



TEXAS TECH UNIVERSITY SYSTEM

BOARD OF REGENTS

AGENDA BOOK

May 17-18, 2018

AGENDA

Board of Regents Meeting

Lubbock, Texas

May 17-18, 2018

Abbreviated Agenda with Approximate Times*

Thursday, May 17-18, 2018

Meeting of the Board/Retreat

- | | |
|---------|--|
| 8:30 am | <p>Call to Order; convene Meeting of the Board and Committee of the Whole</p> <ul style="list-style-type: none"> • Workshop / Retreat <ul style="list-style-type: none"> ○ TTU ○ TTUHSC ○ TTUSA <p style="margin-left: 40px;">Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas</p> |
| 1:45 pm | Recess |

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*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 17, the Meeting of the Board/retreat convene no earlier than 8:30 am. The Meeting of the Board/Retreat is expected to recess at approximately 1:45 pm; however, if needed, the Meeting of the Board/Retreat may continue beyond 1:45 pm until completed. A lunch break will be taken whenever deemed appropriate. Committee meetings will commence upon the recess of the Meeting of the Board/Retreat at approximately 2:00 pm. Any committee meetings not completed on Thursday, May 17, 2018, will be completed on Friday, May 18, 2018. The Board has the option to reconvene as a Meeting of the Board/Committee of the Whole and convene into Executive Session after the last committee meeting adjourns or whenever deemed necessary on Thursday, May 17, 2018. The Meeting of the Board will reconvene at 8:30 am on Friday, May 18, 2018. If necessary, the Meeting of the Board will recess after introductions/recognitions at approximately 9:00 am to conduct any committee meetings which were not concluded on Thursday, May 17, 2018. The Meeting of the Board will reconvene upon adjournment of the any committee meeting(s) if applicable at approximately 9:30 am to complete the remainder of its business. The Meeting of the Board is expected to adjourn at approximately 11:30 am; however, if needed, the meeting may continue beyond 11:30 am until completed. The full board agenda is detailed on pages vi through xiv. 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 17-18, 2018

Abbreviated Agenda with Approximate Times*

Thursday, May 17, 2018

Meeting of Standing Committees
(Conducted sequentially)

CONTINUED FROM PREVIOUS PAGE

2:00 pm (or upon recess of the Meeting of the Board/Retreat)	Academic, Clinical and Student Affairs Committee Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
2:30 pm (or upon adjournment of the ACS Cmte. meeting)	Audit Committee Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
3:00 pm (or upon adjournment of the Audit Cmte. meeting)	Facilities Committee Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
3:45 pm (or upon adjournment of the Facilities Cmte. meeting)	Finance and Administration Committee Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

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Board of Regents Meeting

Lubbock, Texas

May 17-18, 2018

Abbreviated Agenda with Approximate Times*

Thursday, May 17, 2018

Meeting of the Board

CONTINUED FROM PREVIOUS PAGE

- | | |
|--|--|
| 4:30 pm
(or after a lunch break or upon adjournment of the Finance Cmte. Meeting) | Call to Order; reconvene 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 |
| 4:30 pm | Executive Session
Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas |
| 5:30 pm | Following Executive Session, reconvene into Open Session as Committee of the Whole
Location: Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas |
| 5:30 pm | Recess |

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Board of Regents Meeting

Lubbock, Texas

May 17-18, 2018

Abbreviated Agenda with Approximate Times*

Friday, May 18, 2018

Meeting of the Board

- | | |
|---------------------------|---|
| 8:30 am | <p>Call to Order; reconvene Meeting of the Board
 Introductions and Recognitions
 Meeting of the Committee of the Whole and the Board,
 or continuation of meetings of the Standing Committees
 of the Board, if necessary
 Location: Regents Committee Room (106), First Floor,
 System Building, 1508 Knoxville Avenue, Lubbock,
 Texas</p> |
| 9:30 am
(if necessary) | <p>Executive Session
 Location: Regents Committee Room (106), First Floor,
 System Building, 1508 Knoxville Avenue, Lubbock,
 Texas</p> |
| 11:30 am | <p>Following Executive Session, convene into Open Session,
 and continue as Meeting of the Committee of the Whole
 and the Board and/or continuation of meetings of the
 Standing Committees of the Board, if necessary
 Location: Regents Conference Room (104A), First
 Floor, System Building, 1508 Knoxville Avenue,
 Lubbock, Texas</p> |
| On or before
12:00 pm | <p>Adjournment</p> |

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Board of Regents Meeting

May 17-18, 2018

Agenda

Thursday, May 17, 2018

**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

A. Workshop/Retreat: The Board will meet as a Committee of the Whole in a workshop/retreat forum for strategic planning purposes. It is not anticipated that any formal action or decisions will result from these discussions.

- 1. Texas Tech University President Schovanec
- 2. Texas Tech University Health Sciences Center..... President Mitchell
- 3. Texas Tech University System Chancellor Duncan

II. Recess Meeting of the Board/Retreat Chairman Francis

III. Meeting of Standing Committees

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

A. Academic, Clinical and Student Affairs Committee

Page
ACS

- 1. ASU: Approve appointment with tenure3
- 2. ASU: Approve emeritus appointments 4
- 3. ASU: Approve the addition of the Master of Science degree with a major in Professional School Counseling 5
- 4. ASU: Approve the addition of the Master of Social Work degree with a major in Social Work..... 7

5.	ASU: Approve revisions to the admissions requirements at Angelo State University	9
6.	TTU: Approve appointment with tenure	10
7.	TTU: Approve Master of Science in Library and Information Science.....	11
8.	TTUHSC: Approve exception to nepotism policy.....	13
9.	TTUHSC: Approve revisions to the 2018-2019 <i>Code of Professional and Academic Conduct</i> of the Student Handbook effective August 1, 2018	14
10.	TTUHSC El Paso: Approve revisions to the 2018-2019 <i>Code of Professional and Academic Conduct</i> of the Student Handbook effective July 1, 2018	15
11.	TTUHSC El Paso: Authorize president to execute consulting contract with Association of Academic Leadership.....	16
12.	Adjournment	

B. Audit Committee

Page
A

1.	TTUS: Report on audits.....	3
2.	Executive Session: The Audit Committee 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:	
a.	Consultation with Attorney — Section 551.071.	
b.	Discussion of personnel matters – Section 551.074.	
3.	Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville	

Avenue, to consider appropriate action, if any, on items discussed in Executive Session.

4. Adjournment

C. Facilities Committee

	<u>Page</u>
	F
1. ASU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report	3
2. TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report	5
3. TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report	9
4. TTUHSC El Paso: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report	12
5. TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report	14
6. ASU: Approve contract amendment for third-party hiring of design professional for renovation of the Food Service Center	16
7. TTU: Authorize award of the Construction Manager at Risk contract for the Weeks Hall Renovation project.....	18
8. TTUS: Approve amendment to Chapter 08 (Facilities), <i>Regents' Rules</i> , regarding a feasibility study option	20
9. TTUS: Report on Facilities Planning and Construction projects.....	21
10. Adjournment	

D. Finance and Administration Committee

	<u>Page</u>
	FA
1. ASU: Authorize president to execute a contract amendment with Follett Higher Education Group, Inc	3

- 2. TTU: Approve budget adjustment for the 2018 Hazlewood distribution 4
- 3. TTU: Approve acceptance of gift-in-kind benefitting Texas Tech University Southwest Collection/Special Collections Library 5
- 4. TTUHSC: Authorize president to execute contract with a consultant..... 7
- 5. TTUS: Approve FY 2019 Premium Rates for the Medical Liability Self-Insurance Plan 8
- 6. TTUS: Report on IT Security 9
- 7. TTUS: Report on TTUS Endowments 10
- 8. Adjournment

IV. Meeting of the Board—Call to Order; reconvene into Open Session of the Board Chairman Francis

V. Executive Session: The Board may 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 Francis

- 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 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 Lancaster

- VII. **Recess** Chairman Francis

Friday, May 18, 2018
Regents Conference Room (104A), First Floor,
System Building, 1508 Knoxville Avenue,
Lubbock, Texas

- VIII. **Meeting of the Board—Call to Order; reconvene into Open Session of the Board**

- IX. **Introductions and Recognitions** Chancellor Duncan,
 President May,
 President Schovanec
 President Mitchell, and
 President Lange

- X. **Recess** (if necessary, for standing committees to meet; otherwise continue in Open Session (XIII.))

- XI. **Meeting of Standing Committees** (if not concluded on Thursday)

- XII. **Meeting of the Board—Call to Order; reconvene into Open Session of the Board** (only if the Meeting of the Board was recessed to conduct committee meetings)

- XIII. **Open Session:** The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Approve minutes of board meetings held on March 1-2, 2018 Chairman Francis
- B. Committee of the Whole..... Vice Chairman Lancaster

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

Page
CW

Consent Agenda

- a. TTU: Approve faculty development leaves of absence (ACS)
- b. TTU: Approve faculty leave of absence without pay (ACS)
- c. TTU: Approve employee appointment to a non-elective position (ACS)
- d. TTU: Approve revisions to the Student Handbook, effective May 21, 2018 (ACS)
- e. TTUHSC: Approve acceptance of a Permanent Right of Access and Use of TTUHSC land at the Odessa campus to ONCOR (Electric Company) (F)
- f. TTUHSC: Approve naming of the Permian Basin Academic Facility building (F)
- g. ASU: Approve FY 2019 holiday schedule (FA)
- h. ASU: Approve revisions to Traffic and Parking regulations and fees (FA)
- h-1. TTU: Approve agreement between Texas Tech University and the University of Louisiana Monroe
- i. TTU and TTUSA: Approve FY 2019 holiday schedule (FA)
- j. TTUHSC: Approve FY 2019 holiday schedule (FA)
- k. TTUHSC: Approve revisions to the Parking Regulations (FA)
- l. TTUHSC: Approve modification of endowment (FA)
- m. TTUHSC El Paso: Approve FY 2019 holiday schedule (FA)
- n. TTUS: Approve Texas CLASS as an authorized investment vehicle in the Short/Intermediate Term Investment Fund (SITIF) (FA)

Information Agenda

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

- (1) ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2018, per Section 01.02.8.d(3)(g), *Regents' Rules* – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.

- (2) TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.c and 07.12.6.b., *Regents' Rules* – “Notwithstanding Section 07.12.3.a or Section 07.12.3.b, Regents’ Rules, the board delegates to the presidents of health related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.” AND “Approval of the president is required for all component institution contract renewals, extensions or amendments. A list of those renewed, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.”
- (3) TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) TTU and TTUHSC: Approval of sponsored programs projects in excess of \$1,000,000 per annum as provided by Section 07.12.4.b., *Regents' Rules*: “Notwithstanding Section 07.12.3.a, Regents; Rules, The board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects

are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.

(5) TTU: Emergency or exigent circumstances approval of employment 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.”

(6) TTU: 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 approval by the president, with notice provided to the board via an item in the information Agenda for the next meeting of the board.”

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

- A. Report of the Academic, Clinical and Student Affairs Committee.....Regent Walker
- B. Report of the Audit Committee.....Regent Long
- C. Report of the Facilities CommitteeRegent Esparza
- D. Report of the Finance and Administration Committee.....Regent Steinmetz

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

- A. Schedule for Board meetings:

August 9-10, 2018, Lubbock

October 4-5, 2018, Lubbock
December 13-14, 2018, Lubbock Ben Lock

- B. Student Government Association Reports Shayna Mullen (ASU),
Sean Lewis (TTU),
Austin Lunney (TTUHSC),
Sajid Leelani (TTUHSC El Paso)

XVI. Executive Session: The Board may 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 Francis

- 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

XVII. 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 Lancaster
- B. Chairman’s Announcements..... Chairman Francis

XVIII. Adjournment Chairman Francis

**ACADEMIC,
CLINICAL AND
STUDENT AFFAIRS**

Academic, Clinical and Student Affairs Committee

Committee Meeting
May 17, 2018

Time: 2:00 pm (or upon recess of the Meeting of the Board/Retreat)

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

Regents: Walker (Chair), Esparza, Steinmetz, Lujan

Agenda

- Approve minutes of committee meeting held on March 1, 2018

III.A. Consideration of items to be recommended by the Academic, Clinical and Student Affairs Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

	<u>Page</u>
	ACS
1. ASU: Approve appointment with tenure	3
2. ASU: Approve emeritus appointments	4
3. ASU: Approve the addition of the Master of Science degree with a major in Professional School Counseling	5
4. ASU: Approve the addition of the Master of Social Work degree with a major in Social Work.....	7
5. ASU: Approve revisions to the admissions requirements at Angelo State University	9
6. TTU: Approve appointment with tenure.....	10
7. TTU: Approve Master of Science in Library and Information Science	11
8. TTUHSC: Approve exception to nepotism policy	13

9. TTUHSC: Approve revisions to the 2018-2019 *Code of Professional and Academic Conduct* of the Student Handbook effective August 1, 2018 14

10. TTUHSC El Paso: Approve revisions to the 2018-2019 *Code of Professional and Academic Conduct* of the Student Handbook effective July 1, 2018..... 15

11. TTUHSC El Paso: Authorize president to execute consulting contract with Association of Academic Leadership 16

12. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, May 18, 2018.

1. ASU: Approve appointment with tenure.

Presenter: Dr. Donald Topliff

Presentation Time: 2 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve granting tenure to the following faculty member in accordance with his recent appointment to of Angelo State University effective August 23, 2018.

Andrew A. Tiger, Ph.D., new associate professor and chair, Department of Management and Marketing, College of Business, effective August 23, 2018. Dr. Tiger was formerly a tenured professor of management in the John Massey School of Business at Southeastern Oklahoma State University in Durant, Oklahoma.

BACKGROUND INFORMATION

The faculty member named above has been judged by the appropriate committees and administrative personnel as worthy of academic tenure at Angelo State University. The procedure established by OP 06.23: Tenure and Promotion Standards and Procedures has been carefully followed.

Approval of this individual will bring the number of tenured faculty at Angelo State University to 152. After this appointment, the percentage of tenure-track faculty who have been awarded tenure will be 70 percent. The number of full-time non-tenure or non-tenure track faculty is 95.

2. **ASU: Approve emeritus appointments.**

Presenter: Dr. Donald Topliff

Presentation Time: 1 minute

Board approval required by: Section 04.01.2, *Regents' Rules*; ASU Operating Policy 02.03

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve to confer the title of distinguished professor emeritus on Dr. Nancy G. Allen, Ph.D. and Mark S. Sonntag, Ph.D. for their long and faithful service to Angelo State University.

BACKGROUND INFORMATION

Dr. Nancy G. Allen received her Ph.D. in English from Texas Tech University. Dr. Allen received multiple recognitions for her contributions to teaching and program development at Angelo State University. In recognition of her development of the Writing Center, a vital transition point in students' academic lives, she was elected to serve as a Representative to the Executive Committee of the National Association of Writing Centers from 1986-91. Moreover, between 1996 and 1998, she served as Peer Assistant to the Texas Educator Preparation Improvement Initiative. Finally, in 2004 the ASU Alumni Association honored Dr. Allen's contribution to student success by awarding her as the Distinguished Faculty Member from the College of Liberal and Fine Arts.

After 32 years of distinguished service as an assistant, associate, and full Professor of English, as the Head of the Department of English, and as the Vice Provost and Interim Provost, Dr. Allen retired on May 31, 2015.

Dr. Mark S. Sonntag received his Ph.D. in Science Education from the University of Colorado. In addition to this teaching, Dr. Sonntag maintained an active research program through his time at Angelo State University, writing grants, mentoring students, and presenting his research at professional meetings. As the Planetarium Director, he was actively committed to delivering inspiring education at all levels, from preschoolers to senior citizens.

Dr. Sonntag retired after 31 years of distinguished service as a teacher, scholar and Director of the Planetarium, demonstrating an exemplary record of teaching, contributions in the field of Astronomy, and especially his extraordinary service to students at Angelo State University and to the community of San Angelo. Dr. Sonntag retired on August 10, 2016.

3. ASU: Approve the addition of the Master of Science degree with a major in Professional School Counseling.

Presenter: Dr. Don Topliff

Presentation Time: 3 minutes

Board approval required by: Section 04.09.01, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the new degree program request for the Master of Science degree with a major in Professional School Counseling 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 2018.

BACKGROUND INFORMATION

The State of Texas has amended the requirements to obtain a certification as a school counselor. The requirements now include an increase in the semester credit hours required from 36 to 48, changes in the courses currently offered and a change in the title to "Professional School Counseling." The purpose of the proposed program is to comply with the newly adopted Texas Administrative Code guidelines to maintain the enrollment in this popular program. Enrollment for 2017 is 528 total with 108 newly admitted students. The program is completely online with the exception of the supervised counseling hour requirements.

The need for school counselors has expanded rapidly, as mental health and college and career readiness within schools has become a focus. A recent article in Edweek shows that school counselor caseloads have averaged around 480:1 over the past decade. The American School Counselor Association recommends a ratio of no more than 250 students for each counselor. The Occupational Outlook Handbook indicates that the job outlook for school counselors between 2016-26 will grow at a rate of 13%, which is faster than average. Texas Wages and Employment Projections for the time frame of 2014-24 show that there are 24,100 Educational, Guidance, School, and Vocational Counselors in Texas, with a projected growth to 29,650 (an increase of 5,550). This is a 23.029% increase with approximately 1,060 positions opening each year.

Projected student enrollment in the program is shown in Table 1. Projected five-year costs and funding for the proposed program are shown in Table 2. Costs are projected at \$482,748 and revenue is projected at \$1,578,776.

Table 1. Five-Year Enrollment Projections

YEAR	1	2	3	4	5
Headcount¹	165	240	300	360	420
FTSE²	132	192	240	288	336
Attrition	20	25	30	35	40
Graduates	0	80	100	120	140

¹ Headcount assumes 110 new students and 55 students transferring existing 36 hour program.

² Full Time Student Equivalents assume 80% of full SCH load.

Table 2. Five-Year Costs and Funding Sources

Five-Year Costs		Five-Year Funding	
Personnel	\$452,748 ¹	Reallocated Funds	\$0
Facilities and Equipment	\$20,000	Anticipated New Formula Funding	\$574,560
Library, Supplies, and Materials	\$0	Designated Tuition and Fees	\$1,004,216
Other	\$10,000	Other	\$0
Total Costs	\$482,748	Total Funding²	\$1,578,776

¹ Personnel costs include new faculty only since existing faculty are teaching courses in the current program.

² Funding includes only new revenue from the 12 additional credit hours required in the current program.

4. ASU: Approve the addition of the Master of Social Work degree with a major in Social Work.

Presenter: Dr. Don Topliff

Presentation Time: 3 minutes

Board approval required by: 04.09.01, *Regents' Rule*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the new degree program request for the Master of Social Work (“MSW”) degree with a major in Social Work within the Archer College of Health and Human Services 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 2019.

BACKGROUND INFORMATION

This advanced generalist practice program will offer two separate tracks. The first track will be a non-advanced standing, which will be for students that do not hold a Bachelor of Social Work (“BSW”) degree from an Accredited Council on Social Work Education (“CSWE”) program. These students would be required to complete the 63 credit hour program. The second track that will be offered will be an advanced standing program. This track will be offered to students that hold a BSW from an Accredited CSWE program. These students will be required to complete 33 credit hour program. Full-time enrollment for the MSW program will be 12 credit hours per semester. The MSW program will consist of three long semesters to include fall, spring, and summer. The purpose of the MSW Advanced Generalist Practice program is to promote human and community well-being.

The demand for social work professionals continues to outpace the supply both at the state level and the national level. Many social and human service agencies/organizations struggle to find quality, qualified, and available social workers to employ. The job market for social workers is expected to increase by over 15% between 2018 –2026 according to the U.S. Bureau of Labor Statistics, with an employment change of 102,100 social workers during this time. Many of the graduates from the Department of Social Work desire to find employment in mental health, health care, with children/families, and with military clients. While a MSW is not needed to work with children/families, it does increase a student’s salary and opportunity for advancement with an agency. For those students who desire to work in health care, a MSW is becoming more of the expectation if not required. To work with military clients or in mental health, a MSW is required before being considered for employment.

Projected student enrollment in the program is shown in Table 1. Projected five-year costs and funding for the proposed program are shown in Table 2. Costs are projected at \$1,497,282 and revenue is projected at \$1,579,619.

