned. In limited instances such as removal from University Student Housing, Suspension, or Expulsion, a student may submit an *Intent to Appeal* to the Managing Director or designee as soon after receipt of the hearing decision as possible and prior to the deadline to appeal (3 days). The student must clearly state an intent to appeal and must include the preliminary identification of the appropriate ground(s) of which the student believes an error occurred. Upon confirmation of receipt of the intent to appeal by the Managing Director or designee, the effective date of the student's sanction(s) will be delayed pending the outcome of the appeal. However, upon the judgement of the Managing Director or designee, some cases (e.g. including but not limited to reasonable belief the student poses an active threat to at least one member of the University community) with sanctions of housing removal, suspension, or expulsion may begin prior to the completion of the conduct appeal process.

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

Both the Respondent and the Complainant (if applicable) will be simultaneously notified of the appellate officer's decision and sanctions as appropriate. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Findings and sanctions agreed upon through the Informal Conference Process are final and cannot be appealed.

All records related to the disciplinary process will remain on file in the Office of Student Conduct or University Student Housing for a minimum of seven (7) years from the date the case is completed through an Informal Conference, Administrative Hearing, or Panel Hearing and/or Conduct Appeal Procedures in Part I, section C.5. All records related to the disciplinary process resulting in suspension and/or expulsion will remain on file indefinitely.

If a student is found responsible for violating the *Code of Student Conduct*, sanctions may be

imposed and can include, but are not limited to the following:

a. Disciplinary Reprimand

The disciplinary reprimand is an official written notification using the notice procedures outlined in Part I, section A.3 to the student that the action in question was misconduct. The student remains in good disciplinary standing during this time.

b. Disciplinary Probation

Disciplinary Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions. The student is not in good disciplinary standing during this time period.

c. Time-Limited Disciplinary Suspension

Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student's academic record, including the transcript. 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. In most instances, the notation of Disciplinary Suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Managing Director or designee determines that good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Managing Director or designee may deny a student's readmission, if the student's misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any sanction that was imposed prior to application for readmission, the Managing Director or designee may recommend denial of readmission of a student. On denial of a student's readmission, the Managing Director or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

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

d. Disciplinary Expulsion

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

e. Conditions

A condition is an educational or personal element that is assigned by an Investigator, Administrative Hearing Officer, or Hearing Panel. Costs associated with conditions may be the

responsibility of the student. Some examples of conditions include, but are not limited to:

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

#### 1. 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.

#### 2. Academic Penalties

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

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

#### 3. Parental Notification

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

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

#### 7. **Conduct Appeal Procedures**

A student may appeal the finding or the sanction(s) imposed in an Administrative Hearing or Panel Hearing by submitting a written petition to the Managing Director or designee within three (3) University working days of the delivery of the written decision. If a student selects a

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

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

In cases involving alleged misconduct involving Part I, section B.1 (Academic Misconduct), the designated appeal officer is the Associate Academic Dean of the college where the student is enrolled or the Associate Academic Dean of the college housing the course or program where the violation occurred. In situations where the Associate Academic Dean participated in the Hearing as the Investigator or Instructor of Record, the designated appeal officer is the Academic Dean.

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

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

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

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

The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. The Hearing Body and/or a representative of the Hearing Body may provide a response to the appeal upon request of the appellate officer within three (3) university working days.

If the designated appeal officer determines that the sanctions imposed substantially vary from

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

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

The Office of Student Conduct shall make all reasonable efforts to simultaneously notify the parties(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days from receipt of all responses. If necessary, the Designated Appeal Officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

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

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

*NOTE: Law students found responsible under the University's Code of Conduct by the Office for Student Conduct may appeal the decision by following the guidelines for appeal set forth in the University's Code.*

*Law students issued additional outcomes—secondary sanctions, stipulations, or restrictions—by the Law School's Professionalism Outcomes Committee may appeal the additional outcomes as detailed in Law School Heightened and Secondary Outcomes Policy and located here: Heightened Secondary Outcomes Policy | School of Law | TTU*

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

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

A student who has had an administrative hold placed on their records under this section must request readmission from the Managing Director or designee at least three (3) weeks prior to any Texas Tech University Office of Admissions application deadlines for the semester or summer session in which the student wishes to re-enroll. The student may be required by the Managing Director or designee to submit evidence in writing supportive of his/her present ability to return to the University. The University will evaluate the student's request and supporting documentation with primary consideration given to satisfying all conditions specified at the time of suspension or withdrawal. If approval is granted by the Managing Director for the Office of Student Conduct or designee for the removal of the administrative hold, the student must then

complete the regular University readmission procedures.

## **SECTION D: SEXUAL MISCONDUCT PROCEDURES FOR STUDENTS**

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. Texas Tech prohibits discrimination based on sex (which includes pregnancy, sexual orientation, gender identity, and gender expression), and other types of Sexual Misconduct. Sexual Misconduct includes Title IX Sexual Misconduct, 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. Any acts that fall within the scope of this policy hereinafter are referred to as Sexual Misconduct. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

This section provides information regarding the University's prevention and education efforts related to sex discrimination and Sexual Misconduct. This policy, in conjunction with [TTU OP 40.03 and Texas Tech University System Regulation 07.06](#), provides students with their rights and options and also explains how the University will proceed once it is made aware of allegations of prohibited conduct in keeping with the University's values and in order to meet the legal obligations of Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Clery Act, Texas Education Code, 34 CFR Part 106, and other applicable law. [Any conflict among the policies set forth in this Handbook, OP 40.03, and System Regulation 07.06 shall be resolved by System Regulation 07.06.](#)

These policies apply to all University students. The University will respond to any Sexual Misconduct and restore or preserve equal access to the University's Education Programs or Activities, as appropriate.

All investigations and procedures will be conducted in a reasonably prompt timeframe of 120 business days, and in an equitable and impartial manner. Investigations conducted under this policy are not criminal investigations. For all complaints under this policy, the burden of proof shall be a preponderance of the evidence, which means more likely than not.

The University expects all members of the University Community to comply with applicable laws, System Regulations, and University policies. Members of the University Community who violate these policies and laws may be subject to disciplinary action or sanctions, up to and including termination of employment, expulsion from the University, or being barred from University premises and events.

In accordance with federal and state laws, the University has adopted two distinct policies and



procedures for responding to reports of Sexual Misconduct. The applicable policy is based on the nature, context, and location of the alleged conduct. Title IX Sexual Misconduct is addressed in accordance with [System Regulation 07.06.A](#), and Non-Title IX Sexual Misconduct is addressed in accordance with [System Regulation 07.06.B](#). The Title IX Coordinator or designee will assume responsibility for determining which policy should be utilized to address a report of [Sexual of Sexual Misconduct](#) and will coordinate the appropriate processes. The following [flowchart](#) will be utilized to assist the Title IX Coordinator in determining what policy will apply to the alleged misconduct.

## 1. **Definitions**

For purposes of this policy, the definitions below apply. However, some of these terms are also defined under state law. If a person would like to file criminal charges for any alleged violations of criminal law, the definitions as set forth in state law may apply.

- a. **Actual Knowledge** - Notice of Title IX Sexual Misconduct or allegations thereof to the University's Title IX Coordinator or Deputy Coordinators.
- b. **Complainant** – An individual who was alleged to be the victim of conduct that could constitute Sexual Misconduct.
- c. **Consent** – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.
  - i. Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity.
  - ii. Before engaging in any type of sexual activity, it is the initiator's responsibility to obtain their partner's consent, either verbally or non-verbally. Silence cannot be assumed to express consent and saying "NO" is not the only way a sexual partner may communicate lack of consent. A partner may use non-verbal cues to indicate their lack of consent for any sexual activity. Some examples of non-verbal communication that demonstrate lack of consent include:
    - Resistance: pushing hands away, pulling away from partner
    - Body going limp or freezing up
    - Crying
    - Wincing
  - iii. Other points regarding consent:
    1. A person is not required to actively resist their aggressor.
    2. A person's intentional use of alcohol/drugs neither negates nor diminishes the initiator's responsibility to acquire consent before engaging in sexual activity.
    3. Consent has an expiration date. Consent on Thursday does not mean consent on Friday.
    4. A prior existing sexual relationship between consenting adults does

not imply future consent to engage in sexual activities. This is true even in marriage or other long-term sexual relationships.

5. A person CANNOT consent to sexual activity when they are incapacitated. Engaging in sexual activity with someone you know or reasonably should know is incapacitated is a violation of this policy. The question of what the Respondent should have known is objectively based on what a reasonable person would have known about the condition of the Complainant.
  6. **Revocation of Consent**- One partner can revoke their consent at any time. Revocation must be clearly communicated verbally and/or non-verbally. Once a partner has revoked consent, the sexual activity must stop. If sexual activity continues after the other partner has revoked their consent, a sexual assault has occurred.
- d. **Education Program or Activity**- Includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Title IX Sexual Misconduct allegedly occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
  - e. **Employee** – Any person who receives a W-2 or 1042-S from the University, including full- and part-time faculty, staff, and students. An employee is working in the course and scope of their employment if the Employee is performing duties in the furtherance of the University’s interests.
  - f. **Formal Complaint**- Document filed by a Complainant or signed by the University’s Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct.
  - g. **Grievance Process**- The process of addressing Formal Complaints of Sexual Misconduct before the imposition of any disciplinary or other actions that are not Supportive Measures against a Respondent.
  - h. **Incapacitation** – A state of being that prevents an individual from having capacity to give consent. Incapacitation includes, but is not limited to:
    - Age: A minor cannot consent to engage in sexual activity. In Texas, the legal age of consent is 17.
    - Intellectual or other Disability: A person with a mental disorder or other cognitive issue which prohibits them from making an informed decision lacks capacity to consent to engage in sexual activity.
    - Physical Incapacitation: A person who is asleep, unconscious, and/or intoxicated to the point of no longer understanding or controlling their actions cannot consent to engage in sexual activity.
  - i. **Informal Resolution**- An alternative to the Grievance Process that may be offered and facilitated by the University following the filing of a Formal Complaint and upon the voluntary, written consent of the parties
  - j. **Investigative Report**- A report that summarizes the relevant evidence based upon the completion of an Investigation conducted under the Grievance Process.

- k. **Public Indecency** – Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to:
- Exposing one’s genitals or private areas;
  - Public urination;
  - Defecation; and/or
  - Public sex acts.
- l. **Reporting Party** – A person or entity (in the case of the University), other than the Complainant, who reports an alleged violation of this policy.
- m. **Respondent**- An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.
- n. **Sex Discrimination** – An act that deprives a member of the University Community of their rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits, or opportunities with the university on the basis of the person’s sex.
- o. **Non-Title IX Sexual Misconduct**
- **Interpersonal Violence** – For purposes of this policy, Interpersonal Violence is:
    - **Domestic or Family Violence** – Abuse or violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person with whom the Complainant is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant 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.
    - **Dating Violence** – Abuse or violence, or a threat of abuse or violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship. This definition does not include acts covered under Domestic or ~~Family Violence~~ [Family Violence](#).
  - **Sexual Assault** – Sexual contact or intercourse with a person without the person’s consent, including sexual contact or intercourse against the person’s will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. Sexual Assault includes:
    - **Nonconsensual 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
  - **Nonconsensual Sexual Intercourse** – Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal. This can include intentional removal of a condom or other protective measure during intercourse without the consent of the partner.
  - **Sexual Exploitation** – Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:
    - Purposeful recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person’s full knowledge or consent;
    - Sexual voyeurism;
    - Inducing another to expose one’s genitals or private areas;
    - Prostituting another; or
    - Knowingly exposing someone to or transmitting a sexually transmitted disease without the party’s full knowledge and consent.
  - **Sexual Harassment** – Means unwelcome, sex-based verbal or physical conduct that in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to [participate in](#) or benefit from educational programs or activities.
  - **Stalking** – A course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s 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. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling
- p. **Sexual Misconduct** – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and other misconduct based on sex.
- q. **Supportive Measures**- Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.
- r. **Title IX Sexual Misconduct**- Conduct that allegedly occurred against a person in the United States, in a University’s Education Program or Activity, on the basis of sex, and that satisfies

one or more of the following:

Sexual Harassment that is:

1. *Quid Pro Quo*. A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
  2. *Severe, Pervasive, and Objectively Offensive Conduct*. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity. Without limiting the foregoing, the following types of conduct are deemed to meet this severe, pervasive, and objectively offensive standard:
    - "Sexual Assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v);
    - "Dating Violence" as defined<sup>5</sup> in 34 U.S.C. 12291(a)(10)
    - "Domestic Violence" as defined in 34 U.S.C. 12291(a)(8) or
    - "Stalking" as defined in 34 U.S.C. 12291(a)(30).
- s. **University Community** – All faculty, staff, and students of and visitors to any University premises or University-affiliated activity.

## **2. Title IX Staff**

The Office for Student Civil Rights & Sexual Misconduct (SCRSM) will investigate complaints of Sexual Misconduct by or between students. (*Please note, some campus partners refer to SCRSM as "the Title IX Office."*) The Texas Tech University System Office of Equal Opportunity (Office of EO) will be the primary Investigators for complaints of Sexual Misconduct by or between employees.

SCRSM staff includes the Title IX Coordinator, Assistant Title IX Coordinator/ Case Manager, Title IX Training and Outreach Coordinator, Investigators, CARE (Campus Advocacy, Response and Education) Coordinators, and a Business Assistant. Information provided to SCRSM is considered private and is only shared with other campus officials in the event of an emergency, or an educational need to know. Reports are only shared with law enforcement with the express consent of the student involved, or through a lawfully issued subpoena.

- a. Title IX Coordinator- A trained University staff member who oversees the University's compliance with Title IX and other applicable state/federal laws. The University has also designated Title IX Deputy Coordinators, and Title IX Liaisons for students, athletics, academic affairs and employees.
- b. Case Manager/Title IX Deputy Coordinator- A trained University staff member whose role is to respond to all Sexual Misconduct reports. The Case Manager conducts Intake meetings with the Complainant and Respondent, coordinates all Supportive Measures and remedies for students involved in Sexual Misconduct cases, and assists students with

anonymous reporting. The Case Manager oversees the University's compliance in offering assistance to involved parties.

- c. Title IX Training and Outreach Coordinator- A trained University staff ~~member~~member who oversees training and outreach activities for the campus community. The Title IX Training and Outreach Coordinator also serves as the Hearing Coordinator and a member of the Case Management Team.
- d. Investigator- A trained University staff member whose role is to conduct a thorough, reliable, and equitable investigation and compile the information gathered into an Investigation Report. Investigators may facilitate Informal Resolutions when requested by the parties involved in the case. In cases heard by a Hearing Panel, the Investigator will present the information and evidence obtained through the Investigation to the Panel. Investigators are assigned to cases by the Title IX Coordinator or Deputy Title IX Coordinator.
- e. CARE Coordinators- CARE Coordinators are graduate students who, in conjunction with the Case Manager, connect students with resources after a referral is made to SCRSM. They serve as a student's primary point of contact. CARE Coordinators are trained to work with both Complainants and Respondents, but each Coordinator will only work with one party in a case. CARE Coordinators review and clarify process and policies, reporting options and available resources; attend meetings as a support person; review documents and materials from the investigation, report, Hearing, decision letters and sanctioning as requested; and provide general support and a safe listening space. CARE Coordinators can assist students in filing anonymous reports but are not a confidential resource. CARE Coordinators do not provide legal guidance or serve as Title IX Advisors.
- e. SCRSM Business Assistant- A staff member who assists with day to day operations of the office.

### **3. Sexual Misconduct Allegations**

The following constitute allegations that may be assigned under the Title IX and Non-Title IX Sexual Misconduct Policy.

#### **1. Title IX Sexual Misconduct**

Conduct that allegedly occurred against a person in the United States, in the University's Education Program or Activity, on the basis of sex, and that satisfies one or more of the following:

- a. Sexual Harassment-
  1. *Quid Pro Quo*. A University Employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.
  2. Severe, Pervasive, and Objectively Offensive Conduct. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity. The following incidents are deemed to meet the Severe, Pervasive, and Objectively Offensive standard:
    - Sexual Assault- An offense classified as a forcible or nonforcible sex

offense.

- Forcible sex offense- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, including Rape, Sodomy (oral or anal sexual intercourse), Sexual Assault with an Object, and Fondling.
- Nonforcible sex offense- Unlawful, nonforcible sexual intercourse including incest and statutory rape.

*Note: (For complete definitions of forcible and nonforcible sex offenses, please see [System Regulation 07.06.A](#))*

- Dating Violence- Violence committed by a person who is or has been in a social relationship of a romantic nature with the victim, and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relations, and the frequency of interaction between the persons involved in the relationship.
- Domestic Violence- Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person cohabitation with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the laws of the jurisdiction, 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 jurisdiction.
- Stalking- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

## 2. Non-Title IX Sexual Misconduct

a. Intimate Partner / Relationship Violence/Dating Violence For the purposes of this policy, Interpersonal Violence is:

1. Domestic or family violence is abuse or violence committed by a (1) current or former spouse or intimate partner of the Complainant, (2) person with whom the Complainant shares a child in common, (3) person who is cohabitating (or has cohabited) with the Complainant as a spouse or intimate partner, (4) person similarly situated to a spouse of the Complainant under state/local law, or (5) any other person against an adult or youth who is protected by that person's acts under the state/local domestic or family violence laws.
2. Dating violence is abuse or violence, or a threat of abuse or violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the person's involved in the relationship. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate

relationship. This definition does not include acts covered under Domestic or Family Violence.

3. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the Complainant'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. 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. Sexual Contact includes:
    1. Intentional contact with the breasts, buttock, groin, or genitals;
    2. Touching another with any of these body parts;
    3. Making another touch you or themselves with or on any of these body parts; or
    4. Any other intentional bodily contact in a sexual manner.
  - c. Nonconsensual Sexual Intercourse - Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal. This can include intentional removal of a condom or other protective measure during intercourse without the consent of the partner.
  - d. 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.
  - e. 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:
    1. Photography or video recording of another person in a sexual, intimate, or private act without that person's full knowledge and consent;
    2. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge and consent;
    3. Sexual voyeurism;
    4. Inducing another to expose one's genitals or private areas;
    5. Prostituting another student;
    6. Knowingly exposing someone to or transmitting a sexually transmitted infection without the party's full knowledge and consent.
  - f. Sexual Harassment - Unwelcome sex-based verbal, written, or physical conduct when:
    - (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
    - (2) Submission to or rejection of such conduct is used as a basis for decisions affecting employment or education; or
    - (3) Such conduct has the purpose or effect of interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive working or educational environment. To constitute an intimidating, hostile, or offensive working or educational environment, the complained of conduct must be either severe, persistent, or pervasive.



- g. Stalking - A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or would cause that person to suffer substantial emotional distress.

- 1.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.

- 2.. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### **3. Complicity or Knowingly Present**

- a. Assisting via acts or omissions another student, individual, or group in committing or attempting to commit a violation of the Code of Student Conduct.
- b. Complicity with or failure of any organized group to address known or obvious violations of the Code of Student Conduct by its members.
- c. Any person who is knowingly present for the commission of a violation of the Code of Student Conduct and does not take steps to remove themselves from the location of the violation.

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

### **5. Failure to Comply**

- a. Failure to comply with reasonable directives of a University official acting in the performance of their duties.
- b. Failure to present student identification on directive or identify oneself to any University official acting in the performance of their duties.
- c. Any intentional, retaliatory, or adverse action taken by a Respondent, individual, or third party, absent legitimate nondiscriminatory purposes, against a party or supporter of a party to a Misconduct or Sexual Misconduct proceeding or other protected activity under this Code of Student Conduct.
- d. Failure to comply with the sanctions imposed by the University under the Code of Student Conduct or the Student Handbook.

### **6. Retaliatory Discrimination or Harassment**

- a. Any intentional, adverse action taken by an individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a conduct process, civil rights grievance proceeding, or other protected activity.

## **4. Reporting Sexual Misconduct**

All employees, including student employees, who in the course and scope of employment witness or receive information regarding a possible incident of sexual harassment, sexual assault, dating violence, or stalking against a student, employee, or visitor to the institution shall promptly report the incident to the Title IX Coordinator or Deputy Coordinators. While not required, students are strongly encouraged to report any incident of Sexual Misconduct to

the University, including incidents in which the student was a victim.

Students may also report incidents of Sexual Misconduct to law enforcement, including University and local police. Complainants may choose to notify law enforcement and will be provided the assistance of the Title IX Coordinator, Case Manager, CARE Coordinator, or Investigator in contacting these authorities if the individual wishes. Parties may also choose not to notify law enforcement of incidents of Sexual Misconduct. A student who experiences sexual or dating violence is encouraged to seek medical care for treatment and preservation of evidence, if applicable, as soon as possible after the incident. Preserving DNA evidence can be key to a sexual violence case. Students can undergo a sexual assault forensic exam (SAFE) performed by a sexual assault nurse examiner (SANE) to preserve physical evidence with *or without* police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, a SANE may still collect evidence up to 4 days following a sexual assault. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation. To undergo a SAFE, go to University Medical Center or Covenant Hospital.

Anyone who experiences any form of Sexual Misconduct should also preserve other evidence relevant to the incident reported, such as items of clothing, photographs, phone records, text messages, social media activity, computer records, and other documents.

### *Making a Report*

At Texas Tech, students can make a report in a variety of ways. Reports are private, and will not be shared with law enforcement, other students, faculty, non-SCRSM staff or parent/family members without express consent.

- Filing an incident report (a report that is not a Formal Complaint) allows the institution to provide Supportive Measures to all Parties and does not necessarily result in the initiation of a Grievance Process. Students who report incidents involving themselves will be offered individualized Supportive Measures.
- Filing an incident report online: A report can be made by visiting the online reporting form via the University Title IX & Sexual Misconduct website ([http://www.depts.ttu.edu/titleix/students/Report\\_an\\_Incident.php](http://www.depts.ttu.edu/titleix/students/Report_an_Incident.php)). This report can also be completed anonymously. Please note that reporting anonymously may limit the university's ability to stop the alleged conduct, collect evidence or initiate the Grievance Process.
- Contacting a SCRSM staff member directly: Meet with a staff member in person, speak over the phone, or communicate via email. Staff members can answer questions about the policies/procedures and describe options available to students.
  - Title IX Coordinator- Dr. Kimberly Simón; Student Union Building 232, 806.834.1949, [kimberly.simon@ttu.edu](mailto:kimberly.simon@ttu.edu) or [titleix@ttu.edu](mailto:titleix@ttu.edu)
  - Case Manager- Meredith Holden; Student Union Building Room 232; 806.834.5556, [meredith.holden@ttu.edu](mailto:meredith.holden@ttu.edu)

- CARE Coordinators- Student Union Building Room 232; 806.742.7233
- Complete a report via mail: Reports of incidents of Sexual Misconduct may be mailed to Kimberly Simón, Box 42031, Lubbock, TX 79409.
- Make an anonymous report: Staff members are available to assist a student in making an anonymous report. Anonymous reports can help put a student in touch with resources even if they are not sure they would like to proceed with formal reporting and investigation procedures. Anonymous reports can be made through the Case Manager and CARE Coordinators in SCRSM. These staff members can be reached by calling 806.742.7233 or visiting the Student Union Building, Suite 232.
- Make a confidential report: Students may make a confidential report to licensed clinical and/or mental health professionals acting in their professional roles. These employees are encouraged to provide their students with information and guidance regarding University reporting options and available resources but will not report or otherwise refer incidents to SCRSM without the student's express permission. Confidential reports may be made to the Student Counseling Center, the Family Therapy Clinic, the Psychology Clinic, and Student Health Services on campus. Students can make confidential reports off campus to Voice of Hope, and other licensed clinical and mental health providers.

While there is no deadline to file a report, to promote timely and effective review, the University strongly encourages individuals who believe they have experienced Sexual Misconduct to come forward promptly with their complaints and to seek assistance from the University. Delays in reporting can greatly limit the University's ability to stop the Sexual Misconduct, collect evidence, and/or take effective action against individuals or organizations accused of violating the policy.

*NOTE: if a Respondent has left campus, either by withdrawing or graduating, prior to a report being **filed**, the University's ability to investigate and/or adjudicate may be limited.*

## **5. Supportive Measures**

The University may take immediate action to eliminate hostile environments and address any effects on the Complainant and community prior to the initiation of any Investigation and/or formal Grievance Process. These measures will be taken to minimize the burden on the Complainant while respecting the due process rights of the Respondent. Supportive Measures for involved students may include, but are not limited to, counseling services, medical assistance, modifications to on-campus housing, modifications to parking permissions, academic support referrals, modifications to academic or work situations, instituting a No Contact Order between the parties in a complaint, and reporting criminal behavior to the Texas Tech Police Department, Lubbock Police Department, or other local law enforcement agency. Additionally, the University may pursue Emergency Removal, altering the University status of the Respondent. Other Supportive Measures may be implemented and will be evaluated on a case-by-case basis. Supportive Measures may be kept in place through the

conclusion of any review, Investigation, resolution, or Appeal process. Supportive Measures can be implemented regardless of whether or not the Complainant pursues a Formal Complaint or criminal action. SCRSM is available to help students understand the Grievance Process and identify resources.

Supportive Measures may be implemented after a determination of responsibility in Grievance Proceedings to restore and preserve equal educational opportunities to the Complainant.

Complainants and Respondents who are the subjects of a reported incident of Sexual Misconduct (sexual harassment, sexual assault, dating violence, or stalking) will be allowed to drop a course in which they are both enrolled without any academic penalty.

#### *No Contact Order*

When initial inquiry indicates persistent and potentially escalating conflict between members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by SCRSM via the student's official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Case Manager or Investigator. 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 may result in disciplinary action, including possible suspension or expulsion. Violations of No Contact Orders may also result in Emergency Removal pending the completion of a Grievance Process. The term of a No Contact Order is one year from the date of issuance, or the graduation of one or both parties, whichever comes first.

**SCRSM staff will make all reasonable efforts to communicate directly with students prior to the issuance of a No Contact Order. A No Contact Order will not be issued in incidents involving a Complainant or Respondent who is not a student at the University.**

#### *Emergency Removal*

The University shall conduct an individualized safety and risk analysis to determine if an individual poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct that justifies removal. Where the University finds that a Respondent poses an immediate threat to the physical health or safety of any student or individual, the University may remove the Respondent prior to the conclusion of the Grievance Process to protect the safety of the University Community where an immediate threat exists. The University shall provide the Respondent with notice and an

opportunity to challenge the decision in writing to the Title IX Coordinator immediately following the removal. The University maintains discretion in altering and removing terms of the Emergency Removal.

Through an Emergency Removal, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Title IX Coordinator or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Title IX Coordinator or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

Students are informed of the Emergency Removal by the official notice procedures outlined in this section. Emergency Removal is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Emergency Removal is preliminary in nature; it is in effect only until the Grievance Process has been completed. However, violations of Emergency Removal may result in additional allegations of the *Code of Student Conduct*. A student who receives an Emergency Removal may request a meeting with the Vice Provost of Student Affairs or designee to challenge an Emergency Removal.

Regardless of the outcome of this meeting, the University may still proceed with an Investigation and adjudication.

The Title IX Coordinator or designee will initiate the appropriate Grievance Process to address the disruptive behavior within three (3) University working days from the date of Emergency Removal. Initiation of the appropriate Grievance Process includes but is not limited to informing parties that an investigation has begun via a “Notice of Formal Complaint” letter.

#### *Non-Student Supportive Measures*

SCRSM, in conjunction with the Texas Tech Police Department, may issue a Criminal Trespass to any individual(s) or guest of the University whose presence could significantly disrupt the normal operations of the University, or who is alleged to have violated University policies and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members of the University Community.

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

### **6. Rights and Responsibilities**

Prior to participating in the Grievance Process, a student will be provided a [Student Rights and Responsibilities document](#). This document will be reviewed and acknowledged by the student prior to an interview with the Investigator. The Student Rights and Responsibilities document informs the student of their rights to be exercised before and during the

## Grievance Process.

Subject to applicable law, information gathered by the University during the course of the Investigation and Grievance Process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the Grievance Process.

Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

Involved parties have the right to, and are encouraged to, be accompanied by an advisor of their choice during all meetings, proceedings, and/or disciplinary Hearings at which the individual is present. CARE Coordinators may also attend any meeting or Hearing in addition to the student's advisor.

A student has the right to:

1. A reasonably prompt, fair, and equitable process. The process for addressing a Formal Complaint under the Grievance Process will be concluded within the reasonably prompt timeframe of 120 business days. There may be certain circumstances that allow for limited extensions of this timeframe for good cause. For such extensions of time or delays, there must be written notice to both the Complainant and Respondent of the delay/extension and the reason for the action;
2. A presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process;
3. File a Formal Complaint to begin the Grievance Process;
4. Be accompanied by an advisor to any meeting or Hearing.
5. Refrain from making any statement relevant to the Investigation. Students are expected to cooperate with the University Grievance Process but may elect not to participate in the Investigation process, either in part or entirely. If a student fails or refuses to provide information during the Investigation, they will not be allowed to present new information during the Hearing. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigative process for the purpose of disadvantaging the other party.  
*NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.*
6. The opportunity to provide information and evidence in support of their case;
7. Receive a written copy of the Notice of Formal Complaint relevant to their case, and have adequate time to prepare for interviews;
8. Access and utilize Supportive Measures whether or not a Formal Complaint is filed;
9. Know the range of sanctions that may be imposed for a Code of Student Conduct violation;
10. Know the Texas Tech University Grievance Process, where to find it, and have SCRSM staff answer any questions;
11. Know that any information provided by the student may be used in a Grievance

Process; and

12. Know that if a student makes any false or misleading statements during the Grievance Process, that student could be subject to disciplinary action.

It is the student's responsibility to:

1. Be responsive to all correspondence from the University;
2. Provide information they wish to be included that is relevant to the incident or situation. The Investigator will not accept investigative materials, statements, evidence, directly from an advisor of choice and will not communicate with the advisor of choice on behalf of a student;
3. Present their own information throughout the Grievance Process. Advisors are not permitted to participate directly unless authorized by a University Official;
4. Be honest and provide true and accurate information during the Grievance Process; and
5. Review the Code of Student Conduct in order to fully understand all aspects of the Grievance Process.

### *Advisors*

All students involved in the Grievance Process have the right to be accompanied by one advisor of choice to any meeting or Hearing. The Advisor must sign, and adhere to, the Advisor Expectation document. An advisor may be, but is not required to be, an attorney. If an advisor for a student is an attorney, an attorney from the Office of General Counsel may attend any meeting or Hearing.

In Non-Title IX Sexual Misconduct cases, a witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who are currently separated from the University as the result of a disciplinary process may be excluded from serving as an advisor. In Non-Title IX Sexual Misconduct Hearings, the role of the advisor will be limited to advising only and will not be allowed to actively participate in the Hearing.

In Title IX Sexual Misconduct Cases, each Complainant and Respondent must have an advisor present at the Hearing, and each is entitled to select an advisor of their choice. Each party must inform the University at least ten (10) days prior to the Hearing whether the party intends to select and bring an advisor of their choice to the Hearing. If a Complainant or Respondent does not have an advisor of their choice present at the Hearing, the University will provide without fee or charge to that party, an advisor of the University's choice. Advisors appointed or provided by the University shall act only in a capacity as an advisor for the Title IX Grievance Process and not in a capacity as legal counsel for any party. The advisors' only permissible roles at the Hearing are to advise the party and to conduct cross-examination on behalf of that party.

## **7. Amnesty**

The University will not take any disciplinary action against a student who in good faith reports being the victim of, or witness to, an incident of Sexual Misconduct for a violation of the *Code of Student Conduct* occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the Grievance Process regarding the incident.

Amnesty will be extended to the Complainant, Respondent, and witnesses who provide statements during an investigation and disclose their own personal drug or alcohol use. Amnesty will not be extended in situations where substances were used to facilitate sexual misconduct. Abuse of amnesty provisions can result in a violation of the *Code of Student Conduct*. The *Code of Student Conduct* amnesty provisions do not influence criminal proceedings or charges.

The University may provide educational options to students to address any concerning behavior as part of the afforded amnesty or in lieu of conduct proceedings. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling, alcohol assessments, and other requirements.

SCRSM may assist with questions related to amnesty provisions, and the final determination regarding amnesty in all Sexual Misconduct cases will be made by the Title IX Coordinator or designee.

## **8. Responding to Incident Reports**

Upon notice or receipt of an incident report regarding Sexual Misconduct or gender-based harassment/discrimination, the Case Manager or designee will contact the named Complainant via their official TTU email and request a meeting to gather and review information about the nature of the report, and to review Supportive Measures and the Grievance Process. When health and safety are potentially at risk, the Case Manager may call the student on the phone number listed in their student record. In the event that the Complainant does not respond to communication, the Case Manager will send a second email communication. Complainants are not required to respond or participate in any meetings with the SCRSM staff.

### *Intake*

Once a Complainant has made contact with the office, the Case Manager or designee will schedule an Intake Meeting with the Complainant. During this Intake, the Case Manager or designee will collect any additional demographic information, review this policy and the available options, and facilitate any requested Supportive Measures. If the Complainant does not return contact or requests to not meet with the SCRSM staff, the case may be closed. If the Complainant requests only Supportive Measures, the Case Manager contacts the appropriate campus parties to address the needs, and then the case may be closed. If a Complainant wishes to make a statement or file a Formal Complaint (pursue an Investigation), the Case Manager or



Title IX Coordinator will appoint an Investigator.