Table 1. Five-Year Enrollment Projections

YEAR	1	2	3	4	5
Adv. Standing					
Headcount	10	15	15	15	20
FTSE¹	13.3	20	20	20	26.7
Attrition	1	1	1	1	1
Graduates	0	9	14	14	14
Non-Adv. Standing					
Headcount	6	13	13	13	20
FTSE¹	8	17.3	17.33	17.33	26.7
Attrition	1	2	2	2	2
Graduates	0	0	5	7	7

¹ FTSE calculations are based on students taking 12 SCH in each semester.

Full time for graduate students is considered 9 SCH per semester.

Table 2. Five-Year Costs and Funding Sources

Five-Year Costs		Five-Year Funding	
Personnel	\$1,422,282	Reallocated Funds	\$0
Facilities and Equipment	\$45,000	Anticipated New Formula Funding	\$586,913
Library, Supplies, and Materials	\$10,000	Designated Tuition and Fees	\$992,706
Other	\$20,000	Other	\$0
Total Costs	\$1,497,282	Total Funding	\$1,579,619

5. **ASU: Approve revisions to the admissions requirements at Angelo State University.**

Presenter: Dr. Javier Flores

Presentation Time: 3 minutes

Board approval required by: Section 05.01.2 and 05.02, *Regents' Rules*; and ASU OP 10.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the revisions to the Admissions Requirements at Angelo State University, effective immediately.

Angelo State University is requesting authorization to modify existing admission standards for transfer students. Specifically, terminology changed from “*not on disciplinary suspension*” to “*eligible to return to the institution most recently attended*” to be inclusive of all restrictions.

Secondly, transfer students with 11 credits or less will need to meet regular admission for high school graduates. Transfer students with 12 college bearing credits or more with a 2.0 grade point average will be admitted.

Finally, transfer students with less than a 2.0 grade point average with an earned associate’s degree may be admitted under a file review.

EXECUTIVE SUMMARY

The recommended changes indicate a revision to the admission standards for transfer students. The proposed changes will align with ASU’s strategic goal of increasing enrollment of qualified transfer students.

BACKGROUND INFORMATION

Sections 05.01.2 and 05.02, *Regents’ Rules*, require Board approval of the university’s admissions policies and inclusion in the institution’s operating manuals.

6. **TTU: Approve appointment with tenure.**

Presenter: Dr. Michael Galyean Presentation Time: 2 minutes
Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.17

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the granting of tenure for the faculty of Texas Tech University as listed below concurrently with their respective appointments.

William F. Brown, Ph.D., dean, College of Agricultural Sciences and Natural Resources and professor, Department of Animal and Food Sciences. Most recently a tenured professor at the University of Tennessee where he served as Dean for Research and Director of the Institute for Agriculture of the Tennessee Agricultural Experiment Station.

Jason Sowell, M.L.A, associate professor, Department of Landscape Architecture in the College of Agricultural Sciences and Natural Resources. Professor Sowell came to Texas Tech University from the University of Texas at Austin where he was a tenured associate professor in the Graduate Program in Landscape Architecture.

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 promotion and tenure of qualified members of the faculty have been carefully followed.

Approval of these individuals will bring the number of full-time tenured faculty at Texas Tech University to 769. There are 1107 full-time tenured and tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 69.4%, and tenured faculty represent 45.6 percent of all faculty (including part-time). Together, tenured and tenure-track faculty represent 65.7 percent of all faculty, and 74.7 percent of all full-time faculty.

7. **TTU: Approve Master of Science in Library and Information Science.**

Presenter: Dr. Michael Galyean

Presentation Time: 3 minutes

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

RECOMMENDATION

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

The Master of Science in Library and Information Science is a 36-hour online and face-to-face program including a three-hour practicum consisting of 120 field hours. The curriculum is focused on equipping graduates of the program with the skills needed to work with diverse populations in an ever-evolving global information society. It is an immersive program developed and taught by faculty librarians. The program centers on the following skill areas: (1) public services; (2) collection strategies and resource management; (3) information technology; and (4) organizational knowledge. The program is to be administered by the Graduate School while taught by faculty librarians of the University Libraries. Curriculum will entail new courses prepared by faculty librarians and existing courses taught by faculty in related fields in other Texas Tech University colleges. The program is planned to begin in Fall 2019.

Five-year costs and funding associated with the proposed degree are tabulated below. Personnel costs include two new faculty members to be hired in FY 2019 representing \$969,400 in salary (including fringes) over five years. Facilities, equipment, materials, and travel for marketing and recruitment are estimated to cost \$149,800. Total estimated costs are \$1,119,200. Funding for the program is estimated to exceed the costs at a total of \$1,292,661. A current Librarian will be dedicated to the new program, whose salary over five years represents a reallocation of \$753,405. State formula funding and local tuition and fees will be generated at an estimated total of \$498,456 over five years, with an additional \$40,800 provided from Library operations.

Five-Year Costs		Five-Year Funding	
Personnel	\$969,400	Reallocated Funds	\$753,405
Facilities and Equipment	\$63,300	Anticipated New Formula Funding	\$73,028

Library, Supplies, and Materials	\$3,500	Designated Tuition and Fees	\$425,428
Other	\$83,000	Other	\$40,800
Total Costs	\$1,119,200	Total Funding	\$1,292,661

BACKGROUND INFORMATION

The proposed program will be developed by practicing librarians to provide students with real-world application of curriculum topics. Student assessment will be project-based to build skills to enter a professional position with requisite knowledge and experience. Graduates will leave the program prepared to work with diverse populations, to interpret and maintain metadata standards, and to interact with and understand vendors and vendor contracts.

Recruitment efforts will be made by attending regional (Texas Library Association Districts 2, 6, and 9 Meetings as well as Region 17 Education Service Center Meetings) and state (Texas Library Association Annual Conferences) Library meetings/conferences and reaching out to the Texas Tech University System including Angelo State University, the TTU Law School, and The TTU HSC. Graduate school fairs in Texas, New Mexico, and Oklahoma will be attended as well as Education Service Centers and School districts. Diversity will be a focus in recruitment for the TTU-MSLIS degree program with a goal of 25% of enrolled students being Hispanic.

A 2017 survey of School Librarians, College and University Librarians, and Public Librarians from the Texas panhandle to El Paso and New Mexico was conducted by TTU Libraries. The findings of this survey support the need for TTU Libraries to create a MSLIS degree program accredited by the American Library Association. The majority of respondents to this survey responded that "Yes," they would have considered attending TTU if there had been a library school at TTU during the time they obtained their degree. Many also said that they would be interested in getting either a library degree from Texas Tech, take a class now and then, and/or getting a certificate in a specialization. With 217 responses, 162 indicated they would pursue the MSLIS if it had been offered at TTU; 131 indicated they would pursue a degree or certification in a specialty or take a course as continuing education. School librarians surveyed indicated the greatest interest as 45 out of 49 (91.84%) responded they would enroll in the MSLIS program at TTU. Based on these documented interests, five-year enrollment projections for the proposed degree are tabulated below, anticipating 30 graduates within five years. These enrollment estimates were used in calculating the anticipated formula, tuition, and fee funding indicated above.

YEAR	1	2	3	4	5
Headcount	6	12	20	25	30
FTSE	3	6	10	15	20
Attrition	1	2	5	7	7
Graduates			5	10	15

8. **TTUHSC: Approve exception to nepotism policy.**

Presenter: Dr. Steven L. Berk

Presentation Time: 2 minutes

Board approval required by: Section 03.01.11, *Regents' Rules*, HSC OP 70.08

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve an exception to the nepotism policy. Santhosh K. G. Koshy, M.D. was recruited to Texas Tech University Health Sciences Center ("TTUHSC") as professor and chair of the Department of Internal Medicine, School of Medicine. Dr. Koshy comes to the TTUHSC from the University of Tennessee, Memphis, Tennessee. His start date is July 1, 2018.

Lekha K. George, M.D. is the wife of Dr. Koshy. She will join TTUHSC as an associate professor in the Division of Nephrology, Department of Internal Medicine. Dr. George's supervision, including her performance evaluations, promotions, reappointments, and compensation decisions will be provided by Allan Haynes, M.D., the School of Medicine's associate dean for Faculty Affairs and professor in the Department of Urology. This arrangement will be re-evaluated at the end of every academic year to assure there is effective management of the conflict of interest and determine whether modifications are necessary.

BACKGROUND INFORMATION

Regents' Rules 03.01.11 and HSC OP 70.08 prohibits a person related to an administrator to have an initial appointment to a position in an area of responsibility over which an administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Furthermore, no employee may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary, or supervision of an individual related to the employee within a prohibited degree. If an appointment, reappointment, reclassification, or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the employee shall become the responsibility of the next higher administrative supervisor.

9. **TTUHSC: Approve revisions to the 2018-2019 Code of Professional and Academic Conduct of the Student Handbook effective August 1, 2018.**

Presented by: Dr. Rial Rolfe

Presentation Time: 2 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the revisions to the *Code of Professional and Academic Conduct* of the Student Handbook 2018-2019 for Texas Tech University Health Sciences Center, as amended and noted in the attachment, to be effective August 1, 2018.

BACKGROUND INFORMATION

Pursuant to Section 05.01.01, *Regents' Rules*, requires the Code of Professional and Academic Conduct be approved by the Board of Regents.

In relation to revisions under Part IV of the Student Handbook, on October 20, 2017, the Board of Regents approved updates to TTUHSC OP 51.03 with respect to Campus Sexual Assault to bring the policy into compliance with recent revisions to Sec. 51.9363, Texas Education Code, and granted authority to the president of each institution to make conforming changes, as necessary, to the respective student handbooks and codes of student conduct. Accordingly, TTUHSC has revised Part IV of TTUHSC Student Handbook, relating to Title IX and Sexual Discrimination and Sexual Misconduct, to address updated definitions of prohibited behavior; updated and added provisions related to amnesty for students; protocols for informing students of TTUHSC's sexual assault policy; and protocols for responding to reports of sexual assault.

10. TTUHSC El Paso: Approve revisions to the 2018-2019 Code of Professional and Academic Conduct of the Student Handbook effective July 1, 2018.

Presented by: Dr. Richard Lange

Presentation Time: 2 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve revisions to the institutional Student Handbook: Code of Professional and Academic Conduct for Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso") as noted in the attachments to be effective July 1, 2018.

[NOTE: The referenced attachments—TTUHSC El Paso Executive Summary of changes to the Student Handbook: *Code of Professional and Academic Conduct* and the Student Handbook: *Code of Professional and Academic Conduct* with proposed revisions—are included as supplemental attachments to the agenda book.]

BACKGROUND INFORMATION

In relation to revisions under Part IV of the Student Handbook, on October 20, 2017, the Board of Regents approved updates to TTUHSC El Paso OP 51.03 with respect to Campus Sexual Assault to bring the policy into compliance with recent revisions to Sec. 51.9363, Texas Education Code, and granted authority to the president of each institution to make conforming changes, as necessary, to the respective student handbooks and codes of student conduct. Accordingly, TTUHSC El Paso has revised Part IV of TTUHSC El Paso Institutional Student Handbook, relating to Title IX and Sexual Discrimination and Sexual Misconduct, to address updated definitions of prohibited behavior; updated and added provisions related to amnesty for students; protocols for informing students of TTUHSC El Paso's sexual assault policy; and protocols for responding to reports of sexual assault.

Pursuant to Section 05.01.01, *Regents' Rules*, requires the *Code of Professional and Academic Conduct* be approved by the Board of Regents.

11. TTUHSC El Paso: Authorize president to execute consulting contract with Association of Academic Leadership.

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president to execute a contract with the Association of Academic Leadership ("AAL") to provide their expertise in dental curriculum development for the Woody L. Hunt School of Dental Medicine ("WLHSDM").

BACKGROUND INFORMATION

Texas Tech University Health Sciences Center at El Paso ("TTUHSC El Paso") recognizes the need to obtain expert consulting services to assist with the development of the pre-doctoral curriculum for WLHSDM. Consultant will assist with the development and completion of the dental curriculum that fulfills the curricular requirements mandated by Texas Higher Education Coordinating Board ("THECB") and Commission on Dental Accreditation ("CODA"). The curriculum will be designed to train general practitioners in the region (west Texas and southern New Mexico), and to align with the curricular innovations already occurring at the Paul L. Foster School of Medicine ("PLFSOM").

This expense contract will be for a total value not to exceed \$156,250.00 and will be effective as of May 1, 2018 and will end on October 31, 2018. (Finance and Administration Committee Chairman Steinmetz authorized a May 1 start date for this contract, prior to approval by the full Board, under the *Regents' Rules* provision that limits payments to the consultant to no more than \$25,000 unless and until the full Board approves the contract.)

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

AUDIT

Audit Committee

Committee Meeting
May 17, 2018

Time: 2:30 pm (or upon adjournment of the Academic, Clinical and Student Affairs Committee meeting)

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

Regents: Long (Chair), Hammonds, Huckabee

Agenda

- Approve minutes of committee meeting held on March 1, 2018

III.B. Consideration of items to be recommended by the Audit Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

Page
A

- | | | |
|----|---|---|
| 1. | TTUS: Report on audits | 3 |
| 2. | Executive Session: The Audit Committee 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 <i>Texas Government Code</i> , including: | |
| a. | Consultation with Attorney — Section 551.071. | |
| b. | Discussion of personnel matters – Section 551.074. | |
| 3. | Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, to consider appropriate action, if any, on items discussed in Executive Session. | |
| 4. | Adjournment | |

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, May 18, 2018.

1. TTUS: Report on audits.

Presenter: Mrs. Kim Turner

Presentation Time: 10 minutes

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

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

FACILITIES

Facilities Committee

Committee Meeting
May 17, 2018

Time: 3:00 pm (or upon adjournment of the Audit Committee meeting)

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

Regents: Esparza (Chair), Long, Walker

Agenda

- Approve minutes of committee meetings held on March 1, 2018

III.C. Consideration of items to be recommended by the Facilities Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

Page
F

1.	ASU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	3
2.	TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	5
3.	TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	9
4.	TTUHSC El Paso: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	12
5.	TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.....	14
6.	ASU: Approve contract amendment for third-party hiring of design professional for renovation of the Food Service Center	16

- 7. TTU: Authorize award of the Construction Manager at Risk contract for the Weeks Hall Renovation project 18
- 8. TTUS: Approve amendment to Chapter 08 (Facilities), *Regents' Rules*, regarding a feasibility study option..... 20
- 9. TTUS: Report on Facilities Planning and Construction projects 21
- 10. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, May 18, 2018.

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

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents 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").

[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 2, 2018.

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.

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

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents 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").

[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 2, 2018.

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
 Texas Tech University
 May 17, 2018

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	Leased Space	Gross	Educational & General	NASF	Acres	CIP Code	May 2018 Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded	
1	206	College of Engineering Expansion/Renovation - Mechanical Engineering South and Holden Hall	X	X	X				188,723	119,793	0	140965	\$ 61,200,000															61.20
2	191	Weeks Hall Abatement and Renovation		X	X				67,234	43,702	0	819900	\$ 24,800,000															24.80
3	NEW	Basketball Practice Facility	X						50,032	0	0	720200	\$ 31,500,000															31.50
4	83	Dairy Barn Renovation		X	X				8,000	1,680	0	000000	\$ 2,600,000															2.60
5	264	Chitwood Hall - Window Replacements		X	X				130,124	0	0	733000	\$ 1,900,000															1.90
6	IN	KITZ Tower Repack				X			0	0	0	825000	\$ 1,900,000								1.90							
7	NEW	Student Athlete Dining Hall	X						16,000	0	0	731000	\$ 5,500,000															5.50
8	230	Psychology Building Addition		X					4,600	2,765	0	422704	\$ 2,000,000															2.00
9	NEW	Library High Bay Storage + TTU Warehouse Storage Building	X						73,900	44,340	0	000000	\$ 8,000,000															8.00
10	381	Rip Griffin Park Baseball Clubhouse Renovation		X	X				10,236	0	0	720100	\$ 8,000,000															8.00
11	418	Football Training Facility Repurpose		X	X				50,398	0	0	720600	\$ 20,000,000															20.00
12	40	Jones AT&T Stadium South End Zone Renovation		X	X				128,000	0	0	720600	\$ 45,000,000															45.00

FIVE-YEAR CAPITAL PROJECTS PLAN
Texas Tech University
May 17, 2018

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	Leased Space	Gross	Educational & General	Acres	CIP Code	May 2018 Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded
13	231	College of Visual & Performing Arts - Maedgen Theatre Renovation Phase II		X	X				40,100	24,060	0	500501	\$ 24,900,000													24.90
14	New	Academic Sciences Building	X						100,000	65,000	0	000000	\$ 70,000,000													70.00
15	272	Architecture Renovation		X	X				154,408	92,705	0	500702	\$ 15,000,000													15.00
16	405	TTU Plaza - Skyviews Renovation		X	X				6,023	4,273	0	190501	\$ 2,000,000												\$	2.00
17	205	Library Renovation and Life Safety		X	X				365,046	251,462	0	000000	\$ 50,000,000													50.00
18	405	TTU Plaza Renovation for Human Sciences NMHI Clinic		X	X				23,253	17,211		190000	\$ 5,000,000												\$	5.00
19	27	Doak Hall Renovation and Life Safety Upgrade		X	X				81,768	26,170	0	819900	\$ 22,400,000												\$	22.40
20	476	Ranching Heritage Center - Ranch Life Learning Center		X	X				3,000	0	0	000000	\$ 4,000,000												\$	4.00
21	NEW	Masked Rider Pavilion and Animal Sciences Expansion	X						40,000	12,000	0	010000	\$ 25,000,000												\$	25.00
22	008	Science Building Renovation and Life Safety		X	X				109,343	67,567	0	400801	\$ 31,700,000												\$	31.70
23	NEW	New Music Building - Phase I	X						125,000	75,000	0	500901	\$ 90,000,000												\$	50.00
24	245	TTU Museum East Wing Addition		X	X				18,000	11,700	0	301401	\$ 13,000,000												\$	13.00

FIVE-YEAR CAPITAL PROJECTS PLAN
 Texas Tech University
 May 17, 2018

Priority	Bldg. No.	Project Description	GENERAL PROJECT INFORMATION						Project Budget	FINANCIAL INFORMATION																										
			Project Type			Square Footage				CIP Code	Funding Source (Millions)																									
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Leased Space	Gross		Educational & General	Acres	May 2018 Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other, Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded										
25	245	TTU Museum Expansion	X						140,000	91,000	0	301401	\$ 120,000,000												\$ 120.00											
26	445	Jones AT&T Stadium East Side Bldg Finish Out		X					16,201	0	0	720600	\$ 8,000,000												\$ 8.00											
27	381	Rip Griffin Park Expansion	X						15,000	0	0	720100	\$ 6,000,000												\$ 6.00											
28	IN	North Sewer Force Main (4th Street to North Loop)				X			0	0	0	000000	\$ 1,700,000												\$ 1.70											
29	419	Marsha Sharp Center Expansion	X						3,000	0	0	720000	\$ 1,750,000												\$ 1.75											
30	403	McLeod Tennis Complex Improvements / Garst Pavilion		X					4,182	0	0	720000	\$ 5,000,000												\$ 5.00											
31	IN	Infrastructure Upgrade - Chilled Water Loop				X			0	0	0	831000	\$ 7,000,000												\$ 7.00											
32	7	Agricultural Sciences Renovation		X					40,920	25,855	0	010190	\$ 10,500,000												\$ 10.50											
33	NEW	New Data Center	X						24,000	16,800	0	827100	\$ 21,200,000												\$ 21.20											
34	NEW	Vietnam Center, Archive, & Museum of the Vietnam War	X						50,000	0	0	000000	\$ 25,000,000												\$ 25.00											
35	IN	Media Communication South Tower Window Replacement		X					0	0	0	000000	\$ 1,050,000												\$ 1.05											
36	NEW	School of Veterinary Medicine	X						210,000	126,000	0	000000	\$ 89,820,000												\$ 89.82											
													TOTALS	\$ 822,420,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 820.52

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

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents 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").

[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 2, 2018.