When a Complainant is identified but is reluctant to file a Formal Complaint and/or the Grievance Process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the Grievance Process but has no aversion to the University pursuing action with respect to the named Respondent, the institution may investigate the incident in the same manner that an anonymous complaint may be investigated. If the Complainant does not want the University to pursue the report in any respect, the University may investigate further if Title IX Coordinator determines there is reason to believe that a significant continuing threat to the campus community exists. In determining whether to investigate the incident, the institution shall consider the seriousness of the alleged incident, whether the University has received other reports of incidents committed by the alleged perpetrator(s), whether the alleged incident poses a risk of harm to others, and any other factor the institution deems relevant. If the University decides not to investigate the incident, the University shall take any steps deemed necessary to protect the health and safety of the University Community in relation to the incident. SCRSM will attempt to inform the Complainant of the decision to investigate, or not investigate, the reported incident.

When an initial report of misconduct by a third party does not identify the involved parties or the involved parties are not available, SCRSM will attempt to identify the unknown parties.

*NOTE: While in most cases of Sexual Misconduct the University will not move forward without a Formal Complaint signed by the Complainant, the Title IX Coordinator or designee may proceed with the Grievance Process on a case-by-case basis if the alleged behavior involves pattern, predation, threat, or violence (PPTV) that may significantly impact the University Community.*

#### *Filing a Formal Complaint*

A Formal Complaint is a document signed by a Complainant or the Title IX Coordinator alleging Sexual Misconduct against a Respondent requesting that the University investigate the allegation(s) of Sexual Misconduct. While incidents may be reported by any third party, only the Complainant or Title IX Coordinator may initiate the Grievance Procedure through the Formal Complaint. A Formal Complaint is also required for any individuals wishing to pursue an Informal Resolution.

When a Formal Complaint is filed, SCRSM provides written notice to the Respondent with three (3) business days for the Respondent to prepare a response before an initial interview. The Notice of Formal Complaint includes information about the Grievance Process, the Informal Resolution Process, the allegations and any details known at the time (such as the name of the Complainant, location, date, and time of the alleged incident(s)), and the specific section(s) of the *Code of Student Conduct* the Respondent is alleged to have violated. The Complainant also receives a copy of the Notice of Formal Complaint.

### *Review of Formal Complaints*

When a Formal Complaint is received, SCRSM will evaluate jurisdiction and mandatory and discretionary dismissal described below, assess appropriate Supportive Measures for both parties, evaluate the need for Emergency Removal, and initiate the Grievance Process.

- a. Mandatory Dismissal- SCRSM shall dismiss a Formal Complaint in the following situations:
  - i. For Title IX Sexual Misconduct
    - i. The allegation does not describe conduct that would constitute Title IX Sexual Misconduct as defined, even if proven;
    - ii. The Title IX Sexual Misconduct did not occur in the University's Education Program or Activity; or
    - iii. The Title IX Sexual Misconduct did not occur against a person in the United States.
  - ii. For Non-Title IX Sexual Misconduct
    - i. The allegation describes conduct that would not constitute Non-Title IX Sexual Misconduct as defined, even if proven.
    - ii. The Respondent is not a member of the University Community
- b. Permissive Dismissal- SCRSM may dismiss a Formal Complaint in the following situations:
  - i. The Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or some allegations in the Formal Complaint;
  - ii. The Respondent is no longer enrolled in or employed by the University; or
  - iii. Circumstances exist that prevent the University from gathering sufficient evidence to reach a determination as to the Formal Complaint or the allegations.
- c. Application of Other Policies Upon Dismissal- If SCRSM dismisses a Formal Complaint or any of the allegations in the Complaint, the office must promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the Complainant and Respondent. Dismissal of a Title IX Sexual Misconduct Formal Complaint does not preclude action under other policies, such as Non-Title IX Sexual Misconduct or the *Code of Student Conduct*.
- d. Appeal of Dismissal Decision- Any party can appeal the dismissal decision following the criteria and procedures listed below under Section D.10 - *Appeals*.
- e. Right to Consolidate Complaints- The University may consolidate Formal Complaints as to allegations of Title IX Sexual Misconduct: (1) against more than one Respondent, (2) by more than one Complainant against one or more Respondents, or (3) by one party against the other party, where the allegations of Title IX Sexual Misconduct arise out of the same facts or circumstances.

### *Withdrawal During a Formal Complaint*

In accordance with state law, if a student withdraws or graduates from the University pending a Formal Complaint alleging the student violated the *Code of Student Conduct* by committing sexual harassment, sexual assault, dating violence, or stalking, the institution:

- (1) May not end the disciplinary process or issue a transcript to the student until the institution makes a final determination of responsibility; and

- (2) Shall expedite the institution's disciplinary process as necessary to accommodate both the Respondent's and Complainant's interest in a speedy resolution.
- (3) On request from another institution, the University shall provide to the requesting institution information relating to a determination that a student enrolled violated the institution's *Code of Student Conduct* by committing sexual harassment, sexual assault, dating violence, or stalking.

After a Formal Complaint has been filed and an Investigator has been appointed, the Investigator will inquire, gather and review information about the reported misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

If it is determined that the information reported, even if factually correct, does not meet the criteria of a policy violation, an allegation will not be issued and the complaint will be dismissed. However, the Title IX Coordinator may determine that a Policy Clarification and/or Referral Meeting is warranted, which may result in a Policy Clarification being issued to involved parties to clarify the policy in question. A Policy Clarification is not considered a Sanction.

#### *General Requirements of the Grievance Process*

- (1) **Equitable Treatment of Parties:** The University shall treat Complainants and Respondents equitably by: (a) offering Supportive Measures, (b) providing remedies to a Complainant where a determination regarding responsibility for Title IX Sexual Misconduct has been made against the Respondent, (c) executing the Grievance Process in compliance with this Section before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against the Respondent; and (d) providing the parties with the same opportunities to have others present during any proceeding under the Grievance Process, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.
- (2) **No Conflicts of Interest:** The Grievance Process requires the Title IX Coordinator, Investigator, Hearing Panel members, appeal officers, and facilitators of an Informal Resolution process be free of conflicts of interest or bias against a party.
- (3) **Presumption of Non-Responsibility; Standard of Evidence.** There will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process. The standard of evidence under the Grievance Process shall be a preponderance of the evidence.
- (4) **Objectivity:** Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness. The University shall require an objective evaluation of all relevant evidence, both inculpatory and exculpatory.
- (5) **Privileged Information:** The University, Complainant, Respondent, Title IX Coordinator, Investigator, Hearing Panel members, or facilitators of an Informal

Resolution process cannot require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege and the University has obtained that party's voluntary, written consent to do so for the Grievance Process under this regulation. Such privileged documents include, among other things, documents that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party.

### **9. Title IX Sexual Misconduct Grievance Process**

This section applies exclusively to Title IX Sexual Misconduct. Any other form of Sexual Misconduct is governed by section 10 below.

#### *Notices:*

University will provide notices as required, including but not limited to:

- (1) Notice of Formal Complaint: The University shall provide written notice to Complainant and Respondent upon receipt of a Formal Complaint with sufficient details known at the time and with sufficient time to prepare a response before an initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX Sexual Misconduct, and the date and location of the alleged incident, if known. Such notice shall also include notice of the following: (a) this Grievance Process, including the University's Informal Resolution process; (b) that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Grievance Process; (c) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; (d) that the parties may inspect and review evidence; and (e) any applicable provision in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Grievance Process.
- (2) Non-response to Formal Complaint: In the event that a student fails to respond to the Notice of Formal Complaint, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold may remain until such time as the Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of a Grievance Procedure and/or failure to appear will not prevent an Investigator from proceeding with the Grievance Process.
- (3) Notice of Additional Allegations: If additional allegations are later included within the scope of the investigation under this Grievance Process, supplemental notice of such allegations shall be provided at that time.
- (4) Notice to All Parties of Hearings, Interviews, or Meetings. The University shall

provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all Hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

- (5) Written Notice Via University Email. Any person entitled to written notice under this regulation will receive such notice to their University email address. In the event a person is entitled to notice who does not have a University email address, written notice will instead be provided to an email address provided by such person.

#### *Investigation of Formal Complaint*

When initial inquiry indicates a concurrent police Investigation is occurring, the Investigator will, where possible, collaborate with the Texas Tech Police Department during the Investigation. Elements of this collaborative Investigation may include the Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Investigator may not have access to evidence provided to or in possession of the Texas Tech Police Department. Students involved in the Grievance Process should provide to the Investigator any evidence they wish to be included in the Investigative report.

During the Investigation, the burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility is on the University and not on the parties. Complainants and Respondents are encouraged to present witnesses and evidence, including fact and expert witnesses, and other inculpatory and exculpatory evidence that they believe should be considered. The University has the right to exclude any purported expert witness who intends to present non-relevant evidence from participation in the Grievance Process. The University retains the discretion to determine whether the content presented by an expert witness falls within the scope of their expertise, the relevance of that content to the Investigation, and whether or not the witness is in fact an expert in the field. Investigators cannot compel witnesses to cooperate with the Investigation process and do not have subpoena powers which could be used to collect evidence. The University will make all reasonable efforts to obtain relevant information such as surveillance video footage, University card swipe access and other information that may be available to the Institution. The University cannot obtain information that is protected by a legally recognized privilege without the party's voluntary written consent. The University shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, therapist/mental health professional, or other professional/paraprofessional providing treatment to the party, unless the party gives voluntary written consent.

At any point in the Investigation, either party may request to initiate the Informal Resolution process. This process is contingent upon the voluntary agreement of both the Complainant and Respondent, with the concurrence of the Title IX Coordinator or designee. More information about the Informal Resolution process can be found under the *Resolution Phase*

section below.

Once the Investigation is complete, the Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and does not obstruct concurrent or forthcoming police Investigations. Complainants and Respondents will have an equal opportunity to inspect and review any evidence obtained as part of the Investigation that is directly related to the allegations raised in the Formal Complaint. The University shall send each party and their advisor the evidence subject to inspection and review in an electronic format or hard copy, and the parties shall have at least ten (10) days to submit a written response, which the Investigator will consider prior to the completion of the Investigation Report.

The completed Investigation Report will fairly summarize the relevant evidence, and will be sent to the Complainant and Respondent and their advisor in electronic format or hard copy, for their review and written response, at least ten (10) days prior to the Hearing. Comments will be submitted as a supplement to the Investigation Report. In order to protect confidentiality students may be given an electronic password protected copy of the Investigation Report which may be redacted. Any new evidence identified after completion of the Investigative Report that a party intends to present, introduce, or use at the Hearing must be provided to the Title IX Coordinator at least five (5) days prior to the Hearing and to the other party at least three (3) days prior to the Hearing. Failure to comply with this provision may result in the new evidence being excluded from consideration during the Hearing and decision-making process.

Should students not participate in the Investigative Process, the Grievance Process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student's participation, if appropriate.

### *Resolution Phase*

Options for resolving Formal Complaints under the Title IX Sexual Misconduct Grievance Process include:

#### *(1) Informal Resolution*

After the Complainant and Respondent have been provided written notice of a Formal Complaint, the University may offer and facilitate the Informal Resolution Process. The procedures utilized in the Informal Resolution process must be agreed upon by obtaining the parties voluntary, written consent, with concurrence from the Title IX Coordinator or designee. The parties must mutually agree in writing to all aspects of any resolution reached through the Informal Resolution process, including any restrictions or conditions that may

be agreed upon by the parties with concurrence from the Title IX Coordinator or designee. Either party may withdraw from the Informal Resolution process at any time prior to final resolution, and resume the Grievance Process with respect to the Formal Complaint. Informal Resolution agreements will be maintained in accordance with University policies. Should either party violate the terms of the Informal Resolution, the matter may be referred for adjudication. The Informal Resolution will be binding and final with no opportunity to appeal

## *(2) Hearings*

If the Formal Complaint is not dismissed or resolved by Informal Resolution, then the Formal Complaint will proceed to a live Hearing. Complainants and Respondents will first complete the Pre-Hearing Process.

### **a. Pre-Hearing Process**

The Title IX Coordinator or designee shall appoint a Resource Person who facilitates the Pre-Hearing and Hearing. The Resource Person is a staff member in SCRSM that did not serve as the Investigator. The Resource Person is a non-voting participant in the Hearing process. The Resource Person assures that University procedures are followed throughout the Hearing. The Resource Person may:

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

*NOTE: In Title IX Sexual Misconduct Hearings, the Title IX Hearing Officer may also assume some duties of the Resource Person.*

In preparation for the Pre-Hearing Meeting, students and their advisors will be notified of a date, time, and location of the Hearing via written Notification of Hearing sent to the student's official assigned Texas Tech University email address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University email is the University's primary means of communication with students. Complainants and Respondents will meet with their Resource Person to complete the Pre-Hearing Meeting. In the meeting with the Resource Person, parties will review documents including the Hearing Panel composition, Hearing Script, Opening, Closing, and Impact Statements,

and Appeal Procedures. Following the Pre-Hearing, Students are responsible for all communication delivered to their University email address. Should students not participate in the Pre-Hearing Process, the Grievance Process may continue without their participation and may result in a Hearing.

Students may indicate whether a Panel Hearing or Sanction Only Hearing is preferred. (Please see Hearings section below for a description of each Hearing type.) However, the Title IX Coordinator or designee has the sole discretion in all cases to designate whether a Panel Hearing or Sanction Only Hearing will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Resource Person will share the pool of staff trained for Hearing Panels. Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to request a strike of a member of the Hearing Panel, the student must provide the Resource Person with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Resource Person will schedule the Panel Hearing.

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

At the discretion of the Title IX Coordinator or designee, a review of the case may occur at any point during the investigation or Grievance Process for clarification of procedural processes and may be remanded to investigation or adjudication if deemed necessary.

#### **b. Hearings**

Upon completion of the Pre-Hearing, the University may proceed to a Hearing and issue a finding and accompanying Sanctions, if applicable. After proper notice has been given to the parties, a party's failure or refusal to respond within the allotted timeframe may not prevent the Grievance Process from proceeding to a Hearing or a Hearing Body from rendering a final determination regarding responsibility. If the Respondent accepts responsibility for the allegations issued in the Investigation Report, the Respondent may request a Sanction Only Hearing.

Hearings are closed to the public. In Sexual Misconduct cases, both the Complainant and Respondent 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 the



Complainant, Respondent and any witnesses appear virtually at the Hearing, with technology enabling participants to simultaneously see and hear each other. To request changes in the scheduled Hearing time or to participate virtually, students should contact their Resource Person prior to the Hearing.

### ***Title IX Sexual Misconduct Hearings***

[System Regulation 07.06.A Attachment 2](#) outlines the full Title IX Sexual

*Misconduct Hearing Procedures.*

The University will appoint a four-member Hearing Panel. The Title IX Hearing Officer will be one of the four members and will serve as the Hearing Panel Chair. The Hearing Panel will be the decision-maker that objectively evaluates all relevant evidence and renders a determination regarding responsibility after the live Hearing. The determination regarding responsibility will be made by a majority vote of the Hearing Panel. The Hearing Panel will not include the University Title IX Coordinator or an Investigator involved in the matters considered at the Hearing. The Hearing Panel has the right and responsibility to ask questions and elicit information from parties and witnesses on its own initiative to aid in obtaining relevant evidence both inculpatory and exculpatory.

All parties, and participants in a Title IX Hearing must be physically or virtually present in a manner where all participants can simultaneously see and hear each other.

Each Complainant and Respondent must have an advisor of their choice present at the Title IX Hearing. Each party must notify SCRSM at least ten (10) days prior to the Hearing whether the party intends to select and bring an advisor of their choice to the Hearing. If a Complainant or Respondent does not have an advisor of their choice present at the Hearing, the University will provide without fee or charge an advisor of the University's choice. The advisors' only permissible roles at the Hearing are to advise the party and to conduct cross-examination on behalf of the party.

The University will adopt rules of order and decorum provided for and enforced by the Title IX Hearing Officer. Such rules will include, but are not limited to, time limits, Hearing order, and requirements that participants not badger a witness, and repetition of the same question may be deemed irrelevant by the Hearing Officer; no party be asked questions in an abusive or intimidating manner; and questioning shall be relevant, respectful, and non-abusive. Each Hearing shall be no more than four (4) hours in length, unless the Hearing Officer determines that exceptional circumstances exist justifying a longer Hearing.

The University will create a record of the Hearing and make it available to the parties for inspection and review upon request.

At the direction of the Hearing Officer, Complainants and Respondents will have an opportunity to offer their own opening and closing statement, subject to time limits set by the Hearing Officer.

Each party will have an opportunity to present evidence to the Hearing Panel. The Hearing

Officer will be responsible for making determinations regarding evidence, including relevance. Information that will be deemed not relevant includes, without limitation, information protected by a legal recognized privilege; questions or evidence about the Complainant's sexual predisposition or prior sexual behavior (unless offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent); and any party's medical, psychological, or similar records (unless the party has given voluntary, written consent).

Direct Examination may be conducted by the Title IX Hearing Officer or the Hearing Panel. Cross-examination must be conducted directly orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions, including those challenging credibility, may be asked of a party or witness.

Before a participant answers a cross-examination or other question, the Title IX Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

After a determination regarding responsibility and before a decision regarding Sanctions, the Hearing Panel may request, and the parties may provide impact statements for consideration.

After the Hearing, the Hearing Panel will issue a written determination regarding responsibility that will include: (1) identification of the allegations potentially constituting Title IX Sexual Misconduct; (2) a description of the procedural steps taken throughout the Grievance Process; (3) findings of fact supporting the determination regarding responsibility; (4) conclusions regarding the application of the University's applicable conduct policy to the facts of the alleged conduct; (5) a statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary Sanctions imposed on the Respondent, and whether Remedies designed to restore or preserve equal access to the University's Education Program or Activity will be provided by the University to the Complainant; (6) a statement that the University's procedures are permissible bases to for the Complainant and Respondent to appeal; and (7) a statement that the determination may be appealed by the parties following the procedures listed below. The University will provide the written determination to the parties simultaneously within five (5) University working days. The written determination regarding responsibility becomes final when the time period to file an appeal has expired, or when the appeal decision has been sent to the parties.

### ***Sanction Only Hearing***

If the student accepts responsibility for the allegations issued in the Investigation Report, the student may request a Sanction Only Hearing. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Investigator. During presentation of the Investigation Report and finding, the Respondent and the Complainant are not allowed to dispute the facts or details of the case. The Hearing Panel

may ask clarifying questions regarding aggravating and mitigating factors related to the incident.

Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the Respondent and may be considered by the Hearing body. Simultaneous notification of the outcome of the Sanction Only Hearing will be provided to the student(s) within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Appeal Procedures outlined below. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, “the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions.” A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.

### ***Sanctions***

A Hearing Panel may impose sanctions as a result of a Title IX Sexual Misconduct Panel Hearing when a student is found responsible.

The potential sanctions are listed in the Sanctioning Grid on the Title IX website at <http://www.depts.ttu.edu/titleix/>. The grid is provided only as a guideline for administering sanctions by the Hearing Panel. The Hearing Panel may deviate from the grid for sufficient reason. Implementation of the disciplinary Sanction(s) will begin when the time period to file an appeal has expired or when the appeal decision has been sent to the parties.

All records related to the disciplinary process will remain on file in SCRSM for a minimum of seven (7) years from the date of report. All records related to the Grievance 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:

- (1) Disciplinary Reprimand - The disciplinary reprimand is an official written notification using the notice procedures outlined in this section to the student that the action in question was Misconduct.
- (2) Disciplinary Probation - Disciplinary Probation is a period of time during which a student’s conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. The status of Disciplinary Probation will be shown on the student’s academic record, including the transcript through the duration of the probationary period. Further instances of Misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.
- (3) 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, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student’s academic record, including the transcript. 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. In most instances, the notation of Disciplinary Suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Title IX Coordinator or designee may deny a student's readmission, if the student's Misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any Sanction that was imposed prior to application for readmission, the Title IX Coordinator or designee may recommend denial of readmission of a student. On denial of a student's readmission, the Title IX Coordinator or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

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

- (4) Disciplinary Expulsion - Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. This status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase, "Expulsion" and the date in which the student's expulsion became effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. An administrative hold will be placed on the student's record to prevent future registration.

#### Conditions

A condition is an educational or personal element that is assigned by a Hearing Panel. Costs associated with conditions may be the responsibility of the student. Some examples of conditions include, but are not limited to:

- (1) Personal and/or academic counseling intake session;
- (2) Discretionary educational conditions and/or programs of educational service to the University and/or community;
- (3) Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities;
- (4) Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement;
- (5) Monetary assessment owed to the university;
- (6) Completion of an alcohol or drug education program;
- (7) Completion of a sexual misconduct education program;

- (8) Referral to Raider Restart;
- (9) Referral to the BASICS Program for assessment.

#### 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:

- (1) Revocation of parking privileges;
- (2) Denial of eligibility for holding office in registered student organizations;
- (3) Denial of participation in extracurricular activities;
- (4) Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University Community;
- (5) Loss of privileges on a temporary or permanent basis.

#### **10. Non-Title IX Sexual Misconduct Grievance Process**

This section applies exclusively to Non-Title IX Sexual Misconduct. Any other form of Sexual Misconduct is governed by section 8 above. *Please note- all Discriminatory Harassment incidents are resolved utilizing the Non-Title IX Sexual Misconduct Grievance Process described below.*

#### *Notices*

University will provide notices as required, including but not limited to:

- (1) Notice of Formal Complaint: The University shall provide written notice to Complainant and Respondent upon receipt of a Formal Complaint with sufficient details known at the time and with sufficient time to prepare a response before an initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Non-Title IX Sexual Misconduct, and the date and location of the alleged incident, if known. Such notice shall also include notice of the following: (1) this Grievance Process, including the University's Informal Resolution process; (2) that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Grievance Process; (3) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; (4) that the parties may inspect and review evidence; and (5) any applicable provision in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Grievance Process.
- (2) Non-response to Formal Complaint: In the event that a student fails to respond to the Notice of Formal Complaint, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold may remain until such time as the Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of a Grievance Procedure and/or failure to appear will not prevent an Investigator from proceeding with the Grievance Process.
- (3) Notice of Additional Allegations: If additional allegations are later included within the scope of the investigation under this Grievance Process, supplemental notice of such allegations shall be provided at that time.

- (4) Notice to All Parties of Hearings, Interviews, or Meetings. The University shall provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all Hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- (5) Written Notice Via University Email. Any person entitled to written notice under this regulation will receive such notice to their University email address. In the event a person is entitled to notice who does not have a University email address, written notice will instead be provided to an email address provided by such person.

#### *Investigation of Formal Complaint*

When initial inquiry indicates a concurrent police Investigation is occurring, the Investigator will, where possible, collaborate with the Texas Tech Police Department during the Investigation. Elements of this collaborative Investigation may include the Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Investigator may not have access to evidence provided to or in possession of the Texas Tech Police Department. Students involved in the Grievance Process should provide to the Investigator any evidence they wish to be included in the Investigative report.

During the Investigation, the burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility is on the University and not on the parties. Complainants and Respondents are encouraged to present witnesses and evidence, including inculpatory and exculpatory evidence that they believe should be considered. The University cannot compel witnesses to cooperate with the Investigation process and does not have subpoena powers which could be used to collect evidence. The University will make all reasonable efforts to obtain relevant information such as surveillance video footage, University card swipe access and other information that may be available to the Institution. The University cannot obtain information that is protected by a legally recognized privilege without the party's voluntary written consent. The University shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, therapist/mental health professional, or other professional/paraprofessional providing treatment to the party, unless the party gives voluntary written consent.

At any point in the Investigation, either party may request to initiate the Informal Resolution process. This process is contingent upon the voluntary agreement of both the Complainant and Respondent, with the concurrence of the Title IX Coordinator or designee. More information about the Informal Resolution process can be found under the *Resolution Phase* section below. Once the Investigation is complete, the Investigator will compile the relevant information and evidence into an Investigation Report, which may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and does not obstruct concurrent or forthcoming police Investigations. Complainants and Respondents will have an equal opportunity to inspect and review any evidence obtained as part of the

Investigation that is directly related to the allegations raised in the Formal Complaint. The University shall send each party the evidence subject to inspection and review in an electronic format or hard copy, and the parties shall have at least ten (10) days to submit a written response, which the Investigator will consider prior to the completion of the Investigation Report.

The completed Investigation Report will fairly summarize the relevant evidence, and will be sent to the Complainant and Respondent in electronic format or hard copy, for their review at least ten (10) days prior to the Hearing. In order to protect confidentiality students may be given an electronic password protected copy of the Investigation Report which may be redacted. Any new evidence identified after completion of the Investigative Report that a party intends to present, introduce, or use at the Hearing must be provided to the Title IX Coordinator at least five (5) days prior to the Hearing and to the other party at least three (3) days prior to the Hearing. Failure to comply with this provision may result in the new evidence being excluded from consideration during the Hearing and decision-making process.

Should students not participate in the Investigative Process, the Grievance Process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student's participation, if appropriate.

#### *Referral Meeting*

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

#### *Informal Resolution*

After the Complainant and Respondent have been provided written notice of a Formal Complaint, the University may offer and facilitate the Informal Resolution Process. The procedures utilized in the Informal Resolution process must be agreed upon by obtaining the parties voluntary, written consent, with concurrence from the Title IX Coordinator or designee. The parties must mutually agree in writing to all aspects of any resolution reached through the Informal Resolution process, including any restrictions or conditions that may be agreed upon by the parties with concurrence from the Title IX Coordinator or designee. Either party may withdraw from the Informal Resolution process at any time prior to final resolution, and resume the Grievance Process with respect to the Formal Complaint. Informal Resolution agreements will be maintained in accordance with University policies. Should either party violate the terms of the Informal Resolution, the matter may be referred for adjudication. The Informal Resolution will be binding and final with no opportunity to appeal

### *Informal Conference*

An Informal Conference is a form of Informal Resolution. If after the Investigation, the Respondent accepts responsibility for the allegations of the *Code of Student Conduct* outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the Respondent wish to participate in the Informal Conference process, both the Complainant and the Respondent must agree to both the finding and the Sanctions as recommended by the Investigator. The case may only be reopened if new material, previously unavailable is presented.

Written notification of the outcomes and Sanctions, if applicable, of the Informal Conference will be provided simultaneously to the student(s) and appropriate University Administrators within five (5) university working days of the Informal Conference.

### *Hearings*

If the Formal Complaint is not dismissed or resolved by Informal Resolution, then the Formal Complaint will proceed to a live Hearing. Complainants and Respondents will first complete the Pre-Hearing Process.

#### **a. Pre-Hearing Process**

The Title IX Coordinator or designee shall appoint a Resource Person who facilitates the Pre-Hearing and Hearing. The Resource Person is a staff member in SCRSM that did not serve as the Investigator. The Resource Person is a non-voting participant in the Hearing process. The Resource Person assures that University procedures are followed throughout the Hearing. The Resource Person may:

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

In preparation for the Pre-Hearing Meeting, students will be notified of a date, time, and location of the Hearing via written Notification of Hearing sent to the student's official assigned Texas Tech University email address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University email is the University's primary means of communication with students. Complainants and Respondents will meet with their Resource Person to complete the Pre- Hearing Meeting. In the meeting with the Resource Person, parties



will review documents including the Hearing Panel composition, Hearing Script, Opening, Closing, and Impact Statements, and Appeal Procedures. Following the Pre-Hearing, Students are responsible for all communication delivered to their University email address. Should students not participate in the Pre-Hearing Process, the Grievance Process may continue without their participation and may result in a Hearing.

Students may indicate whether an Administrative Hearing, Panel Hearing or Sanction Only Hearing is preferred. (Please see Hearings section below for a description of each Hearing type.) However, the Title IX Coordinator or designee has the sole discretion in all cases to designate whether an Administrative Hearing, Panel Hearing, or Sanction Only Hearing will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Resource Person will share the pool of staff trained for Hearing Panels. Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to request a strike of a member of the Hearing Panel, the student must provide the Resource Person with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Resource Person will schedule the Panel Hearing.

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

At the discretion of the Title IX Coordinator or designee, a review of the case may occur at any point during the investigation or Grievance Process for clarification of procedural processes and may be remanded to investigation or adjudication if deemed necessary.

## **b. Hearings**

Upon completion of the Pre-Hearing, the University may proceed to a Hearing and issue a finding and accompanying Sanctions, if applicable. After proper notice has been given to the parties, a party's failure or refusal to respond within the allotted timeframe may not prevent the Grievance Process from proceeding to a Hearing or a Hearing Body from rendering a final determination regarding responsibility. If the Respondent accepts responsibility for the allegations issued in the Investigation Report, the Respondent may request a Sanction Only Hearing.

Hearings are closed to the public. Both the Complainant and Respondent 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 the Complainant, Respondent and any witnesses appear virtually at the Hearing, with technology enabling participants to simultaneously see and hear each other. To request changes in the scheduled Hearing time or to participate virtually, students should contact their Resource Person prior to the

Hearing.

The University will adopt rules of order and decorum provided for and enforced by the Resource Person. Such rules will include, but are not limited to, time limits, Hearing order, and requirements that participants not badger a witness, and repetition of the same question may be deemed irrelevant by the Hearing Officer; no party be asked questions in an abusive or intimidating manner; and questioning shall be relevant, respectful, and non-abusive. Each Hearing shall be no more than four (4) hours in length, unless the Resource Person and/or Hearing Panel Chairperson determines that exceptional circumstances exist justifying a longer Hearing.

The University will create a record of the Hearing and make it available to the parties for inspection and review upon request.

The Investigator will present the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent may make an opening statement about key points of the case. During the opening statement phase of the Hearing, the Complainant and the Respondent may not make character statements about themselves or others and may not make impact statements. The Complainant and Respondent may make comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant, Respondent, and any witnesses. Students will be permitted to question the statements and evidence presented by the other involved parties, including the Investigator, who may supplement the Investigation Report. Upon request students may have the Resource Person or Panel Chairperson read their questions for other parties. Impact statements will be halted if they are shared prior to the Sanctioning phase of the Hearing. In the event the Resource Person of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Title IX Coordinator for additional processing, as appropriate.

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

Following the Hearing, the Hearing Panel will deliberate and render a decision regarding the alleged misconduct. Should the Hearing Panel have any questions for the Investigator, the Complainant, and/or the Respondent during deliberations, the Hearing will reconvene so that all parties have the opportunity to hear and respond to other parties' responses. Upon the finding of responsibility for any of the allegations, impact statements will be presented to the Hearing Panel. After the presentation of the impact statements, the Hearing Panel will return to deliberations to determine any Sanctions. Simultaneous notification of outcomes of the Panel Hearing will be provided to the student(s) in writing within five (5) University working days, or as soon as practical, following the Panel Hearing. Decisions made through the Panel Hearing may be appealed by students utilizing the Appeal Procedures outlined below in section 10.

(1) 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 is assigned by the Title IX Coordinator or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns Sanctions, as appropriate. Simultaneous written notification of the outcome of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Appeal Procedures outlined below.

- (2) Panel Hearing - A Panel Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by a Hearing Panel. For each Panel Hearing, a Panel of three (3) members will be chosen from the available pool by the Title IX Coordinator or designee. Following the Hearing, the Hearing Panel will deliberate and render a decision regarding the alleged misconduct, as well as determine any Sanctions, if applicable. Simultaneous notification of outcomes of the Panel Hearing will be provided to the student(s) in writing within five (5) University working days, or as soon as practical, following the Panel Hearing. Decisions made through the Panel Hearing may be appealed by students utilizing the Appeal Procedures outlined below.
- (3) Sanction Only Hearing - If the student accepts responsibility for the allegations issued in the Investigation Report, the student may request a Sanction Only Hearing, by either an Administrative Hearing Officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Investigator. During presentation of the Investigation Report and finding, the Respondent and the Complainant are not allowed to dispute the facts or details of the case. The Administrative Hearing Officer or Hearing Panel may ask clarifying questions regarding aggravating and mitigating factors related to the incident.

Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the Respondent and may be considered by the Hearing body. Simultaneous notification of the outcome of the Sanction Only Hearing will be provided to the student(s) within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Appeal Procedures outlined below. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, “the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions.” A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.

### ***Sanctions***

A Hearing Panel may impose sanctions as a result of a Title IX Sexual Misconduct Panel Hearing when a student is found responsible.

An Administrative Hearing Officer or Hearing Panel may impose sanctions as a result of a Non-Title IX Sexual Misconduct Panel Hearing when a student is found responsible. The potential sanctions are listed in the Sanctioning Grid on the Title IX website at <http://www.depts.ttu.edu/titleix/>. The grid is provided only as a guideline for administering sanctions by the Administrative Hearing Officer or Hearing Panel. The Administrative

Hearing Officer or Hearing Panel may deviate from the grid for sufficient reason. Implementation of the disciplinary Sanction(s) will begin when the time period to file an appeal has expired or when the appeal decision has been sent to the parties.

All records related to the disciplinary process will remain on file in SCRSM for a minimum of seven (7) years from the date of report. All records related to the Grievance 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:

- (1) Disciplinary Reprimand - The disciplinary reprimand is an official written notification using the notice procedures outlined in this section to the student that the action in question was Misconduct.
- (2) Disciplinary Probation - Disciplinary Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. The status of Disciplinary Probation will be shown on the student's academic record, including the transcript through the duration of the probationary period. Further instances of Misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.
- (3) 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, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student's academic record, including the transcript. 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. In most instances, the notation of Disciplinary Suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Title IX Coordinator or designee may deny a student's readmission, if the student's Misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any Sanction that was imposed prior to application for readmission, the Title IX Coordinator or designee may recommend denial of readmission of a student. On denial of a student's readmission, the Title IX Coordinator or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

*NOTE: For information pertaining to academic courses taken at another higher education institution during time-limited disciplinary suspension, please refer to OP*

- (4) Disciplinary Expulsion - Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. This status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase, "Expulsion" and the date in which the student's expulsion became effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. An administrative hold will be placed on the student's record to prevent future registration.