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
Texas Tech University Health Sciences Center
May 17, 2018

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	Leased Space	Gross	Educational & General NASF	Acres	CIP Code	2018 Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded
1	IN	Real Property Purchase - Dallas			X				0	0	2	00000	\$ 12,400,000													\$ 12,400
2	6501	SW SOP Dallas Renovation			X				38,300	25,000	0	512001	\$ 6,850,000													\$ 6,850
3	6501	SW SOP Dallas Renewals & Repairs			X				63,000	41,000	0	512001	\$ 2,500,000													\$ 2,500
4	New	Ananillo Clinic Building (includes a 2nd floor - Growth)	X						39,000	23,400	0	511201	\$ 20,500,000													\$ 20,500
5	New	Ananillo Facilities and Administration Building	X						40,000	26,000	0	816000	\$ 18,000,000													\$ 18,000
6	IN	Lubbock Infrastructure Improvements					X		0	0	0	839900	\$ 6,900,000													\$ 6,900
7	1000	Facility Research Lab Modernizations - Phase I			X				66,000	44,200	0	511201	\$ 22,000,000	\$ 5,500												\$ 16,500
8	1001	Lubbock Precision Smith Library Basement Build-Out			X				16,232	7,142	0	739900	\$ 8,650,000													\$ 8,650
9	1005	Clinical & Academic Expansion (HCC)		X					42,000	18,480	0	511201	\$ 23,500,000													\$ 23,500
10	1000	Lubbock LARC Expansion & Upgrades		X					39,000	16,380	0	511201	\$ 13,500,000													\$ 13,500
11	IN	Lubbock Upgrading CHAP II (adding chillers)					X		0	0	0	839900	\$ 5,000,000													\$ 5,000
12	NEW	Ablene LARC	X						6,000	4,000	0	511201	\$ 5,600,000													\$ 5,600

FIVE-YEAR CAPITAL PROJECTS PLAN
Texas Tech University Health Sciences Center
May 17, 2018

		GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION <i>Funding Source (Millions)</i>																							
Priority	Bldg. No.	Project Description	Project Type				Square Footage		Acres	CIP Code	2018 Total Project Cost	Funding Source (Millions)																							
			New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastucture	Leased Space				Gross	Educational & General NASF	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded									
13	1000	Facility Research Lab Modernizations - Phase II		X				442,000	0	511201	\$ 22,000,000																					\$ 22,000			
14	4001	Odeasa Clinic Building 3rd Floor Expansion		X				2,694	0	511201	\$ 4,000,000																					\$ 4,000			
15	5002	Midland Jenna Welch Expansion		X				3,430	0	511201	\$ 5,700,000																					\$ 5,700			
16	1000	Facility Research Lab Modernizations - Phase III		X				44,200	0	511201	\$ 22,000,000																					\$ 22,000			
17	IN	Real Property Purchase - Lubbock				X		0	0	000000	\$ 5,000,000																					\$ 5,000			
18	IN	Real Property Purchase - Abilene				X		0	0	000000	\$ 5,000,000																					\$ 5,000			
19	IN	Real Property Purchase - Amarillo				X		0	0	000000	\$ 3,000,000																					\$ 3,000			
20	IN	Real Property Purchase - Permian Basin				X		0	0	000000	\$ 3,000,000																					\$ 3,000			
													TOTALS																						
													\$ 215,000,000	\$ 5,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents 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 at El Paso's Capital Expenditure Plan ("MP1") Summary Report to the Texas Higher Education Coordinating Board ("THECB").

[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 2, 2018.

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
 Texas Tech University Health Sciences Center El Paso
 May 17, 2018

		GENERAL PROJECT INFORMATION										FINANCIAL INFORMATION																								
		Project Type					Square Footage					Project Budget					Funding Source (Millions)																			
Priority	Bldg. No.	Project Description	New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Leased Space	Gross	NASF Educational & General	Acres	CIP Code	May 2018 Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded										
1	NEW	Dental School Building	X						150,000	66,000	0	510504	\$ 78,300,000												\$ 78.30											
2	NEW	Clinical Sciences Building	X						240,000	144,000	0	511201	\$ 108,800,000												\$ 108.80											
3	3009	Administrative Support Building Renovation (Construct Offices in warehouse shell space)		X					38,869	23,321	0	26846	\$ 15,500,000												\$ 15.50											
4	NEW	Family Medicine Clinic	X						35,000	22,750	0	512918	\$ 16,650,000												\$ 16.65											
5	NEW	El Paso Thermal Energy Plant & Parking Garage No. 1	X						450,000	9,108	0	831000	\$ 73,930,000												\$ 73.93											
6	NEW	El Paso Parking Garage No. 2	X						420,000	0	0	819900	\$ 31,700,000												\$ 31.70											
7	3011	Miles Building Renovation - 301 Concepcion		X					58,297	0	0	000000	\$ 3,500,000												\$ 3.50											
8	IN	Val Verde Block 2 - vacant land			X				136,200	0	0	000000	\$ 1,200,000												\$ 1.20											
9	IN	Real Property Purchase - El Paso (Adjacent to Main Campus)			X				0	0	10	000000	\$ 15,000,000												\$ 15.00											
10	IN	Real Property Purchase - El Paso (Remote)			X				0	0	5	000000	\$ 4,500,000												\$ 4.50											
													TOTALS \$	\$ 351,060,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 351.08

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

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents 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").

[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 2, 2018.

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
 Texas Tech University System Administration
 May 18, 2018

		GENERAL PROJECT INFORMATION							FINANCIAL INFORMATION																				
		Project Type		Square Footage		Project Budget			Funding Source (Millions)																				
Priority	Bidd. No.	Project Description		New Construction	Additions	Major Repair & Renovation	Land Acquisitions	Infrastructure	Leased Space	Gross	Educational & General	NA SF	Acres	CIP Code	Total Project Cost	HEAF - Cash	HEAF - Bond	Other Revenue Bonds	Auxiliary Enterprise Funds	Other Institutional Funds	Gifts, Donations	Federal Grants	Unexpended Plant Funds	Legislative Appropriations	Private Development	Tuition Revenue Bonds	Other	Unfunded	
															TOTALS	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

6. ASU: Approve contract amendment for third-party hiring of design professional for renovation of the Food Service Center.

Presenter: Mr. Billy Breedlove and Dr. Brian May Presentation Time: 5 minutes
Board approval required by: Section 08.01.3.a(2), *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve amending the Institution's Food Service Agreement with Compass Group, USA, Inc. ("Compass Group") to instruct and allow Compass Group to contract with a design professional. Chartwells Higher Education Dining Services, a subsidiary of the Compass Group, has a food service contract with ASU that includes a credit for approximately \$1.7 million available either in services or cash to the Institution for the purpose of funding capital improvements to the dining area. ASU and Chartwells mutually desire to use the \$1.7 million credit to fund a contract between Chartwells and a design professional to provide Stage 1 and Stage 2 Design Services with an expected budget of \$620,120. Although TTUS and ASU will not be parties to the contract between Chartwells and the design professional, they shall be third-party beneficiaries of the contract, they shall retain the ability to approve the choice of the design professional, and the design services rendered shall be subject to the specifications and instructions of TTUS and ASU. In the event that Stage 1 services as rendered do not meet the needs of TTUS and ASU, then they shall have the ability as a third-party beneficiary to terminate the rendering of services to Chartwells and prevent the further expenditure of funds against the \$1.7 million credit. The entire project has an anticipated budget of \$7,517,975. Upon board approval at a future meeting, TTUS and ASU shall contract for a general contractor.

BACKGROUND INFORMATION

The Institution's existing Food Service Center building with 27,904 GSF was originally constructed in 1968. The proposed project will program and design the remodel of approximately 19,000 SF which includes the Cafeteria, Food Service Center and Roscoe's Den. The kitchen area will be refinished with quarry tile, moisture resistant wall coverings, and new food service equipment. The cooking ventilation and fire protection system will be updated. The cafeteria management offices will have interior finishes refurbished. The cafeteria's dining area will be redesigned to meet current and future dining needs and include new interior finishes, furniture and fixtures. A new 2,500 amp electrical service will be included for the building, as well as electrical distribution and lighting.

An amendment to the Chartwells Agreement will quantify the scope (programming/planning; food service concepts; preliminary specifications for

FF&E; preliminary budget; schematic design; design development; statement of probable cost; contract documents and specifications; and construction and administration) and cost of design professional services for capital improvements funded by Chartwells and will require any agreement with the Compass Group's associated design professionals to provide that the Institution (i) is a third party beneficiary as to such design services; and (ii) is granted the right to use any plans, drawings, and specifications developed by the Compass Group's associated design professionals for the Institution's Food Service Center renovation project.

For reference, this project is listed on the THECB's Capital Expenditure Plan ("MP1") Summary Report (Fiscal Years 2018-2022) proposed as renovation of an existing 27,904 GSF facility, estimated at \$9,000,000.

The vice president for finance and administration 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.

7. TTU: Authorize award of the Construction Manager at Risk contract for the Weeks Hall Renovation project.

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the chancellor or the chancellor's designee to (i) award the construction manager at risk contract and proceed with pre-construction services for the Weeks Hall Renovation project in the amount of \$25,000; and (ii) waive the use of a Construction Manager Agent. The pre-construction services were included in the previously Board approved Stage I design budget of \$975,000 funded with Higher Education Assistance Fund ("HEAF") cash.

BACKGROUND INFORMATION

The Stage I design services will provide for the contracting of the construction manager at risk to provide pre-construction activities associated with the planning and design process, i.e., project evaluation; analysis of the Texas Historic Preservation Tax Credit Program opportunities; site analysis; constructability review; value engineering; scheduling; cost control; and concept budget development.

In December 2017, the Board of Regents approved a Stage I design services budget of \$975,000.

The proposed project would provide abatement and complete renovation of the existing three-story, 67,234 GSF Weeks Hall, which was originally constructed in 1958 as a women's dormitory. The building is listed on the Texas Historical Register. The facility would be programmed as office space for faculty, administration and staff. Due to the age and years of vacancy the facility requires full scale interior demolition and installation of new interior finishes, HVAC, lighting/electrical and plumbing; installation of a fire suppression and alarm system as well as life safety upgrades and ADA modifications. TTU anticipates tying the building into the campus steam and chilled water with new service via direct bury versus a stand-alone plant. The project would be designed to comply with all applicable federal, state, and local laws, regulations, and codes; thereby bringing the existing building into full compliance with current life safety codes and ready for occupancy once again. The project would also include landscape enhancements and public art.

For reference, this project is listed on the THECB's Capital Expenditure Plan (MP1) Summary Report (Fiscal Years 2018-2022) proposed as renovation of an existing 67,233 GSF facility, estimated at \$24,800,000.

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

**8. TTUS: Approve amendment to Chapter 08 (Facilities),
Regents' Rules, regarding a feasibility study option.**

Presenters: Billy Breedlove & Ben Lock

Presentation Time: 5 minutes

Board approval required by: Sec. 01.08, *Regents' Rules*

RECOMMENDATION

The Regents Rules Review Committee ("Rules Committee") recommends that the Facilities Committee consider adoption of the attached amendment to Chapter 08 (Facilities) to add a feasibility study option for potential major construction projects.

The proposed amendment would put in place an approval process that could be used when a feasibility study needs the assistance of a design professional. This process would involve:

- Facilities Planning & Construction (FP&C) could issue an RFQ to solicit proposals from design professionals, with all regents receiving prior notice before the RFQ is issued, and with submissions then going through FP&C's usual review and selection process.
- The amount a design firm could be paid for the feasibility study phase would be capped at \$250,000.
- When a design firm has been identified, all regents would receive information about the selected firm and how all competing firms were scored/ranked, and then regents would have 10 days during which they could get answers to any questions they may have and/or take any concerns they may have to the Facilities Committee chair.
- When the 10-day period has passed and if the Facilities Committee chair deems it appropriate, the Facilities Committee chair could authorize FP&C to execute a contract with the selected design firm.
- When the feasibility study is complete and if the proposed project is ready to go forward, the project proposal would go to the full Board for a Stage 1 approval.

BACKGROUND INFORMATION

The Rules Committee (composed of Regents Tim Lancaster-chair, Mickey Long, and John Steinmetz) is charged with considering and, when appropriate, submitting to the appropriate Board committee proposed amendments to the *Regents' Rules* of the Texas Tech University System. Any amendment to the *Regents' Rules* or a Board Policy Statement must be approved by the full Board in accordance with Section 01.08, *Regents' Rules*.

9. 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, Interim Vice Chancellor for Facilities Planning and Construction, TTUS, will present a report on Facilities Planning and Construction managed projects.



FINANCE AND ADMINISTRATION

Finance and Administration Committee

Committee Meeting
May 17, 2018

Time: 3:45 pm (or upon adjournment of the Facilities Committee meeting)

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

Regents: Steinmetz (Chair), Huckabee, Lewis

Agenda

- Approve minutes of committee meetings held on March 1, 2018

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

	<u>Page</u>
	FA
1. ASU: Authorize president to execute a contract amendment with Follett Higher Education Group, Inc	3
2. TTU: Approve budget adjustment for the 2018 Hazlewood distribution	4
3. TTU: Approve acceptance of gift-in-kind benefitting Texas Tech University Southwest Collection/Special Collections Library.....	5
4. TTUHSC: Authorize president to execute contract with a consultant.....	7
5. TTUS: Approve FY 2019 Premium Rates for the Medical Liability Self-Insurance Plan	8
6. TTUS: Report on IT Security	9
7. TTUS: Report on TTUS Endowments	10

8. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, March 18, 2018.

1. ASU: Authorize president to execute a contract amendment with Follett Higher Education Group, Inc.

Presenter: Mrs. Angie Wright

Presentation Time 5 minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president to approve and execute a contract extension with Follett Higher Education Group, Inc. ("Follett") to provide bookstore services and capital investment improvements to the campus bookstore at Angelo State University ("ASU").

The current contract with Follett previously approved by the Board of Regents in May of 2013 had an original term of three years beginning June 1, 2013 through May 31, 2016 with the option to renew for two (2) one-year terms.

BACKGROUND INFORMATION

The president of Angelo State University recognizes the need to provide a quality academic bookstore on the Angelo State University campus and therefore requests to extend the existing contract with Follett effective June 1, 2018, through May 31, 2028. The extension includes a clause that the agreement may be terminated, without penalty, by either party with or without cause by giving at least one hundred twenty (120) days written notice of such termination.

The extended agreement alters the percentage of gross revenue from a range of 14.1% - 15.1% in the current agreement to a range of 13.1% - 15.1% in the extended agreement. This new agreement also includes an annual commission guarantee of 90% of prior year's actual commissions, just as the current agreement does. Based on the sales from 2016-2017, the new agreement will provide an estimated \$3,227,669 for the ten year period. This amount includes a textbook scholarship contribution of \$5,000 annually. There will also be a one-time investment of \$350,000 for the renovation of the current store front making the space more open, inviting, and accessible to the ASU Community. Additionally, ASU is engaged in a pilot of the Follett course material fee program (IncludED). The program provides course material access to all students in a participating section on or before the first day of class while generating significant savings to students and increasing market share and commissions to ASU. There are 388 students participating in the spring pilot, and the average savings per student is \$84.18 per section.

2. TTU: Approve budget adjustment for the 2018 Hazlewood distribution.

Presenter: Mrs. Noel Sloan

Presentation Time: 2 Minutes

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

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve a budget adjustment for the period March 2, 2018 through May 18, 2018 as listed below.

TEXAS TECH UNIVERSITY – BOARD APPROVAL ITEM
(March 2, 2018 – May 18, 2018)

Activity	Source of Funds		Expense
	Other	Income	
Board Approval			
Hazlewood Distribution		\$1,713,273	\$1,713,273
This budget adjustment is to approve funds received from the Eighty-fifth Legislature General Revenue appropriation distributed to TTU in the amount of \$1,086,835 and funds received from the Military and Veterans Exemption endowment distributed to TTU in the amount of \$626,438. Funds received will be utilized for summer school faculty salaries and operating expenses.			
Total		\$1,713,273	\$1,713,273

BACKGROUND INFORMATION

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

3. TTU: Approve acceptance of gift-in-kind benefitting Texas Tech University Southwest Collection/Special Collections Library.

Presenter: Dr. Lawrence Schovanec & Mr. Patrick Kramer Presentation Time: 5 minutes
Board approval required by: Section 06.01.2, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents accept the gift from Terry and Jo Harvey Allen, known as the "Allen Collection," as defined below, benefitting the Texas Tech University ("TTU") Southwest Collection/Special Collections Library.

The value of the gift has been assessed by a qualified third-party appraiser, unrelated to Texas Tech University or the donor.

BACKGROUND INFORMATION

Terry and Jo Harvey Allen (the "Donors") have collected, catalogued, memorialized, journaled, or gathered memorabilia in various forms from both their own artistic projects and from their collaborations with fellow artists (collectively, the "Allen Collection").

The Collection is exceptionally broad, including disparate materials, to include notes and journals that contain saleable artworks, correspondence with a large number of well-known people, drafts of scripts and songs and poems, standard business records and correspondence, and other items that document the lives and careers of both Terry Allen and Jo Harvey Allen. The Collection is exceptionally deep, beginning as it does with the juvenilia of each artist and following, with no interruption, from their early teenage years to the present time, well over five decades. The Collection documents visual art works, plays, and songs.

The president of TTU recognizes the need to acquire materials from time to time that will aid in the furtherance of instructional education, research, and collaboration in the fine arts.

An independent appraiser has valued the Collection at \$3,000,000. TTU has entered into a bargain-sale purchase agreement, which provides for the payment of \$1 million as consideration for the bargain-sale purchase of the Allen Collection. The difference between the appraised value and the purchase price of the Collection may constitute a charitable contribution.

TTU will use the Allen Collection to support and advance the Southwest Collection/Special Collections Library and its creative process initiatives, as well as TTU's Humanities Center and the Creative Process Commons, under the Office of

the Provost. It is TTU's good faith intent to fundraise for an endowment to support the Allen Collection and its educational use.

Terry and Jo Harvey Allen, native West Texans, are dynamic artists across a wide variety of mediums, with a resume spanning over fifty years.

Terry Allen is a visual artist and songwriter, raised in Lubbock, Texas. He has received numerous awards and honors, including a Guggenheim and National Endowment for the Art Fellowships, Awards for the Visual Arts, and induction into the Buddy Holly Walk of Fame (now the West Texas Walk of Fame) in 1992. His work has been shown throughout the United States and internationally, with numerous public commissions of art. His sculpture, Bookman (Read Reader), was commissioned by TTU in September of 2003 as the public art piece between the Student Union and Library. Terry Allen has written for and worked extensively in both radio and theater and has recorded thirteen albums of original songs. His music includes classics "JUAREZ" and "LUBBOCK (On Everything)". He has performed his music throughout the United States and Europe and his songs have been recorded by diverse artists as Guy Clark, Robert Earl Keen, and David Byrne.

Jo Harvey Allen is an actress, playwright, poet and pioneer of women in radio, born and raised in Lubbock, Texas. Her critically acclaimed plays have been performed throughout the United States and Europe. In addition to her lengthy theater career, she has co-starred in David Byrne's cult classic "TRUE STORIES" (1986), "FRIED GREEN TOMATOES" (1991), "THE CLIENT" (1994), "THE HOMESMAN" (2014) and Rosalyn Rosen's award-winning independent film "THE OTHER KIND" (2015). She is also the author of "CHEEK TO CHEEK", a collection of poems and "HOMERUN". Her art and photographs have been exhibited internationally, most recently at the Catharine Clark Gallery in San Francisco, CA in 2015. Jo Harvey Allen has been the recipient of Art Matters and NEA fellowships, and was inducted into The West Texas Walk of Fame in 2015.

Terry and Joe Harvey Allen have two sons, three grandsons, and live and work in Santa Fe, New Mexico.

Section 06.01.2.b. *Regents' Rules*, requires Board approval to formally accept restricted gifts and grants over \$250,000, including gifts-in-kind. The difference between the appraised value of \$3 million and the purchase price of \$1 million may be deemed a \$2 million charitable contribution to TTU by the Donors.

4. TTUHSC: Authorize president to execute contract with a consultant.

Presenter: Mr. Steve Sosland

Presentation Time 3 minutes

Board approval required by: Section 07.12.4.e. *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the president to approve and execute a contract ("CON2100261") with PeopleInk Corporation ("PeopleInk") to provide "Values and Culture Development" services.

BACKGROUND INFORMATION

Founded in 1999, PeopleInk is a strategic consultancy that has an established and deep understanding in implementing great corporate and institutional cultures that promote values and performance. PeopleInk's established track record advising major healthcare and leading nonprofit organizations includes the services of Ann Rhodes and the proprietary implementation of a customized Values Blueprint®.