#### Conditions

A condition is an educational or personal element that is assigned by an Administrative Hearing Officer or Hearing Panel. Costs associated with conditions may be the responsibility of the student. Some examples of conditions include, but are not limited to:

- (1) Personal and/or academic counseling intake session;
- (2) Discretionary educational conditions and/or programs of educational service to the University and/or community;
- (3) Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities;
- (4) Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement;
- (5) Monetary assessment owed to the university;
- (6) Completion of an alcohol or drug education program;
- (7) Completion of a sexual misconduct education program;
- (8) Referral to Raider Restart;
- (9) Referral to the BASICS Program for assessment.

#### 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:

- (1) Revocation of parking privileges;
- (2) Denial of eligibility for holding office in registered student organizations;
- (3) Denial of participation in extracurricular activities;
- (4) Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University Community;

- (5) Loss of privileges on a temporary or permanent basis.

## 11. Appeal Procedures

In Sexual Misconduct cases, either the Complainant or Respondent may appeal the determination of responsibility or the Sanction(s) imposed in an Hearing by submitting a written petition to the Title IX Coordinator or designee within three (3) University working days of the delivery of the written decision. If a student selects a Sanction Only Hearing, the student may appeal the sanction and can only appeal on the following grounds, “the sanction(s) imposed substantially varies from the range of sanctions normally imposed for similar infractions.” An appeal may not be filed on behalf of the student by a third party, including an advisor.

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:

- (1) A procedural irregularity occurred that significantly impacted the outcome of the Hearing (e.g. material deviation from established procedures.);
- (2) The discovery of new evidence, not reasonably available at the time the determination regarding responsibility or dismissal, was made that could affect the outcome of the matter. A summary of this new evidence and its potential impact must be included;
- (3) The Title IX Coordinator, Investigator(s), or decision maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (4) The sanctions imposed substantially varies from the range of sanctions normally imposed for similar infractions.

*NOTE: Lack of participation at any part of the Investigation or Grievance Process does not constitute new evidence.*

Upon the filing of written appeal, the University will give written notice of the appeal to the other party. That party will have three (3) University working days to respond to the appeal.

The Title IX Coordinator will select an Appeal Officer in each case. The Appeal Officer shall not be the same person as any of the Administrative or Hearing Panel members that reached the determination of responsibility or dismissal, the Investigator(s), or the Title IX Coordinator.

The Appeal Officer may submit the written appeal and response to the original Hearing Body, and that Body may submit its response in support of the appeal or original decision to the Title IX Coordinator or designee within three (3) University working days. The 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 Appeal Officer determines that (1) the Sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, or (2) the Appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, and the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Hearing Panel, they may:

- (1) Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- (2) Remand the case to the original Hearing Body;
- (3) Remand the case to a new Hearing Body; or
- (4) Remand the case to SCRSM for additional review.

SCRSM shall make all reasonable efforts to simultaneously notify the parties of the status of the Appeal throughout the appellate process and notify the student(s) of the result of their appeal using the written notification procedures within five (5) University working days from receipt of all responses. If necessary, the Appeal Officer will notify the parties 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 Appeal Officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final and may not be appealed by the original appealing party. If a party did not appeal the original decision and believes criteria for an Appeal is met, they may appeal this decision following the procedures described above. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions.

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

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

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

### **13. Retaliation and False Information**

Retaliation against an individual who reports a potential violation in good faith under this policy, assists someone with a report of a violation, or participates or refuses to participate 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, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. The University will take appropriate steps to ensure that an individual who, in good faith, reports, complains about, or participates or refuses to participate in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report the incident to SCRSM using the same procedure outlined in Section D. 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.

An individual found to have knowingly and in bad faith provided false or malicious information may be subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply that a Respondent's statements disclaiming responsibility were false.

### **14. Confidentiality**

Texas Tech is committed to ensuring confidentiality during all stages of the Grievance Process. The confidentiality of the Complainant, the Respondent, the Reporting Party, any individuals who have sought guidance about this policy or have participated in an Investigation or incident will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of misconduct, to protect the University Community, and to the extent allowed by law. Unless waived in writing by the individual, the identity of aforementioned individuals:

- (1) Is confidential and not subject to disclosure under Chapter 552, Government Code; and
- (2) May be disclosed only to:
  - a. University Employees or individuals under contract with the University to which the report is made who are necessary for an Investigation of the report or other related Hearings;
  - b. a law enforcement officer as necessary to conduct a criminal investigation of the report;
  - c. a health care provider in an emergency, as determined necessary by the University;
  - d. the Responding Party, to the extent required by other law or regulation; and



- e. potential witnesses to the incident as necessary to conduct an investigation of the report and to the extent required by other law or regulation.

In some exceptional circumstances, where the incident in question presents a continuing threat to the University Community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of Sexual 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.

However, because the University also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, all University employees have mandatory reporting and response obligations and may not be able to honor a Complainant's request for confidentiality. The Title IX Coordinator or designee will evaluate requests for confidentiality. The willful and unnecessary disclosure of confidential information by anyone, including the Complainant or Respondent, or their advisor, may affect the integrity of the investigation.

Students may make confidential reports to the University Student Counseling Center, Family Therapy Clinic, Psychology Clinic or Student Health Services. Complainants may also make confidential reports to Voice of Hope or to other licensed clinical and/or mental health professionals acting in their professional role of providing those services, including medical providers employed by the University. Information may be shared by the clinical and/or medical provider only with the Complainant's or Respondent's consent.

Absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy. These Employees are encouraged to provide Complainants with information and guidance regarding University reporting options and available resources. This Subsection does not affect the Employee's duty to report an incident under any other law or regulation under which they maintain their licensure.

The following Confidential Resources are available to Texas Tech Students:

CONTACT	PHONE	WEBSITE
Student Counseling Center	806-742-3674	<a href="http://www.depts.ttu.edu/scc//">http://www.depts.ttu.edu/scc//</a>
Family Therapy Clinic	806-742-3074	<a href="http://www.depts.ttu.edu/hs/mft/clinical_services.php">www.depts.ttu.edu/hs/mft/clinical_services.php</a>
Psychology Clinic	806-742-3737	<a href="http://www.depts.ttu.edu/psy/clinic/">www.depts.ttu.edu/psy/clinic/</a>
Employee Assistance Program	806-743-1327	<a href="https://www.ttuhs.edu/centers-institutes/counseling/default.aspx">https://www.ttuhs.edu/centers-institutes/counseling/default.aspx</a>
Student Health Services	806-743-2848	<a href="https://www.depts.ttu.edu/studenthealth/">https://www.depts.ttu.edu/studenthealth/</a>
Crisis HelpLine	806-742-5555	<a href="https://www.depts.ttu.edu/scc/For_Students/crisis.php">https://www.depts.ttu.edu/scc/For_Students/crisis.php</a>
Voice of Hope-Rape Crisis Center	806-763-7273	<a href="https://www.voiceofhopelubbock.org/">https://www.voiceofhopelubbock.org/</a>

**15. Interference with an Investigation**

Any person who knowingly and intentionally interferes with a Grievance Process conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the University. Interference with a Grievance Process may include, but is not limited to:

- (1) Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
- (2) Divulging confidential information;
- (3) Removing, destroying, or altering documentation relevant to the investigation;
- (4) Providing false or misleading information to the investigator, or encouraging others to do so; or
- (5) Making a report under this policy that, after investigation is found not to have been made in good faith.

**16. Training and Education**

Texas Tech’s commitment to preventing and raising awareness of the harm resulting from the conduct prohibited in this policy includes providing primary prevention and awareness programs for all incoming students and new Employees, ongoing education to both

Employees and students, and emailing information regarding this policy to students at the beginning of each academic semester. This policy is published on the University's website and information regarding this policy and related policies is included in orientation materials for new students, faculty, and staff. All incoming first year and transfer students must attend an Orientation session, and must additionally complete an online education module. Failure to complete this required training may result in a hold being placed on the student's account. All employees must attend Equal Opportunity non-discrimination and sex/gender discrimination training including sexual assault, sexual harassment, and campus crime mandated reporter training within the first 30 days of employment and receive supplemental training every two years.

Other appropriate compliance training sessions will also be conducted on an ongoing basis. Training sessions will include information on how and where to report incidents of prohibited conduct, resources available, as well as risk reduction and safe and positive options for bystander intervention. In addition, University Employees and administrators responsible for implementing this policy, including the Title IX Coordinator, Title IX Deputy Coordinators, Investigators, Hearing Officers, and Appeal Officers receive annual training about offenses, investigatory procedures, due process requirements, impartiality, conflicts of interest, informal resolution process, and University policies related to or described in this policy.

Title IX Coordinators, Investigators, Hearing Officers, and Appeal Officers shall receive adequate and unbiased training on the application of the Sexual Misconduct policy, and the Grievance Process, including, where appropriate, how to conduct Hearings, the use of technology, and how to make relevancy decisions. All materials used to train these staff members are publicly available on the [Title IX & Sexual Misconduct website](#).

## **SECTION E. CONDUCT PROCEDURES FOR STUDENT ORGANIZATIONS**

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

Incidents will be forwarded for Investigation when there is reasonable cause to believe a policy has been violated. If it is determined that the information reported does not warrant an allegation, a Policy Clarification Letter may be issued to involved parties to clarify the policy in question.

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

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

### **1. Remedies & Resources**

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

#### **a. Resources**

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

#### **b. Interim Actions for Student Organizations**

Under the *Code of Student Conduct*, the Managing Director or designee may impose restrictions and/or impose an Interim Suspension of Student Organization Activities on a

student organization pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct* when a student organization represents a threat of serious harm to others that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include Interim Suspension of Organization Activities or restrictions pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. A student organization that receives an interim action(s) or Interim Suspension of Student Organization Activities may request a meeting with the Managing Director to demonstrate why an interim action(s) or Interim Suspension of Student Organization Activities is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a campus Hearing. Through an interim action or during an interim suspension, a student may be denied access to University facilities/events. As determined appropriate by the Managing Director, or designee this restriction may include University activities or privileges for which the student organization might otherwise be eligible. Student organizations are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section A.3 of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension of Student Organization Activities are not sanctions. Interim actions are taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; and are in effect only until the conduct process has been completed. However, violations of interim action may result in additional allegations of the *Code of Student Conduct*.

c. No Contact Order

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

d. Interim Suspension of Student Organization Activities

Under the *Code of Student Conduct*, the Managing Director or designee may, when the student organization represents a threat or serious harm to others that is deemed a continuous threat, or is facing allegations of criminal activity, impose restrictions, including, but not limited to temporarily suspending the activities of a student organization pending the outcome of the

University's and/or Headquarters, sponsoring department or organization (where applicable) conduct process. The purpose of an interim suspension of activities is to protect students, preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operation of the University.

Examples of conduct or incidents that may result in an Interim Suspension of Student Organization Activities, include but are not limited to, hazing, organization events and activities resulting in allegations of sexual misconduct, criminal felony charges, severe disruption, retaliatory harassment; alcohol/drug policy violations occurring during recruitment or social events; and cease and desist directives from inter/national or regional organizations. A student organization who receives an Interim Suspension of Student Organization Activities may request a meeting with the Managing Director or designee to discuss the rationale for the action. During an Interim Suspension of Student Organization Activities, the student organization is limited to minimal functions in order to conduct the Investigation only. Failure or refusal to follow the Interim Suspension of Student Organization Activities may result in additional charges of misconduct. Student organizations will be informed of interim actions pursuant to the official notice procedures outlined in Part I, section A.3. of the *Code of Student Conduct*. An interim action is not considered a sanction.

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

## **2. Referral Meeting**

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

## **3. Voluntary Resolution**

In any matter governed by the *Code of Student Conduct*, the parties (usually the Complainant and Respondent) may mutually agree to attempt to resolve the matter prior to conclusion of the conduct process through a Voluntary Resolution process. The procedures utilized in the Voluntary Resolution process must be agreed upon by the parties with concurrence from the Managing Director. The parties must mutually agree in writing to all aspects of any resolution reached through the Voluntary Resolution process, including any restrictions, sanctions, or conditions as may be agreed upon by the parties with concurrence from the Managing Director, and any such resolution will be binding and final with no opportunity to appeal. Either party may withdraw from the Voluntary Resolution process at any time prior to final resolution, at which time the matter will proceed through the student conduct process as set forth in the *Code of*

*Student Conduct*. Voluntary Resolution agreements will be maintained in accordance with University policies.

#### 4. **The Conduct Process for Student Organizations**

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

A student organization will be given notice of the organization's involvement in a referral or report received by the University related to the *Code of Student Conduct* by receipt of a "Notice of Investigation/Notice of Involvement" letter which will include an invitation for the student organization spokesperson to meet with an Investigator. In a case of a student organization's dangerous misconduct, serious injury, and/or death, The Managing Director or designee may issue an interim suspension of all organizational activities. In the event that a student organization fails to respond to written notification, interim actions and/or restrictions may be implemented by the Managing Director or designee. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent an Investigator from proceeding with the conduct process. Likewise, failure of a student organization to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

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

The Managing Director or designee may proceed with the conduct process (even if the complainant chooses not to participate) on a case by case basis if the alleged behavior involves pattern, predation, threat, or violence that may significantly impact the campus community and others.

##### b. Rights & Responsibilities

Prior to the formal Investigation process, the student organization spokesperson will be provided a Student Organization Rights & Responsibilities document to review and sign prior to an interview with the Investigator. Additionally, each individual student involved in any capacity with a student organization Investigation will be provided the Student Rights and Responsibilities document detailed in Part I, Section C.3.b. The Rights & Responsibilities document informs the student organization of rights to be exercised before and during the conduct process. Information gathered during the course of the Investigation and student conduct process may be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student organization has the right to:

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

Office of General Counsel may attend on behalf of the University. Student organizations should select an advisor whose schedule allows attendance at the meeting, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Investigator and with advanced notice. Student organizations are reminded that the organization's advisor of choice is only permitted to accompany a student in a conduct or related proceeding if they are chosen by that student as that student's advisor of choice.

The Managing Director or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an advisor during their suspension and students who have been expelled may not serve as an advisor.

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

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

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

It is the Student Organization's Responsibility to:

1. Appoint one organizational spokesperson. In most cases, the organization's spokesperson is the President of the organization. However, organizations may appoint an alternate



spokesperson to formally represent the organization. A student organization spokesperson must be a currently Texas Tech University student who is a member of the responding organization. The spokesperson may not be an alumni advisor, chapter advisor, faculty/staff advisor, national or international Headquarters volunteer or staff member, or coach. Student organizations may only appoint one spokesperson for each case and must inform the University in the event that the appointed spokesperson is not the President of the organization. The student organization spokesperson is responsible for making all official responses on behalf of the organization during any student organization conduct preceding. In the event that the student organization spokesperson is not be able to speak on behalf of the local advisory board to the student organization, a representative from the local advisory board may speak on behalf of the local advisory board. Be responsive to all communications from the University;

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

c. Investigation

The Managing Director or designee will appoint an Investigator to conduct a thorough, reliable, and impartial Investigation of the reported concern. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity.

Therefore, the Investigation procedures described below may vary.

1. Partnership Process

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

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

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

- The student organization obstructed the process, or provided false, incomplete, or inaccurate information;

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

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

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

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

## 2. University Investigation Process

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

Investigations of student organization conduct may include the requirement for student organization members to attend an Investigation meeting as a group or as individuals. Students may be asked to complete written questionnaires related to the Investigation. Regardless of the nature of the Investigation, students and student organizations should be aware of their rights and Responsibilities in the conduct process and recognize that any information shared during the course of the student conduct Investigation may be used in formal conduct processes against the student organization or the individual student. Students can always decline to participate in a collaborative Investigation meeting and meet only with the Investigator instead of meeting together with other Investigators. The identities of individuals who issue statements in organizational conduct Investigations, may be withheld from Investigation Reports at the discretion of the Managing Director or designee.

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

Once the investigative process is complete, the Investigator will compile the relevant

information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from the interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and does not obstruct concurrent or forthcoming police Investigations. The student organization spokesperson will have access to review the completed Investigation Report and/or investigative materials relevant to the Investigation after the Investigative Process has concluded. In order to protect confidentiality, the student organization spokesperson may be given an electronic password protected copy of the investigation report which may be redacted. Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigation at which point the Investigator explains the options for resolution to the involved parties. Should a student organization not participate in the Investigative Process, the conduct process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student organization's participation, if appropriate.

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

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

d. Informal Conference (Partnership Process)

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

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

Conference presented by the student organization. In the event the proposed Informal Conference is rejected, in whole or in part, the student organization's alleged violations of the *Code of Student Conduct* may be resolved pursuant to the Pre-Hearing process outlined in Part I, Section D.3.e and the Formal Hearing process as outlined in Part I, Section D.4.

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

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

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

e. Pre-Hearing Process

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

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or Panel Hearing, the student should inform the Investigator immediately. If the new information is pertinent to the consideration of the case, the Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative or Panel Hearing.

The conduct process is designed to be non-adversarial. Student organization representatives will be permitted to question the statements and evidence presented by the other involved

parties, but may not do so directly. After reviewing the Investigation Report, during the Pre-Hearing, Complainants and Respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Investigator, who will pose the questions and supplement the Investigation Report.

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

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

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

In cases requiring a Hearing Panel, the Investigator will share the pool of faculty, staff, and students trained for Hearing Panels. Student organization representatives will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student organization representative must provide the Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Investigator will schedule the Panel Hearing.

At the discretion of the Managing Director or designee, a review of the conduct case may occur at any point during the investigation or conduct process for clarification of procedural processes and may remand back to investigation if deemed necessary.

## **5. Hearings**

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

Hearings are closed to the public. Complainants and Respondents have the right to be present at the formal Hearing; however, they do not have the right to be present during deliberations. Arrangements will be made so that complaining and responding students are not present in the Hearing room at the same time.

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

a. Administrative Hearing

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

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

b. Panel Hearing

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

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

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

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

- Prepare the Administrative Panel Hearing materials;

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

The Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent have the right to make an opening statement about key points of the case. During the opening statement phase of the conduct process, the Complainant and the Respondent do not have the right to make character statements about themselves or others and do not have the right to make impact statements. Likewise, the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Investigator. Should new evidence be presented without prior discussion with the Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the Resource Person of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct for additional processing, as appropriate.

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

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

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

c. Sanction Only Hearing

If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing, by either a Hearing officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Investigator. During presentation of the Investigation Report and finding, the Respondent and the Complainant are not allowed to dispute the facts or details of the case. Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the student organization spokesperson and may be considered by the Hearing body. Written notification of the outcome of the Sanction Only Hearing will be provided to the student organization within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by student organizations by utilizing the Conduct Appeal Procedures outlined in Part II, section C.5. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, “the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions.” A student organization may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses. Prior to the sanctioning phase of a hearing, the complainant and/or respondent are allowed to give an impact statement. The investigator may assist the Resource Person or Committee Chairperson during the hearing

## **6. Sanctions**

An Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Conference, Administrative Hearing, or Panel Hearing, when a student organization is found responsible. The potential sanctions are listed in the Student Organization Sanction Grid in the Student Handbook Appendix. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer or the Hearing Panel.

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

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

b. Disciplinary Probation

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

c. 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, including the privileges and benefits of registration. All organizational activity, whether on or off campus, official or unofficial, must immediately cease until the conclusion of the suspension. Suspended student organizations may not hold events or activities on campus, may not solicit or utilize University grounds or services to promote organizations or events or to recruit members, and may not utilize any other benefits or services provided to registered student organizations. The suspension will not commence for purposes of calculating the end date of such suspension until all activity of the organization has completely ceased, and such end date will be extended for any time in which such activities resume and/or continue during the suspension. If an inter/national or regional organization suspends the charter of an organization, the time-limited suspension for the student organization will be the time period of the suspended charter. Notification of disciplinary suspension of a student organization will indicate the date on which it begins and the earliest date the student organization's application for registration will be considered. The Managing Director or designee may deny an application for registration if the organization's misconduct during suspension would have warranted additional disciplinary action. If the student organization has failed to satisfy any sanction that was imposed prior to application for registration, the Managing Director or designee may deny registration to the student organization. On a denial of student organization registration, the Investigator or Managing Director or designee will set a date when another application for registration may again be made.

d. Disciplinary Expulsion

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

e. Conditions

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

- Hosting educational programs or initiatives for the organization or community related to the misconduct

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

f. Restrictions

A restriction is an additional component of a disciplinary sanction, usually an educational restriction on organization activities that occurs during a time period of probation or deferred suspension or upon return from time-limited suspension.

Examples include, but are not limited to

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

g. Required Notifications

Some organization misconduct requires additional notifications. Texas Education Code, Chapter 51.936 indicates that institutions of higher education shall distribute to each student enrolled at the institution no later than the 14<sup>th</sup> class day of each fall and spring semester a copy of, or an electronic link to a copy of, a report on hazing committed on or off campus by an organization registered with or recognized by the institution.

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

1. Information regarding each disciplinary action taken by the institution against an organization for hazing, and each finding of responsible of hazing by an organization, during the three years preceding the date on which the report is issued or updated, including:
  - A. The name of the organization disciplined or found responsible;
  - B. The date on which the incident occurred or the citation was issued, if applicable;

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

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

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

## **7. Conduct Appeal Procedures**

- a. A student organization may appeal the decision of a formal Hearing or the sanction(s), condition(s), and restriction(s) imposed following a formal Hearing by submitting a written petition for appeal to the to the Managing Director or designee within three (3) University working days of receiving the written decision.
- b. The Managing Director, or designee, will select an appeal officer in each case. The designated officer will be a trained University staff or faculty member who was wholly uninvolved in the original Conduct Process and will render a neutral, impartial, and unbiased decision.
- c. Petitions for appeal must clearly identify the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal.
- d. The only proper grounds for appeal are as follows
  - Procedural or substantive error that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
  - Discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
  - The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- e. In cases involving alleged misconduct involving Part I, section B.2 (Actions

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

- f. The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. The Hearing Body and/or a representative of the Hearing Body may provide a response to the appeal upon request of the appellate officer within three (3) university working days
- g. If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Hearing Panel. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, they may:
  - Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
  - Remand the case to the original Hearing Body;
  - Remand the case to a new Hearing Body.
- h. The Office of Student Conduct or designee shall make all reasonable efforts to notify the student organization of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student organization of the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days of receipt of all responses. If necessary, the Designated Appeal Officer will notify the student organization should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.
- i. If the designated appeal officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final and may not be appealed.

## **8. Student Organization Records**

- 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 Conference, formal Hearing, and/or conduct appeal processes.
- b. Student organization records do not impact the content of individual student records for student organization members. Findings of responsibility of misconduct for student organizations does not indicate a finding of responsibility for individual students. Individual students are subject to their own conduct processes separate from the student organization process.
- c. Student organization conduct decisions and finding are shared with the student

organization's Headquarters, sponsoring department, or organizations as appropriate.

**PART II**  
**COMMUNITY POLICIES**

**SECTION A. ALCOHOL POLICY & INFORMATION**

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

**SECTION B. ACADEMIC INTEGRITY**

**a. Texas Tech University Statement of Academic Integrity**

Academic integrity is taking responsibility for one's own class and/or course work, being individually accountable, and demonstrating intellectual honesty and ethical behavior.

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

**b. Academic Dishonesty Definitions**

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

**c. Instructor Responsibilities**

Any person becoming aware of alleged violations of academic integrity should report the allegation to the instructor of record in the course. The instructor in a course is responsible for initiating action in each case of dishonesty or plagiarism that occurs in that class. The instructor should contact the Office of Student Conduct to discuss the nature of the violation and the student's record of academic integrity violations.

Instructions for reporting allegations of academic dishonesty are available in the *Code of Student Conduct*. The instructor should attempt to discuss the matter with the student and receive a response from the student about the allegations. Then, the instructor may notify the student of possible academic sanctions including, but not limited to assigning a paper or research project related to academic integrity, make-up assignment that is different than the original assignment, issue no credit for the original assignment, reduce the grade for the assignment and/or course, issue a failing grade on the assignment, and/or issue a failing

grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Office of Student Conduct as a central clearinghouse of violations and for adjudication as a *Code of Student Conduct* violation where disciplinary sanctions will be assigned.

**d. Withdrawal and Assignment of Grades**

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

**e. Academic and Disciplinary Penalties**

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

**f. Referrals to the Office of Student Conduct**

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

Law students are subject to discipline procedures as described in the Honor Code of the School of Law. Instructors of record of the course where the violation occurred and the associate academic dean of the college where the student is enrolled or of the college housing the course where the violation occurred may participate in the adjudication of the violation and assignment of additional sanctions with the Office of Student Conduct as outlined in the *Code of Student Conduct*.

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

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

The University does not tolerate discrimination or harassment based on or related to sex (including pregnancy), race, color, national origin, religion, age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics, per TTU System Regulation 07.10.

### **1. Harassment**

Harassment based on a person's protected class under TTU System Regulation 07.10 ~~this regulation~~ is a form of discrimination. Harassment is verbal or physical conduct that is directed toward an individual because of sex (including pregnancy), race, color, national origin, religion, age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics, when such conduct is sufficiently severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's academic or work performance or of creating a hostile academic or work environment. Examples of inappropriate behavior that may constitute unlawful Harassment include, but are not limited to, the following, if related to an individual's protected category, class, or characteristic:

- a. Derogatory, disparaging, or disrespectful remarks, comments, slurs, or jokes about a particular person or protected category, class, or characteristic of persons based on, about, or because of a protected category, class, or characteristic;
- b. Display of explicit or offensive posters, pictures, drawings, cartoons, calendars, correspondence, digital or broadcast content (including images, videos, or audio), or any other physical, digital, or multimedia materials in any form that reflect disparagingly upon a category, class, or characteristic of persons or a particular person in a protected category or class;
- c. Loud or angry outbursts or obscenities in the workplace directed toward a member of the University Community;
- d. Disparate treatment without a legitimate business reason; or;
- e. other threats, discrimination, hazing, bullying, stalking, or violence.

### **2. Sexual Harassment**

- a. Unwelcome sex-based verbal, or physical conduct that: 1) In the employment context, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. To constitute an intimidating, hostile, or offensive working environment, the complained of conduct must be either severe, persistent, or pervasive; or 2) In the educational context, is sufficiently severe, persistent, or pervasive that the conduct unreasonably interferes with a student's ability to participate in or benefit from educational programs or



activities.

- b. Examples of inappropriate behavior that may constitute sSexual Harassment include, but are not limited to:
  - i. Sexual teasing, jokes, remarks, or questions;
  - ii. Sexual looks and gestures;
  - iii. Sexual innuendoes or stories;
  - iv. Communicating in a manner with sexual overtones;
  - v. Inappropriate comments about dress or physical appearance;
  - vi. Gifts, letters, calls, e-mails, online posts, or materials of a sexual nature;
  - vii. Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);
  - viii. Sexual favoritism;
  - ix. Pressure for dates or sexual favors;
  - x. Inappropriate discussion of private sexual behavior;
  - xi. Non-consensual video or audio-taping of sexual activity;
  - xii. Exposing one's genitals or inducing another to expose their genitals;
  - xiii. Unwelcome physical contact (touching, patting, stroking, rubbing);
  - xiv. Nonconsensual Sexual Intercourse, Sexual Assault, or rape;
  - xv. Stalking;
  - xvi. Domestic or Dating violence;
  - xvii. Other gender-based threats, discrimination, intimidation, hazing, bullying, Stalking, or violence.

*Note: While not appropriate, not all rude or offensive comments or conduct constitute misconduct, sexual harassment, or unlawful discrimination.*

*See Part I, Section B: Misconduct, C. Sexual Misconduct of the Code of Student Conduct*

### **3. Submitting a Report**

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

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

*Note: The State of Texas requires Texas Tech University employees, including student employees, to report an incident of sexual harassment, sexual assault, dating violence, or stalking that is alleged to involve a student enrolled at or an employee of the University at the time of the incident. For more information, please see: TTU System Regulations 07.10, 07.06A, and 07.06B*

### **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. Retaliation**

Retaliation against a person who reports a potential violation ~~under this regulation~~, 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 regulation 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 regulation~~ 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 regulation. Individuals who are found to have retaliated ~~under this regulation~~ will be subject to disciplinary action, up to and including termination of employment, expulsion from the university, or being barred from University premises and events.

## **6. Confidentiality**

Confidentiality of both the involved parties will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of discrimination or violations of law, to protect the university community, and to the extent allowed by law. The willful and unnecessary disclosure of confidential information by the involved parties may affect the integrity of the investigation and may result in appropriate disciplinary measures against the offending party.

## **7. Faculty/Staff and Student Relationships**

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

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

A grievance is a formal complaint pertaining to adverse actions taken on the basis of unlawful discrimination, violation of federal or state law, or TTU policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law. Employees, students, or third parties with a complaint against an employee should contact the TTUS Office of Equal Opportunity (EO). Employees, students, or third parties with a complaint of discrimination and/or harassment based on sex only (as opposed to discrimination on other bases, such as race, national origin, etc.) against a student should contact the Title IX Administrator. Employees, students, or third parties with a complaint of discrimination and/or

harassment against a student based on a protected class other than sex (such as race, national origin, etc.) should contact the Office of the Dean of Students or the Office of Students Rights and Resolution. For additional information regarding the complaint process, see TTU Operating Policies 40.02 and 40.03-<sub>2</sub> and TTU System Regulations. 07.06 and Reg. 07.10.

**9. Student Initiated Grievances or Complaints and Investigations – Involving Employees, Whether Faculty, Staff, or Students**

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

- i. The finding of the Office of the Dean of Students or the Title IX Administrator and the Office of Equal Opportunity is final and not appealable.

- j. In the event a finding of a violation of this policy, TTU OP 40.02 or 40.03, or TTU System Regulation 07.06A, 07.06B, or 07.10 is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.
- k. If there is a finding of a violation of gender discrimination under TTU OP 40.02 or TTU System Regulation 07.10 or any violation under TTU OP 40.03, TTU System Regulation 07.06A, or System Regulation 07.06B, either party may appeal the imposed disciplinary action or lack thereof as provided under as provided under the TTU OP or TTU System Regulation. For all other violations, only the responding employee may appeal the disciplinary action as provided in other TTU policies. At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Office of Equal Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance or complaint has taken place, the student should contact the Office of the Dean of Students, Title IX Administrator, or the Office of Equal Opportunity, and/or file a grievance or complaint for retaliation.

## **SECTION D. CLASS ABSENCES**

### **1. Class Absences**

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

#### **a. Student Absence due to Pregnancy and Childbirth**

Under the Department of Education's (DOE) Title IX regulations, an institution that receives federal funding "shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." Students needing assistance related to pregnancy/childbirth absences should contact the Title IX Administrator, the Title IX Case Manager, the Dean of Students Office, or fill out a report at [http://www.depts.ttu.edu/titleix/students/Report\\_an\\_Incident.php](http://www.depts.ttu.edu/titleix/students/Report_an_Incident.php)

### **2. Religious Holy Day Absences**

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. More information is available in Texas Tech University Operating Policy 34.19.

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

- a. According to the Undergraduate and Graduate Catalog, faculty, department chairpersons, directors, or others responsible for a student representing the University on officially approved trips should notify the student's instructors of the departure and return schedules in advance of the trip. The instructor so notified must not penalize the student, although the student is responsible for material missed. Students

- absent because of University business must be given the same privileges as other students (e.g., if other students are given the choice of dropping one of four tests, then students with excused absences must be given the same privilege).
- b. According to Texas Tech University Operating Policy 34.06, students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip.

## **SECTION E: COMPLAINT PROCESSES**

### **1. Complaints/Grievances**

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

### **2. Academic Status Complaints**

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

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

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

### **5. Disability-Related Complaints**

- a. Complaints related to disabilities are guided by Operating Policy 40.04 Access for Individuals with Disabilities and Section 504 of the Rehabilitation Act (Section 504) and Operating Policy 34.22 Establishing Reasonable Accommodation for Students with Disabilities.
- b. Any students seeking remedy on the basis of a disability must register as a disabled student with Student Disability Services and must provide all required documentation of a disability. Students who are denied services or denied a specific accommodation request by a Student Disability Services counselor may appeal the decision to the Managing Director of Student Disability Services. The ADA Campus Coordinator for Students is the Managing Director of Student Disability Services, [130 Weeks Hall](#)~~335-West Hall~~, (806) 742-2405.

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

## **6. Student Record Complaints & FERPA**

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

## **7. Disciplinary Action**

The University disciplinary appeals process is outlined in the Student Handbook Part I, section C. Conduct Procedures relating to the School of Law Honor Code violations are contained in the Honor Code of the School of Law. School of Law Students are also subject to the code of student conduct. Procedures relating to the School of Medicine, School of Nursing and the School of Health Professions are contained in the School of Medicine Student Handbooks, School of Nursing Student Handbook, and the School of Health Professions Student Handbooks.

## **8. Employment**

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with their immediate supervisor or the person in charge of that department may contact Human Resources or the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the University Operating Policy 70.10 Non-Faculty Employee Complaint Procedures-, TTU Operating Policy 40.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, and TTU System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure ~~Operating Policy 40.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, and TTU System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure~~ ~~Operating Policy 40.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, and TTU System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure~~ ~~Operating Policy 40.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, and TTU System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure~~.

## **9. Grades**

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

## **10. Parking Citations**

Students may appeal a campus parking citation online at [www.parking.ttu.edu](http://www.parking.ttu.edu).



Transportation & Parking Services rules and a description of the three-tiered appeals process is described in the *Traffic and Parking Regulations* available online at <http://www.depts.ttu.edu/parking/PDFsandDocuments/rulesandregs.pdf>.

#### **11. Graduate School Requirements**

- a. Graduate student complaints related to academic standing and performance follow processes outlined in Operating Policy 64.07 Graduate Student Appeals. Such matters include, but are not limited to, disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, and graduate assistantships.
- b. Appeals of course grades are made through the dean of the college in which the course is offered and are guided by process in Operating Policy 34.03 Student Grade Appeal.

#### **12. Housing Complaints**

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

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

Students enrolled in distance learning courses utilize the same complaint procedures as students enrolled in traditional courses. In accordance with the Higher Education Opportunities Act of 2008, Texas Tech University provides a website related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at <http://www.depts.ttu.edu/elearning/complaint-process/>.

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

Tuition, fee, and financial aid complaints are guided by Student Business Services and Student Financial Aid processes. Information is available on both department websites. Students with complaints related to tuition, fee, and financial aid may submit concerns [by emailing the appropriate department at SBS@TTU.edu](mailto:SBS@TTU.edu) or [FinAidAdvisor@TTU.edu](mailto:FinAidAdvisor@TTU.edu) through an online system.

### **SECTION F: STUDENT SUPPORT SERVICES**

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

A comprehensive listing of online reporting options has been established in a central location to assist students, faculty, staff, and the general community with the option to submit reports of observed or known concerns surrounding a student. When a report is received, staff will review the details of the report, will determine a response that may include available campus resources, and will ask the appropriate staff to respond to the reported concerns. For a complete list of reporting options available, please visit the Office of the Dean of Students website:

<http://www.depts.ttu.edu/dos/reportaconcern.php>

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

### **Behavioral Intervention Team (BIT)**

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

### **Campus Inclusion Resource Team (CIRT)**

In cooperation with the Division of Diversity, Equity & Inclusion and under the direction of the Office of the Dean of Students, the CIRT is a team of professionals uniquely situated to address concerns surrounding expressive activities involving a student(s). CIRT is a non-adjudicative body that addresses concerns surrounding student behavior through appropriate use of University resources and support mechanisms. When behavior does not rise to the level of a policy violation or violation of law, a member(s) of CIRT may request to meet with individual students involved or named in the report to provide education and resources.

Members of CIRT will assist students in understanding what constitutes allowed expressive activities, what expressive activities are not allowed, where to seek information or assistance surrounding inclusive practices, how to seek referrals for on-campus support resources, and how to become involved on campus with programs and organizations who are engaged in inclusive practices.

The Campus Inclusion website will track reports including general descriptive information, appropriate responding office(s), and related outcome(s). Providing details about specific incident information is limited by policies/laws, including but not limited to the Family Educational Rights and Privacy Act of 1974 (FERPA). A CIRT report may be filed on the Diversity Equity & Inclusion, the Office of the Dean of Students, and the RISE websites or via Raiders Report; <http://www.depts.ttu.edu/dos/reportaconcern.php>

### **Student Threat Assessment Team (STAT)**

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

### **Support Services Liaison**

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

## SECTION G. FINANCIAL RESPONSIBILITY

### 1. Financial Responsibility of Students

- a. Students must meet all financial responsibilities due to the University. The writing of checks on accounts with insufficient funds, issuance of stop pays, disputed credit card chargebacks, or the nonpayment or delinquent payment of outstanding loans and failure to meet any other financial obligations to the University are considered a lack of financial responsibility. Financial irresponsibility may subject the student to additional fees, fines, suspension of check writing and cashing privileges, denial of registration, withholding of grades and transcripts and adjudication under the *Code of Student Conduct*. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, by the due date may be prohibited from registering for classes until full payment is made. Students should understand that consequences may result from not resolving one's financial obligations to the University.
- b. Generally, failure to meet financial obligations to the University may result in:
  - Cancellation of the student's registration.
  - Possible criminal prosecution for writing insufficient fund checks.
  - A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term.
  - A hold preventing future registration placed on a student's academic records.
  - A hold on receiving official University transcripts until the obligation is paid.
  - The University may report individual student financial problems to a credit agency or a collection agent. Before registering or requesting a transcript, students may check on the presence of holds by accessing their records at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) under the TTU MyTech (for Students) tab.
- c. For more information, please visit the Student Business Services website at [www.sbs.ttu.edu](http://www.sbs.ttu.edu).

## SECTION H. FREEDOM OF EXPRESSION

### 1. Freedom of Expression Activities

- a. Texas Tech University recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberation by students enrolled at TTU as well as other persons. Expressive activities on the TTU campus are governed by Texas Tech University System Regulation 07.04. The terms of such Regulation shall control in the event of any conflict between the provisions set forth in this Handbook and the terms of such Regulation. Additional information regarding events on University property is available in Part II, Section Q - Use of University Space.

## **SECTION I. GENDER-BASED HARASSMENT, SEXUAL MISCONDUCT, DISCRIMINATION, AND TITLE IX**

Texas Tech University (TTU) has established policies and grievance procedures providing for prompt and equitable resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of sexual misconduct. In the event a student believes their rights under Title IX or other laws have been violated, TTU Operating Policies 40.02 and 40.03 (<https://www.depts.ttu.edu/opmanual/OP40.02.pdf>), TTU System Regulation 07.10, S-07.06A, and 07.06B: (~~□HYPERLINK~~ ["http://www.depts.ttu.edu/opmanual/OP40.03.pdf"](http://www.depts.ttu.edu/opmanual/OP40.03.pdf)) set forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. Additional information regarding gender-based harassment, sexual misconduct, discrimination, and re can be found at [titleix.ttu.edu](http://titleix.ttu.edu). Further information and definitions may be found in Section D: Title IX Procedures for Students, Section C. anti-Discrimination Policy, and Appendix A. forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. Additional information regarding gender-based harassment, sexual misconduct, discrimination, and retaliation e can be found at [titleix.ttu.edu](http://titleix.ttu.edu). Further information and definitions may be found in Section D: Title IX Procedures for Students, Section C. anti-Discrimination Policy, and Appendix A.

## **SECTION J: STUDENT HOUSING REQUIREMENTS**

### **1. Student Housing Information**

- a. University Student Housing (USH) is located on the west side of the Wiggins Complex next to the Hospitality Services.
- b. USH contact information: Phone: (806) 742-2661, Email: [housing@ttu.edu](mailto:housing@ttu.edu), Website: [housing.ttu.edu](http://housing.ttu.edu).
- c. Hospitality Service contact information: Phone: (806) 742- 1360, Email: [hospitality@ttu.edu](mailto:hospitality@ttu.edu), Website: [hospitality.ttu.edu](http://hospitality.ttu.edu).

### **2. First Year On-Campus Requirement**

- a. In support of the Strategic Plan of Texas Tech University, the university requires enrolled first-year students to live in the university residence halls. Institutional research suggests that students who live on campus are significantly more inclined to remain in college and achieve higher GPAs in comparison to students living off campus.
- b. The On-Campus Residence Requirement applies to students enrolled in more than six hours for the fall and spring semesters, and/or enrolled for three hours per summer session.
- c. Compliance with the university housing policy is a condition of enrollment, as set forth in the Student Catalog approved by the Board of Regents and Operating Policy 30.25. Failure to comply with the On-Campus Residence Requirement will result in the student being placed in a “Non-Compliance Status” and charged for all applicable Housing and Dining Plan fees.
- d. It is the responsibility of the student to update any incorrect information regarding place of residence with the Office of the Registrar.

- e. On-campus housing for married couples or individuals with children is not provided.
- f. Registered sex offenders and students convicted of any felony are not permitted to live in university-owned housing. The information submitted is subject to verification.

**3. On-Campus Residence Exemption Process**

- a. Subject to verification and authorization by the university, students may be eligible to live off campus provided any one of the 11 exemption categories listed below is satisfied:

- i. A student is currently residing and will continue to reside in the established primary residence of her/his parents (or legal guardian) if it is within a 60-mile radius of Texas Tech University. The parents (or legal guardian) must have established their primary residency at least six months prior to the request for an exemption. Legal guardianship must have been established by a court of law at least one year prior to the request.
  - ii. A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for Financial Aid.
  - iii. A student is married or has dependent children living with the student.
  - iv. A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.
  - v. A transfer student has successfully completed 30 or more semester hours of academic credit prior to the student's enrollment or re-enrollment. Credit earned by exam (Advanced Placement, CLEP, ACT, SAT) and hours received from concurrent high school credit are not considered.
  - vi. A student is awarded a university scholarship/sponsorship that is managed by a university department or college, which minimally includes the equivalence of the current academic school year's room, board, tuition, fees, and textbooks (as estimated by the Student Financial Aid Office) during an academic school year. Upon prior approval from the managing department or college, the student may request to be exempt from living on campus. The managing department or college must provide verification in writing to University Student Housing prior to the student's enrollment and/or re-enrollment to the university.
  - vii. A student is enrolled in the Graduate School or Law School.
  - viii. A student has served in active military service, as verified by a discharge certificate (DD214).
  - ix. A student presents sufficient evidence of an extreme medical condition, as documented by her/his treating physician, for which on-campus accommodations cannot be made.
  - x. A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.
  - xi. A student has completed a full academic year (fall and spring terms) of living on campus in the Texas Tech University residence halls or provides sufficient evidence of living on campus at another university and receives confirmation of approval from University Student Housing.
- b. Subject to verification and authorization by the University Student Housing, students may be eligible to have their housing hold temporarily removed, and not be required to live on campus for the given term, provided any one of the 3 conditions listed below is satisfied:
- i. A student is enrolled in online classes only;
  - ii. A student is taking less than six hours during the academic year; or
  - iii. A student enrolled for a Texas Tech University or Texas Tech University Health Sciences Center at a campus other than the Lubbock campus.

- c. To request approval to live off-campus, the student must submit an [Exemption Form](#) along with all required documentation. USH staff will review and send denial/approval notices to the student's TTU email account.
- d. No exemptions will be approved once the student has moved into the residence halls.
- e. 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 Department of Student Judicial Services and in accordance with the Code of Student Conduct of Texas Tech University.
- f. Signing an off-campus lease will not relieve the student of contractual obligations that may have been assumed with the University. It is the responsibility of the student to comply with all provisions of the signed contract.

#### **4. Housing Signup Process**

- a. Residence halls, like all other services and facilities of Texas Tech University, are available to all students regardless of race, creed, national origin, age, sex, or disability. Applications for admission to the university and applications for residence hall accommodations are separate processes. To sign up for housing at Texas Tech University, students must first be admitted to the university. Students are encouraged to sign up for housing as soon as they are notified of their admission status and receive and activate their eRaider account information. To complete the housing sign-up process, please visit the USH website.
- b. Students sign a University Student Housing and Hospitality Services Contract for the academic year (fall and spring semesters), a 12-month contract (fall, spring, and summer), or a summer only contract. Any student wishing to move from the residence halls should consult the University Student Housing and Hospitality Services Contract for the cancellation provisions.
- c. Housing and dining plan rates are based on a per person charge. Rates will be established by The University Board of Regents. All rates are subject to change, with appropriate notice. The most recent rates are posted on the USH and Hospitality Services websites.
- d. A \$75 non-refundable application fee is required with all housing applications. This is a one-time fee. A \$400 Initial Deposit is required for all housing room reservations for all residence halls including traditional spaces and suite/apartment/pod style spaces and is due with the signed contract. The \$400 Initial Deposit is potentially refundable (less any fees or billed charges) if the contract is completed or properly cancelled as outlined in the contract. A \$250 Additional Deposit is required for a housing room reservation in a suite/apartment/pod style space (Talkington, Gordon, Carpenter/Wells, Murray, Honors Hall, and West Village) and is due with the signed contract if selecting a



suite/apartment/pod style space or when student elects to upgrade to a suite/apartment/pod style space. The \$250 Additional Deposit is potentially refundable (less any fees or billed charges) if the contract is completed or if the student never reserves a suite/apartment/pod styles space. The \$250 Additional Deposit is non-refundable if the contract is cancelled at any time before the end of the contract period. For additional information on fees, deposits, and cancellation procedures, please review the housing contract on the USH website.

- e.—The University agrees to provide a room and dining plan only after the student has submitted the required application, properly signed the University Student Housing and Hospitality Services Contract, and paid the application fee and applicable deposit(s). The student agrees to pay the housing and dining plan fees and any billed charges (i.e., damage charges, lock change charges, late/improper check-out charges, etc.) at the time scheduled by The University. All housing and dining plan fees and charges are billed in a combined account with The University tuition and fees. These accounts are managed by [Student Business Services](#).~~The University AD Services.~~
- fe. Students with academic year or 12-month contracts are charged 60% of the academic year housing and dining plan rate for the fall semester and 40% for the spring semester. Students entering the residence halls for the spring semester with an academic year contract are charged 50% of the academic year rate.

## **SECTION K. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS**

### **1. General Policy**

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

### **2. Definitions**

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

- a. The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of University documents, records or seal is prohibited. Information is also available in Operating

Policy 01.06 Use of Texas Tech University Name or Logo for Private Business Purposes, Operating Policy 72.23 Licensing and Use of TTU Registered Names, Logos, and Trademarks, and Operating Policy 68.03 Visual Identity Guidelines.

#### **4. Jurisdiction**

- a. All solicitation requests should be directed to the Outdoor Events Coordinating Committee for review. Complete and submit the Grounds Use/Solicitation Request form at [www.depts.ttu.edu/centerforcampuslife/](http://www.depts.ttu.edu/centerforcampuslife/) Requests must be submitted at least ~~tensix~~ (~~610~~) University working days before intended use.
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the Director of the Center for Campus Life.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Senior Vice President of Administration and Finance.
- d. All regulations pertaining to on-campus solicitations by academic departments and faculty shall be administered by the Provost and Senior Vice President of Academic Affairs.
- e. Solicitation of all gifts, donations, and non-contractual grants from private philanthropic sources (e.g., individuals, foundations, and corporations) are administered by the Vice Chancellor of Institutional Advancement and in accordance with OP 02.02.

#### **5. Solicitation Processes**

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

University registered names, logos and trademarks, refer to OP 54.03 or contact the Office of Intercollegiate Athletics External Operations.

- e. Requests for permission to solicit are granted for a specified period. To be eligible to solicit, an individual must present current student identification and submit a Grounds Use/Solicitation request form to the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. A permit to solicit may be revoked if the solicitation violates any of the regulations pertaining to solicitations and advertising or sale, display, or distribution of printed materials.
- f. Decisions by the Outdoor Events Coordinating Committee rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the Director of the Center for Campus Life.
- g. A written appeal describing the objections to the denial to the Director of the Center for Campus Life must be filed no later than five (5) University working days after receipt of notice of denial from the Outdoor Events Coordinating Committee.
- h. The Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within five (5) University working days from the receipt of the written appeal.
- i. The student or registered student organization may not appeal beyond the Director of the Center for Campus Life.

#### **6. Advertisements**

- a. Advertisements by commercial organizations, either as groups or through student representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co- sponsorship, which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.
- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the Texas Tech Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Outdoor Events Coordinating Committee.

#### **7. Printed Materials & Digital Signage**

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

- a. Only individuals affiliated with the University (i.e. students or student organizations) may distribute handbills, leaflets or any other type of printed materials, except as provided by law;

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

#### **8. Use of Bulletin Boards & Digital Signage**

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

#### **9. Violations**

A student or registered student organization violating regulations governing solicitations,

advertising, and printed materials is subject to the disciplinary sanctions outlined in the *Code of Student Conduct*.

## SECTION L. STUDENT IDENTIFICATION

### 1. Student Identification

- a. The student identification card is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.
- c. Students shall not alter their student identification in any way.
- d. Students should carry their student identification card with them at all times. On request, students must present their student identification to any member of the University faculty, staff, administration, or police.
- e. The first ID card a student receives will incur a one-time charge ~~of \$25~~ that will be billed to the student's tuition. This charge is to cover both the cost of ID production and the use of the ID in conjunction with campus services and activities. Students are responsible for monitoring their tuition statements regularly.
- f. A student must pay a replacement charge for lost, stolen, or damaged student identification cards. Upon issuance of a replacement student identification card, previous cards cannot be reactivated.
- g. Student Identification cards are only valid when the bearer is a registered student of the University. RaiderCards shall not be used to prove affiliation with the university after an individual is no longer a student. The individual's ID account will be automatically disabled once he or she the individual is no longer affiliated with Texas Tech University, employee, or guest of the University.
- h. For further information, please view the RaiderCard user agreement at [www.raidercard.ttu.edu](http://www.raidercard.ttu.edu) and University Operating Policy 61.47. at [www.raidercard.ttu.edu.ndnd](http://www.raidercard.ttu.edu.ndnd)

## SECTION M. STUDENT INVOLVEMENT & REPRESENTATION

### 1. Student Government Association

The Student Government Association (SGA) is the official organization representing student interests and voicing concerns to administration. SGA provides programs and activities directed to enhance and develop premier leadership and career success through education.

### 2. Toreador Media

Located on the first floor of the Media & Communication Rotunda, Toreador Media provides out of classroom learning opportunities for students to use academic training obtained at Texas Tech in practical settings of publishing daily digital media at [www.dailytoreador.com](http://www.dailytoreador.com) and the weekly student newspaper, *The Daily Toreador*. Texas Tech University recognizes the editorial independence and press freedom of all student-edited campus media, specifically the digital and print editions of *The Daily Toreador*. Both print and digital publications are considered out-of-classroom learning opportunities, free from administrative censorship.

Student editors of *The Daily Toreador* have the authority to make all content decisions; consequently, they bear the responsibility for the decisions they make. Toreador Media employs 30-50 students each semester as collegiate editors, reporters, photographers, videographers, graphic designers, print, & digital advertising account executives, and members of the delivery staff and street team. Many Toreador Media students are Media & Communication majors while others may study other disciplines. Students interested in the fields of advertising, journalism, marketing, public relations, photography, and broadcast are

encouraged to apply for positions on the digital and print newspaper, multimedia, and advertising staffs at [www.dailytoreador.com](http://www.dailytoreador.com). See TTU Operating Policy 30.27.

### **3. Military & Veterans Programs**

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

- a. The exemption for Texas Veterans under the Hazlewood Act which provides an education benefit to honorably discharged or separated Texas veterans and to eligible dependent children and spouses of Texas veterans.
- b. The educational programs such as the various educational benefits offered through the Department of Veteran Affairs.

Connect with Military & Veterans Programs by visiting [www.mvp.ttu.edu](http://www.mvp.ttu.edu)

## **SECTION N. STUDENT ORGANIZATIONS**

Student Organizations at Texas Tech University are an integral component of the student involvement experience. Students are encouraged to be involved on campus and joining a student organization is one option.

Texas Tech University defines a student organization as a group consisting of five (5) or more students (president, treasurer, and a minimum of three members) joining together for a common mission, purpose, cause, and/or any other association. Only currently enrolled TTU students are eligible to be a member of student organizations at TTU.

As a representative of the university, student organizations and members of those organizations should, at all times, exhibit behaviors that epitomize the Texas Tech University [Statement of Ethical Principles](#). Those values include mutual respect, cooperation in communication, creativity and innovation, community service and leadership, pursuit of excellence, public accountability, and diversity. Additionally, student organizations and members are responsible for adhering to university policies and procedures.

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

- a. To be considered a registered student organization, student organizations must meet the guidelines and expectations for a registered student organization and complete the annual registration process through the Center for Campus Life. Registered student organizations are bound by the expectations set forth by the Center for Campus Life and receive all rights and responsibilities outlined by TTU.
- b. Generally, student organizations are broadly categorized all under as one of the following categories:

Academic-Agricultural Sciences and Natural Resources, Academic-Architecture, Academic-Arts and Sciences, Academic-Business, Academic-Education, Academic-Engineering, Academic-Human Sciences, Academic-Media and Communications, Academic-Visual

and Performing Arts, Advocacy/Activism, Campus Departmental Support, Cultural/International, Fraternity/Sorority, Graduate, Hobby/Leisure/Recreation, Honor, Law School, Political, Pre-Law, Pre-Professional, Residential, Service/Philanthropy, Spiritual/Faith Based, and Sport Club.

**c. Sport Clubs**

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

**d. Social Fraternities/Sororities**

1. The Center for Campus Life is responsible for the oversight of Social Fraternities and Sororities at Texas Tech University. A group seeking single-sex social fraternity or sorority status must first be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and College Panhellenic Council.
2. All student organizations registering as a single-sex social fraternity or social sorority must show proof of their Title IX exemption by uploading to their registration, a letter from their national affiliate with their IRS 501(c)7 number.

**2. Unregistered Student Organizations**

- a. Student organizations that are unregistered with the Center for Campus Life may not access University resources; however, unregistered student organizations shall be subject to the TTU Code of Student Conduct and Community Policies (Student Handbook).

**3. Student Organization Policies**

- a. The annual registration process, administered by the Center for Campus Life, will open at the Student Org Academy each spring semester and need to be completed for the future academic year (fall start) by May 1st.
- b. Organizations may register between the opening date in the spring and the first day of classes in the fall semester. After the deadline has passed, organizations can re-register their organization after submitting a Reinstatement Request and attending the required training.
- c. 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.

- d. Faculty and staff may hold associate membership to the extent allowed by the student organization's constitution and/or bylaws.
- e. The student organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is substantiated with the Center for Campus Life.
- f. All funds allocated to a registered student organization from University-controlled sources must be maintained in a University account. Additional resources acquired by fundraising may be kept in an off-campus organizational account.
- g. The student organization shall show initiative in effectively meeting its stated purpose and be lawful and peaceful in its activities. The Center for Campus Life is available to assist in organizational development.
- h. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/ associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Texas Tech University.
- i. Registered student organizations shall not use the name, logo or symbols of the University in print, online, and on social media as part of its name or in its publications. In addition, the organization shall not advertise or promote functions or activities in a manner that suggest sponsorship by the University. Registered student organizations are permitted to use the word "Tech" or "Raider" as a part of their names or to use the complete statement "a registered student organization at Texas Tech University." Approval of the use of logos or symbols protected by Texas Tech University is under the discretion of the Director of Digital Media, Trademark Licensing, and Special Projects in the Athletic Department of Texas Tech University.
- j. Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials in the Center for Campus Life. Any student organization wishing to solicit on campus must follow the policies and procedures listed in the current TTU Solicitation Policy.
- k. All registered student organization resources must be used to advance and support the organization's purpose, identified goals, and/or mission.
- l. All registered student organizations must comply with University rules, standards, and policies.
- m. Student organization registration does not imply University approval of either the

organization or its functions or activities.

#### **4. Registration Process - Currently Registered Student Organizations**

The registration process must be completed annually for student organizations, fraternities and sororities, and sport clubs to maintain registration status. Student Organizations must be registered to participate in summer organization fairs and the first day of the fall semester to avoid being Frozen. Organizations that are Frozen will still be able to access and register their organization but will not be listed as an organization to the public and do not have the benefits of a registered student organization. Once the organization has submitted their registration and has been approved, they will be removed from Frozen status.

- a. Registration occurs by going to the TechConnect website at <https://ttu.campuslabs.com/engage/> and follow the process established by the Center for Campus Life.
- b. To complete the online process, student organizations must provide the following:
  - i. List of Officers (must include president and treasurer).
  - ii. List of full membership, must have a minimum of three (3) members in addition to a president, treasurer (total minimum organization size of five).
  - iii. List an on-campus address, also known as a Mail Stop or box number.
  - iv. Submit updated copy of constitution and/or bylaws and constitution and/or bylaws of any other local, state or national affiliate organization (if applicable). An organization's constitution and/or bylaws should address a minimum of these areas:
    - name and purpose, membership requirements, selection process, accountability and removal process, anti-discrimination statement, officer titles, duties, election and removal process, departmental and/or external relationships, financial procedures, procedures for decision making (quorum and voting), faculty/staff advisor selection process and expectations, and parliamentary authority. It is recommended to include the organization's risk management policy into the bylaws or upload it to the organization's TechConnect portal.
  - v. The president or organization must meet with the TTU Faculty/Staff advisor and have them sign a "Advisor Agreement Form" (Electronic signatures are not accepted.)
  - vi. Upload a signed copy of the Advisor Agreement Form on the last page of registration to complete the process.

#### **5. Registration Process - New and Reinstating Student Organizations**

- a.—A student may submit the "Intent to Form" request, a new student organization application on TechConnect or a "Reinstatement" Request" form, an application on TechConnect for students wanting to reinstate a frozen or inactive student organization. After submitting an "Intent to Form" request, the student will be contacted by Center for Campus Life staff to schedule a meeting to discuss the new organization Intent to Form process, during which the student can be given approval to attend a required training. After submitting a "Reinstatement Request" form, the student will be contacted by Center for Campus Life staff to attend a required training. The student is then contacted to attend a required training with the Student

~~Involvement Staff to discuss the registration process. After the form for new student organizations has been submitted and the student has attended the training with the Student Involvement Staff the non-registered group will be placed on a 30-day~~

~~b.a. temporary status, which will allow the group the privileges of the University facilities and publicity venues common to registered student organizations.~~ The 30-day time period should be used to recruit new members, develop a constitution and bylaws and obtain a permanent full-time faculty/staff advisor. A student organization may choose to register within the 30-day time period, if they have met all of the requirements to register.

~~e.b.~~ Extensions of the “intent” status are possible under extenuating circumstances and requests should be addressed to the Student Involvement Staff.

~~d.c.~~ New student organizations registering as a single-sex, social fraternity or social sorority must show proof of their Title IX exemption. Upon filing their registration application, groups must submit a letter from their national affiliate with their IRS 501(c) 7 (Internal Revenue Code) tax exemption number from the Internal Revenue Service. This is the mechanism the government uses to verify eligibility for single-sex exemption.

## **6. Benefits of Registered Student Organizations**

- a. Benefits include: space reservations in the Student Union, opportunity to reserve rooms in academic space (i.e. classrooms), Grounds Use application, mailbox in the Student Union, organization information published online, posting on campus, use of University logo (with permission by the Athletic Department Director of Digital Media, Trademark Licensing, and Special Projects ), leadership training, student org resources, access to Involvement Center, and opportunity for storage lockers through the Student Union Main Office.
- b. Registered student organizations may apply for funding through the Student Government Association (SGA) each year provided they are registered as a student organization with the Center for Campus Life and have completed the annual risk management requirement prior to the application deadline. Registered student organizations that are not funded by SGA may apply for funding from the Core Values Fund each year
- c. Sport clubs are entitled to all of the benefits of a registered student organization. In addition, each club receives administrative and financial support from Recreational Sports. Organizations that affiliate with Recreational Sports are not eligible for SGA funding but may receive funding from Recreational Sports.

## **7. Requirements to Maintain Registration Status**

- a. To maintain its active registration status throughout the academic year, a registered student organization must meet the following criteria:
  - i. Organizations must update the “Roster” on TechConnect at <https://ttu.campuslabs.com/engage/> within ten (10) University working days of any of the following:
    - Election of or change in officers outside of a registration period;
    - Change of full-time faculty or staff advisor;
  - ii. Conduct its affairs in a lawful manner as a collaborative entity, in accordance with the constitution and bylaws it has on file, and applicable

- policies, rules, regulations and standards of the University and/or federal, state, and/or local statutes.
- b. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the Student Involvement Staff.
  - c. 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.
  - d. Center for Campus Life and/or Office of Student Conduct may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the Student Handbook, Part I, Section D

## **8. Training Opportunities and Requirements**

The Center for Campus Life is committed to providing a variety of training opportunities to the student leaders, members, and advisors of the registered student organizations. The purpose of training is to further educate student organization leaders, members, and advisors on policy and procedures as well as develop leadership/advising skills.

- a. Student training opportunities include but are not limited to the following:
  - i. Student Org Officer Welcome Back Bash – This event takes place at the start of the fall semester to provide student organization officers the opportunity to make sure their organization is up to date, and aware of programs, opportunities and requirements for the academic year.
  - ii. Leading a Successful Organization workshops – These workshops are hosted 2-3 times a semester on topics that help students lead their organizations successfully throughout the academic year. Topics can include but are not limited to: constitutions and bylaws, parliamentary procedure, elections and officer transition, being an inclusive leader, and conflict management.
  - iii. President Mixer – This event is hosted once every semester as an opportunity for presidents of student organizations to come together and network with their peers and to make sure their organization is meeting the deadlines throughout the academic year.
  - iv. Student Org Academy (REQUIRED) – This program is hosted once every academic year in the spring to open the registration for the new year, provide resources for operational success, and to facilitate the annual risk management training for student organizations. It is required that student organizations have one officer (preferably the president) in attendance for the entire program.
  - v. Student Org Risk Management Training (REQUIRED) – In accordance with Texas Education Code, Section 51.9361, all registered student organizations are required to attend training sessions on the topic of risk management as it relates to individuals, organization functions, and/or activities and complete the required assessment. Social fraternities and sororities are required to

- attend additional Clay R. Warren Risk Education Programming annually.
- vi. Additional student organization trainings may be deemed necessary and required by the Center for Campus Life and/or the University for organizations to attend.
- b. Advisor training opportunities include but are not limited to the following:
- i. New Advisor Orientation – This program is recommended for new and returning advisors who would like to learn more about their role as a student organization advisor and student organization policies and procedures. This program is hosted at the beginning of each semester.
  - ii. Advisor Roundtable – This program is an opportunity for student organization advisors to come together and discuss topics they are experiencing with their organization, network with other advisors, and gain resources.
  - iii. Advisor EDU workshops – These workshops are offered twice a semester and cover topics that help the advisors successfully support and guide organizations through their day to day operations.
  - iv. Student Org Advisor Risk Management Training (REQUIRED) – In accordance with Texas Education Code, Section 51.9361, student organization advisors are required to attend training sessions on the topic of risk management as it relates to individuals, organization functions, and/or activities. Student Organization advisors are required to attend once but are welcome to attend again if desired. If the university makes changes to the training, advisors will be requested to re-attend.
  - v. Additional advisor trainings that may be deemed necessary and required by the university and/or Center for Campus Life for advisors to attend.

## **9. Faculty or Staff Advisor**

- a. Each registered student organization shall have a full-time TTU faculty or staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to incorporate the advisor into the organization's program planning and decision-making. The advisor is recommended to certify the organization's expenditures by co-signing all checks or vouchers. The advisor must oversee adherence to University standards, rules and/or policies as well as the organization's constitution and bylaws.
- b. Registered student organizations may have additional advisors, i.e. coaches (typical of sport clubs) or alumni advisors, to the extent permitted by their constitution and/or bylaws; however, one advisor must be a full-time Texas Tech University faculty or staff member as required and identified in the registration process.
- c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Texas Tech employee should also be included when filling out the registration application, complete with names, addresses, telephone numbers and emails.
- d. 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.
- e. Established full-time TTU University faculty or staff members, who reduce employment hours below full-time status and maintain an office on-campus, may continue to function as the “Primary” advisor of a student organization with the approval of the Center for Campus Life.

**10. Conduct Procedures for Student Organizations**

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

**SECTION O. STUDENT RIGHT TO KNOW**

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

**SECTION P. STUDENT RECORDS**

**1. General Policy**

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

**2. Address of Record**

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at [www.raiderlink.ttu.edu](http://www.raiderlink.ttu.edu) via the MyTech (for Students) tab.

**3. Student Access to Educational Records**

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

- b. Upon written requests, students may obtain copies of their educational records at their expense and pending resolution of administrative holds. Depending upon the scope of information requested, the Office of the Registrar has up to 45 days to respond to written requests. Requests for transcripts are generally completed in less than 3 business days.
- c. The University will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.
- d. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards. Additionally, recommenders who submit a letter to a student's credential file at the University Career Center may indicate whether they wish the student to have access to said letter. Directory information may be disclosed without the student's permission, unless the student has requested confidentiality. See [http://www.depts.ttu.edu/registrar/Academic\\_Information.php](http://www.depts.ttu.edu/registrar/Academic_Information.php) for more information.
- e. Non-directory information such as personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the consent of the student.

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

The following are records not accessible to students:

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



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

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

- a. Officials, faculty and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends to enroll or seeks to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c. Authorized representatives of federal, state or local educational authorities.
- d. Individuals needing this information in connection with a student application for, or receipt of, financial aid.
- e. Organizations or third-party contractors such as Educational Testing Service, which may assist the institution with administering predictive tests, studentaid programs and improving instruction or related work processes. The organizations must not show the personally identifiable information to outsiders and the information must be destroyed when no longer needed for audit, evaluation or compliance with federal requirements.
- f. Accrediting organizations.
- g. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be reviewed and documented by the Office of the Registrar.
- h. Appropriate persons, if necessary, to protect the health or safety of the student or other persons.
- i. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena.

#### **6. Challenge of Record Information**

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

- a. Any student wishing to challenge records or information directly relating to him or her must notify the individual responsible for maintaining the records. The notice must be in writing and specifically identify the item challenged and the basis for the custodian of the challenged records.
- b. All initial meetings will be informal and participants will include: the custodian of the challenged records or information, the student and the author (if appropriate) of the material.
- c. If any of the participants (record custodian, student or author) are not satisfied with the results of the informal meeting, a formal Hearing will be conducted under the following procedures:
  - The Hearing will be conducted within seven University working days following the request for the Hearing.
  - The Hearing will be conducted by an institutional official or other party who does not have direct interest in the outcome of the Hearing appointed by the Vice Provost for Student Affairs.
  - The student may present evidence relevant to the content of the educational

records to demonstrate how they are inaccurate, misleading or otherwise in

violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.