PeopleInk's services are needed to align TTUHSC's human capital strategy toward a high performing, values-based, people-centric culture that attracts and retains the very best talent as an employer of choice. PeopleInk will conduct phases of Planning / Discovery, and a Values Blueprint® Workshop in the course of delivering a number of project reports and communication plans.

TTUHSC has selected PeopleInk as uniquely qualified and possessing the best overall value to the institution. Additionally, selection is based on a competitive solicitation for like services performed by University of North Texas Health Sciences Center and extended to TTUHSC under the Group Purchasing Procurement Method (Section 61.003, Education Code & ref. Sections 51.9335, 73.115, and 74.008, Education Code).

The estimated consulting fee is \$54,000. TTUHSC will also reimburse PeopleInk's actual travel, lodging, and out-of-pocket expenses related to the services provided, in an amount not to exceed \$10,000. The contract will be effective on or about April 4, 2018 and will expire on or about August 31, 2018. Initially capped at \$25,000, the full potential contract amount will be effective upon approval by the Board of Regents. (Chairman Steinmetz authorized an April 4 start date for this contract, prior to approval by the full Board, under the Regents' Rules provision that limits payments to the consultant to no more than \$25,000 unless and until the full Board approves the contract.)

Section 07.12.4.e. *Regents' Rules*, requires Board approval of consulting contracts with an initial consideration in excess of \$25,000.

5. **TTUS: Approve FY 2019 Premium Rates for the Medical Liability Self-Insurance Plan.**

Presenter: Mr. John Huffaker

Presentation Time: 5 minutes

Board approval required by: TTU System Medical Liability Self Insurance Plan, PFA-32

RECOMMENDATION

The Chancellor, as administrator of the Medical Liability Self-Insurance Plan ("Plan"), has reviewed and recommends that the Board of Regents approve the findings and recommendations contained in the March 27, 2018 *Solvency Analysis & Rate Review* of the Plan prepared by Fred R. White, C.P.C.U. for the period September 1, 2018 through August 31, 2019. The recommendations are as follows: (i) premiums be maintained at current rates for FY19 for resident physicians and clinical faculty physicians who are members of the academic clinical departments and contribute to the educational mission of the School of Medicine; (ii) premiums for all other physicians insured by the Plan be maintained at current rates; and (iii) premiums be abated for FY19 for all clinical faculty physicians.

Annual Premium Rate Schedule (September 1, 2018 through August 31, 2019)

Risk Class	Clinical Physicians	Residents	All Other Physicians
1	\$1,168	\$1,168	\$2,276
2	1,487	1,487	2,884
3	3,292	3,292	6,391
4	5,415	5,415	10,514
5	7,539	7,539	14,637

BACKGROUND INFORMATION

The Board of Regents authorized establishment of the Plan August 2, 1985, and since that date has found it necessary and appropriate to amend the Plan as circumstances require and set the self-insurance premiums each year after considering the actuary's recommendation and evaluation of the Plan. An actuarial report is prepared a minimum of one time each year.

On May 18-19, 2017, (Item XIV.A.8.) premiums for FY18 were held at then-current levels for all physicians. Premiums were abated for clinical faculty physicians.

In summary, the actuary found the Plan to be in sound financial condition, that Plan funding was sufficient to retire the Plan's likely liabilities through August 31, 2019 and an adequate contingent reserve and a capital base exists to absorb the expected experience in the FY19 Plan year. The actuary believes it is inadvisable to pay an experience dividend in FY '19.

6. TTUS: Report on IT security.

Presenters: Ms. Kay Rhodes, Mr. Sam Segran, Presentation Time: 10 minutes
Mr. Doug Fox, Mr. Vince Fell & Mr. Jerry Rodriguez
Reports requested/required by: Board of Regents

Ms. Kay Rhodes, TTUS Associate Vice Chancellor for Information Technology, Mr. Sam Segran, TTU Vice President for Information Technology, Mr. Doug Fox, ASU Associate Vice President for Information Technology, Mr. Vince Fell, TTUHSC Vice President for Information Technology, and Mr. Jerry Rodriguez, TTUHSC El Paso Associate Vice President for Information Technology will present a report on computer and information technology security.

7. TTUS: Report on TTUS Endowments.

Presenter: Mr. Gary Barnes
Report requested by: Board of Regents

Presentation Time: 10 minutes

Mr. Gary Barnes, Vice Chancellor and CFO, TTUS will present a report on the status of the TTUS Endowment fund.

MEETING OF THE BOARD

Meeting of the Board
Thursday, May 17, 2018

Time: 8:30 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

A. Workshop/Retreat: The Board will meet as a Committee of the Whole in a workshop/retreat forum for strategic planning purposes. It is not anticipated that any formal action or decisions will result from these discussions.

1. Texas Tech University..... President Schovanec
2. Texas Tech University Health Sciences Center..... President Mitchell
3. Texas Tech University System Chancellor Duncan

II. Recess Meeting of the Board/Retreat Chairman Francis

III. Meeting of Standing Committees: Conducted sequentially and separately from the Meeting of the Board—refer to agenda for each respective committee meeting.

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

Time: 4:30 pm (or upon adjournment of the last committee meeting of the day, or whenever deemed necessary)

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 Chairman Francis

- V. **Executive Session:** The Board may 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 Francis
 - 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 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 Lancaster

- VII. **Recess** Chairman Francis

Meeting of the Board
Friday, May 18, 2018

Time: 8:30 am

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

Agenda

- VIII. Meeting of the Board—Call to Order; reconvene into Open Session of the Board**..... Chairman Francis
 - IX. Introductions and Recognitions** Chancellor Duncan,
President May,
President Schovanec
President Mitchell, and
President Lange
 - X. Recess** (if necessary, for standing committees to meet;
otherwise continue in Open Session (XIII.))..... Chairman Francis
 - XI. Meeting of Standing Committees** (if not concluded on Thursday)
 - XII. Meeting of the Board—Call to Order; reconvene into Open Session of the Board** (only if the Meeting of the Board was recessed to conduct committee meetings)
 - XIII. Open Session:** The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
 - A. Approve minutes of Board meetings held on
March 1-2, 2018 Chairman Francis
 - B. Committee of the Whole..... Vice Chairman Lancaster
- Page
CW
- 1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA,
and TTUS: Approve Consent Agenda; acknowledge
review of Information Agenda..... 8

Consent Agenda

- a. TTU: Approve faculty development leaves of
absence (ACS)

- b. TTU: Approve faculty leave of absence without pay (ACS)
- c. TTU: Approve employee appointment to a non-elective position (ACS)
- d. TTU: Approve revisions to the Student Handbook, effective May 21, 2018 (ACS)
- e. TTUHSC: Approve acceptance of a Permanent Right of Access and Use of TTUHSC land at the Odessa campus to ONCOR (Electric Company) (F)
- f. TTUHSC: Approve naming of the Permian Basin Academic Facility building (F)
- g. ASU: Approve FY 2019 holiday schedule (FA)
- h. ASU: Approve revisions to Traffic and Parking regulations and fees (FA)
- h-1. TTU: Approve agreement between Texas Tech University and the University of Louisiana Monroe (FA)
- i. TTU and TTUSA: Approve FY 2019 holiday schedule (FA)
- j. TTUHSC: Approve FY 2019 holiday schedule (FA)
- k. TTUHSC: Approve revisions to the Parking Regulations (FA)
- l. TTUHSC: Approve modification of endowment (FA)
- m. TTUHSC El Paso: Approve FY 2019 holiday schedule (FA)
- n. TTUS: Approve Texas CLASS as an authorized investment vehicle in the Short/Intermediate Term Investment Fund (SITIF) (FA)

Information Agenda

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

- (1) ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2018, per Section 01.02.8.d(3)(g), *Regents' Rules* – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.c and 07.12.6.b., *Regents' Rules* – “Notwithstanding Section 07.12.3.a or Section 07.12.3.b, Regents’

Rules, the board delegates to the presidents of health related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.” AND “Approval of the president is required for all component institution contract renewals, extensions or amendments. A list of those renewed, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.”

- (3) TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents’ Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) TTU and TTUHSC: Approval of sponsored programs projects in excess of \$1,000,000 per annum as provided by Section 07.12.4.b., *Regents’ Rules*: “Notwithstanding Section 07.12.3.a, *Regents’ Rules*, The board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such

contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”

- (5) TTU: Emergency or exigent circumstances approval of employment 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.”

- (6) TTU: 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 approval by the president, with notice provided to the board via an item in the information Agenda for the next meeting of the board.”

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

- A. Report of the Academic, Clinical and Student Affairs Committee.....Regent Walker
- B. Report of the Audit CommitteeRegent Long
- C. Report of the Facilities CommitteeRegent Esparza
- D. Report of the Finance and Administration Committee.....Regent Steinmetz

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

- A. Schedule for Board meetings:
 August 9-10, 2018, Lubbock
 October 4-5, 2018, Lubbock
 December 13-14, 2018, Lubbock Ben Lock

- B. Student Government Association Reports Shayna Mullen (ASU), Sean Lewis (TTU),

Austin Lunney (TTUHSC),
Sajid Leelani (TTUHSC El Paso)

XVI. Executive Session: The Board may 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 Francis

- 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

XVII. 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 Lancaster
- B. Chairman’s Announcements..... Chairman Francis

XVIII. Adjournment Chairman Francis

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

RECOMMENDATION

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of May 17-18, 2018; 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 17-18, 2018

BOARD OF REGENTS

Mr. L. Frederick “Rick” Francis, Chairman

Mr. Tim Lancaster, Vice Chairman

Mr. John D. Esparza

Mr. Ron Hammonds

Mr. Christopher M. Huckabee

Mr. J. Michael Lewis

Mr. Mickey L. Long

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Jarett Lujan, Student-Regent

Standing Committees:

Academic, Clinical and Student Affairs:
John Esparza; Jarett Lujan; John Steinmetz; John Walker (Chair)

Audit:
Chris Huckabee; Ron Hammonds; Mickey Long (Chair)

Facilities:
John Esparza (Chair); Mickey Long; John Walker

Finance and Administration:
Chris Huckabee; Michael Lewis; John Steinmetz (Chair)

**TEXAS TECH UNIVERSITY SYSTEM
BOARD OF REGENTS**

May 17-18, 2018

TABLE OF CONTENTS

CONSENT AGENDA

	<u>Page</u>
a. TTU: Approve faculty development leaves of absence (ACS).....	1
b. TTU: Approve faculty leave of absence without pay (ACS)	2
c. TTU: Approve employee appointment to a non-elective position (ACS).....	3
d. TTU: Approve revisions to the Student Handbook, effective May 21, 2018 (ACS)	4
e. TTUHSC: Approve acceptance of a Permanent Right of Access and Use of TTUHSC land at the Odessa campus to ONCOR (Electric Company) (F)	6
f. TTUHSC: Approve naming of the Permian Basin Academic Facility building (F).....	8
g. ASU: Approve FY 2019 holiday schedule (FA)	9
h. ASU: Approve revisions to Traffic and Parking regulations and fees (FA)	11
h-1. TTU: Approve agreement between Texas Tech University and the University of Louisiana Monroe (FA).....	13a
i. TTU and TTUSA: Approve FY 2019 holiday schedule (FA).....	14
j. TTUHSC: Approve FY 2019 holiday schedule (FA).....	16
k. TTUHSC: Approve revisions to the Parking Regulations (FA).....	18
l. TTUHSC: Approve modification of endowment (FA)	21
m. TTUHSC El Paso: Approve FY 2019 holiday schedule (FA).....	22

n. TTUS: Approve Texas CLASS as an authorized investment vehicle in the Short/Intermediate Term Investment Fund (SITIF) (FA)..... 24

INFORMATION AGENDA

(Titles only; full agenda is on page 25)
Information is provided as required by
Section 01.02.7.d(4)(c), *Regents' Rules*

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

- (1) **ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2018, per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) **TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.c and 07.12.6.b., *Regents' Rules*** –
“Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.” AND “Approval of the president is required for all component institution contract renewals, extensions or amendments. A list of those renewed, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.”
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- (4) **TTU and TTUHSC: Approval of sponsored programs projects in excess of \$1,000,000 per annum as provided by Section 07.12.4.b., Regents' Rules:** "Notwithstanding Section 07.12.3.a, Regents' Rules, The board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting."
- (5) **TTU: Emergency or exigent circumstances approval of employment 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."
- (6) **TTU: 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 approval by the president, with notice provided to the board via an item in the information Agenda for the next meeting of the board."

a. TTU: Approve faculty development leaves of absence.

Board approval required by: Section 4.05.1, *Regents' Rules*

The request is to approve the leaves of absence 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.

FACULTY DEVELOPMENT LEAVE

Faculty development leave with full salary for John Gilliam, associate professor of Personal Financial Planning in the College of Human Sciences, for the period of September 16, 2018 to December 31, 2018. Dr. Gilliam is a recent recipient of a Fulbright award to teach courses in personal and family finance, and to conduct collaborative research with faculty at Mendel University in Brno, Czech Republic.

Faculty development leave with full salary for Antonio Ladeira, associate professor of Portuguese in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period of August 22, 2018 to December 12, 2018. Dr. Ladeira is recipient of a Fulbright award to conduct research on Brazilian author Clarice Lispector at the University of Sao Paulo, Brazil. He will also pursue other collaborative research with a faculty colleague at the same university.

b. 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 Mindy Brashears, professor in the Department of Animal and Food Sciences and Director of the International Center for Food Industry Excellence, for the period of September 1, 2018 through August 31, 2019. Pending Presidential approval and Senate confirmation, expected in summer 2018, Dr. Brashears will serve as undersecretary for food safety in the U.S. Department of Agriculture. Her full salary will be paid by the federal government for the period of leave. Approval of leave is a condition of confirmation for the federal position.

c. **TTU: Approve employee appointment to a non-elective position.**

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

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

Mr. Brian Shannon, a Paul Whitfield Horn Professor at the Texas Tech University School of Law, has been appointed to a two-year term on the State of Texas Judicial Commission on Mental Health, which was established in January to assist the Texas Supreme Court and the Court of Criminal Appeals to better serve people struggling with mental health issues.

This appointment is not in conflict with Mr. Shannon's employment at Texas Tech University. He will serve on the commission without compensation, but may be reimbursed for necessary travel and *per diem* in the performance of his duties as a member of the commission.

BACKGROUND INFORMATION

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

d. TTU: Approve revisions to the Student Handbook, effective May 21, 2018.

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

The request is to approve the revisions to the Student Handbook and *Code of Student Conduct* for Texas Tech University, effective May 21, 2018. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Executive Summary

The Student Handbook is intended to inform the 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 editorial revisions and include the following changes/updates to ensure alignment with current best practices in higher education and TTU operating policies:

Changes made to Part I Section A: Student Conduct Mission and Polices, Section B: Misconduct, Section C: Conduct Procedures for Students, Part I, Section D. Conductor Procedures for Student Organizations:

- Clarified roles of various administrators involved in process to reflect best practices throughout document and where students can report various allegations of misconduct
- Under Part I, section A, item 12 Amnesty, added language to broaden existing amnesty provisions (not charging a student for a minor offense when actively helping another student) in sexual assault situations.
- Under Part I, section C, added NOTE regarding Pattern, Predation, Threat or Violence
- Under Part I, section C, item 1.b.1 Interim Action added language “that is deemed a continuous threat”
- 1.b.2. Immediate Temporary Suspension clarified initiation of conduct proceedings and added language, “that is deemed a continuous threat”
- 1.b.2. added NOTE regarding review of Immediate Temporary Suspension/Interim Action and off campus courses/activities
- Under Part I, Section C, added item 3. Voluntary Resolution Process in which a university official may allow an informal resolution process on a referral of misconduct at any point prior to or during the conduct process.
- Under Part I, Section C, item d. Informal Resolution Process, removed mediation language
- Under Part I, Section C, item 4. Hearings, added NOTE, “investigator may assist the resource person or committee chairperson during the hearing.”

- Under Part I, Section C, Item 6. Conduct Appeal Procedures, changed appeal deadlines from five (5) university working days to three (3) days for submission of appeal and responses.

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 18, 2018, the Board of Regents approved revisions to the Student Handbook effective May 21, 2018 (Minute Order XII.A.5.).

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 and General Counsel.

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

e. **TTUHSC: Approve acceptance of a Permanent Right of Access and Use of TTUHSC land at the Odessa campus to ONCOR (Electric Company).**

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

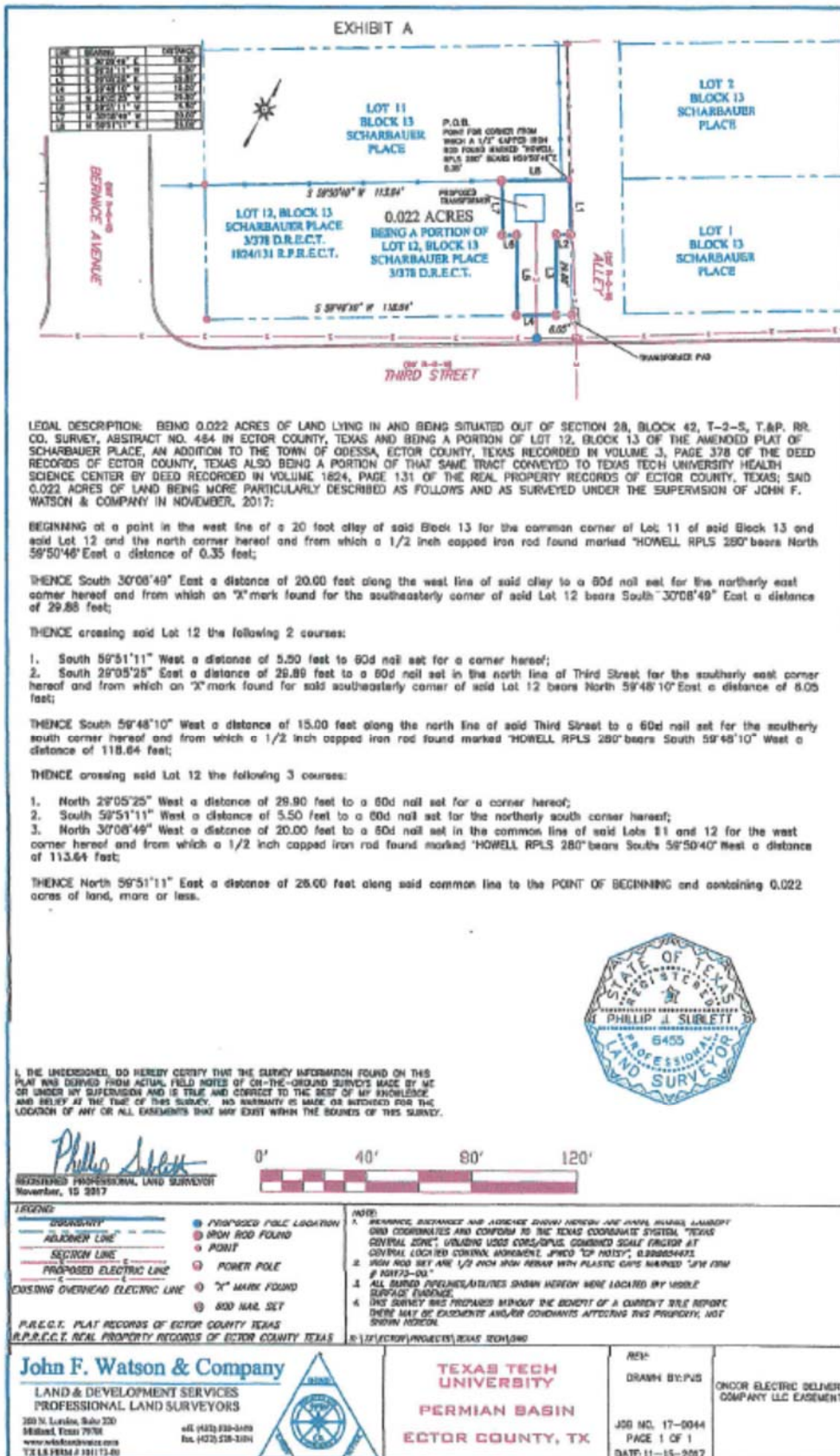
The request is to approve a permanent right of access and use of a 0.022 acre (958.32 square foot) parcel of Texas Tech University Health Sciences Center ("TTUHSC") land, located in Odessa, Texas, by ONCOR. This right of access and use is for the Permian Basin Academic Facility project; and (ii) coordination with the project's final architectural and engineering plans. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

To support the construction of the new Permian Basin Academic Facility, an electrical service and infrastructure corridor will be required by ONCOR, the electric company. The utility company will pay all costs associated with planning, constructing and maintaining this proposed connector and any related work. Final engineering plans of the proposed utility corridor will be provided to TTUS for review and coordination with the Permian Basin Academic Facility project. Additionally, ONCOR will be required to return the property to original condition or an acceptable state.