- A written decision must be delivered in writing to all interested parties within seven University working days after the conclusion of the Hearing.

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

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

## **8. Destruction of Records**

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

## **9. Letters of Recommendation**

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

## **SECTION Q. USE OF UNIVERSITY SPACE**

### **1. General Policy**

Freedom of expression is critical and fosters free, robust, and uninhibited debate and deliberations by students enrolled at TTU as well as other persons. The purpose of this section is to establish the approval process for the use of University grounds, facilities, and amplification equipment for faculty, staff, academic, and administrative departments. With the exception of expressive activities outlined under Texas Tech University System [Regulation 07.04](#), the space and facilities of the University are available according to the following priorities: the support of the instructional programs of the institution; the programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments; the use of campus space and facilities for activities that have as their purpose, service or benefit to the Texas Tech University community, and that are sponsored by registered student organizations, students, faculty, and employees.

Notwithstanding any other provision set forth in this section or elsewhere in this Handbook, in the event of any conflict between the terms of TTUS Regulation 07.04 and the provisions of this Handbook, the terms of TTUS Regulation 07.04 shall control.

Except as specifically provided in TTUS Regulation 07.04 or elsewhere in this section, University facilities may not be used by individuals or organizations not connected with the University. An individual who is not a student, faculty, or staff member may attend public 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. There may be a charge for attendance at some events. Sponsorship and/or co-sponsorship minimally include, but are not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person. Except as otherwise permitted under Texas Tech University or Texas Tech University System policies, non-registered organizations or off-campus groups or persons not

sponsored by a department or registered organization will not be permitted to reserve facility

spaces on campus. State law requires that University facilities and property not be used for private gain.

## **2. Reservation Requirements**

- a. Reservations must be made for the use of facilities under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. Requests must be made to the appropriate office. Requests from registered student organizations must be signed by the organization's president and full-time faculty/staff advisor. Requests from individuals must be signed by the person applying for the use of the space or facilities.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code § 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

## **3. Use of Facilities by Student Organizations**

- a. Student organizations must be registered to use University facilities or grounds.
- b. These meetings must be held within a 30 calendar-day time period from the date the Center for Campus Life Staff notifies [campus partners that provide resources to student organizations](#)~~the Student Union~~ for the petitioning organization's intent to register. Academic campus facilities may be reserved by "- petitioning-" student organizations for one meeting only, if their full-time faculty or staff advisor agrees to be present at their event. Petitioning student organizations are also allowed to submit unlimited grounds use requests during the 30-day time period. ~~If the petitioning student organization does not have a faculty/staff advisor yet the staff in the Center for Campus Life can sign off.~~ Additional reservations will not be approved until the student organization is registered.

## **4. Procedure and Priorities for Designated Facilities**

- a. Student Union  
Priority for use of space in the Student Union is given to programs and activities which are conducted by the various departments within the Student Union. Secondary priority is given to registered student organizations and University departments. Reservations must be made in the Student Union Office Room 203 [or by calling 806-742-3636.](#)
- b. Academic Buildings  
Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Operations Division Planning and Administration. All requests must be submitted by an active member of the student organization using the online request form in Ad Astra Schedule at <https://www.aaiscloud.com/TXTechU> or in person at the Operations Division Planning and Administration office. A link to the scheduling site and complete instructions can be found on the department website at

<http://www.depts.ttu.edu/odpa/spi/eism>

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

Academic space will be assigned on a limited basis if:

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

c. Residence Halls

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

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

d. Intercollegiate Athletic Facilities

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

e. Recreational Facilities

The Robert H. Ewalt Recreational Center, Aquatic Center, Leisure Pool, recreation fields, gazebos, tennis courts, racquetball courts and basketball courts are intended primarily for student recreational and instructional use on an organized group and



individual basis. Recreational Sports is responsible for scheduling the use of these facilities.

f. McKenzie-Merket Alumni Center

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

g. Frazier Alumni Pavilion

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

h. Kent R. Hance Chapel

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

i. United Supermarkets Arena

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

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

## **5. Use of Campus Grounds**

With the exception of expressive activities under TTUS Regulation 07.04, or as otherwise outlined in this section, university grounds are available for use only in accordance with the following policies and procedures:

- a. Selected grounds area (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, students and employees. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop.
- b. Students or registered student organizations desiring to use campus grounds must

- register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. Faculty, staff, or departments of the University desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304 as well. In accordance with the University's Operating Policy 61.02 regarding Use of University Grounds, Facilities and Amplification, each use must be approved in writing by the Outdoor Events Coordinating Committee (OECC). Requests must be submitted at least two (2) weeks before the intended use. Recurring use assignments shall not be permitted.
- c. The Outdoor Events Coordinating Committee (OECC) will coordinate all grounds use applications and shall grant only grounds use requests that are consistent with applicable University regulations and local, state, and federal law.
  - d. A permit granting grounds use shall specify the boundaries of the area to be used, the date for which the use is approved, the time at which the proposed activity may begin, the time at which the reservation for the use expires and any special provisions concerning the use of the space. No request will be approved for activities occurring during individual study days and/or final examination period.
  - e. Students or registered organizations using a designated area are subject to the following requirements:
    - Use of amplification equipment must comply with the guidelines below.
    - A structure may not be erected on campus grounds without prior written approval that will include arrangements for securing the structure and cleaning up after the event.
    - If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a University account number before the activity can be approved by the Outdoor Events Coordinating Committee.
    - Violations of these campus grounds use regulations are subject to the disciplinary sanctions and procedures outlined in the *Code of Student Conduct*.
    - Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the General Counsel's Office, Risk Management Office, other University departments or others as necessary prior to approval from the Outdoor Events Coordinating Committee.
    - Participants in, and/or sponsors for, events may be required to sign a "Hold Harmless" release.
    - The sponsor shall contact the Environmental Health and Safety Department to make necessary arrangements for any event that includes concessions or a mobile concession stand. In order for any person, vendor, or organization to operate a temporary food service or mobile unit on Texas Tech property, the Environmental Health and Safety Department must issue a valid Temporary Food Service Permit.
    - The sponsor should contact Transportation & Parking Services to make necessary parking arrangements for the event.

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

## **6. Expressive Activities**

Expressive activities on the TTU campus are governed by Texas Tech University System Regulation 07.04. Notwithstanding any other provision set forth in this section or elsewhere in this Handbook, in the event of any conflict between the terms of TTUS Regulation 07.04 and the provisions of this Handbook, the terms of TTUS Regulation 07.04 shall control.

- a. Students or other persons engaged in freedom of expression activities may be subject to discipline under the *Code of Student Conduct* for the following actions related to time, place and manner restrictions applicable to expressive activities in the University outdoor common areas:
  - i. Activities that are unlawful or that materially and substantially disrupt the normal operations of the University are prohibited.
  - ii. Activities that materially and substantially prevent other individuals or groups from carrying out an expressive activity are prohibited.
  - iii. Activities that substantially interfere with vehicular or pedestrian traffic including the ingress or egress of University facilities are prohibited.
  - iv. Activities that substantially interfere with fire protection, law enforcement, or emergency or medical services are prohibited.
  - v. Activities that threaten or endanger the health or safety of any person on University grounds are prohibited.
  - vi. Activities that result in damage or destruction of University property are prohibited. Nothing may be affixed to or written on University property or grounds.
  - vii. Activities that inherently lose First Amendment protection (e.g., defamatory statements, true threats/fighting words, obscenity [as defined by law]) are prohibited.
  - viii. Expressive signage, posters, displays, or structures (herein “displays”) must be handheld, no larger than 3 feet in height by 3 feet in width. Displays, literature, and other items may not be left unattended.
  - ix. Amplified sound shall not exceed 80 decibel levels near University buildings, as measured at the outdoor edge of such buildings closest to the amplified sound. Any amplification device must be hand-held.
  - x. No open flames are permitted on the University campus without the express written permission of the University. 07.04 Freedom of Expression Page 3 of 3
  - xi. Any activities that are subject to licensing, code, or ordinance requirements/permits must have the proper licenses/permits and satisfy such codes and ordinances (e.g., serving food and beverages).
- b. b. Additional Restrictions. The above list of reasonable time, place, and manner

restrictions is not intended to be all-inclusive. The University reserves the right, as necessary, to impose additional reasonable time, place, and manner restrictions as circumstances arise.

- c. c. Restrictions Are Viewpoint-Neutral. The University's decisions will not be based on political, religious, philosophical, ideological, or academic viewpoints.

7. d. Relocation, Limitation, and Prohibition. The University reserves the right to relocate, limit, or prohibit individuals or groups engaged in expressive activities in University outdoor common areas based on reasonable time, place, and manner restrictions. Appeals of Ground Use Request Denials

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

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

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

- a. Use of Amplification Equipment for Expressive Activities
  - Amplified sound shall not exceed 80 decibel levels near University buildings, as measured at the outdoor edge of such buildings closest to the amplified sound. Any amplification device must be hand-held, see TTU System Regulation 07.04.
  - Use of Amplification Equipment around University facilities. Students and registered student organizations may use handheld amplification equipment (e.g. megaphone) for expressive activities 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 expressive activities in all other outdoor areas of the campus between 12pm-1pm, after 5:00 pm Monday through Friday and weekends.
  - Use of amplification equipment is subject to all rules concerning the time, place, and manner of expressive activities outlined in TTUS Regulation 07.04.
  - No amplification of sound is permitted during the final exam period.
  - 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 made on the Grounds Use and Solicitation Request form provided by the Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration.
- Applications must be submitted at least two weeks before the intended use.
- The Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration may prescribe rules concerning scheduling, maximum sound levels, location and direction of speakers, and other rules to facilitate the use of amplified sound to mediate any conflict with University functions, classes in session, examinations, other nearby activities, and the campus environment.
- The use of amplification equipment for solicitation purposes must conform to all campus grounds use provisions, as well as policies governing solicitation and commercial activities.
- The use of such equipment or loudspeakers is not permitted in the vicinity of classrooms during regularly scheduled class hours without written permission from Operations Division Planning and Administration.
- Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
- Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Outdoor Events Coordinating Committee (OECC).
- Outdoor dances utilizing sound amplification devices may be held only on Friday and Saturday nights, and must terminate by 1:00 a.m. Bands may use their own equipment on such dates.

c. Academic Use

- The appropriate use of loudspeakers for official University activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the Provost.
- Permission for use of the victory bells or carillon bells in the towers of the Administration Building must be requested through the Office of the Provost at least one University working day before time of intended use. Use of the bells must not interfere with the normal functions and programs of the University. See OP 30.21.

## SECTION R. WITHDRAWALS

### 1. Voluntary Withdrawal from the University

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

deadline. All returning students must have a minimum of a 2.0 GPA on work taken since leaving Texas Tech. Please visit the following for more information:

<http://www.depts.ttu.edu/formertech/> School of Law students must contact the Associate Dean of Academic Affairs to discuss the process of returning to school.

## **2. Involuntary Withdrawals**

- a. When a student poses a direct threat to the health or safety of others, and the direct threat cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations where required, a student may be involuntarily withdrawn from the University.
- b. Notice  
Notice regarding students who may be direct threats (both self-reports and third-party reports) should be made to the Office of the Dean of Students or designee.
- c. A “direct threat” means
  - There is a high probability (not just a slightly increased, speculative, or remote risk)
  - of substantial harm
  - Based on observation of a student’s conduct, actions, and statements.
- e. The Dean of Students or designee will review the information presented in the notice, including what attempts, if any, have been made to reduce or eliminate the direct threat, such as the student’s voluntary compliance with medical or counseling assistance.
- f. The Dean of Students or designee will notify the student of the concern.
- g. The Dean of Students or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled 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.

If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via certified mail to the student’s last known official, local address as provided by the student to the Registrar’s Office and/or electronically to the student’s University email account. Students not responding to requests for meetings or assessments may be referred to the Office of Student Conduct for allegations of failure to comply with reasonable directives and/or requests of a University official acting in the performance of their duties. During the involuntary withdrawal process, if the Vice Provost for Student Affairs or designee determines that an immediate direct threat exists against others or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending



a final decision on the involuntary withdrawal as long as the student has received notice of the concern, and had an opportunity to address the concern, and the student is afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may not attend classes, use University services and/or resources (except those expressly permitted by the Vice Provost for Student Affairs or designee), and may not be on campus until the proceedings have been resolved. If the student needs to return to campus, the visit must be coordinated through the Vice Provost for Student Affairs or designee and the Texas Tech Police Department.

h. Involuntary Withdrawal Assessment

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

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

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

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

The assessment will determine:

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

i. Involuntary Withdrawal Committee

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

The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Associate Academic Dean, Director of the Student Counseling Center,

Medical Director of Student Health Services, Director of Student Disability Services, and Dean of Students. If the student resides in campus housing, the Director of Student Housing will also serve as a voting member of the committee. The Dean of Students or designee will chair the committee. If the student is a law student, the Associate Dean for Student Life will also serve as a voting member of the committee. A non-voting resource person may be assigned from the Vice Provost for Student Affairs to present information and assist the committee. The Involuntary University Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be permitted an opportunity to address the evidence being considered by the Involuntary Withdrawal Committee.

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

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

j. Review of Committee Recommendation

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

k. Appeals Process

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

l. Final Decision

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

approval is given by the Dean of Students or designee.

m. Eligibility for Readmission

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

## APPENDIX A

### DEFINITIONS

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

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

#### **Administrative Hold**

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

#### **Behavioral Intervention Team (BIT)**

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

#### **Complainant**

Also known as the “Complaining Party”, the “Complainant” refers to a person who is the subject of an alleged violation of misconduct.

#### **Conduct History**

The term “conduct history” is a compilation of records related to any student or student organization’s behavior that resulted in a finding of Responsible through the University conduct process outlined in the *Code of Student Conduct*.

#### **Consent**

Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity. *For the full definition of Consent, see Section D: Title IX Procedures for Students.*

#### **Coercion**

Sexual coercion is defined as the use of violence or threats of violence against a person or the person's family or property; depriving or hindering a person by any means, substance, object or clothing; attempting to intimidate a person by threats or force; or when committed with the intent to compel a person to do or abstain from doing an act that the person has the right to do or abstain from

doing. Coercion is more than an effort to persuade, entice, or attract another person to have sex. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

### **Dating Violence**

Abuse or violence, or a threat of abuse or violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complaining Party. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship. This definition does not include acts covered under Domestic or Family Violence.

### **Designee**

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

### **Disciplinary Good Standing**

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

### **Discipline Body**

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

### **Domestic Violence**

Domestic or Family Violence. Physical, sexual, or verbal abuse or violence committed by a current or former spouse or intimate partner of the Complaining Party, by an individual with whom the Complaining Party shares a child in common, by an individual with whom the Complaining Party is cohabiting (or has cohabited) with a spouse or intimate partner, by an individual similarly situated to a spouse of the Complaining Party under the Domestic or Family Violence laws of the state of Texas, or by any other individual against an adult or youth victim who is protected from that individual’s acts under the Domestic or Family Violence

### **Employee**

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

### **Hearing Body**

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

### **Investigation Report**

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

### **Investigator**

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

### **Managing Director**

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

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

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

### **Official Academic Record**

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

### **Organization**

The term “organization” means a fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic club, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

### **Policy**

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

### **Policy Clarification**

The term “policy clarification” refers to written notice to a student when it is determined that the information reported does not warrant an allegation, but may warrant notice to the involved parties

to clarify the policy in question.

**Preponderance of Evidence**

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

**Religious Holy Day**

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

**Respondent**

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

**Retaliation**

The term “Retaliation” is defined as any intentional, adverse action taken by any party to the matter, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in an investigation and/or conduct process, civil rights grievance proceeding, or other protected activity. Retaliation is strictly prohibited against a person who files a report through appropriate university reporting mechanisms made in good faith, who assists someone in filing a report, or participated in any manner in the investigation and/or conduct process.

**Simultaneous(ly)**

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

**Sponsorship and/or co-sponsorship**

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

**Student**

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

**Student/Student Organization Conduct History**

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

### **Student Organization**

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

### **Student Threat Assessment Team (STAT)**

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

### **University**

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

### **University Official**

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

### **University Premises**

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





TEXAS TECH UNIVERSITY  
Student Affairs™

# **ATTACHMENT**

# **4**

**TTUHSC Student Handbook, Code of Professional  
Conduct, 2022-2023 with proposed revisions  
(Consent Item i.)**

---

# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER STUDENT HANDBOOK

CODE OF PROFESSIONAL CONDUCT  
2022~~1~~ – 2023~~2~~

GRADUATE SCHOOL OF BIOMEDICAL SCIENCES  
SCHOOL OF HEALTH PROFESSIONS  
SCHOOL OF MEDICINE  
SCHOOL OF NURSING

JERRY H. HODGE SCHOOL OF PHARMACY

[JULIA JONES MATTHEWS SCHOOL OF POPULATION AND PUBLIC HEALTH](#)

---

# TABLE OF CONTENTS

STATEMENT OF ACCREDITATION .....	1
<b><u>PART I. FORWARD</u></b>	
A. GENERAL POLICY .....	1
B. TOBACCO-FREE ENVIRONMENT.....	1
C. AUTHORITY .....	2
D. POLICY ON NON-DISCRIMINATION.....	2
E. UNIVERSITY NAME, DOCUMENTS, AND RECORDS .....	2
F. DEFINITIONS.....	2
<b><u>PART II. CODE OF PROFESSIONAL CONDUCT ("STUDENT CODE")</u></b>	
A. GENERAL POLICY.....	6
B. DISCIPLINARY JURISDICTION .....	6
C. VIOLATION OF LAW AND TTUHSC DISCIPLINE.....	6
D. MISCONDUCT .....	7
1. ALCOHOLIC BEVERAGES.....	7
2. NARCOTICS OR DRUGS .....	7
1. FIREARMS, WEAPONS, AND EXPLOSIVES.....	7
4. THEFT, DAMAGE, OR UNAUTHORIZED USE.....	7
5. ACTIONS AGAINST MEMBERS OF THE UNIVERSITY COMMUNITY .....	8
6. GAMBLING, WAGERING, OR BOOKMARKING .....	8
7. HAZING.....	8
8. FALSE ALARMS OR TERRORIST THREATS.....	9
9. FINANCIAL IRRESPONSIBILITY .....	9
10. UNAUTHORIZED ENTRY, POSSESSION, OR USE .....	9
11. TRAFFIC AND PARKING .....	9
12. FAILURE TO COMPLY WITH REASONABLE DIRECTIONS OR REQUESTS OF UNIVERSITY OFFICIAL.....	9
13. FAILURE TO PRESENT STUDENT IDENTIFICATION .....	10
14. ABUSE, MISUSE, OR THEFT OF UNIVERSITY COMPUTER DATA, PROGRAMS, TIME, COMPUTER, OR NETWORK EQUIPMENT .....	10
15. PROVIDING FALSE, MISLEADING, OR UNTRUE STATEMENTS MISUSE OF RECORDS.....	10
16. SKATEBOARD, ROLLER BLADES, OR SIMILAR DEVICES .....	10
17. ACADEMIC MISCONDUCT .....	10
18. VIOLATION OF PUBLISHED UNIVERSITY POLICIES, RULES, OR REGULATIONS .....	12
19. VIOLATION OF ANY PROVISIONS OF FEDERAL, STATE AND/OR LOCAL LAWS .....	12
20. ABUSE OF THE DISCIPLINE SYSTEM .....	12

<b>E. OTHER PROFESSIONAL AND ETHICAL SCHOOL STANDARDS .....</b>	<b>13</b>
GRADUATE SCHOOL OF BIOMEDICAL SCIENCES .....	13
SCHOOL OF MEDICINE .....	13
SCHOOL OF NURSING .....	13
JERRY H. HODGE SCHOOL OF PHARMACY .....	13
SCHOOL OF HEALTH PROFESSIONS .....	13
JULIA JONES MATTHEWS SCHOOL OF POPULATION AND PUBLIC HEALTH .....	13

<b>F. DISCIPLINARY PROCEDURES.....</b>	<b>14</b>
1. <u>NATURE OF THE PROCEEDINGS .....</u>	<u>14</u>
2. <u>PROCEDURAL DEVIATIONS .....</u>	<u>14</u>
3. <u>FILING A COMPLAINT .....</u>	<u>14</u>
4. <u>STUDENT CONDUCT BOARD HEARINGS .....</u>	<u>15</u>

<b>G. SANCTIONS.....</b>	<b>17</b>
--------------------------	-----------

<b>H. INTERPRETATION AND REVISION .....</b>	<b>19</b>
---	-----------

**PART III: WITHDRAWAL OF CONSENT**

<b>A. RECOMMENDATION TO WITHDRAW CONSENT DURING PERIODS OF DISRUPTION .....</b>	<b>20</b>
<b>B. CONCURRENCE BY DEAN.....</b>	<b>20</b>
<b>C. CONFIRMATION BY PROVOST .....</b>	<b>21</b>
<b>D. HEARING .....</b>	<b>21</b>

**PART IV: ANTI-DISCRIMINATION AND SEXUAL MISCONDUCT POLICY AND PROCEDURES  
(INCLUDING TITLE IX)**

<b>A. INTRODUCTION .....</b>	<b>22</b>
<b>B. NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY.....</b>	<b>23</b>
<i>Contact.....</i>	<i>23</i>
<i>Phone.....</i>	<i>23</i>
<i>Address.....</i>	<i>23</i>
<i>Email.....</i>	<i>23</i>
<i>Contact.....</i>	<i>23</i>
<i>Phone.....</i>	<i>23</i>
<i>Address.....</i>	<i>23</i>
<i>Email.....</i>	<i>23</i>
<i>Contact.....</i>	<i>24</i>
<i>Phone.....</i>	<i>24</i>
<i>Address.....</i>	<i>24</i>
<i>Email.....</i>	<i>24</i>

<b>C. SEXUAL MISCONDUCT .....</b>	<b>24</b>
<i>Contact.....</i>	<i>24</i>
<i>Phone.....</i>	<i>24</i>

<i>Address</i> .....	24
<i>Email &amp; Website</i> .....	24
<i>Resources</i> .....	28
<i>Phone</i> .....	28

D. GRIEVANCE PROCESS FOR NON-TITLE IX SEXUAL MISCONDUCT.....	33
E. NON-TITLE IX SEXUAL MISCONDUCT HEARING PROCEDURE.....	40
F. PREGNANCY.....	41

**PART V: STUDENT RECORDS**

A. GENERAL POLICY.....	42
B. ADDRESS OF RECORD.....	42
C. STUDENT ACCESS TO EDUCATIONAL RECORDS.....	42
D. RECORDS NOT ACCESSIBLE TO STUDENTS.....	43
E. DISCLOSURE OF EDUCATIONAL RECORDS.....	44
F. STUDENT’S REQUEST TO AMEND RECORDS.....	45
G. RELEASE OF STUDENT DIRECTORY INFORMATION.....	47
H. DESTRUCTION OF RECORDS.....	48
I. LETTERS OF RECOMMENDATION.....	48
J. MEDICAL RECORDS.....	48

**PART VI. REGISTRATION OF STUDENT ORGANIZATIONS**

A. CONDITIONS FOR REGISTRATION.....	49
B. FACULTY OR STAFF ADVISOR.....	50
C. CONDITIONS FOR MAINTAINING REGISTRATION.....	50
D. DENIAL OF REGISTRATION.....	51

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

A. EXPRESSIVE ACTIVITIES.....	51
B. OTHER USES OF TTUHSC SPACE AND ACTIVITIES.....	51

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

**PART IX. STUDENT TRAVEL POLICY**

A. STUDENT TRAVEL POLICY.....	52
-------------------------------	----

**PART X. MISCELLANEOUS POLICIES**

A. MISCELLANEOUS POLICIES.....	53
--------------------------------	----

1. ABSENCES .....	50
2. ACADEMIC REQUIREMENTS.....	50
3. ADMISSIONS AND APPLICANTS.....	50
4. ADDING AND DROPPING A COURSE .....	50
5. AFFILIATION .....	50
6. ATTENDANCE .....	50
7. BACTERIAL MENINGITIS.....	51
8. REQUIRED IMMUNIZATIONS .....	52
9. TUBERCULOSIS SURVEILLANCE .....	52
10. EXPOSURE MANAGEMENT .....	52
11. WORKING WITH AFFILIATED ENTITIES - STUDENT DRUG SCREENINGS .....	53
12. CREDIT BY EXAM.....	55
13. STUDENTS WITH DISABILITIES .....	55
14. DISCRIMINATION/EQUAL OPPORTUNITY .....	55
0. EMPLOYMENT GRIEVANCE .....	56
16. EXAMS.....	56
17. FINANCIAL POLICIES .....	56
18. GRADES/GRADING.....	56
19. GRADUATION PROCEDURES .....	56
20. MEDICAL SERVICES FEE AND STUDENT HEALTH INSURANCE.....	57
21. INTERPROFESSIONAL EDUCATION .....	58
22. NOTIFICATION OF STUDENT DEATH .....	58
23. PROGRAM OF ASSISTANCE FOR STUDENTS .....	58
24. STUDENT EMERGENCY CONTACT INFORMATION.....	59
25. REGISTRATION.....	59
26. RELIGIOUS HOLY DAYS.....	59
27. STATE RESIDENCY CLASSIFICATION .....	59
28. SEXUAL HARASSMENT POLICY .....	60
29. TUITION AND FEES INSTALLMENT PAYMENT OPTIONS .....	60
30. TUITION AND FEES REFUND POLICIES.....	60
31. VETERANS RESOURCE CENTER .....	62

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

<b>A. GENERAL OR ACADEMIC MISCONDUCT OF A STUDENT.....</b>	<b>67</b>
<b>B. DISCRIMINATION .....</b>	<b>67</b>
<b>C. STUDENT RECORDS .....</b>	<b>67</b>
<b>D. TTUHSC EMPLOYMENT .....</b>	<b>67</b>
<b>E. GRADES/GRADING .....</b>	<b>68</b>
<b>F. OTHER TYPES OF MISTREATMENT.....</b>	<b>68</b>
<b>G. OTHER INSTITUTIONAL-LEVEL STUDENT COMPLAINT PROCEDURES .....</b>	<b>69</b>
1. EARLY RESOLUTION .....	65
2. FILING A HEARING REQUEST.....	65
3. HEARING PROCEDURE.....	65

4. COMMITTEE DECISION .....	66
5. COMPLAINT FORMS.....	66

**PART XII. CONTACT INFORMATION FOR KEY PERSONNEL**



## STATEMENT OF ACCREDITATION

The Texas Tech University Health Sciences Center ([TTUHSC](#)) is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award baccalaureate, masters, doctoral, and professional degrees. Questions about the accreditation of [Texas Tech University Health Sciences Center TTUHSC](#) may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

---

## PART I. FOREWORD

### A. GENERAL POLICY

As a comprehensive health sciences center, the Texas Tech University Health Sciences Center's (TTUHSC) mission is to enrich the lives of others by educating students to become collaborative healthcare professionals, providing excellent patient care, and advancing knowledge through innovative research.

TTUHSC's strategic plan can be viewed at the following link: <https://www.ttuhscc.edu/administration/strategic-plan.aspx>

A university, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, TTUHSC Operating Policies and Procedures, and the individual School's catalogs/[handbooks](#) are intended to serve these purposes in the interest of all components of the TTUHSC.

The TTUHSC has a responsibility to maintain order within the university community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and policies set forth in this Student Handbook, the TTUHSC Operating Policies and Procedures, the individual Schools' catalogs/[handbooks](#), and any other official University publications. Registered student organizations must also follow these standards, rules and policies.

The Texas Tech University Health Sciences Center reserves the right to change, modify, amend, or rescind, in whole or in part, the Student Handbook at any time without prior notice. The most recent Handbook supersedes all previous editions. See updates at [www.ttuhscc.edu/student-affairs](http://www.ttuhscc.edu/student-affairs). The provisions of the Handbook do not constitute a contract, express or implied, between any student or faculty member and Texas Tech University System, TTUHSC, or the TTUHSC School of Medicine, School of Health Professions, Jerry H. Hodge School of Pharmacy, School of Nursing, [Julia Jones Matthews School of Population and Public](#), or the Graduate School of Biomedical Sciences.

### B. TOBACCO-FREE ENVIRONMENT

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

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

## C. AUTHORITY

The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University official(s) the President designates. The Office of the Provost, ~~under~~ [in coordination with](#) the Office of Student Affairs, is the principal designee for the administration of student conduct.

All references to the Chancellor and/or President of the University, the Provost or their designee shall be interpreted to include persons designated to act on behalf of these officials.

## D. POLICY ON NON-DISCRIMINATION

The University brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences. The University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of sex, including pregnancy, race, color, religion, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category class or characteristic, and that equal opportunity and access to facilities shall be available to all. The University is committed to providing educational programs, activities, facilities, or services that are free of unlawful discrimination. For more information, see [TTUHSC OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Program](#) and [TTUHSC OP 51.02, Non-Discrimination and Anti-Harassment Policy](#), and Part IV of the Student Handbook below.

## E. UNIVERSITY NAME, DOCUMENTS, AND RECORDS

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

## F. DEFINITIONS

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

5. "Conduct Board" – see definition for "Student Conduct Board" (item [232](#)).
6. "Disciplinary Good Standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, dismissal, or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.
7. "Faculty member" is any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.
8. "Flag" is the indicator placed on a student's official record which may prevent registration and/or the issuance of a transcript until the student meets the requirements of the University office placing the indicator, as described herein and in the Schools' catalogs.
9. "May" is used in the permissive sense.
10. "Member of the University Community" is any person who is an enrolled student, faculty, or staff member, University official, any other person employed by the University, volunteer (including high school students), or campus visitors.
11. "Policy" refers to the written regulations, standards, and/or rules of the University as found in, but not limited to: the TTUHSC Student Handbook; School of Nursing Handbook and catalog; School of Medicine catalog; School of Health Professions catalog; Jerry H. Hodge School of Pharmacy catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSC operating policies.
12. "Department Chair" is the individual charged primarily with mentoring and guiding faculty, overseeing department administrative support, and serving as an interface between faculty and the administration of the School and TTUHSC. Matters of student misconduct and academic deficiency that are addressed from faculty/program directors, etc. are referred to the Department Chair, and if not resolved, referred to the appropriate student conduct administrator for each school.
13. "Registered Student Organization" – see definition for "Student Organization" (item [265](#)).
14. "Religious Holy Day" is a holy day observed by a religion whose places of worship are exempt from property taxation under Texas Tax Code § 11.20. Religious Organizations. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Texas Education Code § 51.911. Religious Holy Days.
15. "Representative" is a University official authorized on a case-by-case basis by the Dean of each School to investigate and resolve alleged violations of the Code of Professional Conduct.
16. "School" refers to the School of Medicine, School of Nursing, Jerry H. Hodge School of Pharmacy, School of Health Professions, or Graduate School of Biomedical Sciences.
17. "Shall" is used in the imperative sense.
18. "Sponsorship and/or Co-Sponsorship" is defined as minimally including, but not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.
19. "State Law" exclusively refers to the State of Texas.
20. "Student" refers to all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, specifically excluding School of Medicine House Staff. In addition, for purposes of Part II of this Handbook, persons who withdraw or on leave of absence after an alleged violation of the Code, who are not officially enrolled for a particular term, but who have a continuing

relationship with the University, or who have been notified of their acceptance may be considered “students.”

21. “Student Code” refers to the TTUHSC Code of Professional Conduct, which is set forth in Part II of this Handbook. Section D, Misconduct, applies to all students, while Section E, Other Professional and Ethical Standards, applies to students in certain TTUHSC Schools. A student must have applied for admission or be enrolled in the applicable School before a School’s provisions in Section E apply to the student.
22. “Student Conduct Administrator” is the [TTUHSC individual](#) official authorized by the Dean of each [TTUHSC School](#) to receive complaints and administer the [School specific](#) procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board hearing, but will not be present during the Board’s deliberations. In any case in which the Student Conduct Administrator is the complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School, appointments are made as follows, or as otherwise determined by the Dean:
  - a. Graduate School of Biomedical Sciences – Assistant Dean
  - b. School of Medicine – [Student Conduct Administrator](#)~~Associate Dean for Academic Affairs~~
  - c. School of Nursing – Associate ~~Academic~~Dean for Admissions, Student Affairs, and Enrollment Management
  - d. School of Health Professions – Associate Dean for Admissions and Student Affairs
  - e. [Jerry H. Hodge School of Pharmacy](#): Academic violations – ~~Senior Director~~[Associate Dean](#) for Student Affairs [and Admissions](#); professional violations – Associate Dean for Professional Affairs.
  - e.f. [Julia Jones Matthews School of Population and Public Health](#) – [Student Conduct Administrator](#)
23. “Student Conduct Board” or “Board” refers to persons authorized by the Dean of each School to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed. All persons serving on the Student Conduct Board must acknowledge an ability to serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with either the accused or the complainant. When a person declines to serve because of a conflict of interest or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve.
  - a. For the Graduate School of Biomedical Sciences, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
    - i. One (1) Faculty member from the membership of the Graduate Council, who shall serve as Chair;
    - ii. Two (2) other faculty members from the membership of the Graduate Faculty; and,
    - iii. Two (2) graduate students from the School.
  - b. For the School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
    - i. Two (2) faculty members chosen by the Chair of the School Hearing Committee or designee;
    - ii. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,
    - iii. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.
    - iv. The Board will elect one (1) of the faculty members as its Chair.
  - c. For the School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
    - i. One (1) tenured faculty member, who will serve as Chair;
    - ii. Two (2) faculty members not directly involved with the complainant or the accused; and,

- iii. Two (2) students not directly involved with the complaint or the accused.
    - d. For the School of Health Professions, the Student Conduct Board shall be appointed by the Dean as follows:
      - i. The Associate Dean for Admissions and Student Affairs serves as the Student Conduct Administrator and will appoint a Student Conduct Board comprised of the following:
      - ii. One (1) member of the SHP Office of the Dean who will serve as Chair;
      - iii. Two (2) faculty members not directly involved with the case; and
      - iv. Two (2) students not directly involved with the case.
    - e. For the Jerry H. Hodge School of Pharmacy, the Student Conduct Board shall be the appropriate Honor Council members pursuant to the School of Pharmacy OP 77.27.
    - f. For the Julia Jones Matthews School of Population and Public Health, the Student Conduct Board shall be appointed by the Dean as follows:
      - i. One (1) tenured faculty member, who will serve as Chair;
      - ii. Two (2) faculty members not directly involved with the complainant or the accused; and
      - v-iii. Two (2) students not directly involved with the complaint or the accused.
24. “Student Conduct Board Hearing” or “Hearing” refers to an administrative process whereby a student contests the facts upon which charges-allegations of ~~inappropriate conduct~~, violations of the Student Code and/or sanctions resulting from an alleged violation(s) are based. At the hearing, information is presented to the Student Conduct Board in order to determine whether a student’s responsibility related to the alleged violation of the Student Code is valid and appropriate sanctions, if any.
25. “Student Handbook” or “Handbook” refers to the TTUHSC Student Handbook.
26. “Student Organization” refers to a group of students who have joined together for a common mission, purpose, or cause, and have submitted the ~~complied with the formal~~ requirements for Texas Tech University Health Sciences Center student organization registration.
27. “University” means Texas Tech University Health Sciences Center (inclusive of all regional sites and their components) or Texas Tech University System.
28. “University Official” is any person employed by Texas Tech University System, Texas Tech University or Texas Tech University Health Sciences Center performing assigned administrative or professional responsibilities.
29. “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).
30. “User” is any member of the University community who uses any University computing and/or networking resources.
31. “Will” is used in the imperative sense.