In August 2016, the Board of Regents approved the construction of the 51,000 GSF new Permian Basin Academic Facility with a project budget of \$22,300,000.

Section 07.12.3.d, *Regents' Rules* require 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.



f. **TTUHSC: Approve naming of the Permian Basin Academic Facility building.**

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

The request is to approve the naming of the new Permian Basin Academic Facility building at the Tech University Health Sciences Center - Permian Basin campus as the "Academic Classroom Building." 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 August 2016, the Board of Regents approved construction of the Permian Basin Academic Facility on the Tech University Health Sciences Center - Permian Basin campus with a total budget of \$22,300,000.

The project is constructing a new 51,000 GSF building centrally sited on the Permian Basin campus, located in Odessa, Texas. The proposed structure and its adjacency to other facilities will provide accessibility and promote the use by the campus community in order to continue to meet current and upcoming programmatic changes. The project will include academic space for lecture halls & classrooms, research laboratories, faculty/researcher and staff offices, education and conference center, specialized instruction and other support spaces. Classrooms to include extensive data communications and HealthNet distance learning capabilities. The scope of the project also includes site utility infrastructure work, landscape enhancements, and public art.

Regents' Rules Section 08.05.01, requires board approval of the naming of all buildings, subunits, and other facilities within the TTU System. Section 08.05.1.b also requires that academic buildings shall be named based on the major academic use of the building.

g. ASU: Approve FY 2019 holiday schedule.

Board approval required by: Section 03.09, *Regents' Rules*, and Section 662.011, *Texas Government Code*

The request is to approve the FY 2019 holiday schedule for Angelo State University 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

Section 662.011, *Texas Government Code*, 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 2019. In FY 2019, four (4) of the state holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) allowable holidays for FY 2019.

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 2018-2019

	DATE	DAY OF WEEK	HOLIDAY
2018	September 3	Monday	Labor Day
	November 22	Thursday	Thanksgiving Day
	November 23	Friday	Thanksgiving Day
	December 24	Monday	Winter Holiday
	December 25	Tuesday	Winter Holiday
	December 26	Wednesday	Winter Holiday
	December 27	Thursday	Winter Holiday
	December 28	Friday	Winter Holiday
	December 31	Monday	Winter Holiday
	2019	January 1	Tuesday
January 21		Monday	Martin Luther King Day
May 27		Monday	Memorial Day
July 4		Thursday	Independence Day
TOTAL ALLOWABLE HOLIDAYS			13

NOTE: University employees who wish to observe Rash 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 2019. In FY 2019, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) observable holidays for FY 2019.

h. ASU: Approve revisions to Traffic and Parking regulations and fees.

Board approval required by: Section 07.10, *Regents' Rules*, and Section 51.202, *Teas Education Code*

The request is to approve revisions to the Angelo State University Traffic and Parking Regulations and fee schedule as set out below. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Executive Summary

Propose authorization of the regulations and fees with minor changes to regulations and fee decreases as a result of added parking zone.

Amend the Regulations applicable to Angelo State University as follows:

II. Angelo State University Police Department

~~E. V.T.C.A., *Penal Code*, Section 46.03, provides that a person commits a felony offense, if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an education institution.~~

III. Vehicle Regulations

E. A faculty/staff permit is to be used by the registering faculty or staff member only, and its use is not transferrable to another person for any reason. If your vehicle is being repaired or is inoperable, you may transfer your hang tag to the vehicle you will be driving temporarily or obtain a temporary permit from **Parking Services** or the University Police Department.

G. Angelo State University issues the following parking permits:

- 5. "E" zone – Extended parking for outer lots includes:**
a. Foster Field Lot (P21) off Jackson Street.

IV. Vehicle Registration

- A. Permits are issued for a full academic year (August to August) or on a semester basis. Vehicle registration fees are as follows:

Fulltime Faculty/Staff "A" Zone and Non-University Employees

Permits must be paid in person at Parking Services and are non-refundable.

Full Year Permit (per vehicle) may be deducted from university employees' paychecks at a monthly rate.
For two vehicle pricing, permits must be purchased at same time.

Single or Two Vehicle(s)	
Single Permit (August – August)	\$7290.00
Two Vehicles (August-August)	\$117444.00

Part Time /Temporary/Casual Employees “A” Zone and Non-University Employees

Monthly Permit- Must be paid in person at Parking Services. Non-refundable.

Automobiles or Motorcycles	
Monthly Permit (Rate based on months employed)	\$5.00

Commuter Students “B” Zones

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$7290.00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$6480.00
Spring Semester Only (January-May)	\$50.00
Summer Semester Only (May-August)	\$50.00

Residential Students “C” Zones

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$7290.00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$6480.00
Spring Semester Only (January-May)	\$50.00
Summer Semester(s) Only (May-August)	\$50.00

Student Reserved Parking “D” Zones

Academic Upper Lot (P-39) only -
Carr EFA Lot (P-42) only –
“General Use” A/B/C/D Zones
included

Automobiles or Motorcycles	
Flat Fee (per vehicle)	\$120

Student Two Vehicle Permits

For two vehicle pricing, permits must be purchased at same time.

Reserved “D” Zones Not Offered in Combination

Two Vehicles	
Fall Yearly (August – August)	\$130.00
Fall Semester Only (August-December)	\$80.00
Spring/Summer (January-August)	\$110.00

Spring Semester Only (January-May)	\$80.00
Summer Semester(s) Only (May-August)	\$80.00

Student Extended Parking "E" Zones

<u>Automobiles or Motorcycles</u>	
<u>Fall Yearly (August-August)</u>	<u>\$36.00</u>
<u>Fall Semester Only (August-December)</u>	<u>\$25.00</u>
<u>Spring/Summer (January – August)</u>	<u>\$30.00</u>
<u>Spring Semester Only (January-May)</u>	<u>\$25.00</u>

VI. Parking Zones

G. Students purchasing an "E" extended zone permit must park in the extended parking lots, currently lot P21 off Jackson Street.

I. "B", "D", "E" zones are in effect and enforced from 7:30 a.m. to 1:00 p.m., Monday through Friday. After 1:00 p.m., "B", "D", "E" zones are open for general use with a valid parking permit. "E" zone permits may park in "B" zones during the summer semesters when the shuttle service is not operating.

Q. Spaces marked for "Alternative Fuel" vehicles are reserved for vehicles that meet the definition of alternative fuel. Vehicle parking in these spaces must also abide by the lot zone designation. Currently these spaces are only available in lot P-13 and are zone for "C" parking permit holders.

BACKGROUND INFORMATION

State statutes empower the governing board of each state university of higher education to promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control. These regulations include, but are not limited to, limiting the rate of speed; assessing parking spaces and designating parking areas and their use and assessing a charge for parking; prohibiting parking as it deems necessary; removing vehicles parking in violation of institutional rules and regulations or law at the expense of the violator; and instituting a system of registration, including a reasonable charge.

h-1. TTU: Approve agreement between Texas Tech University and the University of Louisiana Monroe.

Board approval required by: Section 07.12.3.a. *Regent's Rules*

The request is to authorize the president, or his designee, to approve an agreement between Texas Tech University ("TTU") and the University of Louisiana Monroe ("ULM") related to a home football game to be played on September 11, 2021 at Jones AT&T Stadium in Lubbock, Texas. 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") agrees that its football team will play the University of Louisiana Monroe ("ULM") in a home football game, to be played at Jones AT&T Stadium in Lubbock, Texas on September 11, 2021. In consideration of ULM's participation in the event, TTU shall pay ULM a game guarantee of \$1.2 million. This conforms to the typical arrangement between a member of a Power 5 Conference seeking to play a single home game with a Football Bowl Subdivision (FBS, "Group of 5") opponent.

Section 07.12.3.a, *Regents' Rules*, requires Board approval of contracts with an amount greater than \$1.0 million. Board approval of the contract is required due to the \$1.2 million amount of the game guarantee, whereby TTU will pay ULM \$1.2 million: (1) in return for ULM playing the game in Lubbock; or (2) as liquidated damages should TTU cancel the game for reasons other than *force majeure* (such as natural and unavoidable catastrophes that interrupt the expected course of events and restrict participants from fulfilling obligations) as provided in the agreement.

i. **TTU and TTUSA: Approve FY 2019 holiday schedule.**

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

The request is to approve the FY 2019 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 2019. In FY 2019, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) allowable holidays for FY 2019.

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 for 2018-2019**

	DATE	DAY OF WEEK	HOLIDAY
2018	September 3	Monday	Labor Day
	November 22	Thursday	Thanksgiving
	November 23	Friday	Thanksgiving
	December 24	Monday	Winter Break
	December 25	Tuesday	Winter Break
	December 26	Wednesday	Winter Break
	December 27	Thursday	Winter Break
	December 28	Friday	Winter Break
	December 31	Monday	Winter Break
2019	January 1	Tuesday	New Year's Day
	January 21	Monday	Martin Luther King, Jr. Day
	May 27	Monday	Memorial Day
	July 4	Thursday	Independence Day
TOTAL ALLOWABLE HOLIDAYS			13

NOTE: State law provides for seventeen (17) state holidays in FY 2019. In FY 2019, four (4) holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) holidays for FY 2019

j. TTUHSC: Approve FY 2019 holiday schedule.

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

The request to approve the FY 2019 holiday schedule for Texas Tech University Health Sciences Center ("TTUHSC") 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. There are 17 days in the holiday schedule. In FY 2019, four holidays fall on a weekend and cannot be substituted for other regular working days. The result is 13 allowable holidays for FY 2019. 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 will observe 10 days of 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.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
Holiday Schedule for 2018-2019

	DATE	DAY OF WEEK	HOLIDAY
2018	September 3	Monday	Labor Day
	November 22	Thursday	Thanksgiving Day
	November 23	Friday	Thanksgiving Holiday
	December 24	Monday	Christmas Holiday
	December 25	Tuesday	Christmas Holiday
	December 31	Monday	New Year's Holiday
2019	January 1	Tuesday	New Year's Holiday
	January 21	Monday	Martin Luther King, Jr. Day
	May 27	Monday	Memorial Day
	July 4	Thursday	Independence Day
TOTAL ALLOWABLE HOLIDAYS			10

NOTE: State law provides for 17 state holidays. In FY 2019, 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 2019, which is one (1) less than FY 2018. TTUHSC will observe 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.

k. TTUHSC: Approve revisions to the Parking Regulations.

Board approval required by: Section 7.10, *Regent's Rules*, and Section 51.202, *Texas Education Code*

The request is to approve the Texas Tech University Health Sciences Center Parking Regulations as set out below. This request has been approved administratively by the chancellor and the president and is recommended for approval by the Board of Regents.

a. Paragraph XI.G.

Disabled Veteran Parking

A vehicle may park in disabled spaces as long as:

1. The vehicle is being operated by a Disabled Veteran or handicapped person.
2. The vehicle displays the appropriate state issued placard or license plates.

TTUHSC requires a vehicle to display a parking permit issued by the institution, including disabled spaces, but may not charge for the parking permit (except as indicated below):

1. This does not apply to disabled space located in controlled access parking, areas temporarily designated for special events, or areas temporarily prohibited due to health or safety concerns.
2. This does not entitle a person to park in a space that has not been designated as disabled space, unless that person has been granted a parking permit for that space.

When parking on campus in non-handicapped designated parking, the driver is required to park in spaces authorized by their permit type.

Privileges apply to the registered Disabled Veteran only and not to anyone else driving the vehicle.

Parking benefits begin upon receipt of appropriate documentation. Please contact the Parking Services Office for additional assistance.

b. Paragraph XVII

Parking Fee and Refund Schedule is attached on the following pages, but there are no changes in these amounts.

c. Full Parking Regulations

The current Parking Regulations is enclosed as an attachment in your notebook.

BACKGROUND INFORMATION

State statutes empower the governing board of each state university of higher education to promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control. These regulations include, but are not limited to, limiting the rate of speed; assigning parking spaces and designated parking areas and their use and assessing a charge for parking; prohibiting parking as it deems necessary; removing vehicles parking in violation of institutional rules and regulations or law at the expense of the violator; and, instituting a system of registration, including a reasonable charge.

Changes to Treating Expenses of Parking Fringe Benefit Programs as UBTI

Effective for amounts paid after December 31, 2017 organizations subject to the unrelated business income tax rules must increase their taxable income by the expense related to providing certain fringe benefits, including pre-tax parking benefits. Communication to faculty and staff will follow the Board of Regent's approval and will address the topic that new permits issued for next year will be a non pre-tax payroll deduction. Amounts will fluctuate per institution and per employee depending on other pre-tax deductions, but the difference between pre-tax and non pre-tax each month will be from \$3 – \$6.

**XVII. Parking Fees and Refunds – Texas Tech University Health Sciences Center
Rates not to exceed those listed in the table below.**

Parking Fees and Refunds – Texas Tech University Health Sciences Center

2018- 2019 Rates Through	Faculty/Staff Reserved Space		Faculty/Staff Area Reserved		Two-Wheeler	
	12 months		12 months		12 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Sep. 30	\$582.00	\$528.50	\$164.40	\$145.70	\$42.00	\$33.50
Oct. 31	533.50	480.00	150.70	132.00	38.50	30.00
Nov. 30	485.00	431.50	137.00	118.30	35.00	26.50
Dec. 31	436.50	383.00	123.30	104.60	31.50	23.00
Jan. 31	388.00	334.50	109.60	90.90	28.00	19.50
Feb. 28	339.50	286.00	95.90	77.20	24.50	16.00
Mar. 31	291.00	237.50	82.20	63.50	21.00	12.50
Apr. 30	242.50	189.00	68.50	49.80	17.50	9.00
May. 31	194.00	140.50	54.80	36.10	14.00	5.50
Jun. 30	145.50	92.00	41.10	22.40	10.50	2.00
Jul. 31	97.00	43.50	27.40	8.70	7.00	0.00
Aug. 31	48.50	0.00	13.70	0.00	3.50	0.00

2018- 2019 Rates Through	Commuter		Commuter		Extended Commuter	
	12 months		9 months		14 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Jul. 31					\$125.30	\$111.35
Aug. 31					116.35	102.40
Sep. 30	\$107.40	\$93.45	\$80.55	\$66.60	107.40	93.45
Oct. 31	98.45	84.50	71.60	57.65	98.45	84.50
Nov. 30	89.50	75.55	62.65	48.70	89.50	75.55
Dec. 31	80.55	66.60	53.70	39.75	80.55	66.60
Jan. 31	71.60	57.65	44.75	30.80	71.60	57.65
Feb. 28	62.65	48.70	35.80	21.85	62.65	48.70
Mar. 31	53.70	39.75	26.85	12.90	53.70	39.75
Apr. 30	44.75	30.80	17.90	3.95	44.75	30.80
May. 31	35.80	21.85	8.95	0.00	35.80	21.85
Jun. 30	26.85	12.90			26.85	12.90
Jul. 31	17.90	3.95			17.90	3.95
Aug. 31	8.95	0.00			8.95	0.00

Refunds are based on the schedule.

Refunds will not be given unless identifiable remnants of the permit (s) are presented at the time of the refund request.

Additional Permits (after two)	\$2.00
Replacement Permits w/identifiable remnants	
Non-transferable permit (w/identifiable remnants)	\$2.00
Transferable permit – 1 st Replacement	\$5.00
Transferable permit – 2 nd Replacement	\$10.00
Temporary Permits (Non-Refundable)	
Commuter Area Parking per Week	\$2.00
Faculty/Staff Area Parking per Week	\$3.00
Reserved Space per Week	\$6.00

I. **TTUHSC: Approve modification of endowment.**

Board approval required by: Section 06.02.2, *Regents' Rules*

The request is to approve modification of the Don and Sybil Harrington Foundation and Mary E. Bivins Foundation Endowed Chair of Excellence in Geriatric Oncology to include the use of earnings to support initiatives within the Geriatric Oncology program. This request has been approved by the chancellor and is recommended for approval by the Board of Regents.

The modification of the endowment includes an addition to the criteria as follows:

CRITERIA: These funds will establish a \$1.5 million endowment to support a chair in the School of Medicine, Department of Internal Medicine, on the Amarillo campus in the area of geriatric oncology. This clinician will be a board-certified geriatrician with a strong interest in the principles of geriatric care as it relates to treating geriatric patients with cancer. Earnings from the endowment may be used to recruit and train a clinical educator in the field of geriatrics with experience in the care of geriatric patients. *Earnings from the endowment may also be used to support the comprehensive Geriatric Oncology Clinic, cancer screening events, and education, with an emphasis on educational outreach, including, but not limited to, educational conferences or symposia. (REVISION)*

BACKGROUND INFORMATION

With a gift of \$1.5 million in 2008, The Don and Sybil Harrington Foundation and Mary E. Bivins Foundation Endowed Chair of Excellence in Geriatric Oncology was established within the Texas Tech University Health Sciences Center School of Medicine at Amarillo.

The Don and Sybil Harrington Foundation and Mary E. Bivins Foundation have requested, in writing, that the use of the endowment earnings be expanded to include support for the Geriatric Oncology Clinic, cancer screening events, and education, with an emphasis on the symposiums/conferences outlined in the educational section of the original proposal.

The balance of the endowment, including the corpus and spendable, is in excess of \$2.2 million.

Texas Tech University Operating Policy 02.08.5 states that a modification of an endowment with a principal balance of greater than \$25,000.00 requires a written request of the donor and approval of the Board of Regents of the Texas Tech University System.

m. TTUHSC El Paso: Approve FY 2019 holiday schedule.

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

The request to approve the following FY 2019 holiday schedule for Texas Tech University Health Sciences Center at El Paso ("TTUSHC 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 2019, four holidays fall on a weekend and cannot be substituted for other regular working days. The result is 13 allowable holidays for FY 2019. 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.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER at EL PASO
Holiday Schedule for 2018-2019

	DATE	DAY OF WEEK	HOLIDAY
2018	September 3	Monday	Labor Day
	November 22	Thursday	Thanksgiving Day
	November 23	Friday	Thanksgiving Holiday
	December 24	Monday	Christmas Holiday
	December 25	Tuesday	Christmas Holiday
	December 31	Monday	New Year's Holiday
2019	January 1	Tuesday	New Year's Holiday
	January 21	Monday	Martin Luther King, Jr. Day
	May 27	Monday	Memorial Day
	July 4	Thursday	Independence Day Holiday
TOTAL ALLOWABLE HOLIDAYS			10

NOTE: State law provides for 17 state holidays. In FY 2019, four (4) holidays fall on a weekend. The state will observe fourteen (13) holidays in FY 2019, which is one (1) less than in FY 2018. TTUHSC El Paso 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.

n. **TTUS: Approve Texas CLASS as an authorized investment vehicle in the Short/Intermediate Term Investment Fund (SITIF).**

Board approval required by: Texas CLASS, the contracting entity

The request is to authorize Texas CLASS as an investment vehicle in the Short/Intermediate Term Investment Fund (“SITIF”). Texas CLASS falls under investments as described in Section 7.1.c (cash pool) of the Short/Intermediate Term Investment Fund Policy Statement. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Board approval is not required for the selection of SITIF investment managers as that responsibility is delegated to the System CFO. The action proposed is necessary and required by Texas CLASS. Adding Texas CLASS will give the SITIF Cash Pool additional fund diversification. Texas CLASS also compounds and pays interest on a daily basis, potentially enhancing the overall yield of the Cash Pool. The initial investment would be 1.5% of the overall SITIF or about \$20 million.

Texas CLASS is a local government investment pool, as are existing investment vehicles TexPool and LOGIC. The fund retains Public Trust Advisors (“PTA”), LLC, as its investment advisor and administrator. PTA has offices in Austin, Dallas, & Houston.

CONTENTS OF THE INFORMATION AGENDA

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

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

INFORMATION AGENDA

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

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

- (1) **ASU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2018, per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.

- (a) ASU: Report dated February 28, 2018 for fiscal year 2018 (available for review upon request);
- (b) TTU: Report dated February 28, 2018 for fiscal year 2018 (available for review upon request); and
- (c) TTUHSC: Report dated February 28, 2018 for fiscal year 2018 (available for review upon request).
- (d) TTUHSC El Paso: Report dated February 28, 2018 for fiscal year 2018 (available for review upon request).

- (2) **TTUHSC and TTUHSC El Paso: Contract Renewals per Sections 07.12.4.c and 07.12.6.b., *Regents' Rules*** –

“Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.” AND “Approval of the president is required for all component institution contract renewals, extensions or amendments. A list of those renewed, extended or amended contracts in excess of \$1,000,000 per annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.”

TTUHSC:

- (a) AMEND1731448-001 (REF CON1731448) Mitchell County Hospital District; Amendment to compensation format for San Angelo Work Camp (daily per diem) - Mitchell County Hospital onsite Wallace and San Angelo WC FY18-19; Increase of \$20,000.

TTUHSC El Paso:

- (a) 04739; El Paso County Hospital District, "Fellowship Support Agreement" for TTUHSC El Paso campus, Eighteen month support agreement with county hospital for 13 fellows, \$1,450,570.
- (b) 04943; El Paso County Clinical Services Inc., "Resident Support Agreement" for TTUHSC El Paso campus, Annual support for 183.17 residents to provide services at University Medical Center, \$12,867,590.

- (3) **TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), Regents' Rules** – "(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting."

TTU:

- (a) Purpose of Consultant: Dr. Charles Keller was asked to provide medical insight for a computational biological research project within the Texas Tech University Department of Electrical & Computer Engineering. Dr. Keller's expertise on children's cancer, genetically engineered models and drug perturbation experiments are highly beneficial in formulating computational biology predictive models and subsequently generating medically relevant solutions. Dr. Keller provides insight on whether the obtained computational results adhere to biological insights and the required modifications to incorporate medical constraints. Dr. Keller's engagement began February 4, 2018 and concluded February 8, 2018 and was completed for a total cost of \$5,000.00.

Dr. Keller was included as a paid consultant with the NIH grant proposal and the reviewers found no issue with his involvement and indicated an appreciation with his participation in the project.

TTUHSC:

- (a) CON2077989 Accreditation and Outcomes Solutions LLC; Consulting Agreement - Assist TTUHSC Office of CME in the process of obtaining ACCME re-accreditation.; \$19,000.
- (b) CON2053104 Society for Academic Emergency Medicine - SAEM; Consulting Agreement - Feasibility assessment of proposed Emergency Medicine Residency based on ACGME accreditation requirements; \$4,000.

TTUHSC El Paso:

- (a) 04862; Partners in Medical Education, Inc., "Consultant Services Agreement" for TTUHSC El Paso campus, RE: Consulting services for AGCME Residency site visit for Obstetrics & Gynecology department, \$8,000.

- (4) **TTU and TTUHSC: Approval of sponsored programs projects in excess of \$1,000,000 per annum as provided by Section 07.12.4.b., Regents' Rules:** "Notwithstanding Section 07.12.3.a, Regents' Rules. The board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts

for sponsored program projects in excess of \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”

TTU:

- (a) US PREP Data Project; Sara E. Beal, Research Associate, Education, Dean Office, and Principal Investigator; Bill and Melinda Gates Foundation; \$1,464,882 awarded.

TTUHSC:

- (a) Health Resources and Services Administration grant funding entitled “Health Center Cluster”; grant year 03/01/2018 through 02/28/2019; award amount \$2,912,253.

- (5) TTU: Emergency or exigent circumstances approval of employment 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 13, 2018, Chairman Francis granted an exigent circumstances approval that authorized President Schovanec to execute an employment agreement with Marlene Stollings to be the head coach of the TTU women’s basketball program. In advance of the Chairman’s action, all regents were provided information regarding the terms of the proposed employment agreement.

- (6) TTU: 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 approval 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 President has approved establishment of the Center for Early Head Start (EHS) in the College of Human Sciences as part of the University’s Quality Enhancement Plan. The center’s mission is to host lab classes, practicum students, and researchers in a variety of areas to meet the academic mission of Texas Tech. EHS welcomes students and faculty from various disciplines to conduct research at facility located In East Lubbock, hosts local conferences for early childhood professionals, engaging scholars to work on policy briefs related to prevention, risk and resilience for families living in or near the poverty line, as well as the impact of quality early learning programs for both families and their young children.

The center will be a federally funded service, teaching and research program with a focus on supporting families with young children. They anticipate that becoming a Center will afford the more opportunities to seek grant funding, grant collaborations and enhance status in the academic community.

Dr. Stephanie Shine serves as Executive Director and grant writer.

ATTACHMENTS

ATTACHMENT

1

**ASU OP 10.01, Undergraduate Student Admissions
(ACS Item 5)**



Angelo State University
Operating Policy and Procedure

OP 10.01: Undergraduate Student Admissions

DATE: ~~July 28, 2017~~ Upon approval

PURPOSE: The purpose of this Operating Policy and/or Procedure (OP) is to outline policies concerning undergraduate student admissions.

REVIEW: This OP will be reviewed in August of every odd-numbered year by the director of admissions and the executive director of enrollment management with recommended revisions forwarded by September 1 through the vice president for student affairs and enrollment management to the president for approval and submission to the Board of Regents for approval. (*Regents' Rules*, Sections 05.01.2 and 05.02)

POLICY/PROCEDURE

Angelo State University commits itself to the equal consideration of all qualified applicants for admission without regard to race, color, religion, sex, age, or national origin, and without regard to disabilities as required by the Americans with Disabilities Act of 1990.

1. FRESHMAN ADMISSION

Individuals who have graduated from an accredited high school or homeschool may be eligible for admission to Angelo State University when they have submitted all of the following items to the Office of Admissions:

- Application for Admission.
- Scores on the American College Test (ACT) or the Scholastic Assessment Test (SAT) (scores cannot be more than five years old).
- Current non-refundable application fee.
- Official transcripts of high school records.

Assured Admission of Freshmen Applicants

Assured admission is granted to applicants based on satisfaction of the following requirements: a) graduate from an accredited high school or home school with a Texas Recommended or Distinguished Achievement Program diploma or the Endorsements or Distinguished Level of Achievement on the Foundation High School Program or its equivalent; and b) present the combination rank in class and minimum test scores indicated below.

[Major revision: approved by the Board of Regents, August 7, 2015]

High School Class Rank	ACT Score	SAT Score***
Top 10% *	No minimum	
Next 40% **	17	SAT: 820 or Redesigned SAT of 900
3 rd Quarter	File Review	
4 th Quarter	File Review	

- * Recommended program or the Distinguished Level of Achievement on the Foundation High School program.
- ** Recommended or Distinguished Achievement program or the Endorsements or Distinguished level of Achievement on the Foundation High School program or its equivalent.
- *** SAT scores include combined critical reading and math. Redesigned SAT scores include evidence-based reading & writing and math. Both SAT tests will use the combined maximum score of 1600.

Assured admission is also granted to applicants who have: a) graduated from an accredited high school or home school with a Texas Recommended or Distinguished Achievement Program diploma or the Endorsements or Distinguished Level of Achievement on the Foundation High School Program or its equivalent; and b) completed at least six (6) semester credit hours of dual credit through Angelo State University with a 3.0 GPA or higher.

Assured admission may also be granted to applicants graduating with the Foundation High School Program, or equivalent, other programs in transition, those not on a Texas High School Diploma Program or who are not provided a high school rank but who meet one of the requirements listed below.

- a. Satisfy ACT's College Readiness Benchmarks on the ACT assessment.
- b. Satisfy SAT College Readiness Benchmarks.

Private and home school students must submit the Texas Private High School Certification Form published by and made available on the Texas Higher Education Coordinating Board website.

Admission File Review of Freshman Applicants

Students who do not meet assured admission will have their file reviewed to determine admissibility and potential for success at Angelo State University. Consideration factors may include, but are not limited to, the applicant's: academic record, dual credit course completion, class rank, standardized test scores, first-generation status, bilingual proficiency, extracurricular activities, community activities, region of residence, socioeconomic background, financial status of the school district, the school district's performance level on the TEA's accountability criteria, responsibilities such as employment or helping to rear children, resident of a rural or urban area or a resident of a central city or suburban area, attendance in a school under a court ordered desegregation plan, commitment to a particular field of study, personal interview, admission to a comparable accredited out-of-state institution, or any other consideration the university considers necessary to accomplish the university's stated mission.

[Major revision: approved by the Board of Regents, August 7, 2015]

Provisional Admission

Freshman applicants not admitted through the university's standard admission and review process may be considered for admission through the provisional admission program.

Students may satisfy their provisional admission requirement via the Direct Path Program:

- a. Apply and be accepted to the Angelo State Direct Path Program, a partnership with Howard College. Upon earning 18 transferable credit hours with a cumulative 2.0 or higher grade point average a student will be fully admitted to Angelo State University.
- b. Participate in the Summer Gateway Program by enrolling in and completing six hours of transferable coursework with a 2.0 or greater grade point average either at Angelo State University or at another college or university.

2. GENERAL EQUIVALENCY DIPLOMA (GED) ADMISSION

Individuals who are not high school graduates but who have submitted evidence of a high school equivalency diploma from the Texas Education Agency (or equivalent agency in other states) may be eligible for admission to Angelo State University when they have submitted all of the following items to the Office of Admissions:

- Application for Admission.
- Scores on the ACT or the SAT (scores cannot be more than five years old).
- Current non-refundable application fee.

These applicants must meet one of the following admission requirements:

- a. Satisfy the College Readiness Benchmarks on the ACT assessment.
- b. Satisfy SAT College Readiness Benchmarks.

3. DUAL CREDIT ADMISSION

Dual credit admission is granted to applicants who are high school or home school students and meet the requirements of either the Regents Scholars Dual Credit Program or the Presidential Scholars Dual Credit Program.

The Regents Scholars Dual Credit Program is offered on the Angelo State University campus and the Presidential Scholars Dual Credit Program is offered at a high school of a partnering school district.

Students granted enrollment to take academic courses under either the Regents Scholars Dual Credit Program or the Presidential Scholars Dual Credit Program will not be considered as having officially been admitted to, nor matriculated at, Angelo State University until they graduate from high school and enroll in the university as regular students.

Regents Scholars Dual Credit Program

A high school student will be eligible for admission to the Regents Scholars Dual Credit Program when the applicant has met all admission requirements and has on file the following items:

- Dual Credit/Concurrent Enrollment Application for Admission.
- Official transcripts of high school records.
- Official scores on the ACT or the SAT (scores cannot be more than five years old).
- Dual Credit/Concurrent Enrollment Agreement form.

Regents Scholars Admission Requirements

To be eligible for admission to Angelo State University under the Regents Scholars Dual Credit Program, high school students must meet the following admission requirements:

- a. Enrolled currently in high school courses Private and home school students must submit the Texas Private High School Certification Form published by and made available on the Texas Higher Education Coordinating Board website.
- b. Present the combination rank in class and minimum test scores indicated below.

High School Class Rank	ACT Score	SAT Score*
Top 10%	No minimum	
All other rankings or non-ranked	17	SAT: 820 or Redesigned SAT of 900

* SAT scores include combined critical reading and math. Redesigned SAT scores include evidence-based reading & writing and math. Both SAT tests will use the combined maximum score of 1600.

Presidential Scholars Admission Program

A high school student will be eligible for admission to Angelo State University under the Presidential Scholars Dual Credit Program when the applicant has met all admission requirements and has on file the following items:

- Dual Credit/Concurrent Enrollment Application for Admission.
- Official Transcripts of high school records.
- Dual Credit Agreement form.

Presidential Scholars Admission Requirements

To be eligible for admission to Angelo State University under the Presidential Scholars Dual Credit Program, high school students must meet one of the following admission requirements:

- a. Have a “B” (3.0 or 80) overall high school average.
- b. Be in the top half of class.
- c. Recommended by the high school principal or high school counselor.

4. TRANSFER STUDENT ADMISSION

Students transferring from an accredited college or university will be eligible for admission to Angelo State University when they have met all admission requirements and have on file in the Office of Admissions the following items:

- Application for Admission.
- Transcripts of all college or university work.
- Current non-refundable application fee.

Transfer Student Assured Admission

Transfer students from an accredited college or university who are eligible to return to the institution most recently attended not on disciplinary suspension may be admitted if their cumulative grade point average on all transferable college level work attempted meets the following criteria and the other designated requirements:

Total College Level Semester Credit Hours Attempted	Minimum Cumulative Grade Point Average and Other Requirements
1-11 7	2.00 and meet admission criteria for regular admission for high school graduates
12 8 or more	2.00

- Students who are on academic suspension at any institution attended are ineligible for admission to Angelo State University until the period and terms of the suspension have been satisfied and the above criteria have been met.
- When calculating a transfer grade point average, grades of *A*, *B*, *C*, *D*, and *F* are computed as recorded. Grades of *WF* are averaged as *F*. When a course has been repeated, the last grade stands and is used for GPA calculations. Grades in non-transferable, developmental, and some technical/vocational courses are disregarded.
- Students meeting all admission requirements who are currently enrolled in another college or university and are unable to provide current transcripts of all previous work may appeal their admission to the Office of Admissions. It is the responsibility of the students to provide the official transcript to the Office of Admissions or be subject to forced withdrawal. Transfer courses will only be entered after receiving official transcripts.

Admission File Review of Transfer Applicants

Transfer applicants who do not meet the admission GPA (grade point average) requirement will have their records reviewed to evaluate other factors that could predict success at Angelo State University. The transfer office will review applicants holistically and present candidates to the Director of Admissions for a final admissions decision. The review will consider academic information such as the types of courses taken and the pattern of progress, as well as course work taken leading toward the major. Consideration will be given to students who have earned an associate's degree.

5. FORMER STUDENT ADMISSIONS

All former undergraduate Angelo State University students who did not attend one long semester (fall or spring) must re-apply for undergraduate admission to re-enter ASU. They must submit:

- an application for undergraduate admission
- the current non-refundable application fee

Former ASU students who have attended another college or university after leaving ASU will be considered as transfer students and must meet the transfer student requirements above. Students must submit official transcripts of all college or university course work since their last enrollment at ASU. The cumulative grade point average of all official transcripts that were not previously received in the Office of Admissions must be a minimum 2.00.

Students who leave ASU on scholastic probation may be re-admitted on scholastic probation. If a student was suspended from ASU, he or she may return on probationary status after complying with the suspension requirements.

6. TRANSIENT ADMISSIONS

Applicants who have completed college work and are working toward a degree at another college or university are eligible to be considered for transient admission. Applicants who desire to register for any term may be considered for enrollment without regard to the transfer student requirements above, but must not be on academic suspension from another institution.

Transient students are required to submit:

- An application for undergraduate admission
- The current non-refundable undergraduate application fee
- Proof of good standing with their current institution

7. POST-BACCALAUREATE ADMISSIONS

Post-baccalaureate admission is granted to students who have been awarded a bachelor's degree and do not want to obtain another undergraduate degree.

Post-baccalaureate students are required to submit:

- An application for undergraduate admission
- The current non-refundable undergraduate application fee
- Proof of baccalaureate degree

ASU undergraduate students who are in good standing and seek post-baccalaureate admission for the term directly following their graduation need to submit a Continuing Education Verification Form for admission.

8. NON-DEGREE SEEKING STUDENTS

Admission is granted to students interested in enrolling in courses pertaining to their personal interest, or those interested in receiving licensure.

Non-Degree Seeking Students are required to submit:

- Application for undergraduate admission
- Current non-refundable application fee
- High school transcript or GED (for those who did not previously attend college)
- Most recent or current college transcript

In addition:

- Applicants who have been denied admission as a degree-seeking student or who missed the deadline for submitting a degree seeking application will not be considered for enrollment as a non-degree student.
- Students who are not in good academic standing from Angelo State University or any other institution are not eligible to enter as a non-degree student.
- Acceptance in this category does not constitute acceptance to a degree granting program.
- Non-degree seeking students must adhere to the same academic rules that govern degree seeking students (i.e., application deadlines, fees, drop/add, withdrawals, grading, retention policies, etc.).
- Non-degree seeking students are limited to 24 semester credit hours for undergraduate level courses.
- Upon completion of 24 semester credit hours the student must be admitted as a degree-seeking student to continue at Angelo State University.
- Students seeking reclassification from non-degree student status to degree-seeking status must submit an application via Apply Texas.

9. ADMISSION TO A COLLEGE MAJOR

An academic college or an academic department may have admission requirements in addition to those of the university.

10. OTHER PROVISIONS AND CONDITIONS OF ADMISSION

All other provisions and conditions of admission not covered by the above admission requirements shall be established by the president of the university.

11. ADMISSION DECISION APPEALS

The policies and procedures for considering admission decision appeals shall be established by the vice president for student affairs and enrollment management, subject to approval by the president of the university. Appeal consideration factors may include, but are not limited to, the applicant's: academic record, class rank, standardized test scores, or any other consideration the university considers necessary to accomplish the university's state mission. The university's

[Major revision: approved by the Board of Regents, August 7, 2015]

decision in all such cases shall be final.

ATTACHMENT

2

**TTUHSC Student Handbook *Code of Professional Conduct*—
Executive Summary and Handbook with proposed revisions
(ACS Item 9)**

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

EXECUTIVE SUMMARY

Proposed revisions to the Student Handbook *Code of Professional Conduct* are noted in the attached document.

Cover changes: updated year and revision date

Part I: Forward

- D. Policy of Non-Discrimination
- Add: “sex including pregnancy,”
- Add: “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 this Student Handbook below.”

Part II: Code of Professional Conduct “Student Code”

Minor text changes were made in the items listed below for better understanding and clarification of the code.

Item 17. Providing False, Misleading or Untrue Statements, Misuse or Records
Remove “verbally”

E. Other professional and Ethical School Standards

Add:

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.

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

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.

Part III: Withdrawal of Consent

- No changes

Part IV: Anti-Discrimination and Sexual Misconduct Policy and Procedures (including Title IX)

Major changes were made for compliance and improvements of the process

TTUHSC has revised Part IV of TTUHSC Student Handbook, relating to Title IX and Sexual Discrimination and Sexual Misconduct, to address updated definitions of prohibited behavior; updated and added provisions related to amnesty for students; protocols for informing students of TTUHSC's sexual assault policy; and protocols for responding to reports of sexual assault.

Part V: Student Records

- No changes

Part VI: Registration of Student Organizations

- B. Faculty or Staff Advisor
 - Remove "by co-signing checks or vouchers"
 - Add "revising credits and debits in OrgSync"
 - Add "The advisor will be required to insure that the current officers are designated with administrator privileges."
- C. Conditions for Maintaining Registration
 - b. Add: "submit a Slate of Officers and budget form for the next academic year by March 1. Failure to do so may jeopardize their funding for the next academic year. Also, if elections for new officers have not taken place by the deadline, a Slate of Officers form must be submitted and updated with new officers after elections are completed."