---

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

## A. GENERAL POLICY

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

## B. DISCIPLINARY JURISDICTION

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

## C. VIOLATION OF LAW AND TTUHSC DISCIPLINE

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly violates either the criminal and/or civil law and/or this Student Code (that is, multiple violations may result from the same factual situation) without regard to the pendency or conclusion of civil litigation or criminal arrests or

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

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

## D. MISCONDUCT

Any student or student organization found to have committed the following misconduct is subject to disciplinary sanctions, conditions, and/or restrictions. Misconduct or prohibited behavior includes, but is not limited to:

### 1. Alcoholic Beverages

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

### 2. Narcotics or Drugs

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

### ~~3.~~ Firearms, Weapons, and Explosives

~~4.~~ Use or possession of firearms, ammunition, explosive weapons, illegal knives, and other deadly weapons are prohibited on university property, except as specifically authorized by federal, state, or local laws.

~~5.3.~~ TTUHSC OP 10.30 outlines regulations for the carrying of concealed handguns by licensed holders.

As a health-related educational institution, TTUHSC facilitates a complex composition of activities, which include education, patient care, research, and community engagement. As such, TTUHSC campuses must accommodate the unique needs of diverse stakeholders, including patients, learners of all types, faculty, staff, contractors, and visitors. Within the context of this unique and complex composition, TTUHSC is committed to the following principles for the campus environment:

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

### ~~6.4.~~ Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University, students, members of the University community or campus visitors.
- b. Possession of property known to be stolen or belonging to another person without the owner's permission.

- c. Attempted or actual damage to property of the University, University students, members of the University community, or campus visitors.
- d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card, and/or personal check; alteration, forgery, or misrepresentation of any form of identification, including, but not limited to, a social security number or driver license number.

#### **7.5. Actions Against Members of the University Community**

- a. Physical harm or threat of harm to any person.
- b. Intentional or reckless conduct that endangers the health or safety of any person, including, but not limited to, a member of the University community.
- c. Behavior that disrupts the normal operation of the University, including, but not limited to, a member of the University community; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a member of the University community's academic pursuits or work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.
- d. 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 other misconduct based on sex.
- e. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.
- f. Actions involving freedom of expression are covered in Parts VII and VIII of this Handbook and governed by O.P. 61.07, Use of TTUHSC Premises and Amplification Equipment.

#### **8.6. Gambling, Wagering, or Bookmaking**

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

#### **9.7. Hazing**

- a. Any intentional, knowing or reckless act directed against a student, occurring on or off campus, by one or more individuals acting alone or collectively, that endangers the mental or physical health or safety of a student for the purpose of pledging or associating, being initiated into, affiliating with, holding office in, seeking, and/or maintaining membership in any organization whose members are, or include, students. Consent or acquiescence by a student or students subjected to hazing is not a defense in a disciplinary proceeding. Hazing includes, but is not limited to:
  - i. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
  - ii. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
  - iii. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
  - iv. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the



mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision;

- v. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code;
- vi. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- vii. Any activity in which hazing is either condoned or encouraged, or actions of any officer or combination of members, pledges, associates, or alumni of the organization commit or assist in the commission of hazing; or,
- viii. Any act that is unlawful as designated by local, state, or federal government. See Texas Education Code, Sections 37.151-37.157 and Section 51.936.

**10.8. False Alarms or Terrorist Threats**

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

**11.9. Financial Irresponsibility**

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

**12.10. Unauthorized Entry, Possession, or Use**

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

**13.11. Traffic and Parking**

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

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

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

**15.13. Failure to Present Student Identification**

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

**16.14. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment (OP 56.01 - Acceptable Use of Information Technology Resources)**

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

**17.15. Providing False, Misleading, or Untrue Statements Misuse of Records**

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

**18.16. Skateboard, Roller Blades, or Similar Devices**

- a. Use of skateboards, roller blades, or other similar devices in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property or which disrupts the normal operation of the University. Also refer to TTUHSC OP 76.32, Traffic and Parking Regulations.

**19.17. Academic Misconduct**

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

- b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts, and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.
- c. "Cheating" includes, but is not limited to:
  - i. Using any aid, sources, and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test, or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
  - ii. Failing to comply with instructions given by the person administering the test;
  - iii. Using, buying, stealing, transporting, or soliciting whole or part the contents of an examination, test key, homework solution, or computer program;
  - iv. Seeking aid, receiving assistance from, or collaborating with another student or individual during a course, quiz, test, examination, or in conjunction with other assignment (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
  - v. Discussing the contents of an examination with another student who will take the examination;
  - vi. Divulging the contents of an examination or preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to, or kept by the student;
  - vii. Substituting for another person, or permitting another person to substitute for oneself, to take a course, test, or any course-related assignment;
  - viii. Paying or offering money or other valuable thing to, or coercing another person to, obtain an examination, test key, homework solution, or computer program, or information about an examination, test key, homework solution, or computer program;
  - ix. Falsifying research data, laboratory reports, and/or other academic work offered for credit;
  - x. Taking, keeping, misplacing, or damaging the property of the University, or of another, if the student knows, or reasonably should know, that an unfair academic advantage would be gained by such conduct;
  - xi. Possession, at any time, of current or previous test materials without instructor permission;
  - xii. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
  - xiii. Alteration of grade records;
  - xiv. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
  - xv. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
  - xvi. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without the written permission of the instructor of the course for which the work is being submitted.
  - xvii. Possession, during an exam, of prohibited materials, including but not limited to study/review materials, class notes, review questions, or electronic devices.
- d. "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work (such as words, ideas, expressions, illustrations, or

product of another), in whole or in part, and the submission of that work as one's own work for an academic credit or requirement. When a student presents the works of another (published or unpublished) in their academic work, the student shall fully acknowledge the sources according to methods prescribed by their instructor.

- e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms, and reporting forms used by the Office of the Registrar.
- f. "Misrepresenting facts" to the University or an agent of the University includes, but is not limited to, providing false grades or resumes, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual, or providing false or misleading information in an effort to injure another student academically or financially.
- g. For additional information relating to the School of Medicine Academic Misconduct procedures, please refer to the School handbook.

**20-18. Violation of Published University Policies, Rules, or Regulations**

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

**21-19. Violation of any Provisions of Federal, State and/or Local Laws**

**22-20. Abuse of the Discipline System**

- a. Failure by an accused to comply with or respond to a notification to appear before the Dean of their School, Dean's representative, and/or an official of the University, including, but not limited to, the Student Conduct Administrator, during any stage of a disciplinary proceeding. Failure to comply with or respond to a notice issued as part of a disciplinary procedure and/or failure to appear will not prevent the Dean, Dean's representative, and/or an official of the University from proceeding with disciplinary action;
- b. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Filing an allegation known to be without merit or cause.
- e. Discouraging, or attempting to discourage, an individual's proper participation in, or use of, the discipline system.
- f. Influencing, or attempting to influence, the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding.
- g. Harm, threat of harm, or intimidation either verbally, physically, or written of a member of a disciplinary body prior to, during, and/or after disciplinary proceeding.
- h. Failure to comply with the sanctions, conditions, or restrictions imposed under this Student Code.
- i. Influencing or attempting to influence another person to commit an abuse of the discipline system.

- j. Retaliation against any person or group who files a complaint of misconduct in accordance with the Student Code or grievance under the applicable School grievance policy.

## E. OTHER PROFESSIONAL AND ETHICAL SCHOOL STANDARDS

In addition to the misconduct identified in Part II.D of this Handbook, each School shall prescribe professional and ethical standards in their School handbook, the violation of which may form the basis of a disciplinary action.

### GRADUATE SCHOOL OF BIOMEDICAL SCIENCES

All students entering the Graduate School of Biomedical Sciences are required to subscribe to the Student Handbook Code of Professional Conduct as well as the policies and standards described in the Graduate School of Biomedical Sciences Catalog. GSBS students will make every effort to embrace the Values-Based Culture with conduct that is ethical, honest, respectful, and professional to all.

### SCHOOL OF MEDICINE

All students entering the TTUHSC School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the School of Medicine.

### SCHOOL OF NURSING

All students entering into the TTUHSC SON are required to subscribe to the standards and codes of the profession.

### JERRY H. HODGE SCHOOL OF PHARMACY

The following principles of professional conduct are established to guide pharmacists in relationships with patients, fellow practitioners, other health professionals, and the public. A Pharmacist should hold the health and safety of patients to be of first consideration and should tender to each patient the full measure of professional ability as an essential health practitioner.

### SCHOOL OF HEALTH PROFESSIONS

[All students entering the School of Health Professions are required to subscribe to the Student Handbook Code of Professional Conduct, as well as the policies and standards described in the School of Health Professions Handbook.](#)

As a student of the School of Health Professions at the Texas Tech University Health Sciences Center, I will use my knowledge and skills responsibly to improve the quality-of-life for those we serve. I will seek in all academic, professional and personal endeavors to demonstrate ethical behavior, honesty, integrity and respect for others.

### JULIA JONES MATTHEWS SCHOOL OF POPULATION AND PUBLIC HEALTH

[All students entering the JJMSPPH are required to subscribe to the Student Handbook Code of Professional Conduct as well as the policies and standards described in the JJMSPPH Catalog. Students will make every effort to embrace the Values-Based Culture with conduct that is ethical, honest, respectful and professional to all.](#)

## F. DISCIPLINARY PROCEDURES

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

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

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

3. Filing A Complaint
  - a. Any faculty, staff, or student of TTUHSC may file a Complaint against a student or a student organization for violation of the Student Code. A preliminary investigation/discussion with a supervisor (program director, chair, etc.) must be done prior to filing a Complaint. If a basis for the Complaint exists, a student grievance should be completed and submitted at <https://www.ttuhs.edu/student-affairs/grievances.aspx> by the Complainant. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a case-by-case basis as determined by the Student Conduct Administrator.
  - b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused with the Complaint of Misconduct filed by the Complainant and will notify the Accused in writing that he or she shall appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter.
  - c. The Student Conduct Administrator may conduct an informal meeting to determine if the complaint may be disposed of prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties. Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.
  - d. If the Complaint is not disposed of administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Accused to determine if the Accused admits or denies violating institutional rules.
    - i. If the Accused admits violating institutional rules, but does not agree to sanctions, a Student Conduct Board Hearing shall be conducted in accordance with Part II.F.4, but shall be limited to recommending the appropriate sanctions Part II.G.
    - ii. If the Accused denies violating University rules, the allegations shall be referred by the Student Conduct Administrator for a Hearing before the Student Conduct Board under Part II.F.4 below.

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

#### 4. Student Conduct Board Hearings

- a. **Closed Hearing.** A Student Conduct Board Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Conduct Board, who shall render a final written decision.
- b. **Hearing Notice.** At least fifteen (15) business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:
  - i. Date, time and place for the hearing,
  - ii. Name of the members of the Student Conduct Board, and
  - iii. Summary statement of the charges, or a copy of the complaint.
- c. **Challenge.** Both the Accused and Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator. The challenging party shall with specificity, and clarity detail each reason for such challenge. The burden of proving the impartiality or inability of a Conduct Board member to serve lies solely upon the challenging party. If the challenging party establishes that the challenged members cannot serve with fairness and objectivity such member shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed, the Student Conduct Administrator may choose to reschedule the hearing.
- d. **Evidence Submission.** At least ten (10) business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.
  - i. All pertinent records and exhibits;
  - ii. Written statements must be notarized (including Impact or Position Statements);
  - iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused or Complainant;
  - iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing.  
See Part II.F.4.i below.
- e. **Evidence Exchange.** At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.
- f. **Separate or Joint Hearings.** A Student Conduct Board Hearing involving two or more Accused, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the accused [whether a separate hearing will be granted](#) within three (3) business days.
- g. **Recordings.** The University shall record – either digitally, through audiotape, or otherwise as deemed appropriate – all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its findings and recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy,

- the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused nor any witnesses are permitted to make any independent record of the proceedings.
- h. **Hearing Attendance.** The Complainant, Accused, and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.
  - i. **Advisors.** The advisor must be a faculty, staff, or student of TTUHSC. However, if an Accused is also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances, he or she may be allowed to have an attorney serve as their advisor, at their own expense, to participate only in the same manner as any other advisor. If an advisor for the Accused is an attorney, an attorney from the Office of General Counsel may attend the Student Conduct Board Hearing on behalf of the University. An attorney from the Office of General Counsel shall be provided for the Student Conduct Board as the Student Conduct Board Chair deems necessary.
    - i. The Complainant and the Accused are responsible for presenting their own information, and therefore, advisors are not permitted to speak or to participate directly or indirectly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor.
  - j. **Witnesses.** Questioning of witnesses will first be conducted by members of the Student Conduct Board, followed by the parties. Questioning by the Complainant and the Accused may be limited by the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only while they are providing testimony, they are being questioned by the Complainant, the Accused, or the [Conduct committee Board](#) unless the Student Conduct Board Chair, determines otherwise.
    - i. **Party Witnesses.** The Complainant and the Accused may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused are solely responsible for arranging for the voluntary attendance of their own witnesses. The hearing will not be rescheduled to accommodate party witnesses.
    - ii. **Board Witnesses.** The Student Conduct Board may call other witnesses not identified by the Accused or the Complainant. If, prior to the hearing, the Student Conduct Board wishes to call witnesses, the Board shall notify the Chair of the Student Conduct. The Chair will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair shall notify the Accused and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair is responsible for forwarding such information to the Complainant, the Accused, and the Student Conduct Board prior to the Hearing. Throughout this process, Board members shall have no communication with any witnesses, except in the Hearing with the Accused and Complainant present.
  - k. **Procedural Questions.** All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.
  - l. **Deliberations.** Once the Student Conduct Board receives all information, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare findings and recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting and then vote whether the Accused has violated any



- section of the Student Code which the student is charged with violating. If the Student Conduct Board finds violations of the Student Code, the Student Conduct Board may also recommend all or any of the sanctions identified in Part II.G below.
- m. **Failure to Appear.** The Accused is expected to attend and participate in the Student Conduct Board Hearing. If the Accused or the Complainant elects not to attend a hearing after appropriate written notice Section II.F.4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. No inference may be drawn against the Accused for failing to attend a hearing or remaining silent. The hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Accused to attend the hearing or answer the charges.
  - n. **Findings and Recommendations.** The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations in writing. If the Findings and Recommendations are not unanimous, opinions may be written by those who differ with the majority's findings and recommendations. The Chair will forward the findings and recommendations, including differing opinions, within ten (10) business days to the Dean, the Student Conduct Administrator, the Accused and the Complainant.
  - o. **Dean's Review.** The Dean will review the Findings and Recommendations from the Student Conduct Hearing along with the audio recording and supporting documents, and transmit their decision in writing within ten (10) business days from receipt to the Accused, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean are not limited to sanctions recommended by members of the Student Conduct Board.
  - p. **Appeal.** Within five (5) business days of receipt of the decision of the Dean, if either party believes that their due process procedures have been violated or that new information has become available, an appeal may be made in writing to the Provost of the University. The Provost or their designee will review the case and notify all parties of their decision within five (5) business days. If a written appeal is not submitted within five (5) business days following receipt of the Dean's letter, the right to appeal is waived and the Dean's decision will be finalized.

- The Accused or Complainant may only raise, and the Provost or their designee shall only consider, the following on appeal:
- i. Whether a procedural deviation occurred that substantially affected the outcome of the case;
  - ii. Whether there is new information sufficient to alter the findings or other relevant facts not available or mentioned in the original hearing because such information or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.
- q. **Provost's Review.** The Provost or their designee will review the findings and recommendations and, at their discretion, the record from the Student Conduct Hearing and supporting documents, and transmit their decision in writing to the Accused, the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Dean. The Provost or their designee's decision shall be final.

## G. SANCTIONS

1. Any student found to have engaged in misconduct may be assigned sanctions. The sanctions are designed to engage students in critical reflection of their choices, as well as educate and develop students through a process of accountability that promotes integrity, responsibility, and growth. The Dean of the School will consider the nature of the misconduct, the impact of the misconduct on the University community, the

circumstances surrounding the misconduct, and previous sanctions assigned to others for similar misconduct in determining sanctions. Repeated misconduct may result in more serious sanctions, including suspension or expulsion.

2. Sanctions which may be recommended by the Student Conduct Board and imposed by the Dean of the School upon any student found to have violated this Student Code include, but are not limited to, the following:
  - a. **Failing Grade or Cancellation of Credit.** Failing grade for an examination or assignment or for a course, or cancellation of all, or any portion, of a prior course credit.
  - b. **Censure.** A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.
  - c. **Probation.** A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulations during the probationary period.
  - d. **Loss of Privileges.** Denial of specified privileges for a designated period of time.
  - e. **Restitution.** Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - f. **Discretionary Sanctions.** Assignments may be made at the discretion of the board, such as work assignments, essays, training, service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the disciplinary file or other related discretionary assignments.
  - g. **Non-Academic Dismissal.** Dismissal of the student from their current program, with or without the option to apply for readmission to the University. The student's transcript will reflect the nature of the dismissal (Non-Academic Dismissal – Eligible to Re-Enroll or Non-Academic Dismissal – Ineligible to Re-Enroll).
  - h. **Suspension.** Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.
  - i. **Expulsion.** Permanent removal from the University. An expelled student will be permanently barred from enrollment and permanently prohibited from entering any University premises. Expulsion may prohibit the student from being admitted to, enrolling at, or entering the campus of another component institution of Texas Tech University System without prior written approval of the institution at which the student wishes to attend or be present. An expelled student's good standing is permanently removed. Expulsion is permanently noted on the student's transcript (Expulsion: Ineligible to Re-Enroll). An expelled student may request reconsideration based on new information that was not available at the time of conference.
  - j. **Revocation of Admission or Degree.** Any admission or degree granted by the University may be revoked for fraud, misrepresentation or other violations of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation. Revocation of degree is notated on the student's transcript.
  - k. **Withholding Degree.** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Disciplinary Procedures.
  - l. **Criminal Trespass.** In accordance with Texas Education Code, Section 51.242, a student who has been suspended or disarmed after a Student Conduct Board Hearing for disrupting the orderly operation of the campus or facility of the institution as a condition of the suspension or dismissal may be denied access to a University campus or facility, or both, for the period of suspension, and in the case of dismissal, for a period not to exceed one year.
  - m. **Other Sanctions.** Any other sanctions which may be appropriate under the particular circumstances of

the violation.

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

3. Student disciplinary records shall be kept separate from the student's education records by their School's Office of the Dean. Exceptions to this rule include dismissal from the University and revocation or withholding of a degree. This section shall not prevent the University from complying with any regulatory agency or licensure board requirements regarding the reporting of disciplinary actions and/or student behavior.

\*State law mandates that the student's transcript a) may be withheld pending investigation and b) include a notation regarding ineligibility to return due to disciplinary processes (e.g., withdrawal, dismissal, suspension, expulsion); See TX HB 449 and 1735 (2019).

4. Education records shall include any records of the disciplinary process involving any accused, registered student organization, and student claiming to be the victim of misconduct.

5. The following sanctions may be imposed upon registered student organizations or members thereof:

- a. Those sanctions listed above in Part II.G.1 above.
- b. Loss of selected rights and privileges for a specified period of time.
- c. Deactivation. Loss of all privileges, including University recognition and registration, for a specified period of time.

## H. INTERPRETATION AND REVISION

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

---

## PART III: WITHDRAWAL OF CONSENT

### A. RECOMMENDATION TO WITHDRAW CONSENT DURING PERIODS OF DISRUPTION

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

### B. CONCURRENCE BY DEAN

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

- b. Statement of the facts giving rise to the Withdrawal of Consent.

### C. CONFIRMATION BY PROVOST

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

### D. HEARING

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the Provost within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.
2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.
  - a. *Hearing Notice.* Upon receipt of the request for hearing, the Provost or their designee shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted not later than three (3) days from the date that the Provost receives the request for hearing. The Hearing Committee will be appointed by the Provost or their designee and will be comprised of members from Schools other than that in which the Accused is enrolled.
  - b. *Representation.* The student may be represented by counsel. The University will be represented by the Office of General Counsel.
  - c. *Witnesses.* Both the student and the Department Chair who recommended consent be withdrawn have the right to call, question witnesses, and cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. Witnesses are permitted to attend the Hearing only when they are providing information, unless the Hearing Committee allows otherwise. Following the hearing, the student shall be advised of the content of the statements from witnesses, and the names of the persons who made them, at the hearing.
  - d. *Evidence.* All evidence upon which the decision to withdraw consent may be based shall be introduced at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.
    - i. All pertinent records, exhibits and written statements (including Impact or Position Statements);
    - ii. A list of witnesses, if any, who will be speaking on behalf of the Accused or Complainant, including a brief summary of the information to be given by each; and,
    - iii. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4.i.

- e. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair.
- f. *Recordings.* The University shall record, either digitally or through audiotape, or otherwise as deemed appropriate all Hearings until such time that the Hearing Committee begins discussion and deliberation and prepares Findings and Recommendations. Deliberations shall not be recorded. The record is University property.
- g. *Appeal to Provost.* The student may appeal the decision within three (3) days from the date of the decision by sending a written appeal to the Provost. The Provost or their designee will review and render a decision within seven (7) days. If the student does not appeal the decision by the hearing committee, the decision is finalized.
- h. *Appeal to the President.* If the student is not satisfied with the decision by the Provost or their designee, the student may appeal to the President by sending a written appeal to the President, with a copy to the Provost, within three (3) days from the date of the Provost or their designee's decision. If the student does not appeal the decision, the Provost or their designee's decision is final. If the student appeals to the President, the decision by the President is final.

---

## PART IV: ANTI-DISCRIMINATION AND SEXUAL MISCONDUCT POLICY AND PROCEDURES (INCLUDING TITLE IX)

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. The University prohibits discrimination based on sex, which includes pregnancy, sexual orientation, gender identity, gender expression, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature, including

- Sexual Harassment,
- Sexual Assault,
- Sexual Exploitation,
- Stalking,
- Public Indecency,
- Interpersonal Violence, including Dating, Domestic, or Family Violence,
- Sexual Violence,
- and any other misconduct based on sex.

Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically conveyed.

### A. INTRODUCTION

This Part IV provides information regarding the University's response and prevention efforts related to sex discrimination and Sexual Misconduct. In conjunction with Texas Tech University [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), TTUHSC [OP 51.02](#), Texas Tech University [System Regulation 07.06 Sexual Misconduct](#), and TTUHSC [OP 51.03](#), the policies set forth here apply to all members

of the University Community, provide students with their rights and options, and also explain how the University will proceed once it is made aware of allegations of prohibited conduct in keeping with the University's values and in order to meet the legal obligations of Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Clery Act, Texas Education Code, 34 CFR Part 106, and other applicable law.

The University expects all members of the University Community to comply with the law. Members of the University Community who violate these policies and laws may be subject to disciplinary action or sanctions, up to and including termination of employment, expulsion from the university, or being barred from University premises and events.

## B. NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The University does not tolerate discrimination or harassment based on or related to sex (including pregnancy), race, color, religion, national origin, age, disability, genetic information, protected veteran status, [genetic information](#), sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics. Texas Tech University [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), adopted by Texas Tech University Health Sciences Center HSC [OP 51.02](#) applies to all University students and University employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on University campuses.

If a student has a complaint of discrimination or harassment by an employee, whether faculty, staff, or student employee (other than for Sexual Misconduct, which is addressed under Section C below), the provisions relating to the complaint process set forth in Texas Tech University [System Regulation 07.10](#) and TTUHSC [OP 51.02](#) shall apply. Students with such complaints of discrimination or harassment by an employee should contact the System Office of Equal Opportunity (OEO) and/or submit a completed Complaint of Discrimination or Harassment form to OEO, which is available at: <https://www.texas-tech.edu/offices/equal-employment/> or [https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=4](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=4). [OEO's complete contact](#). OEO's complete contact information is as follows:

CONTACT	PHONE	ADDRESS	EMAIL
<a href="#">Charlotte Bingham Dawn Payne</a> Assistant Vice Chancellor <a href="#">of Administration and Director</a> , Texas Tech University System Office of Equal Opportunity	806.742.3627	TTU System Administration Building 1508 Knoxville Avenue Suite 309 TTUS Office of Equal Opportunity Box 41073 Lubbock, TX 79409	<a href="mailto:eeo@ttu.edu">eeo@ttu.edu</a>

If a student has a complaint of discrimination or harassment by a student or a student organization, such complaints are guided by the [same process as Non-Title IX Sexual Misconduct under Section D below](#). ~~Student Conduct Procedures set forth in Part II of this Student Handbook.~~ Students with complaints of discrimination or harassment by a student or student organization should contact [the University's Title IX Coordinator and/or the TTUHSC Student Affairs](#) and/or utilize the online Incident Report Form available at [https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=10](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=10) <https://www.ttuhsc.edu/student-affairs/grievances.aspx>. TTUHSC's [Student Affairs' Title IX Coordinator's](#) complete contact information is as follows:

CONTACT	PHONE	ADDRESS	EMAIL
---------	-------	---------	-------

<a href="#">Leslie Collins</a> <a href="#">TTUHSC Title IX Coordinator</a> <a href="#">Erin Justyna</a> , Ph.D. Assistant Provost for Student Affairs	<a href="tel:806.743.9861">806.743.9861</a> <a href="tel:806.743.3451">806.743.3451</a>	<a href="#">TTUHSC</a> <a href="#">3601 4<sup>th</sup> Street, Stop 6262</a> <a href="#">University Center 330A</a> Lubbock, TX 79430 <a href="#">TTUHSC</a> <a href="#">3601 4<sup>th</sup> Street, Stop 8310</a> Academic Classroom Building, 2C400 Lubbock, TX 79430	<a href="mailto:leslie.collins@ttuhsc.edu">leslie.collins@ttuhsc.edu</a> <a href="mailto:erin.justyna@ttuhsc.edu">erin.justyna@ttuhsc.edu</a> <a href="#">ttuhsc.edu</a>
---	--	--	--

In instances of complaints of sex or gender discrimination, the complainants may contact the University’s Title IX Coordinator, whose complete contact information is as follows:

CONTACT	PHONE	ADDRESS	EMAIL
Leslie Collins TTUHSC Title IX Coordinator	806.743.9861	TTUHSC 3601 4 <sup>th</sup> Street, Stop 6262 University Center 330A Lubbock, TX 79430	<a href="mailto:leslie.collins@ttuhsc.edu">leslie.collins@ttuhsc.edu</a>

While Sexual Harassment, Sexual Assault, and other forms of Sexual Misconduct may constitute prohibited acts of discrimination under this Section B, such behavior is prohibited under TTU System Regulation 07.06 and TTUHSC OP 51.03, as discussed in Section [CB](#) below.

## C. SEXUAL MISCONDUCT

Sexual Misconduct in the TTUHSC community is prohibited pursuant to Texas Tech University [System Regulation 07.06 Sexual Misconduct](#) (adopted by TTUHSC as [OP 51.03](#)).

### 1. Separate Policies for Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct

While all Sexual Misconduct is prohibited, in accordance with applicable federal and state law, the University has adopted two distinct policies and grievance procedures for Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct. These policies are available at the following links:

- [Texas Tech University System Regulation 07.06.A Title IX Sexual Misconduct](#); and
- [Texas Tech University System Regulation 07.06.B Non-Title IX Sexual Misconduct](#).

The University Title IX Coordinator will assist those making reports or complaints of Sexual Misconduct with understanding which policy may apply based on the nature, context, and location of the alleged conduct. The flowchart available [here](#) visually depicts the applicability of these two policies and their respective grievance processes. In the event of any conflict between this Student Handbook and System Regulations 07.06.A, 07.06.B, and 07.10, the system regulations will control.

The University Title IX Coordinator oversees the University’s compliance with the Sexual Misconduct policies, including both Title IX and Non-Title IX Sexual Misconduct. The University has also designated a Title IX Deputy Coordinator for employees. Contact information for the Coordinator and Deputy Coordinator is as follows:

CONTACT	PHONE	ADDRESS	EMAIL & WEBSITE
---------	-------	---------	-----------------



<p>Leslie Collins          TTUHSC Title IX          Coordinator</p>	<p>806.743.9861</p>	<p>TTUHSC          3601 4<sup>th</sup> Street, Stop 6262          University Center 330A          Lubbock, TX 79430</p>	<p><a href="mailto:Leslie.collins@ttuhsc.edu">Leslie.collins@ttuhsc.edu</a>  <a href="https://www.ttuhsc.edu/title-ix/default.aspx">https://www.ttuhsc.edu/title-ix/default.aspx</a></p>
<p><a href="#">Charlotte Bingham</a>  <a href="#">Dawn Payne</a>          TTUHSC Title IX          Deputy          Coordinator for          Employees</p>	<p>806.742.3627</p>	<p>System Administration          Building          1508 Knoxville Ave., Suite 309          Box 41073          Lubbock, TX 79409</p>	<p><a href="mailto:eeo@ttu.edu">eeo@ttu.edu</a>  <a href="http://www.texastech.edu/offices/equal-employment/">http://www.texastech.edu/offices/equal-employment/</a></p>

## 2. Title IX Sexual Misconduct

Title IX Sexual Misconduct is governed by Texas Tech University System Regulation 07.06.A. Generally, only sexual assault; stalking; dating violence; domestic violence; *quid pro quo* conduct; and conduct that is severe, pervasive, and objectionably offensive will constitute Title IX Sexual Misconduct, and be governed by such policy. The procedure for reporting and filing a formal complaint of Title IX Sexual Misconduct, and the grievance process for addressing such complaints, is set forth in [System Regulation 07.06.A](#). The provisions of the remainder of this Section C may not apply to reports and complaints of Title IX Sexual Misconduct. The University's Title IX Coordinator will assist students in navigating these policies.

All other forms of Sexual Misconduct are addressed pursuant to the Non-Title IX Sexual Misconduct policy, set forth in this Student Handbook and governed by [System Regulation 07.06.B](#).

## 3. Non-Title IX Sexual Misconduct

Any Sexual Misconduct that fails to meet the threshold of Title IX Sexual Misconduct will proceed under the Non-Title IX Sexual Misconduct policy set forth in this Student Handbook.

All investigations and procedures under this policy will be conducted in a reasonably prompt timeframe and in an equitable and impartial manner. Investigations conducted hereunder are not criminal investigations. For all complaints, the burden of proof shall be a preponderance of the evidence, which means more likely than not.

The Title IX Coordinator or their designee will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Opportunity (Office of EO) will investigate complaints of Sexual Misconduct by or between employees. Student complaints of Sexual Misconduct by an employee ~~will~~may be investigated jointly by the Title IX Coordinator or their designee and the Office of Equal Opportunity.

Students with complaints of Sexual Misconduct by a [student, student organization, or #](#) employee should contact the Title IX Coordinator or Office of Equal Opportunity, or utilize the online reporting tool available on the University's website at [www.ttuhs.edu/title-ix/default.aspx](http://www.ttuhs.edu/title-ix/default.aspx). ~~Students with complaints of Sexual Misconduct by a student or student organization should contact the Title IX Coordinator or utilize the online reporting tool available on the University's website at [www.ttuhs.edu/title-ix/default.aspx](http://www.ttuhs.edu/title-ix/default.aspx).~~

Individuals wishing to remain anonymous can report Sexual Misconduct in any manner, including by telephone or written communication, with the University Title IX Coordinator or Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals or organizations accused of violating the TTUHSC Sexual Misconduct policies.

## 4. Employees are Mandatory Reporters

Pursuant to Texas law, all employees, including student employees, who in the course and scope of employment, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes Sexual Misconduct and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident shall promptly report the incident to the University's Title IX Coordinator or Deputy Title IX Coordinators. An employee is required to report an incident regardless of where or when the incident occurred. Failure to report

Sexual Harassment, Sexual Assault, Dating Violence, or Stalking is a violation of Texas state law that shall result in termination of employment and may result in criminal penalties.

Reports by mandatory reporters must include all information concerning the incident known to the Reporting Party, including the involved parties' names, regardless of whether the Complainant has expressed a desire for confidentiality; however, the Reporting Party may also state whether the Complainant has expressed a desire for confidentiality.

Disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University are not subject to the foregoing mandatory reporting requirements and are considered Confidential Resources. These employees are encouraged to provide students or employees with information and guidance regarding University reporting options and available resources but absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy.

## **5. Making a Report**

Any individual may inquire or make a report or complaint of Sexual Misconduct of any kind. Any person may submit a report in person, by mail, by phone, by email, or by online form, using the contact information set forth in Section 1 above, or by any other means that results in the University's Title IX Coordinator or System Office of Equal Opportunity receiving the verbal or written report. Such a report may be made at any time (including during non-business hours) by using the phone number or email address, or by mail to the office address. Persons, other than Employees, wishing to remain anonymous may do so by submitting a report in an anonymous manner; however, electing to remain anonymous may limit the ability to investigate an alleged incident, collect evidence, or take effective action against individuals accused of violating the University's Sexual Misconduct policies.

While not required, students are strongly encouraged to report any incident of Sexual Misconduct to the University, including incidents in which the student was a victim. Students may also report incidents of Sexual Misconduct to law enforcement, including on-campus and local police. Complainant may choose to notify law enforcement and will be provided the assistance of the Title IX Coordinator if the individual wishes. Parties may also choose not to notify law enforcement of incidents of Sexual Misconduct. A student who experiences sexual or dating violence is encouraged to seek medical care for treatment and preservation of evidence, if applicable, as soon as possible after the incident. Preserving DNA evidence can be key to a sexual violence case. Students can undergo a sexual assault forensic exam (SAFE) performed by a sexual assault nurse examiner (SANE) to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, a SANE may still collect evidence ~~up to 4~~<sup>up to several</sup> days following a sexual assault. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation.

Anyone who experiences any form of Sexual Misconduct should also preserve other evidence relevant to the incident reported, such as items of clothing, photographs, phone records, text messages, social media activity, computer records, and other documents.

## **6. Confidentiality**

TTUHSC is committed to ensuring confidentiality during all stages of a grievance process. The confidentiality of the Complainant, the Respondent, the Reporting Party, any individuals who have sought guidance about this policy or have participated in an investigation or incident will be honored by the University to the extent possible without

compromising the University's commitment and obligation to investigate allegations of misconduct, to protect the University Community, and to the extent allowed by law. Unless waived in writing by the individual, the identity of aforementioned individuals:

- a. Is confidential and not subject to disclosure under Chapter 552, Texas Government Code; and
- b. May be disclosed only to:
  - 1. University Employees or individuals under contract with the University to which the report is made who are necessary for an investigation of the report or other related hearings;
  - 2. a law enforcement officer as necessary to conduct a criminal investigation of the report;
  - 3. a health care provider in an emergency, as determined necessary by the University;
  - 4. the Respondent, to the extent required by other law or regulation; and
  - 5. potential witnesses to the incident as necessary to conduct an investigation of the report and to the extent required by other law or regulation.

In some exceptional circumstances, where the incident in question presents a continuing threat to the University Community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of Sexual 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.

However, because the University also has an obligation to maintain an environment free of sex discrimination and Sexual Misconduct, all University employees have mandatory reporting and response obligations and may not be able to honor a Complainant's request for confidentiality. The Title IX Coordinator or designee will evaluate requests for confidentiality. The willful and unnecessary disclosure of confidential information by anyone, including the Complainant or Respondent, may affect the integrity of the investigation.

Students may make confidential reports to the TTUHSC Counseling Center. Complainants may also make confidential reports to licensed clinical and mental health professionals acting in their professional role of providing those services, including medical providers employed by the University. Information may be shared by the clinical or medical provider only with the Complainant's or Respondent's consent.

Absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy. These Employees are encouraged to provide Complainants with information and guidance regarding University reporting options and available resources.

The following Confidential Resources are available to TTUHSC students:

RESOURCES	PHONE
TTUHSC Counseling Center	806.743.1327
<a href="#">Employee Assistance Program</a>	<a href="#">806-743-1327</a>
TTUHSC 24-Hour Crisis Helpline	800-327-0328
RAINN Helpline	800-656-HOPE

*Note:* [The above resources can assist in accessing local advocacy groups and services. Access local advocacy groups and services through any of the above resources.](#)

## 7. Interim and Supportive Measures

~~The University may take immediate action to eliminate hostile environments and address any effects on the Complainant and community prior to the initiation of any Investigation. Such supportive measures may be implemented by the University regardless of whether a party files a Formal Complaint of Sexual Misconduct. If a Formal Complaint is filed by a Complainant, the Complainant or Respondent may request and the University may implement interim measures as may be necessary to assure the safety and well-being of the participants in the Grievance Process, to maintain an environment free from harassment, discrimination, or retaliation and to protect the safety and well-being of the University Community. These measures will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent.~~

~~The University may take immediate action to eliminate hostile environments and address any effects on the Complainant and community prior to the initiation of any Investigation. These measures will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Supportive Measures for involved students may include, but are not limited to:~~

~~Counseling services,~~

~~Medical assistance,~~

~~Modifications to on-campus housing,~~

~~Modifications to parking permissions, academic support referrals,~~

~~Modifications to academic or work situations,~~

~~Instituting a No Contact Order between the parties in a complaint, and~~

~~Reporting criminal behavior to the Texas Tech Police Department or local law enforcement agencies.~~

Additionally, the University may pursue Emergency Removal, altering the University status of the Respondent. Supportive Measures may be implemented and will be evaluated on a case-by-case basis. Supportive Measures may be kept in place through the conclusion of any review, investigation, resolution, or appeal process. Supportive Measures can be implemented regardless of whether or not the Complainant pursues a Formal Complaint or criminal action.

The Title IX Coordinator is available to help students understand the Grievance Process and identify resources. Remedies may be implemented after a determination regarding responsibility in the Grievance Process to restore and preserve equal educational opportunities to the Complainant.

- a. **Supportive Measures.** Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent. The range of Supportive Measures available includes, but is not limited to: separation or modification of Complainant and Respondent's academic or working situations; mutual restrictions on contact; one-way restrictions on contact, where justified by the specific facts and circumstances; permissive withdrawal from or retake of a class without penalty; counseling; extensions of deadlines or other course-related adjustments; campus escort services; leaves of absence; increased security and monitoring of certain areas of campus; or any other similar measures tailored to the individualized needs of the parties. Consistent with Texas law, a Complainant or Respondent who is the subject of an alleged incident of Title IX Sexual

Misconduct will be allowed to drop a course in which they are both enrolled without any academic penalty. Supportive Measures may be kept in place through or beyond the conclusion of any review, investigation, or appeal process and may be implemented regardless of whether Complainant files a complaint of Sexual Misconduct.

- b. **No Contact Order.** When initial inquiry indicates persistent and potentially escalating conflict between members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Title IX Coordinator via the student's official TTUHSC email. The notice serves as an official directive that the students have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Title IX Coordinator. 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 may result in disciplinary action, including possible suspension or expulsion. Violations of No Contact Orders may also result in Emergency Removal pending the completion of a Grievance Process. ~~The term of a No Contact Order-s will remain in effect until dismissed in writing by the Title IX Coordinator or designee, or at the time one or both parties is no longer enrolled as a student at TTUHSC, whichever comes first. is one year from the date of issuance, or the graduation of one or both parties, whichever comes first.~~
- c. **Emergency Removal.** The University may conduct an individualized safety and risk analysis to determine if an individual poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct that justifies removal. Where the University finds that a Respondent poses an immediate threat to the physical health or safety of any student or individual, the University may remove the Respondent prior to the conclusion of the Grievance Process to protect the safety of the University Community where an immediate threat exists. The University shall provide the Respondent with notice and an immediate opportunity to challenge the decision in writing to the Title IX Coordinator immediately following the removal.

Through an Emergency Removal, a student may be denied access to the University's campus, facilities, and events. This restriction may include classes and all other University activities or privileges for which the student might otherwise be eligible. Alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent at the discretion of the Title IX Coordinator or designee and with the approval of the appropriate Dean(s).

Emergency Removal is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and members of the University Community. Emergency Removal is preliminary in nature; it is in effect only until the Grievance Process has been completed. However, violations of Emergency Removal may result in additional allegations of this Student Handbook. A student who receives an Emergency Removal may request a meeting with an Appeals Officer or designee to challenge an Emergency Removal. Regardless of the outcome of this meeting, the University may still proceed with an investigation and adjudication.

- d. **Non-Student Supportive Measures.** TTUHSC, in conjunction with the Texas Tech Police Department, may issue a Criminal Trespass to any individual or guest of the University whose presence could significantly disrupt the normal operations of the University, or who is alleged to have violated University policies, or is

deemed to pose a threat to the physical or emotional well-being of a student or other members of the University Community.

### **8. Student Rights and Responsibilities**

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview. The Student Rights and Responsibilities document informs the student of their rights to be exercised before and during the Grievance Process.

Subject to applicable law, information gathered by the University during the course of the investigation and Grievance Process may only be shared with faculty, staff, students, and advisors who are directly involved in the incident or necessary to the Grievance Process unless otherwise disclosed in compliance with a judicial order or lawfully issued subpoena.

Involved parties have the right to, and are encouraged to, be accompanied by an advisor of the individual's choosing during all meetings, proceedings, and disciplinary hearings at which the individual is present. In Non-Title IX Sexual Misconduct Hearings, the role of the advisor will be limited to advising only and will not be allowed to actively participate in the Hearing. ~~CARE Coordinators may also attend any meeting or Hearing in addition to the student's advisor.~~

## 9. Amnesty

- a. Subject to the exceptions noted below, the University will not take any disciplinary action against a student enrolled at the University who in good faith reports to the University being the victim of, or a witness to, an incident of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking for a violation by the student of this Student Handbook, occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.
- b. The University reserves the right to investigate to determine whether a report of an incident of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking was made in good faith. After such investigation, the Title IX Coordinator or their designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.
- c. Notwithstanding the foregoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking.
- d. Although students eligible for amnesty may avoid disciplinary action under these amnesty provisions, amnesty does not preclude the University from encouraging students to participate in directives such as counseling or educational opportunities relating to the conduct students were engaged in.
- e. Abuse of these amnesty provisions by a student may result in a violation of this Student Handbook. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, legal actions, or actions required to comply with professional ethic requirements.

## 10. Interference with an Investigation

Any person who knowingly and intentionally interferes with a Grievance Process conducted under this Student Handbook is subject to disciplinary action up to and including dismissal or separation from the University. Interference with a Grievance Process may include, but is not limited to:

- Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
- Divulging confidential information;
- Removing, destroying, or altering documentation relevant to the investigation;
- Providing false or misleading information to the investigator, or encouraging others to do so; or
- Making a report under this policy that, after investigation is found not to have been made in good faith.

## 11. Retaliation and False Information

Retaliation against an individual who reports a potential violation in good faith under this policy, assists someone with a report of a violation, or participates or refuses to participate in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited. Retaliation includes, but is not



limited to threats, intimidation, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. The University will take appropriate steps to ensure that an individual who, in good faith, reports, complains about, or participates or refuses to participate in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report the incident to the Title IX Coordinator using the same procedure outlined in this section.

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.

An individual found to have knowingly and in bad faith provided false or malicious information may be subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply that a Respondent's statements disclaiming responsibility were false.

## D. GRIEVANCE PROCESS FOR NON-TITLE IX SEXUAL MISCONDUCT

This Section D sets forth the Grievance Process for Non-Title IX Sexual Misconduct. The process for Title IX Sexual Misconduct is set forth in [System Regulation 07.06.A](#). The University Title IX Coordinator will assist parties in determining which process applies to the particular alleged conduct.

### 1. Intake and Initial Inquiry

Upon receipt of a report of Sexual Misconduct, the Title IX Coordinator, or their designee, will review the allegations. As reported allegations of Sexual Misconduct have varying degrees of complexity and severity, the investigation and resolution procedures described below may vary. The Title IX Coordinator or their designee will inquire, gather, and review information and will evaluate the accuracy, credibility, and sufficiency of the information received. If a formal complaint is not filed, the Title IX Coordinator may nonetheless conduct an investigation if the University learns of alleged Sexual Misconduct through other means depending on:

- the source and nature of the information provided,
- the seriousness of the alleged incident,
- the specificity of the information,
- the objectivity and credibility of the source of the report,
- whether any individuals can be identified who were subjected to the alleged Sexual Misconduct, and
- whether those individuals want to pursue the matter.

The Title IX Coordinator may conduct an initial meeting with the Reporting Party and/or Complainant to gather additional information regarding the allegation; inform him/her of on and off-campus resources, procedural options, and the University's policy regarding retaliation; and to determine safety, security, or other interim measures. Additional meetings may be necessary depending on the complexity of the reported allegations.

Incidents will not be investigated unless there is reasonable cause to believe a policy has been violated. Reasonable cause includes some credible information to support a policy violation. If it is determined that an investigation will be conducted, the Respondent will be given notice of the complaint and an opportunity to respond. If it is determined that an investigation will not be conducted, the Title IX Coordinator may contact the Respondent to

discuss the reported concern.

When a Complainant is reluctant or refuses to participate in the investigation process, the Title IX Coordinator may investigate the allegations to the fullest extent possible given the information available. The University will make every attempt to follow the wishes of the Complainant while protecting the University Community.

## **2. Filing a Formal Complaint**

A Formal Complaint is a document signed by a Complainant or the Title IX Coordinator alleging Sexual Misconduct against a Respondent requesting that the University investigate the allegations of Sexual Misconduct. While incidents may be reported by any third party, only the Complainant or Title IX Coordinator may initiate the Grievance Process through the Formal Complaint. A Formal Complaint is also required for any individuals wishing to pursue an Informal Resolution.

When a Formal Complaint is filed, the Title IX Coordinator provides written notice to the Respondent with sufficient time for the Respondent to prepare a response before an initial interview. The Notice of Formal Complaint includes information about the Grievance Process, the Informal Resolution Process, the allegations and any details known at the time, such as the name of the Complainant, the location, date and time of the alleged incident(s), and the specific sections of the policy that the Respondent is alleged to have violated. The Complainant also receives a copy of the Notice of Formal Complaint.

## **3. Review of Formal Complaints**

When a Formal Complaint is received, the Title IX Coordinator will evaluate jurisdiction and mandatory and discretionary dismissal described below, assess appropriate Supportive Measures for both parties, evaluate the need for Emergency Removal, and initiate the Grievance Process.

*Mandatory and Permissive Dismissal.* The Title IX Coordinator shall dismiss a Formal Complaint of Non-Title IX Sexual Misconduct when: (1) the allegation describes conduct that would not constitute Non-Title IX Sexual Misconduct as defined, even if proven; or (2) the Respondent is not a member of the University Community. The Title IX Coordinator may dismiss a Formal Complaint in the following situations: (1) the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or some allegations in the Formal Complaint; (2) the Respondent is no longer enrolled in or employed by the University; or (3) circumstances exist that prevent the University from gathering sufficient evidence to reach a determination as to the Formal Complaint or the allegations.

*Application of Other Policies Upon Dismissal.* If the Title IX Coordinator dismisses a Formal Complaint or any of the allegations in the Complaint, the Title IX Coordinator must promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the Complainant and Respondent. Dismissal of a Formal Complaint does not preclude action under other policies, such as Title IX Sexual Misconduct.

*Appeal of Dismissal Decision.* Any party can appeal the dismissal decision following the criteria and procedures listed below under *Appeal Procedures*.

*Right to Consolidate Complaints.* The University may consolidate Formal Complaints as to allegations of Sexual Misconduct: (1) against more than one Respondent, (2) by more than one Complainant against one or more Respondents, or (3) by one party against the other party, where the allegations of Sexual Misconduct arise out of the same facts or circumstances.

#### 4. Investigation Process

If the Title IX Coordinator or their designee conducts an investigation of the reported allegation, the investigation may consist of the review of the complaint, any relevant documentation, and interviews with relevant individuals. Each party will be given the opportunity to share information regarding the allegation, as well as any response to such, and identify witnesses and other relevant evidence. The extent of the investigation and its procedures will be determined by the Title IX Coordinator. During the investigative process, it is expected that the Complainant and the Respondent will cooperate with the University in providing all information or evidence that they believe should be considered. Additionally, other administrators may be consulted to assist with the investigation.

Prior to an investigative interview, the Complainants and Respondents will be provided a student rights and responsibilities document to review and sign. The student rights and responsibilities document informs the student of their rights to be exercised before and during the course of the investigation and student conduct process. Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order, lawfully issued subpoena, or other legal requirement.

During the investigation, the burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility is on the University and not on the parties. Complainants and Respondents are encouraged to present witnesses and evidence, including fact and expert witnesses, and other evidence that they believe should be considered. The University will make all reasonable efforts to obtain relevant information such as surveillance video footage, University card swipe access and other information that may be available to the Institution. The University cannot obtain information that is protected by a legally recognized privilege without the party's voluntary written consent. The University shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, mental health professional, or other professional or paraprofessional providing treatment to the party, unless the party gives voluntary written consent.

After the investigation is complete, the Title IX Coordinator will prepare a written investigation report. Complainants and Respondents will have access to the completed investigation report and investigative materials relevant to the allegations after the formal investigative process has concluded. In order to protect confidentiality, Complainants and Respondents are not given copies or investigation reports or other investigative materials, but will have an opportunity to inspect and review any evidence obtained as part of the Investigation that is directly related to the allegations raised in the Formal Complaint.

*Withdrawal During a Formal Complaint.* In accordance with state law, if a student withdraws or graduates from the University pending a Formal Complaint alleging the student violated the *Student Code of Conduct* by committing sexual harassment, sexual assault, dating violence, or stalking, the institution:

- a. May not end the disciplinary process or issue a transcript to the student until the institution makes a final determination of responsibility; and
- b. Shall expedite the institution's disciplinary process as necessary to accommodate both the Respondent's and Complainant's interest in a speedy resolution.
- c. On request from another institution, the University shall provide to the requesting institution information relating to a determination that a student enrolled violated the institution's Student Code of Conduct by committing sexual harassment, sexual assault, dating violence, or stalking.

Should students choose not participate in the Investigative Process, the Grievance Process may continue without their participation. The Investigator may assign allegations to the Respondent based on the information that the Investigator collected without the student's participation, if appropriate.

## 5. Resolution Process

Options for resolving Formal Complaints under the Grievance Process include:

- a. *Informal Resolution.* Prior to the formal hearing, either the Complainant or the Respondent may make a request, either orally or in writing, for informal resolution to the Title IX Coordinator. The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the University Community to determine whether informal resolution may be appropriate. Mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Upon determining that informal resolution is appropriate, the Title IX Coordinator will consult further with the person initiating the request, inform the other party, and gather additional relevant information from the parties and others as useful to assist in the informal resolution process. The Title IX Coordinator may also put in place any appropriate interim measures to protect the educational and work environment of the parties and the University Community.

The University will not compel the Complainant or Respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the Complainant and Respondent have the option to discontinue the informal process at any time and request a formal investigation. If at any point during the informal resolution process, the Complainant, the Respondent, or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined in this of the Student Handbook below will proceed.

- b. *Administrative Resolution.* At any point in the student conduct process, if the Respondent accepts responsibility for the alleged violations of policy, the Parties may choose to resolve the issue through the Administrative Resolution process outlined below. The Administrative Resolution process is voluntary.

The Title IX Coordinator will, in consultation with the appropriate University dean (or if the allegation involves a student organization, the appropriate University staff member advisor of the organization) review the complaint and information gathered about the reported Sexual Misconduct, and if applicable, propose findings and specify appropriate sanctions. The Title IX Coordinator will send written notice to both the Complainant and the Respondent of the proposed findings and sanctions. The Parties will have five (5) business days to review the Administrative Resolution and decide whether they would like to accept or decline the proposed findings and recommended sanctions. Agreement with the terms of the Administrative Resolution is established by one of the two following ways:

- i. A signature, or an electronic signature, by a Party or the Parties attesting to the agreement with the findings and sanctions; or
- ii. No written objection by the Complainant or the Respondent to the findings and sanctions within five (5) business days of the date the proposed findings and recommended

sanctions were sent to the Parties.

If both the Complainant and the Respondent agree with the proposed findings and recommended sanctions, the matter is considered concluded. Additionally, if accepted, the Parties waive their right to a hearing or an appeal, the process ends, and the finding is finalized. The complaint will only be reopened if new material is presented which was previously unavailable.

If either Party disagrees with or does not accept the proposed findings or recommended sanctions, then the complaint will proceed, and a hearing will take place.

- c. *Hearing.* See Section E below for Hearing Procedures.

## **6. Sanctions**

A Hearing Officer or a Hearing Panel may impose sanctions as a result of an Informal Resolution, or formal hearing, when a student is found responsible. Implementation of the disciplinary sanctions will begin when the time period to file an appeal has expired or when the appeal decision has been sent to the parties.

Both the Complainant and Respondent will be simultaneously notified of the Appeal Officer's decision and sanctions as appropriate. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Findings and sanctions agreed upon through the Informal Resolution are final and cannot be appealed.

All records related to the disciplinary process will remain on file with the Title IX Coordinator for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, formal hearing or the appeal procedures. All records related to the Grievance Process resulting in suspension or expulsion will remain on file indefinitely.

If a student is found responsible for violating the University Sexual Misconduct policies, sanctions may be imposed and can include, but are not limited to the following:

- a. *Disciplinary Reprimand.* The Disciplinary Reprimand is an official written notification using the notice procedures outlined in this section to the student that the action in question was Misconduct.
- b. *Disciplinary Probation.* Disciplinary Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and standards and any other requirement stipulated for the probationary period.
- c. *Time-Limited Disciplinary Suspension.* Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student's academic record, including the transcript. 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 was suspended from the University. In most instances, the notation of Disciplinary Suspension will remain on the transcript permanently. A student may petition to remove a Disciplinary Suspension notation if: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Title IX Coordinator or

designee may deny a student's readmission, if the student's misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any sanction that was imposed prior to application for readmission, the Title IX Coordinator or designee may recommend denial of readmission of a student. On denial of a student's readmission, the Title IX Coordinator or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

- d. *Disciplinary Expulsion.* Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the university. This status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase, "Expulsion" and the date in which the student's expulsion became effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. An administrative hold will be placed on the student's record to prevent future registration.

## **7. Appeal Procedures**

Either the Complainant or Respondent may appeal the decision, or the sanctions, conditions, and restrictions imposed by the Hearing Officers by submitting a written appeal to the Provost or their designee within three (3) business days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal and the only issues that may be considered on appeal are as follows:

- a. A procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, Investigators, or Hearing Panel Members had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- d. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

The appeal process is initiated upon a party's filing of a written appeal within three (3) University business days after University's delivery of the written decision regarding responsibility. The written appeal must be filed with the University's Title IX Coordinator or System Office of Equal Opportunity as directed in the written determination regarding responsibility, and the party's written appeal must set forth the grounds for the appeal and any supporting information.

Upon the filing of a written appeal, University will give written notice of the filed appeal to the non-appealing party. The non-appealing party will have three (3) University business days after University's delivery of the written notice to respond to the appeal.

The Provost or their designee will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal. If any of these requirements are not met, the appeal will be dismissed and the original decision of the Hearing Officers will be final. If the grounds for an appeal are determined proper by the

Provost or their designee, the Title IX Coordinator will provide the request for appeal to the other party and provide opportunity for response. Any responses must be provided to the Provost or their designee within five (5) business days after receiving a copy of the request for appeal.

If the Provost or their designee determines that a procedural or substantive error occurred that significantly impacted the outcome of the hearing, they may order a new hearing. If a new hearing is ordered, all hearing procedures in will be followed. The Title IX Coordinator will notify the Complainant and Respondent of the outcome within five (5) business days of the decision of the Hearing Officers. The decision of the Hearing Officers is final and may not be appealed.

If the Provost or their designee determines that new evidence should be considered, they may return the complaint to the original Hearing Officers to reconsider the new evidence or may order a new hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Title IX Coordinator will notify the student of the outcome within five (5) business days of the decision of the Hearing Officers. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures will be followed. The Title IX Coordinator will notify the Complainant and Respondent of the outcome within five (5) business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

If the Provost or their designee determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, they may then increase, decrease or otherwise modify the sanctions, conditions, or restrictions instead of returning the case to the original Hearing Officers or ordering a new hearing. If the Provost or their designee modifies the sanctions, conditions, or restrictions without returning the case to the original Hearing Officers, they must notify the student in writing of the outcome within five (5) business days of their decision. The decision of the Provost or their designee is final and cannot be appealed.

If the Provost or their designee returns the case to the original Hearing Officers, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, or restrictions. The Title IX Coordinator will notify the student of the outcome within five (5) business days of the Hearing Officers' decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Title IX Coordinator will notify the Complainant and Respondent of the outcome within five (5) business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

In cases in which the error cannot be cured by the original Hearing Officers, the Provost or their designee may order a new hearing with a new panel of Hearing Officers.

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

The Title IX Coordinator will follow up with the Complainant within sixty (60) calendar days after conclusion of the matter to ensure that the complained of behavior has ceased.

## E. NON-TITLE IX SEXUAL MISCONDUCT HEARING PROCEDURE

Section E sets forth the Hearing Procedure for Non-Title IX Sexual Misconduct. The Hearing Procedure for Title IX Sexual Misconduct is set forth in [System Regulation 07.06.A and its Attachment 2](#).

### 1. Prehearing/Formal Allegations Assigned

Once the investigation is complete, if the complaint is not otherwise resolved, the Complainant and the Respondent will be given notice of a pre-hearing meeting. Should the Complainant or the Respondent not participate in the pre-hearing meeting, the disciplinary process may continue without their participation. During this meeting, the Complainant and the Respondent will be given the opportunity to review the investigation report, relevant evidence, and other documents to be used in the hearing. Other documents may include Complainant's allegations, list of potential Hearing Officers, and hearing script. Following the pre-hearing, the Complainant and the Respondent will be notified of a date, time, and location of the hearing.

While the Complainant and the Respondent may identify errors in their own statements during the pre-hearing, they are not able to add additional information to the investigation report unless that information, in the judgment of the Title IX Coordinator, was unavailable during the investigative process and is pertinent to the complaint. If a Complainant or Respondent discovers new, previously unavailable information during the time after the pre-hearing but before the hearing, the party should inform the Title IX Coordinator immediately. If the new information is pertinent to the consideration of the complaint, the Title IX Coordinator will determine whether the new information should be included in the investigation report or presented verbally during the hearing. If there is new evidence introduced, the Complainant and the Respondent will be given the opportunity to provide a response to any such evidence that will be presented in the hearing.

The Title IX Coordinator or their designee will schedule the hearing no sooner than five (5) business days from the date of the last pre-hearing meeting. The five-day period can be waived by the Title IX Coordinator with agreement by the involved Parties.

### 2. Hearing

After notice has been given to the Complainant and the Respondent, the University may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Respondent's alleged misconduct and, in the event of a responsible finding, impose appropriate sanctions, conditions, or restrictions. The Provost or their designee shall appoint a panel of three (3) Hearing Officers to conduct the hearing. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a Sexual Misconduct case in accordance with this Student Handbook. If there is a conflict of interest, or appearance thereof, with one of the selected Hearing Officers, that person will recuse themselves and the Provost or their designee shall appoint another person to the panel. Additionally, both the Complainant and the Respondent may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the Provost or their designee within three (3) business days after notice has been given to the Parties of the panel members. The Provost or their designee will evaluate these issues and resolve them accordingly. No party has a right to disqualify a Hearing Officer panel member absent a demonstrated bias.

The hearing may be held and a decision or recommendation made, regardless of whether the Complainant or the Respondent fail to respond or fail to attend the hearing. Should the Complainant or the Respondent fail to respond or fail to attend the hearing, the Hearing Officers may consider the available information and render a decision.



Hearings are closed to the public. Both the Complainant and Respondent have the right to be present at the hearing; however, they do not have the right to be present during the deliberation of the Hearing Officers. Arrangements can be made so that Complainant and Respondent do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, the parties should contact the Title IX Coordinator not less than five (5) business days prior to the scheduled hearing.

During the hearing, the Title IX Coordinator or designee presents the allegations, investigation report, evidence, witnesses, and questions for deliberation in the hearing. The Hearing Officers may question the Title IX Coordinator, Title IX Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent do not have the right to question each other nor witnesses directly but may do so through the Title IX Coordinator or their designee. The Complainant and Respondent have the right to add or make additional comments about the facts of the complaint. Should new evidence be presented without prior discussion with the Title IX Coordinator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officers remove a student due to misconduct in the hearing process, the alleged misconduct in the hearing process will be forwarded to the appropriate student conduct administrator, who will follow the conduct process in Part II of this Student Handbook.

Following the hearing, the Hearing Officers will deliberate and will render a finding of responsible or not responsible for the Respondent's alleged misconduct as well as decide any sanctions, conditions, or restrictions if applicable. Any findings of the investigation will be based upon a preponderance of the evidence, which means more likely than not. The Hearing Officers will inform the Complainant and the Respondent in writing within five (5) business days of their decisions.

Either the Complainant or Respondent may utilize the Appeal Procedures.

## F. PREGNANCY

Discrimination based on pregnancy is a form of discrimination based on sex. Women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all educational opportunities as other persons not so affected but similar in their ability or inability to participate in education programs or activities.

If a pregnant or parenting student feels that they require flexibility or an accommodation in order to be successful at TTUHSC, it is the student's obligation to make a request initially through their appropriate school's student affairs personnel. Students requesting a pregnancy or parenting related accommodation should do so as soon as they become aware that one may be needed. If the student and school are unable to come to a mutually agreeable decision in relation to reasonable flexibility and adjustments, the student should contact the TTUHSC Title IX Coordinator. The Title IX Coordinator will consult with the student and school administrators to begin the interactive process and determine reasonable flexibility and adjustments.

If a student disagrees with the determination or proposed accommodation after engaging in the interactive process, the student may file a complaint with the Title IX Coordinator.

In certain situations, if there is a medical condition due to pregnancy, it may be protected under the Americans with Disabilities Act (ADA), entitling the student to a reasonable accommodation. Accommodation requests due to pregnancy-related complications should be directed to Student Disability Services.

---

## PART V: STUDENT RECORDS

### A. GENERAL POLICY

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

### B. ADDRESS OF RECORD

Students must maintain accurate permanent and local addresses with the Office of the Registrar. Addresses are used for various purposes including student billing and official state and federal reporting. Maintaining an accurate address and telephone number is also important for use by University officials and/or student organizations. Students will receive an email twice a year prompting them to review the address TTUHSC has on file. Students can update their address through the WebRaider Portal under "My Personal Information" or "Action Items".

Students are also required to maintain accurate Emergency Contact information with current emergency contact name, address, and phone number in the event that it is necessary for the school or the University to contact them.

### C. STUDENT ACCESS TO EDUCATIONAL RECORDS

All current and former students of the university have the right to access their educational records as provided by law. The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution. These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center receives a request for access. A student should submit to the Office of the Registrar a request by completing and submitting HSC OP 77.13 Attachment B, which identifies the records the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
  - a. Generally, if the education record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of their education record. [Records may be viewed in person or through the use of online sources, i.e. Zoom or Microsoft Teams. If the student does not have the capability to view the records in person or via online, they](#) ~~The student~~ may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.

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

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

The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is: a person employed by Texas Tech University Health Sciences Center in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the Texas Tech University Health Sciences Center who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing their tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the Texas Tech University Health Sciences Center.

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

Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202

4. A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.
5. Personally-identifiable information such as rank in class, personal conduct, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student.

## D. RECORDS NOT ACCESSIBLE TO STUDENTS

The following are records not accessible to students:

1. Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
2. Records of the Texas Tech Police Department, subject to the provisions of 34 C.F.R. 99.8;
3. Records relating solely to an employee of TTUHSC in their capacity as an employee that are not available for any other purpose, unless the Student is employed as a result of their status as a Student;
4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and

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

## E. DISCLOSURE OF EDUCATIONAL RECORDS

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

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

11. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))
12. To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31 (a)(14))
13. To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31 (a)(15))

## F. STUDENT'S REQUEST TO AMEND RECORDS

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

1. Any student who believes that their education records are inaccurate or misleading, or that the records violate their privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. If the result of the informal discussion with the Office of the Registrar is not satisfactory to the student, and the student still wishes to have the record corrected, the student should submit a Student Request to Amend Education Records form HSC OP 77.13 to the ~~Assistant Provost~~Associate Provost or their designee. The request shall clearly identify the part of the record the student believes should be changed, and specify why it should be changed, i.e., why the student believes the record is inaccurate, misleading or in violation of their privacy rights. [Note: The substantive judgment of a faculty member regarding a student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of education records under this section. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual student handbooks for each School and the TTUHSC Student Handbook/ Code of Professional Conduct.]
3. After receiving the written request from the student for a change in their education records, the ~~Assistant Provost~~Associate Provost or their designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the education record was denied at the informal stage. After reviewing the request by the student and the response of the Office of the Registrar, the ~~Assistant Provost~~Associate Provost for Student Affairs or designee will provide written notification to the student whether or not TTUHSC will implement the change. If not, the ~~Assistant Provost~~Associate Provost for Student Affairs or designee will notify the student of the right to a hearing to challenge the information believed by the student to be inaccurate, misleading, or in violation of the student's rights.



4. Upon receiving a written request from the student for a hearing, the ~~Assistant Provost~~[Associate Provost](#) for Student Affairs or designee shall arrange for a hearing and provide written notice to the student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:
  - a. The hearing shall be conducted by a hearing official or committee appointed by the Provost or their designee. Such individuals must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the student or the Office of the Registrar.
  - b. At least five (5) days prior to the date scheduled for the hearing, the student and the Office of the Registrar, shall submit to each other, as well as to the hearing official or committee, any and all pertinent documents and a list of witnesses and advisors who are to be involved in the hearing process. The student may, at their own expense, be assisted or represented by one or more individuals of their own choice, including an attorney. If the student has an advisor, the Office of General Counsel shall represent the University. The student and the Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and attorneys for the Parties are not permitted to speak or participate directly in the hearing.
  - c. At the hearing, the student shall have the opportunity to present evidence to support their position that the content of the relevant educational record is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.
  - d. Any additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
  - e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the student, the Office of the Registrar, and the ~~Assistant Provost~~[Associate Provost](#) for Student Affairs or designee. The decision must include a summary of the evidence and the reasons for the decision. If, as a result of the hearing, the hearing official or committee determines that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the student will be notified of the right to place a statement in the record contesting the information in the record or stating why the student disagrees with the decision of the agency or institution, or both. Any statement provided by the student shall be maintained with the contested portion of the record for as long as the record is maintained. In the event the contested portion of the record is later requested, the statement shall be disclosed with the record to the extent it pertains to the contested portion.

## G. RELEASE OF STUDENT DIRECTORY INFORMATION

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

1. Student Name
2. Permanent and Local Addresses
3. Telephone number
4. Classification
5. Major Field of Study
6. Dates of Attendance
7. Degrees, Awards, and Honors Received
8. Specific Enrollment Status
  - a. Full-time, Part-time, Half-time

- b. Undergraduate, Graduate
- 9. Participation in Officially Recognized Sports and Activities
- 10. Previous Institution's Attended
- 11. Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld by submitting a completed HSC OP 77.13 Attachment A, Student Consent to Release Education Records, or by restricting personal directory information at WebRaider.ttuhs.edu on the MyTech tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name.

## H. DESTRUCTION OF RECORDS

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

## I. LETTERS OF RECOMMENDATION

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

## J. MEDICAL RECORDS

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



---

# PART VI. REGISTRATION OF STUDENT ORGANIZATIONS

## A. CONDITIONS FOR REGISTRATION

1. Students wishing to register a new student organization with the Texas Tech University Health Sciences Center must first submit an Intent to Form Request found on HSC Net under the FORMS tab. The purpose and activities of the organization shall be lawful and not in conflict with the regulations published by the Office of Student Life. After submitted, the student will be contacted by a staff member of the Office of Student Life to schedule a training. Once the student has attended a training the student will be able to register the new organization on HSC Net. HSC Net is facilitated and managed by the Office of Student Life.
2. The registration shall contain, but not be limited to, the following information:
  - a. A statement of the organization's purpose
  - b. Roster of all current members, officers, and advisor(s)
  - c. Any present relation the organization may have to any other local, state, or national organization
  - d. Contact information for the organization's officers (President and Treasurer Required)
  - e. Contact information for a full-time faculty or staff advisor
  - f. A copy of the current organization's constitution/bylaws
  - g. A copy of the constitution/bylaws of any related organization, if any
3. The student organization constitution and/or bylaws should include a minimum of these areas:
  - a. Name & Purpose
  - b. National & Affiliate Organizations
  - c. Membership Requirements
  - d. Officer List & Duties (President and Treasurer Required)
  - e. Officer Election & Removal Processes
  - f. Financial Procedures
  - g. Faculty/Staff Advisor Responsibilities
  - h. Annual Programs/Activities
4. Membership in the organization shall be open only to students enrolled at Texas Tech University Health Sciences Center without regard to race, color, religion, sex, sexual orientation, gender identity, gender expression, disability, age, citizenship, veteran status, or national origin, except in cases of designated fraternal organizations which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.
5. The organization shall not duplicate the purposes and functions of a previously registered organization, unless need for such duplication is substantiated.
6. All funds allocated to the organization from TTUHSC controlled sources must be maintained in a TTUHSC account.
7. The organization shall show promise of effectively meeting its stated purpose, be free from control by any other organization, and be lawful and peaceful in its activities.

8. The organization shall not use the name of the Texas Tech University Health Sciences Center, logotype, or symbols of TTUHSC as part of its name or in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC. Requests to use logos or symbols protected by TTUHSC, Texas Tech University or the Texas Tech University System shall be submitted to [brandapprovals@ttuhsc.edu](mailto:brandapprovals@ttuhsc.edu).
9. Registration of an organization results from compliance with these regulations; it does not imply TTUHSC approval of the organization or its activities.

## B. FACULTY OR STAFF ADVISOR

Each registered student organization shall have a TTUHSC full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to attend organization meetings and functions as often as possible, to certify the expenditures of the organization by reviewing credits and debits in HSC Net to offer suggestions regarding the operations of the organization and to oversee adherence to TTUHSC regulations and the organization's constitution and bylaws. The advisor will be required to ensure that the current officers are updated and identified in the HSC Net student organization roster.

## C. CONDITIONS FOR MAINTAINING REGISTRATION

In order to maintain its registration, a student organization shall comply with the following requirements:

1. The organization shall update changes in officers and advisor within 10 business days on their HSC Net organization roster throughout the year.
2. The organization shall submit the annual re-registration on HSC Net by the designated deadline each spring for the Office of Student Life to review. All updates made to documents or processes, such as revisions to constitution or bylaws, statement of purpose, or membership requirements will need to be submitted during this process.
3. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center.
4. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the original application or Intent to Form Request.
5. The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center regulations and state statutes.
6. The organization shall be responsible for the observance of all applicable TTUHSC regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.
7. The Office of Student Life may withdraw the registration of an organization for non-compliance with University policies and procedures.

## D. DENIAL OF REGISTRATION

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

---

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

## A. EXPRESSIVE ACTIVITIES

1. TTUHSC recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberation by students enrolled at TTUHSC as well as other persons.
2. Expressive activities on the TTUHSC campus are governed by [Texas Tech University System Regulation 07.04, Freedom of Expression](#).
3. In the event of any conflict between this Section VII(A) and any other provision of this Handbook, the provisions of this Section shall control.

## B. OTHER USES OF TTUHSC SPACE AND ACTIVITIES

1. The provisions of this Section VII(B) shall apply to all uses of TTUHSC facilities for purposes other than expressive activities conducted in outdoor common areas.
2. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with those departments. Beyond these two priorities, use of campus space and facilities is permitted and encouraged for activities which are intended to serve or benefit the entire University community.
3. TTUHSC buildings, grounds, or property may not be used by individuals or organizations not connected with TTUHSC.
4. Outside individuals or groups who are not faculty, staff or a currently enrolled student may attend functions held on TTUHSC property, but to be eligible for use of campus facilities, the function must be sponsored or cosponsored by, and affiliated with, a recognized TTUHSC department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, participation in, planning, coordination, and implementation directly by members of the sponsoring organizations. Sponsors are directly responsible for ensuring that activities and events comply with TTUHSC requirements for liability insurance, hold-harmless agreements, financial responsibility for property damage, etc.

5. Permission to use campus space facilities may be granted only by the offices designated by TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person.
    - a. Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the General Counsel's Office, Risk Management Office, other University departments or others as necessary prior to the premises requested being approved.
    - b. Participants in, and/or sponsors for, events may be required to sign a "Hold Harmless" release.
    - c. If the use of TTUHSC grounds is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code § 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.
  6. Reservations must be made for the use of TTUHSC premises and must be in accordance with TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment. The term "TTUHSC premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSC (including adjacent streets and sidewalks).
- 

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

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

---

## PART IX. STUDENT TRAVEL POLICY

### A. STUDENT TRAVEL POLICY

1. TTUHSC O.P. 77.08 regulates any travel undertaken by one or more students presently enrolled at TTUHSC to an activity or event that is located more than 25 miles from the campus of TTUHSC. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC.
2. Modes of travel by students to events or activities as defined above include:
  - a. personally-owned vehicles;
  - b. commercial vehicles, including but not limited to rental cars, vans, chartered buses;

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

## PART X. MISCELLANEOUS POLICIES

### A. MISCELLANEOUS POLICIES

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

1. **Absences.** Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.
2. **Academic Requirements.** Academic requirements vary with each TTUHSC School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog for specific details.
3. **Admissions and Applicants.** The educational policies of the TTUHSC are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC is an upper-level, graduate, and professional study institution. The application and admissions policies for TTUHSC are outlined in the individual Schools' catalogs. Most programs at TTUHSC have a deadline for receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are advised to contact the program to which they are seeking admission for specific deadline dates.
4. **Adding and Dropping Courses.** Consult with your academic department for deadline dates for adding and/or dropping courses. Students should make an appointment with their advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the School's program. Please refer to the individual Schools' catalogs and/or handbooks for more specific details relating to your program.
5. **Affiliation.** The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the student body.
6. **Attendance.** The faculty member responsible for the course determines attendance requirements for each course. A student who fails to attend any class for any reason is responsible for the material

presented in class, assignments, examinations, announcements, etc. to the same extent as though the student had attended the class. Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

## 7. **Bacterial Meningitis**

- a. **General.** Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitidis*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.
- b. **Risks and Exposures.** The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.
- c. **Symptoms and Diagnosis.** Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:
  - i. High fever
  - ii. Severe Headaches
  - iii. Vomiting
  - iv. Light sensitivity
  - v. Stiff neck
  - vi. Nausea
  - vii. Lethargy
  - viii. Seizures
  - ix. Confusion and sleepiness
  - x. Rash or purple patches on skin
- d. **Possible Treatment and Consequences if NOT Treated.** Antibiotic treatment may be effective if exposure and disease is detected early. Possible consequences of the disease, include, but are not limited to:
  - i. Permanent brain damage
  - ii. Kidney failure
  - iii. Learning disability
  - iv. Gangrene
  - v. Coma
  - vi. Convulsions
  - vii. Hearing loss
  - viii. Blindness
  - ix. Limb damage that may require amputation
  - x. Death
- e. **Prevention.** Vaccinations may be effective against 4 of the 5 most common bacterial types that cause 70% of the disease in the United States. Vaccinations typically take 7-10 days to become effective, with protection lasting 3-5 years. The vaccination is generally safe--most common side effects may include redness and minor pain at the injection site for up to two days.
- f. **Information.** If you have more questions contact:
  - i. Your healthcare provider

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

8. **Required Immunizations.** In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC requires **all entering students** to provide documentation of all immunizations as listed below. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation. The student is responsible for all associated costs. [For those who do not comply with COVID vaccine mandates, it may impact the Covered Individual's ability to provide care, obtain required clinical hours, and maintain credentialing.](#)

- a. **Medical and Religious Exemptions.** [Texas Administrative Code \(TAC\) §97.62](#) describes the conditions under which individuals can seek exemptions from Texas immunization requirements. Exclusions from compliance are allowable on an individual basis for medical contraindications, active duty with the armed forces of the United States, and reasons of conscience, including a religious belief.
- b. A person claiming exclusion for reasons of conscience, including a religious belief, from a required immunization may only obtain the affidavit form by submitting a request (via online form, mail, fax or hand-delivery) to the department. The request must include following information:
  - i. Full name of student
  - ii. Student's date of birth (month/day/year)
  - iii. Complete mailing address, including telephone number
  - iv. Number of requested affidavit forms (not to exceed 5).
- c. View the [Request for Exemption from Immunizations for Reasons of Conscience](#) for written requests.
- d. Affidavit form requests will be processed and mailed within one week from the receipt of the request. If additional information is needed in order to process the affidavit, you will be notified.
- e. The vaccine exemption forms for reasons of conscience including a religious belief are only for students claiming a vaccine exemption for the first time after 9/1/03. If you've submitted a religious exemption prior to 9/1/03, you are grandfathered under the old law and do not need a new form.

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

10. **Exposure Management.** Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC). [For exposure-related incidents, students must notify the Office of Institutional Health at \(806\) 743-4020 or go to <https://www.ttuhs.edu/institutional-health/> for information.](#)

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

- a. For purposes of this policy the term “Student” does not include residents in the Schools of Medicine or Jerry H. Hodge School of Pharmacy.
- b. **Background**
  - i. TTUHSC enters into affiliation agreements with various health care clinical entities (“Affiliated Entities”), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in TTUHSC clinical education programs.
  - ii. Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by TTUHSC as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.
  - iii. Clinical rotations are an essential element in certain degree programs’ curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program. TTUHSC schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.
- c. **Clinical Placement**
  - i. Placements at Affiliated Entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the Affiliated Entity. Any student placed with an Affiliated Entity that requires additional background checks and/or drug screens, who cannot meet these requirements, must discuss all available options with their School’s Office of Student Affairs or their designee.
  - ii. Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied externship placement, s/he shall be subject to disciplinary action in accordance with the TTUHSC policies.
- d. **Responsibility of the School.** The student’s school shall:
  - i. Notify the student of the Affiliated Entity’s requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated Entity, deadlines to meet the Affiliated Entity’s requirements, a list of approved drug screen testing vendors, and a completed Authorization, Attachment “A,” for signature by the student.
  - ii. Receive the student’s drug screen test results, which shall be maintained in a confidential, locked file separate from the student’s primary educational records.
  - iii. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.
- e. **Responsibility of the Student**
  - i. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by TTUHSC provided articles b, c, d, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSC designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.
  - ii. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior



to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.

- iii. The student shall use a drug screen vendor from the designated vendors provided to the student by their School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.
  - iv. The student will be required to sign a valid consent and authorization, Attachment "A," consenting to the drug screening and giving the vendor performing the test permission to provide the drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.
- f. **Student Refusal to Consent to Drug Screen.** Any student who fails or refuses to consent to a drug screen required by an Affiliated Entity to which the student has been assigned by their School shall be subject to disciplinary action in accordance with the TTUHSC Student Handbook/Code of Professional and Academic Conduct, the Schools' written policies, if any, and this policy.
- g. **Period of Validity – Drug Screen Results**
- i. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program within the School unless there is a break in enrollment, defined as not enrolled for one full semester.
  - ii. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.
- h. **Drug Screen Results**
- i. **Diluted Specimen.** Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at their expense, will be required to complete and successfully pass a new drug screen test.
  - ii. **Negative Drug Screen Results.** The School which receives a student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, Attachment A.
  - iii. **Positive Drug Screen Results**
    - 1. A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.
    - 2. Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.
    - 3. The student has the right, at their expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.
    - 4. Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.

5. \If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.
  - i. **Confidentiality of Records.** Drug screening reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law.
  - j. **Re-admission**
    - i. Any student who is withdrawn due to a positive drug screen without medical validation will only be eligible for readmission to any TTUHSC program of study in accordance with the School's readmission policies.
    - ii. If accepted for readmission after the required period of time, the student must, at their own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the School.
  - k. **Right to Change Policy.** TTUHSC reserves the right to change, modify, amend or rescind this policy in whole, or in part. at any time.
12. **Credit by Exam.** Specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the School of Nursing does not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade-point averages. TTUHSC Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.
13. **Disabilities (Students).** Reference [TTUHSC OP 77.14](#) and [TTUHSC OP 51.04.](#) TTUHSC complies with the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified individual with a disability shall be denied access to or participation in services, programs and activities of TTUHSC solely on the basis of the disability.
  - a. Any student seeking accommodations on the basis of disability must apply for services as a qualified student with Student Disability Services and provide supporting documentation of a disability.
  - b. Students with grievances related to discrimination on the basis of a disability should review the Student Handbook, Part IV\* Anti-Discrimination. The grievance process would include the Director of Student Disability Services.
14. **Discrimination/Equal Opportunity.** No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. The individual Schools as noted in their Schools' catalogs should direct non-academic student matters to HSC Student Affairs. For more information, visit <https://www.ttuhs.edu/hsc/op/op51/op5101.pdf>, *Equal Employment Opportunity Policy and Affirmative Action Plan*.

15. **Employment Grievance.** A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with their immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the TTUHSC OP 70.10, *Non-faculty Employee Complaint and Grievance Procedures*. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.
16. **Exams.** Please refer to the individual School's catalogs for more specific exam details relating to your program. Any student seeking exam accommodations on the basis of disability must apply for services as a qualified student with Student Disability Services and must provide supporting documentation of disability. Appropriate and reasonable accommodations, if any, will be determined by Student Disability Services.
17. **Financial Policies.** Students must meet all financial responsibilities due the University. The writing of checks on accounts with insufficient funds, the non-payment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University, are considered a lack of financial responsibility. Financial irresponsibility can subject the student to action by TTUHSC, including, but not limited to, denial of registration, withholding of grades and transcripts and possible adjudication under the Code of Professional and Academic Conduct. In addition, failure to meet financial obligations to the University may result in:
  - a. Cancellations of the student's registration if tuition and registration fees are not paid by the 12th class day and 20th class day (4th class day and 15th class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
  - b. Loss of University check writing privileges and possible criminal prosecution for writing insufficient fund checks and for failure to pick up a returned check;
  - c. A hold placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of holds on their records by contacting the Office of the Registrar); and/or,
  - d. Reporting of financial problems to a credit agency or a collection agent.
18. **Grades/Grading**
  - a. The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.
  - b. The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. A student must file a formal written appeal within 3 days of the beginning of the next semester in accordance with the individual Schools' policy regarding student grade appeals. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or division involved. After a degree has been posted, no further adjustments can be made on the record except under extraordinary circumstances as determined by the Dean of the School the student is enrolled under.
19. **Graduation Procedures**

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

## 20. Medical Services Fee and Student Health Insurance

- a. TTUHSC provides health services to students who are currently enrolled and have paid the Medical Services Fee as part of their tuition and fees. To receive health services, students must present their student I.D. card at the time of their appointment. Students who also have private insurance will need to submit their receipt for the co-pay charged at the appointment to their insurance company for reimbursement.
  - i. Each TTUHSC campus has designated facilities that students can use when needing health care services. Each location offers a range of services from medical checkups and mental health services to wellness support and health education. Students will find information about each facility and covered services at the following link: <https://www.ttuhscc.edu/student-affairs/health.aspx>. The Medical Services Fee covers only those services listed on the aforementioned webpage. All other charges incurred are the students' responsibility.
  - ii. If a student receives a bill from the Health Sciences Center for services covered by the Medical Services Fee, they should contact the Office of Student Life at (806) 743-2302.
- b. **Clinic Procedures.** Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after clinic hours, call your campus's clinic phone number and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a TTUHSC student. If you come to the clinic without an appointment, it may be necessary for you to wait for a physician. Immunizations, paper work, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. Telemedicine and nurse on call services may also be available. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed for your campus under "Clinic Locations." Visits to an emergency room that generate a charge from either TTUHSC or the hospital are your responsibility.

### c. Student Health Insurance Requirement.

- i. [Per OP 77.19, all students must obtain and maintain health insurance coverage that is Affordable Care Act \(ACA\) compliant while enrolled at the Texas Tech University Health Sciences Center \(TTUHSC\), except those enrolled in a 100% distance program. Link to the list of programs: <https://www.ttuhscc.edu/student-life/documents/Programs-Do-Not-Require-Insurance.pdf>](#)
  - 1. [The term "100% distance program" means the entirety of the degree program is online, with no face to face or onsite academic, research, or clinical component.](#)

2. "Affordable Care Act (ACA) compliant" is defined as coverage which accepts preexisting conditions and meets the criteria of Minimum Value and Essential Health Benefits.

a. Minimum Value covers at least 60 percent of the total allowed cost of benefits that are expected to be incurred under the plan.

b. Essential Health Benefits include: hospitalization, ambulatory services, emergency services, maternity and newborn care, mental health and substance abuse treatment, prescription drugs, lab tests, preventative services, pediatric services, rehabilitative and "habilitative" services.

~~c. Students who are required by their School/program to have student health insurance coverage each semester enrolled should be prepared to provide proof of coverage at the time of registration.~~

ii. Per OP 77.03, TTUHSC requires that all non-immigrant F-1 students have health insurance coverage as a condition of enrollment. This guarantees that both TTUHSC and the non-immigrant students are in compliance with United States federal regulations and guidelines.

iii. TTUHSC will add the fee for the university sponsored student health insurance plan to students' tuition and fee accounts each semester at the time they register. Students will have the ability to opt-out of the student health insurance plan by submitting a waiver request if they have qualifying alternative insurance. If the waiver request is approved, the fee will be removed or refunded. If a student has an approved waiver for the fall semester, the approved waiver will carry over to the spring and summer semesters. It is the student's responsibility to ensure their alternative insurance is active during this time. A new waiver request will be required each fall or the first semester a student begins a program. All information about the university sponsored student health insurance plan can be found on the Office of Student Life website, <https://www.ttuhsu.edu/student-life/>.

~~iv. Any student who does not comply with the Student Health Insurance requirement shall be subject to disciplinary action, including cancellation of the student's registration.~~

~~d. TTUHSC will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance plans. Insurance information can be found on the Office of Student Life, <https://www.ttuhsu.edu/student-life/>.~~

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

22. **Notification of Student Death.** HSC Student Affairs is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must notify the ~~Assistant Provost~~Associate Provost for Student Affairs immediately in the event of any student death.

23. **Program of Assistance for Students.** Personal counseling services are available to all TTUHSC students through the Program of Assistance for Students (PAS). Through the PAS, licensed counselors are available to assist students with all types of problems, including stress associated with academic, legal, or financial concerns; depression, anxiety, and/or other emotional problems; family and relationship issues; alcohol and drug abuse; and other mental health and wellness issues. For more information or to request assistance, please call 1-806- 743-1327 or 1-800-327-0328. In after-hours situations, these PAS phone numbers serve as a 24-hour crisis line. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, TTUHSC students and their dependents are eligible to receive eight free counseling sessions per year. Additional information about PAS services can be found at <https://www.ttuhs.edu/centers-institutes/counseling/pas.aspx>.
24. **Student Emergency Contact Information.** Students must keep their Emergency Contact Information current. To do so, visit [webraider.ttuhs.edu](http://webraider.ttuhs.edu) and sign in. Select the “MyTech (for Students)” tab and look in the “Personal Information” box. Click “Update Emergency Contacts” and fill in your information.
25. **Registration**
- Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools’ Student Affairs or Coordinators office.
  - To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanction will be barred from registration. Students must provide all final transcripts to each school’s Office of Admissions by the end of the first semester in which they are enrolled or a hold will be placed preventing registration in future semesters. \*See Student Record and Transcript Policy located at <http://www.ttuhs.edu/registrar/documents/student.record.transcript.policy.pdf>
  - Late Registration.* Students are expected to register at their earliest opportunity. A student who registers late ~~is~~ [may be](#) assessed a fee. Consult the Office of the Registrar for deadline dates for registration.
26. **Religious Holy Days**
- A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of their School. A student will be excused from attending class(es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.
  - A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.

- c. Any disputes regarding this policy should be submitted in writing to the TTUHSC Provost or their designee. Any decision by the Provost or their designee regarding the dispute shall be final.
- d. This policy does not apply to any student absence for a Religious Holy Day which may interfere with patient responsibilities or patient care.

27. **State Residency Classification.** Students are responsible for registering under the proper residence classification and for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, prior to the time of enrollment, to ask for an official determination by the Office of the Registrar. Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar.

28. **Sexual Harassment Policy.** Harassment of students on the basis of sex is a violation of §106.31 of Title IX of the Education Amendments of 1972. Student concerns about sexual harassment which include faculty, staff, or students should be directed to the Title IX Coordinator –University Center 330 A, (806) 743-9861, or [TitleIXCoordinator@ttuhsc.edu](mailto:TitleIXCoordinator@ttuhsc.edu).

29. **Tuition and Fees Installment Payment Options**

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

[For each academic year, the Board of Regents shall approve the assessment of tuition and fees for students of component institutions of the Texas Tech System. The recommended revisions](#)

to student tuition and mandatory fee rates shall be presented biennially to the board by the Finance Administration.

~~g. Bi-annual approval of tuition and fees by the Board of Regents shall approve the assessment and collection of fees from Texas Tech University Health Sciences Center (TTUHSC) and Texas Tech University (TTU) students. The amounts to be collected are presented in a Global Fee Document to the Board of Regents two years for approval.~~

**30. Tuition and Fees Refund Policies**

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

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

Term	Class Day	Percent of Refund of Charges
<b>Summer – More than 5 weeks but less than 10 weeks in duration</b>	1st class day through 4th class day	100%
	After 4th class day	None
<b>Fall, Spring, or Summer – Duration of 10 weeks or longer</b>	1st class day through 12th class day	100%
	After 12th class day	None

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

Term	Class Day	Percent of Refund of Charges
<b>Summer – More than 5 weeks but less than 10 weeks in duration</b>	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day or later	None
<b>Fall, Spring, or Summer – Duration of 10 weeks or longer</b>	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

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

Federal Refund and Repayment calculations must be performed for students who receive Title



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

- i. The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/ balances created by the returning of Title IV program funds that the school was required to return.

- ii. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID(1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at [www.studentaid.ed.gov](http://www.studentaid.ed.gov).
- c. **Title IV Funds.** In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds.

How the calculation works:

- i.  $\text{Number of days attended} \div \text{Days in semester} = \% \text{ of semester completed}$
- ii.  $\text{Total \$ disbursed} \times \% \text{ completed} = \text{Earned \$}$
- iii.  $\text{Total \$ disbursed} - \text{Earned \$} = \$ \text{ to be returned}$

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

To remain eligible for financial aid, a student must maintain satisfactory academic progress. This evaluation process is comprised by three standards; qualitative, quantitative, and maximum time frame. This determination must be made at least once per year. This evaluation process may be different for different schools at the HSC. For more information and school specific SAP information, please visit: <https://www.ttuhs.edu/financial-aid/eligibility.aspx>

- i. Qualitative – grade point average on hours attempted
- ii. Quantitative – hours successfully completed based on hours enrolled. As a general rule, a student must successfully pass 67% of the hours they attempt (hours as of census date).
- iii. Maximum Time Frame – students may not attempt more than 150% of the required program hours (or years for medical students) to complete their degree program.

[31. Veterans Resource Center. The mission of the VRC at TTUHSC is to support our Values-Based Culture and assist veterans and military families in achieving academic, personal, and professional success. The VRC serves as a resource to connect veterans and military families to the University and surrounding communities. The VRC also oversees the certification of state and federal benefits such as:](#)

- [a. Hazlewood Act, a State of Texas benefit that provides qualified veterans, spouses, and dependent children with an education benefit of up to 150 hours of tuition exemption.](#)
- [b. VA education and training benefits through the Department of Veterans Affairs \(VA\) who provide various benefits to help eligible veterans, servicemembers, and qualified family members with paying college tuition, finding a school or program, and career counseling.](#)

[Connect with the VRC by visiting https://www.ttuhs.edu/veterans-resource-center/.](https://www.ttuhs.edu/veterans-resource-center/)

---

# PART XI. STUDENT COMPLAINT/GRIEVANCE POLICIES AND PROCEDURES

The following narrative summarizes TTUHSC's student complaint or grievance policies and procedures. Links to specific policies and procedures are provided on the [HSC Student Affairs website](#).

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

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

## A. GENERAL OR ACADEMIC MISCONDUCT OF A STUDENT

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

## B. DISCRIMINATION

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

1. [HSC OP 51.04, Access for Individuals with Disabilities](#)
2. [HSC OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan](#)

## C. STUDENT RECORDS

[HSC OP 77.13, Student Education Records](#), provides detailed information about filing complaints relating to student records.

## D. TTUHSC EMPLOYMENT

Information about employment grievances for students who are employed at TTUHSC is provided in [HSC OP 70.10, Non-faculty Employee Complaint and Grievance Procedures](#). This policy covers complaints concerning issues

pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

## E. GRADES/GRADING

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

1. School of Health Professions: ~~—~~[SHP OP ST.03 Academic Grade Appeal \(link to: https://hscweb.ttuhsu.edu/health-professions/current/policies.aspx\)](https://hscweb.ttuhsu.edu/health-professions/current/policies.aspx)
- ~~1. Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals)~~
2. School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Grading Policy, Promotions Policy, and policies and procedures for Challenging Student Records or Grades
3. School of Nursing: Academic Grade Challenges/Appeals
4. Jerry H. Hodge School of Pharmacy: Grade Grievance Resolution
5. Graduate School of Biomedical Sciences: [Grade Appeals/Complaint](#) Policy
- ~~5-6. Julia Jones Matthews Population and Public Health: [Complaint Policy](#)~~

## F. OTHER TYPES OF MISTREATMENT

1. Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school. Relevant school policies include the following:
  - a. School of Health Professions: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals) and Academic Misconduct Policy (addresses academic complaints against a student)
  - b. School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Student-Student Dispute Resolution Policy, Part IV Anti-Discrimination and Title IX,
  - c. School of Nursing: Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade [Related Grievance](#))
  - d. Jerry H. Hodge School of Pharmacy: Non-Grade Grievance Resolution
  - e. Graduate School of Biomedical Sciences: Complaints Policy
2. Students should process their complaints or appeals through the appropriate channels. Procedures are delineated in the policies identified above. Students are required to bring their concerns to the designated student affairs officer of their school. The student affairs officer in each school is as follows:
  - a. School of Health Professions: Associate Dean for Admissions and Student Affairs
  - b. School of Medicine-Lubbock: Assistant Dean for Student Affairs
  - c. ~~TTUHSC~~ School of Nursing: [Assistant Associate Academic Dean for Education Support/Admissions, and Student Affairs, and Enrollment Management](#)
  - d. Jerry H. Hodge School of Pharmacy: ~~Senior Director~~[Associate Dean](#) for Student Affairs [and Student Affairs](#)
  - e. Graduate School of Biomedical Sciences: Assistant Dean

3. The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.
4. Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact TTUHSC Student Affairs in accordance with the following institutional-level student complaint procedures. These procedures are also published on the HSC Student Affairs website.

## G. OTHER INSTITUTIONAL-LEVEL STUDENT COMPLAINT PROCEDURES

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

1. **Early Resolution.** Prior to contacting the TTUHSC Office of Student Affairs, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the [Assistant Provost/Associate Provost](#) for Student Affairs. The student shall address the issue and initiate action under this policy within 30 days of the event-giving rise to the complaint.

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

2. **Filing a Hearing Request.** If the student is not satisfied with the recommendation of the [Assistant Provost/Associate Provost](#) for Student Affairs, he/ she may file a request for a hearing by submitting a written complaint to the [Assistant Provost/Associate Provost](#) for Student Affairs. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the [Assistant Provost/Associate Provost](#) for Student Affairs' recommended resolution.

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

3. **Hearing Procedure.** Upon receipt of a written request for a hearing, the [Assistant Provost/Associate Provost](#) for Student Affairs will appoint a Hearing Committee according to the following procedure:

- a. Each party will propose in writing a list of four TTUHSC faculty, staff, and/or students to serve on the Hearing Committee. The ~~Assistant Provost~~Associate Provost for Student Affairs will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a TTUHSC faculty or staff member) and these individuals will comprise the Hearing Committee. This group will select a chair from among themselves.
- b. The ~~Assistant Provost~~Associate Provost for Student Affairs will provide technical assistance and support to this committee.
- c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
- d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the ~~Assistant Provost~~Associate Provost for Student Affairs a list of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.
- e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.
- f. The Hearing Committee chair may keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials).

#### 4. **Committee Decision**

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

#### 5. [Complaint Forms. It is the policy of the Texas Tech University Health Sciences Center to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC students or by TTUHSC personnel towards students.](#)

##### [a. TTUHSC Reporting Forms](#)

##### [i. Academic Misconduct:](#)

[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=2](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=2)

##### [ii. Bias or Discrimination:](#)

[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=4](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=4)

- iii. Campus Security Authority (Clery) Incident:  
[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=30](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=30)
- iv. General Misconduct:  
[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=3](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=3)
- v. Sexual Harassment / Sexual Assault / Sexual Misconduct:  
[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=10](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=10)
- ~~i-vi.~~ Student of Concern:  
[https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout\\_id=1](https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=1)

~~5. **Complaint Forms.** It is the policy of the Texas Tech University Health Sciences Center to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC students or by TTUHSC personnel towards students.~~

- ~~a. Incident Report Form <https://app4.ttuhscc.edu/grievanceforms/>~~
- ~~b. Title IX Complaint <https://www.ttuhscc.edu/title-ix/default.aspx>~~

---

## PART XII. CONTACT INFORMATION FOR KEY PERSONNEL

HSC Student Affairs	(806) 743-2300
Student Business Services	(806) 743-7867
Student Disability Services	(806) 743-1926
Student Life	(806) 743-2302
Student Financial Aid	(806) 743-3025
Registrar	(806) 743- <del>2300</del> <a href="#">7347</a>
Graduate School of Biomedical Sciences <del>and Public Health</del>	<hr style="width: 100%; border: 0.5px solid #4a7ebb; margin: 0;"/> (806) 743-2556
School of Health Professions Admissions and Student Affairs	(806) 743-3220
School of Medicine Student Affairs	(806) 743-3005
School of Nursing Student Affairs	(806) 743-3341
Jerry H. Hodge School of Pharmacy Student Affairs	(806) 414-9393
<a href="#">Julia Jones Matthews School of Population and Public Health Student Affairs</a>	<a href="#">(806) 743-4052</a>
Title IX Coordinator for TTUHSC	(806) 743-9861