Part VII: Use of University Space, Facilities and Amplification Equipment

- No changes

Part VIII: Solicitations, Advertisements and Printed Materials

- No changes

Part IX: Student Travel Policy

- No changes

Part X. Miscellaneous Policies

- 8. Required Immunizations
 - Remove "as listed below"
 - Add "The student is responsible for all associated costs."
 - Registration
 - B. Remove "Office of the Registrar" and Add "each school's Office of Admissions"
 - Correct the link
- Tuition and Fees Installment Payment Options

- VIII. Remove “Biennial Approval of Student Fees” and Add “Bi-annual approval of tuition and fees by”

Part XI: Student Complaint or Grievance Policies and Procedures

- Correct link for student grievances
- E. Complaints regarding other types of mistreatment
 - Remove “Academic Grade Challenge/Appeals and”
 - Remove “Academic” and “Student Affairs”
 - Add “and Student Affairs”

Part XII: Contact Information for Student Services Personnel

- Edit phone number for School of Health Professions Admissions and Student Affairs and School of Nursing Student Affairs



TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™

Student Handbook

Code of Professional Conduct

2017-2018 2018-2019

School of Medicine
Graduate School of Biomedical Sciences
School of Nursing
School of Health Professions
School of Pharmacy

Rev. 03/05/18 08/01/18

TABLE OF CONTENTS

STATEMENT OF ACCREDITATION6

PART I. FOREWORD.....7

A. General Policy..... 8

B. Tobacco-Free Environment..... 8

C. Authority..... 8

D. Policy of Non-Discrimination..... 9

E. University Name, Document and Records 9

F. Definitions 9

PART II. CODE OF PROFESSIONAL AND ACADEMIC CONDUCT13

A. General Policy..... 14

B. Disciplinary Jurisdiction..... 14

C. Violation of Law and TTUHSC Discipline..... 14

D. Misconduct 14

 1. Alcoholic Beverage 15

 2. Narcotics or Drugs..... 15

 3. Firearms, Weapons and Explosives 15

 4. Theft, Damage, or Unauthorized Use..... 15

 5. Actions Against Members of the University Community 15

 6. Gambling, Wagering or Bookmaking 16

 7. Hazing..... 16

 8. False Alarms or Terrorist Threats 17

 9. Financial Irresponsibility..... 17

 10. Unauthorized Entry, Possession or Use..... 17

 11. Traffic and Parking..... 17

 12. Housing and Dining Services Regulations 17

 13. Student Recreation and Aquatic Center Regulations..... 18

 14. Failure to Comply with Reasonable Directions or Requests of University Officials 18

 15. Failure to Present Student Identification 18

 16. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment..... 18

 17. Providing False Information or Misuse of Records..... 19

 18. Skateboard, Roller Blades, or Similar Devices..... 19

 19. Academic Misconduct 19

 20. Violation of Published University Policies, Rules, or Regulations..... 20

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

 22. Abuse of the Discipline System..... 20

E. Other Professional and Ethical School Standards 21

 1. School of Medicine 23

 2. School of Nursing 23

 3. School of Pharmacy 24

 4. School of Health Professions 25

F. Disciplinary Procedures	23
1. Nature of Proceedings.....	25
2. Procedural Deviations	25
3. Filing Complaint	25
4. Student Conduct Board Hearings	26
G. Sanctions.....	30
H. Interpretation and Revision.....	31
PART III. WITHDRAWAL OF CONSENT.....	30
A. Recommendation to Withdraw Consent during Periods of Disruption	31
B. Concurrence by Dean	31
C. Confirmation by President.....	32
D. Hearing	32
PART IV. ANTI-DISCRIMINATION AND SEXUAL MISCONDUCT POLICY AND PROCEDURES	34
A. Introduction.....	35
1. Non-Discrimination and Anti-Harassment Policy.....	35
2. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy.....	35
3. Definitions	36
4. Title IX Coordinators.....	39
5. Reporting Concerns	40
6. Office of Civil Rights Complaints	41
7. Non-Retaliation.....	41
8. Confidentiality	41
9. Faculty/Staff and Student Relationship	42
10. Grievance or Complaint Processes.....	42
B. Sexual Misconduct Complaints Involving Other Students	43
1. Jurisdiction	43
2. Timelines.....	44
3. Standard of Evidence.....	44
4. Reporting Allegations of Sexual Misconduct.....	44
5. Confidentiality	44
6. Anonymity	45
7. Reporting Criminally	45
8. Amnesty Provisions.....	46
9. Conduct Procedures for Sexual Misconduct.....	46
PART V. STUDENT RECORDS.....	54
A. General Policy.....	55
B. Address of Record	55
C. Student Access to Educational Records	55
D. Records Not Accessible to Students.....	56
E. Disclosure of Educational Records	56
F. Student's Request to Amend	58
G. Release of Student Directory Information	59

H. Destruction of Records.....	60
I. Letters of Recommendation.....	60
J. Medical Records.....	60
PART VI. REGISTRATION OF STUDENT ORGANIZATIONS.....	61
A. Conditions for Registration.....	62
B. Faculty or Staff Advisor.....	63
C. Conditions for Maintaining Registration.....	63
D. Denial of Registration.....	63
PART VII. USE OF UNIVERSITY SPACE, FACILITIES, AND AMPLIFICATION EQUIPMENT.....	64
PART VIII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS.....	66
PART IX. STUDENT TRAVEL POLICY.....	68
A. TTUHSC OP 77.08 Student Travel Policy.....	69
B. Travel Using University-owned Vehicles.....	69
C. Travel Using Personal Vehicles.....	71
D. Policy Concerning Student Releases and Medical Authorization.....	72
E. Guidelines Concerning Safe Travel Practices.....	72
PART X. MISCELLANEOUS POLICIES.....	73
1. Absences.....	74
2. Academic Requirements.....	74
3. Admissions and Applicants.....	74
4. Adding and Dropping Courses.....	74
5. Affiliation.....	74
6. Attendance.....	74
7. Bacterial Meningitis.....	74
8. Required Immunizations.....	75
9. Working with Affiliated Entities-Student Drug Screenings.....	71
10. Credit by Exam.....	79
11. Disabilities (Students).....	79
12. Discrimination/Equal Opportunity.....	80
13. Employment Grievance.....	80
14. Exams.....	80
15. Financial Policies.....	80
16. Grades/Grading.....	81
17. Graduation Procedures.....	81
18. Health Services and Health Insurance Information.....	81
19. Inter-professional Education.....	82
20. Notification of Student Death.....	82
21. Program of Assistance for Students.....	82
22. Student Emergency Contact Information.....	82
23. Student Publications.....	83

24. Registration.....	83
25. Religious Holy Days.....	83
26. State Residency Classification.....	84
27. Sexual Harassment Policy	84
28. Tuition and Fees Installment Payment Options.....	84
29. Tuition and Fees Refund Policies.....	85
PART XI. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES.....	87
A. Complaints Regarding the General or Academic Misconduct of Another Student.....	88
B. Complaints Regarding Discrimination.....	88
C. Complaints Regarding Student Records	88
D. Complaints Regarding Employment at TTUHSC	88
E. Complaints Regarding Grades or Grading.....	89
F. Complaints Regarding Other Types of Mistreatment.....	89
G. Other Institutional-Level Student Complaint Procedures.....	90
1. Early Resolution.....	90
2. Filing a Hearing Request	90
3. Hearing Procedure	90
4. Committee Decision	91
PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL	92

STATEMENT OF ACCREDITATION

The Texas Tech University Health Sciences Center is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters, doctoral, and professional degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the Texas Tech University Health Sciences Center. The Commission should be contacted only if there is evidence that appears to support the institution's significant non-compliance with a requirement or standard.



PART I. FOREWORD

A. General Policy

1. The mission of the Texas Tech University Health Sciences Center is to improve the health of people by providing educational opportunities to students and health care professionals, advancing knowledge through scholarship and research, and providing patient care and service.

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

- Train competent health professionals and scientists
- Increase externally funded, peer-reviewed research, especially NIH-funded research, and research focused on aging, cancer, and rural health
- Improve access to quality health care for the TTUHSC's target populations
- Prepare health professions students for an increasingly diverse workforce and patient population
- Provide leadership in the development of partnerships and collaborations to improve community health
- Operate the TTUHSC as an efficient and effective institution

2. A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual School's catalogs are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center.

3. The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the TTUHSC Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications. Registered student organizations are required to follow all of these standards, rules and policies.

4. The Texas Tech University Health Sciences Center (TTUHSC or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, 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, School of Pharmacy, School of Nursing, or the Graduate School of Biomedical Sciences. (See updates at www.ttuhs.edu/student-services)

B. Tobacco-Free Environment

1. According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk 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 (HSC OP 10.19).

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

C. Authority

1. The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.
2. All references to the Chancellor and/or President of the University, the Executive Vice President for Academic Affairs or 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 this Student Handbook below.

E. University Name, Documents, and Records

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement, or any unauthorized use of University documents, records or seal is prohibited. See TTUHSC OP 67.01, *Publication Guidelines*.

F. Definitions

1. "Accused Student" means 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" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the 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 reference F. Definitions, pg. 9, item # 22.

6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, expulsion or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.

7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.

8. "Flag" means 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" means any person who is a volunteer including high school students, an enrolled student, faculty or staff member, and University official, any other person employed by the University or campus visitors.

11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC Student Handbook; Texas Tech University Residence Hall Calendar and Handbook, if applicable; School of Nursing handbook and catalog; School of Medicine catalog; School of Health Professions catalog; School of Pharmacy catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSC web page and computer use policies.

12. "Department Chair" means the Chair is 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 Texas Tech University Health Sciences Center (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 refer to the appropriate student conduct administrator for each school.

13. "Registered student organization," means any number of students who have complied with the formal requirements for University registration.

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

15. "Representative" means 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 and Academic Conduct and the Residence Halls Standards of Student Behavior, if applicable.

16. "School" means School of Medicine, School of Nursing, 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 includes, but is not limited to, participation in planning, coordination and implementation directed by members of the sponsoring organizations.

19. "Student" means 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. The term "Student" also specifically a TTUHSC student who may be participating in an educational experience at another university and a student from another university who may be participating in an educational experience at TTUHSC. In addition, for purposes of Part II of this Handbook, persons who withdraw are suspended, or on leave of absence after allegedly violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance may be considered "students."

20. "Student Code" means the TTUHSC 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.

21. "Student Conduct Administrator" means a TTUHSC official authorized by the Dean of each School to receive Complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board's deliberations. In any case, in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School, appointments are made as follows or as otherwise determined by the Dean.

- a. For the Graduate School of Biomedical Sciences, the Assistant Dean.
- b. For the School of Medicine, the Associate Dean for Academic Affairs.
- c. For the School of Nursing, the Associate Academic Dean for Student Affairs and Education Support Services.
- d. For the School of Health Professions, the Associate Dean for Admissions and Student Affairs.
- e. For the School of Pharmacy, academic violations--the Assistant Dean for Student Services; professional violations--Associate Dean for Professional Affairs.

22. "Student Conduct Board" or "Board" means any person or 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 serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. For each School, appointments are made as follows.

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

- i. One (1) Faculty member from the membership of 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 Student; and,
- iii. Two (2) students not directly involved with the Complaint or the Accused Student.

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 he/she will appoint a Student Conduct Board comprised of the following:
- ii. One (1) faculty member or School executive administrator who will serve as Chair
- iii. Two (2) faculty members not directly involved with the case
- iv. Two (2) students not directly involved with the case

e. For the School of Pharmacy, the Student Conduct Board shall be the appropriate Honor Council members pursuant to the School of Pharmacy OP 77.27.

23. "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code 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 has violated the Student Handbook and appropriate sanctions, if any.

24. "Student Handbook" or "Handbook" means the TTUHSC Student Handbook.

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

26. "University" means Texas Tech University System or Texas Tech University Health Sciences Center (inclusive of all regional sites and their components).


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

28. "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).

29. "User" means any member of the University community who uses any University computing and/or networking resources.

30. "Will" is used in the imperative sense.

31. State law exclusively refers to the State of Texas



**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 ~~community~~ has developed standards of behavior pertaining to students and to student organizations.

2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.

3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' individual catalogs. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.

4. Each student is responsible for his/her own integrity, and is likewise responsible for reporting possible violations of this Student Code by other students. Faculty and member 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 he/she is enrolled and/or the missions of the University and/or pursuit of its objectives. On a case-by-case basis, the Dean and his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.

2. All students are expected to comply with the professional and ethical standards of each school to which he/she is enrolled and/or the mission of the University. Such compliance shall be implicit upon accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

C. Violation of Law and TTUHSC Discipline

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly violates either ~~both~~ 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.

D. Misconduct

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

1. Alcoholic Beverages

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

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

2. Narcotics or Drugs

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

3. Firearms, Weapons, and Explosives

- a. Use or possession of firearms, ammunition, explosive weapons, illegal knives and other deadly weapons are prohibited on university property except as specifically authorized by federal, state, or local laws and University policy.
- b. TTUHSC OP 10.30, 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:
 - TTUHSC will comply with all necessary laws and regulatory requirements regarding safety and security on its campuses;
 - 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;
 - TTUHSC will communicate safety policies to stakeholders through all appropriate means.

4. Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University or members of the University community;
- 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 or members of the University; or,
- d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or misrepresentation of any form of identification including, but not limited to, a social security number or driver's license number.

5. Actions Against Members of the University Community

- a. Physical harm or threat of harm to any person including, but not limited to a member of the University community;
- b. Intentional or reckless conduct which 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 conduct that involves:
 - o Deliberate touching of another's sexual parts without consent;
 - o Deliberate sexual invasion of another without consent; or,
 - o Deliberate constraint or incapacitation of another, without that person's knowledge or consent, to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.
- e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:
 - o Academic pursuits;
 - o University employment;
 - o Participation in activities sponsored by the University or organizations or groups related to the University; or,
 - o Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.
- f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.

g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.

6. Gambling, Wagering, or Bookmaking

Gambling, wagering, or bookmaking on University premises is prohibited.

7. Hazing

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

- a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;
- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
- d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;
- e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g. Any act that is unlawful as designated by local, state, or federal government.

NOTE: *Texas Education Code, Sections 37.151-37.157 and Section 51.936*

8. False Alarms and Terroristic Threats

Intentionally or recklessly sounding a false alarm of any kind or character; making a false emergency call or terroristic 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.

9. Financial Irresponsibility

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

10. Unauthorized Entry, Possession or Use

- a. Unauthorized entry into or use of University facilities;
- b. Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;
- c. Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,
- d. Use of the University's name to advertise or promote events or activities in a manner, which suggests sponsorship by the University without prior written permission.

11. Traffic and Parking

- a. Violation of University Traffic and Parking regulations; or,
- b. Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.

12. Housing and Dining Services Regulations

Violation of rules, which govern behavior in the campus residence and/or dining halls as stated in the Residence Hall Handbook and/or other notifications or publications provided by the University Department of Housing and Dining Services.

13. Student Recreation and Aquatic Center Regulations

Violation of rules, which govern behavior as determined by TTU or the University Student Recreation Center and Aquatic Center.

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

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

15. Failure to Present Student Identification

The failure to present their student identification to any University official upon request and identify himself/herself to any University official acting in the performance of his/her duties. The student identification card is 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. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment

- 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); or,
- i. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.

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

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

18. Skateboard, Roller Blades, or Similar Devices

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.

NOTE: Also, refer to TTUHSC OP 76.32, *Traffic and Parking Regulations*.

19. Academic Misconduct

- a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.
- b. "Academic misconduct" involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act.
- c. Cheating" includes, but is not limited to:
 - o 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;
 - o Failing to comply with instructions given by the person administering the test;
 - o Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
 - o Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with another assignment (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;
 - o Discussing the contents of an examination with another student during an examination, or another student who will take the examination at a later date;
 - o Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
 - o Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
 - o 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;
 - o Falsifying research data, laboratory reports and/or other academic work offered for credit;
 - o 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;
 - o Possession at any time of current or previous test materials without the instructor's permission;

- Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
- Alteration of grade records;
- Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
- Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
- 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.
- Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, or electronic devices etc.

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

e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, 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. 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, applicable publications for each TTUHSC School, such as student handbooks, catalogs, professional and ethical standards and course syllabus.

21. Violation of any provisions of federal, state and/or local laws.

22. Abuse of the Discipline System

a. Failure by an Accused Student to comply with or respond to a notification to appear before the Dean of his or her 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 or 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 sanction(s), condition(s) and/or restriction(s) imposed under this Student Code;
- i. Influencing or attempting to influence another person to commit an abuse of the discipline system; or,
- j. Retaliation against any person or group who files a Complaint of Misconduct in accordance with the Student Code or files a grievance under the applicable School grievance policy.

E. Other Professional and Ethical School Standards

In addition to the Misconduct identified in Part II.D. each school may prescribe professional and ethical standards in their school handbook, the violation of which may form the basis of a disciplinary action.

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.

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

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.

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(s) against a student(s) or a student organization(s) for violation(s) 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, Attachment A shall be completed and delivered by the Complainant to the Student Conduct Administrator. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the Student Conduct Administrator.
- b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint of Misconduct filed by the Complainant and will notify the Accused Student 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 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 Student to determine if the Accused Student admits or denies violating institutional rules.

- i. If the Accused Student admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board Hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.
 - ii. If the Accused Student denies violating University rules, the Student Conduct Administrator shall refer the allegations for a Hearing before the Student Conduct Board under Part II.F.4 below.
- e. A Student Conduct Board Hearing shall be scheduled to be heard within thirty (30) business days after the Accused Student has met with the Student Conduct Administrator under Part II.F.3.d. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board Hearing date, such Hearing will be held during the first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

4. Student Conduct Board Hearings

- a. *Closed Hearing.* A Student Conduct Board Hearing will be conducted in closed session. 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,
 - iii. Summary statement of the charge(s), or a copy of the complaint and

- v. That at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below.
- c. *Challenge.* An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator. 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 member 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 in his or her sole discretion choose to reschedule the hearing.
- d. *Evidence Submission.* At least ten (10) business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions to file information with the Student Conduct Board shall be submitted to the Chair.
 - i. All pertinent records and exhibits;
 - ii. Written statements must be notarized (including Impact or Position Statements);
 - iii. A list of all witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant
 - iv. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4...i below.
- e. *Evidence Exchange.* At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.
- f. *Separate or Joint Hearings.* A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused student may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.
- g. *Recordings.* The University shall record, either digitally, through audiotape, or otherwise as deemed appropriate all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its' Findings and Recommendations. Deliberations shall not be recorded. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent record of the proceedings.
- h. *Hearing Attendance.* The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

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

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

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

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

- ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct Board. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board members. The Chair shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.

- k. *Procedural Questions.* All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not 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 Student has violated any section of the Student Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) 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 Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice as described herein, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against, an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Accused Student to attend the hearing or answer the charges.
- n. *Findings and Recommendations.* The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations in writing. If the Findings and Recommendations are not unanimous, opinion(s) may be written by those who differ with the Majority's Findings and Recommendations. The Chair will forward the Findings and Recommendations, including differing opinion(s), within ten (10) business days to the Dean, the Student Conduct Administrator, the Accused Student 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 his or her decision in writing within ten (10) business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's decision shall be final.
- p. *Appeal.* Within five (5) business days of receipt of the decision of the Dean, if either party believes that the due process procedures have been violated, an appeal may be made, in writing, to the President of the University. The President will review the case and notify all parties of his decision within five (5) business days. If a written appeal is not submitted within ten (10) business days following receipt of the Dean's letter, the right to appeal is thereby waived and the Dean's decision is final.

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

- a. Whether a procedural deviation occurred that substantially affected the outcome of the case;
- b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.
- c. The President will review the Findings and Recommendations and, at his or her sole discretion, the recording from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing to the Accused Student, the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Dean. The President's decision shall be final.

G. Sanctions

- 1. 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, and/or cancellation of all, or any portion, of a prior course credit.
- b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed any time if certain conditions are met.
- c. *Probation.* A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- d. *Loss of Privileges.* Denial of specified privileges for a designated period of time.
- e. *Restitution.* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- f. *Discretionary Sanctions.* Assignments may be made at the discretion of the board, such as work assignments, essays, training, and service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the students' disciplinary file or other related discretionary assignments.
- g. *Suspension.* Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.
- h. *Dismissal With or Without Readmission.* Separation or dismissal of the student from their current program, with or without the option to apply for readmission to the University. The student's transcript will reflect the nature of the dismissal.
- i. *Revocation of Admission and/or Degree.* Admission to or a degree awarded 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.
- j. *Withholding Degree.* The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Disciplinary Procedures.
- k. *Multiple Sanctions.* More than one of the sanctions listed above may be imposed for any single violation.
- 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. Any other sanction(s) which may be appropriate under the particular circumstances of the violation.

2. Other than dismissal from the University or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the Office of the Dean for the applicable School. 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.
3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim.
4. The following sanctions may be imposed upon registered student organizations and/or members thereof:
 - a. Those sanctions listed above in Part II.G.1
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. *Deactivation*. Loss of all privileges, including University recognition and/or registration, for a specified period of time.

H. Interpretation and Revision

1. Any question of interpretation or application of this Student Code shall be referred to the Dean of the appropriate School or his or her 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 President regarding omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Student Code. The Review Committee is composed of the Student Affairs representatives from each School. The President may invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members.



PART III. WITHDRAWAL OF CONSENT

A. Recommendation to Withdraw Consent during Periods of Disruption

1. The term "period of disruption" is any period in which it reasonably appears that there is any of the following (Texas Education Code § 51.231):

- a. Threat(s) of destruction to University premises;
- b. Physical or emotional injury to human life on University premises; or,
- c. Threat(s) of willful disruption of the orderly operation of the University.

2. During periods of disruption, the Department Chair within the applicable School may recommend to the Dean that prior to a Student Conduct Board Hearing, and in accordance with Texas Education Code, Section 51.233, a student have his/her consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.

3. Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.

4. Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend, 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 Withdraw 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 his/her 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 President within twenty-four (24) hours, unless the Dean has reinstated consent for the student. The report shall contain all of the following:

- a. Description of the student, including, if available, the student's name, address, and phone number; and,
- b. Statement of the facts giving rise to the Withdrawal of Consent.

C. Confirmation by President

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or university premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).

2. If the President or his/her 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 President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.

2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted not later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.

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

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

d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the

hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.


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

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

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

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

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



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

A. Introduction

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

~~Texas Tech University Health Sciences Center (TTUHSC) is an Equal Employment Opportunity (EEO) employer and ensures compliance with federal and state employment laws and regulations. TTUHSC provides a fair and equitable student conduct process utilizing a thorough, neutral, and impartial investigation, from which is generated a prompt resolution.~~

For purposes of this Part IV of the Student Handbook, the definitions set forth in TTUHSC OP 51.02 and 51.03 shall apply.

B. Non-Discrimination and Anti-Harassment (see TTUHSC OP 51.02 for complete policy)

~~1. Non-Discrimination and Anti-Harassment Policy (see TTUHSC OP 51.02 for complete policy)~~

~~TTUHSC is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from any form of unlawful discrimination. TTUHSC is dedicated to fostering and supporting a culture of mutual respect and communication.~~

~~This policy~~ TTUHSC OP 51.02 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus.

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

~~Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education programs or activities, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.~~

~~TTUHSC~~ The University expects all members of the University Community to comply with the law. Members of the University Community who violate ~~TTUHSC~~ University policies and laws may be subject to disciplinary action, up to and including termination of employment, expulsion from ~~TTUHSC~~ the University, or being barred from ~~TTUHSC~~ University premises and events.

If a student has a complaint of discrimination or harassment by an employee, whether faculty, staff, or student employee, the provisions relating to the complaint process set forth in TTUHSC OP 51.02 shall apply. Students with complaints of discrimination or harassment by an employee should contact the Office of Equal Opportunity and/or submit a completed Complaint of

Discrimination or Harassment form to the Office of Equal Opportunity, which is available on the University's Human Resources website at the following link: <http://www.ttuhs.edu/human-resources/>.

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
Office of Equal Opportunity	806-742-3627	System Administration Building 1508 Knoxville Ave., Suite 208 Box 41073 Lubbock, TX 79409	eeo@ttu.edu

If a student has a complaint of discrimination or harassment by a student or a student organization, such complaints are guided by the 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 Office of Student Services and/or utilize the online Incident Report Form available at <http://www.ttuhs.edu/student-services/grievances.aspx>.

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
Office of Student Services	806-743-2300	Office of Student Services Texas Tech University Health Sciences Center 3601 4 th Street MS 8310 Lubbock, TX 79430	Student.services@ttuhsc.edu

~~See TTUHSC OP 51.02, *Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws* for additional information on TTUHSC's Non-Discrimination and Anti-Harassment Policy. <http://www.ttuhs.edu/hsc/op/op51/op5102.pdf>~~

In instances of complaints of sex/gender discrimination only, the complainant may also contact the Title IX Coordinator.

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
TTUHSC Title IX Coordinator	806-743-2900	TTUHSC Office of the President, Room 2B410B Office of the President Texas Tech University Health Sciences Center 3601 4 th Street Stop 6262 Lubbock, TX 79430	TitleIXCoordinator@ttuhsc.edu

~~See TTUHSC OP 51.02, *Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws* for additional information on TTUHSC's Non-Discrimination and Anti-Harassment Policy. <http://www.ttuhs.edu/hsc/op/op51/op5102.pdf>~~

While Sexual Harassment, Sexual Misconduct, and Sexual Assault may constitute prohibited acts of discrimination, such behavior is prohibited under TTUHSC OP 51.03 Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy and Complaint Procedure.

C. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX (see TTUHSC OP 51.03 for complete policy)

~~Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy and Complaint Procedure (see TTUHSC OP 51.03 for complete policy)~~

1. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy Overview

TTUHSC is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. In accordance with Title VII, Title IX, the Violence against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), and other federal and state law, TTUHSCThe University prohibits discrimination based on sex, which includes pregnancy, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes ~~sexual~~ Sexual harassmentHarassment, ~~nonconsensual~~ Nonconsensual sexual Sexual contactContact, ~~nonconsensual~~ Nonconsensual sexual Sexual intercourseIntercourse, ~~sexual~~ Sexual assaultAssault, ~~sexual~~ Sexual exploitationExploitation, stalkingStalking, ~~public~~ Public indecencyIndecency, ~~interpersonal~~ Interpersonal violenceViolence, ~~sexual~~ Sexual violenceViolence, and any other misconduct based on sex.

While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is TTUHSC's ~~the University's~~ policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on ~~this~~ these bases. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

TTUHSC OP 51.03 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus. TTUHSC OP 51.03 will apply to on-campus and off-campus conduct of which the University is made aware and which adversely impacts the educational and employment environments of the University. The University will take all reasonable steps to prevent reoccurrence of any Sexual Misconduct and remedy discriminatory effects on the Reporting Party and others, if appropriate.

See TTUHSC OP 51.03, ~~Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure~~, for additional information on TTUHSC's policy and information on TTUHSC's prevention and education efforts related to sex discrimination, sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, public indecency, Sexual Misconduct, interpersonal violence and stalking. <http://www.ttuhs.edu/hsc/op/op51/op5103.pdf>

3. Definitions

For purposes of Part IV, 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 provided in the links below may apply. Additionally, illustrative examples of some of these defined terms may be found at <http://www.ttuhs.edu/title-ix>.

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

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to engage in sexual activity.

Consent is also defined in the context of criminal sexual assault in the Texas Penal Code, Chapter 22, Section 22.011 (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

b. ~~Employee~~ — Any person who receives a W-2 or 1042-S from TTUHSC, including full and part-time faculty, staff, and students.

c. ~~**Incapacitation**—A state of being that prevents an individual from having capacity to give consent. For example, incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability.~~

d. ~~**Interpersonal Violence**—An offense that meets the definition of domestic violence or dating violence:~~

~~• **Domestic Violence**—Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common, by a person with whom the Reporting Party is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the Reporting Party under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.~~

~~Domestic Violence is also defined in Texas Family Code, Chapter 71, Section 71.004 (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.004>).~~

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

~~Dating Violence is also defined in Texas Family Code, Chapter 71, Section 71.0021 (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.0021>).~~

e. ~~**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.~~

f. ~~**Reporting Party**—A person or entity (in the case of TTUHSC) who submits a complaint alleging a violation of this policy.~~

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

h. ~~**Responsible Employee**—A TTUHSC employee who has the authority to take action to redress an alleged violation of this policy; who has been given the duty of reporting such allegations to the Title IX Coordinator or Title IX Deputy Coordinators; or whom an individual could reasonably believe has this authority or duty.~~

~~Responsible Employees include, but are not limited to:~~

- ~~• Administrators;~~

- Academic advisors;
- Coaches, and other athletic staff who interact directly with students;
- Faculty members, including professors, adjuncts, lecturers, instructors, and teaching assistants;
- Student services personnel;
- Graduate research assistants;
- Residence life or community advisors;
- Student organization advisors;
- All supervisory personnel;
- Human Resources personnel; and
- The Texas Tech Police Department.

i. ~~Sex Discrimination~~—An act that deprives a member of the University Community of his or her rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits or opportunities with TTUHSC on the basis of the person's sex.

j. ~~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.

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

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

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

(2) ~~Non-Consensual Sexual Intercourse~~—Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.

The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.

- ~~Rape~~—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Reporting Party.

- ~~Incest~~—Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- ~~Fondling~~—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity

- ~~Statutory Rape~~—Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

l. ~~**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.~~

m. ~~**Sexual Harassment**—Unwelcome verbal, written, or physical conduct of a sexual nature 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 or pervasive.~~

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

- ~~• Sexual teasing, jokes, remarks, or questions;~~
- ~~• Sexual looks and gestures;~~
- ~~• Sexual innuendoes or stories;~~
- ~~• Communicating in a manner with sexual overtones;~~
- ~~• Inappropriate comments about dress or physical appearance;~~
- ~~• Inappropriate discussion of private sexual behavior;~~
- ~~• Gifts, letters, calls, emails, online posts, or materials of a sexual nature;~~
- ~~• Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);~~
- ~~• Sexual favoritism;~~
- ~~• Pressure for dates or sexual favors;~~
- ~~• Unwelcome physical contact (touching, patting, stroking, rubbing);~~
- ~~• Non-consensual video or audio-taping of sexual activity;~~
- ~~• Exposing one's genitals or inducing another to expose his/her genitals;~~
- ~~• Stalking;~~
- ~~• Domestic or dating violence;~~
- ~~• Non-consensual sexual intercourse, sexual assault, or rape; or~~
- ~~• Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.~~

n. ~~**Stalking**—A course of conduct directed at a specific person that would cause a reasonable person to fear for his/her own safety or the safety of others or would cause that person to suffer substantial emotional distress. A "course of conduct" means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and similarly situated to the~~

Reporting Party. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

e. ~~University Community~~— All faculty, staff, and students of and visitors to any TTUHSC premises or TTUHSC-affiliated activity.

4. ~~Title IX Coordinators and Equal Opportunity Office~~

~~TTUHSC-The University~~ has a Title IX Coordinator who oversees ~~TTUHSC's the University's~~ compliance with Title IX, which prohibits discrimination based on sex. ~~TTUHSC-The University~~ has also designated ~~a~~ Title IX Deputy Coordinators for ~~students and employees~~.

The ~~Office of Student Services~~ Title IX Coordinator will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Opportunity (Office of EO) will investigate complaints of Sexual Misconduct by or between employees. Student complaints of Sexual Misconduct by an employee will be investigated jointly by the Title IX Coordinator and the Office of Equal Opportunity.

	PHONE	ADDRESS	EMAIL
TTUHSC Title IX Coordinator Coleman Johnson, Special Assistant to the President	806-743- 9894 <u>2900</u>	TTUHSC Title IX Office 2B410B Texas Tech University Health Sciences Center 3601 4th Street Stop 6262 Lubbock, TX 79430	TitleIXCoordinator@ttuhsc.edu
TTUHSC Title IX Deputy Coordinator for Students Assistant Vice President of Student Services	806-743-6426	TTUHSC Office of Student Services, Room 2C400 Office of Student Services Texas Tech University Health Sciences Center 3601 4th Street Stop 8310 Lubbock, TX 79430	TitleIXCoordinator@ttuhsc.edu
TTUHSC Title IX Deputy Coordinator for Employees Charlotte Bingham, Managing DirectorAssistant Vice Chancellor of Administration of the Office of Equal Opportunity	806-742-3627	Office of Equal Opportunity TTU System Administration Building, 1508 Knoxville Ave., Suite 208 Box 41073 Lubbock, TX 79409	TitleIXCoordinator@ttuhsc.edu eeo@ttu.edu

5. Reporting Concerns

a. All students, employees, and third parties are strongly encouraged to promptly report any incidents of Sexual Misconduct to the University Title IX Coordinator, Title IX Deputy Coordinators, or Office of EO.

If a student has a complaint of Sexual Misconduct by an employee, whether faculty, staff or student employee, the provisions relating to employees and the complaint process set forth in TTUHSC OP 51.02 and 51.03 shall apply. Students with complaints of Sexual Misconduct by an employee should contact the Title IX Coordinator, the Deputy Title IX Coordinator, or Office of Equal Opportunity, and/or utilize the online reporting tool available on the University's website at <https://www.ttuhs.edu/title-ix/default.aspx>.

If a student has a complaint of Sexual Misconduct by a student or student organization, the complaint process set forth below in Part IV; Section C (3) of this Student Handbook shall apply.

Individuals wishing to remain anonymous can file a complaint in any manner, including by telephone or written communication, with the University Title IX Coordinator, Title IX Deputy Coordinator, or Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals or organizations accused of violating TTUHSC OP 51.03.

2. 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, Dating Violence, or Stalking for a violation by the student of this Student Handbook, occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.

b. The University reserves the right to investigate to determine whether a report of an incident of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking was made in good faith. After such investigation, the Title IX Coordinator or his/her designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.

c. Notwithstanding the forgoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking.

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.

3. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Complaint Process Involving Students or Student Organizations

These complaint provisions shall apply to Sexual Misconduct that occurs on University premises, at University sponsored activities or off-campus if it occurred in the context of an educational program or activity of the University or if there is a hostile environment on campus resulting from the off-campus activity. Additionally, these provisions may also be applied to behavior conducted online, via email, or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats, and social networking sites may be in the public sphere, may not be private, and could subject a student to complaints of conduct violations. The University does not regularly search for this information but may take action if and when such information is brought to the attention of the University.

All complaint investigations and procedures are entirely administrative in nature and are not considered legal proceedings. Additionally, mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

~~b. All students, employees, and third parties may also report incidents of Sexual Misconduct to law enforcement, including on-campus and local police. Reporting Parties may choose to notify law enforcement and will be provided the assistance of a Title IX Coordinator, Title IX Deputy Coordinator, or Office of EO in contacting these authorities if the individual wishes. For a list of Law Enforcement Agencies, please see page () (UC1). Reporting Parties may also decline to notify law enforcement of incidents of Sexual Misconduct.~~

Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. As such, these provisions of this Student Handbook shall apply to persons who withdraw after an alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

~~c. An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims 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 directly to the nearest emergency department that provides SAFE services. For more information about the SAFE, see or https://www.texasattorneygeneral.gov/files/cvs/sexual_assault_examination.pdf.~~

~~d. An individual who experiences any form of Sexual Misconduct should also preserve other evidence relevant to the complained of activity, such as items of clothing, photographs, phone records, text messages, computer records, and other documents.~~

~~e. If an employee is a Responsible Employee and receives information about Sexual Misconduct, reporting is required. Responsible Employees have a duty to promptly report all known details of incidents of sex discrimination, sexual harassment, sexual contact, nonconsensual sexual intercourse, sexual assault, Sexual Misconduct, sexual exploitation, public indecency, interpersonal violence, and stalking to the University Title IX Coordinator, Title IX Deputy Coordinators, or Office of EO. Responsible Employees are not confidential reporting resources.~~

~~f. Disclosures to licensed clinical and/or mental health professionals acting in their professional role in the provision of services are not subject to the foregoing mandatory reporting requirements. These employees include physicians, psychologists, nurses, counselors, and those performing services under their supervision. These employees are~~

encouraged to provide students or employees with information and guidance regarding TTUHSC reporting options and available resources but will not report or otherwise refer instances of sexual harassment/misconduct to TTUHSC administrators without the student or employee's express permission. Students may make confidential reports to the Program of Assistance for Students (PAS). Likewise, employees may make confidential reports through the Employee Assistance Program.

6. ~~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>.~~

7. ~~Non-retaliation~~

~~Retaliation against a person who reports a potential violation under TTUHSC OP 51.02 or 51.03, 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 these policies 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. TTUHSC will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to these policies will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with TTUHSC using the same procedure outlined in these policies.~~

~~Individuals who are found to have retaliated under TTUHSC OP 51.02 or 51.03 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.~~

8. ~~Confidentiality~~

~~The confidentiality of both the Reporting Party and the Responding Party will be honored by TTUHSC to the extent possible without compromising TTUHSC's commitment and obligation to investigate allegations of Sexual Misconduct, to protect the University Community, and to the extent allowed by law. However, because TTUHSC also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, many TTUHSC employees have mandatory reporting and response obligations and may not be able to honor a Reporting Party's request for confidentiality. The Title IX Coordinator will evaluate requests for confidentiality.~~

9. ~~Faculty/Staff and Student Relationships~~

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

~~B. Complaint Process Involving Employees, whether Faculty, Staff, or Students~~

~~1. A formal complaint pertains to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy. A violation of a University policy alone does not necessarily constitute a violation of law or an action prohibited by law.~~

~~2. If a student has a complaint about Sexual Misconduct, unlawful discrimination, harassment, or other violations of the law and the Responding Party is an employee, whether faculty, staff or student, the general provisions relating to employees and the employee complaint procedures set forth in TTUHSC OP 51.02 and TTUHSC OP 51.03 shall apply. In addition, in student complaints where the Responding Party is acting in his or her capacity as an employee, the following provisions shall apply:~~

~~a. These procedures are entirely administrative in nature and are not considered legal proceedings.~~

~~b. All complaint investigations and procedures will be non-adversarial in nature. Additionally, mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.~~

~~c. The filing of a complaint shall not affect the ability of TTUHSC to pursue academic and disciplinary procedures for reasons other than the student's filing of a complaint.~~

~~d. A student may consult with Title IX Coordinator, the Deputy Coordinators, or Office of EO to determine if he/she wishes to file a formal complaint. Students wishing to file a complaint should complete the complaint form available at <http://www.ttuhs.edu/title-ix>. However, even if a formal complaint is not filed, the Title IX Coordinator or Office of EO may notify key personnel at his or her discretion about the allegation, and other action may be taken by TTUHSC 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, informing the Responding Party of TTUHSC's policies, and educating departments and supervisors as needed on this and other policies.~~

~~e. If the complaint involves the Title IX Coordinator and/or Deputy Coordinators, the complaint should be presented to the Office of EO.~~

~~f. Student complaints of Sexual Misconduct, discrimination or harassment by an employee will be investigated jointly by the Title IX Investigators and the Office of EO.~~

~~g. The investigation may consist of the review of the complaint and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. Both parties may notify the Title IX Investigators and the Office of EO of any witnesses and other evidence relevant to the complaint. The extent of the investigation and its procedures will be determined by and at the discretion of the University Title IX Coordinator or the Office of EO. Additionally, other administrators may be consulted to assist with the investigation. Any findings in the investigation will be based upon a preponderance of the evidence.~~

~~h. After the investigation is complete, the Title IX Coordinator or Office of EO or designee will provide notice in writing to the student who has filed the complaint, the Responding Party, and the appropriate administrators of the following:~~

~~i. Determination of the outcome;~~

~~ii. The finding of the Office of EO is final and not appealable by either party;~~

~~iii. In the event of a finding of a violation of TTUHSC OP 51.02 or TTUHSC 51.03 is made, appropriate disciplinary action will be taken as determined by the appropriate administrator; and~~

iv. ~~_____ If there is a finding of a violation of gender discrimination under TTUHSC OP 51.02 or any violation under TTUHSC OP 51.03, either party may appeal the imposed disciplinary action or lack thereof as provided under TTUHSC OP 51.03. For all other violations, only the responding employee may appeal the disciplinary action as provided for in other TTUHSC policies.~~

i. ~~_____ The Reporting Party and Responding Party will be simultaneously notified in writing of any changes to the results that occur prior to the time such results become final, and when such results become final.~~

3. ~~_____ Any disciplinary taken in connection with a complaint filed pursuant to TTUHSC OP 51.02 or OP 51.03 shall be reported in writing to the Title IX Coordinator and the Office of EO at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via copy of a counseling or other written disciplinary action, resignation, termination document, etc.~~

4. ~~_____ At the conclusion of the investigation, the student shall be advised that if the discrimination or unlawful activity persists, the student should contact the Title IX Coordinator or Officer of EO. Likewise, in the event the student believes unlawful retaliation for filing a complaint has taken place, the student should contact the Title IX Coordinator or the Office of EO, and/or file a complaint for retaliation.~~

5. ~~_____ In the event of a finding of a violation of TTUHSC OP 51.02 or 51.03, the Title IX Coordinator or Office of EO will follow up with the student within 60 days to ensure that the complained of behavior has ceased.~~

C. Complaint Process Involving Students

1. ~~_____ Grievances and investigations of formal complaints against student(s) pertaining to adverse actions taken on the basis of the student's protected status or other violation of law or TTUHSC policy are guided by the Student Conduct Procedures outlined in the Student Handbook, Part II, as applicable. This Part IV. C. of the Student Handbook contains the processes and procedures pertaining to Sexual Misconduct involving Students.~~

2. ~~_____ These procedures are entirely administrative in nature and are not considered legal proceedings.~~

3. ~~_____ All complaint investigations and procedures will be non-adversarial in nature. Additionally, mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.~~

4. ~~_____ Jurisdiction~~

a. ~~_____ Part IV₁ of the Student Handbook shall apply to conduct that occurs on TTUHSC premises, at TTUHSC sponsored activities, and to off-campus conduct that adversely affects TTUHSC and/or pursuit of its objectives. On a case-by-case basis, the Title IX Coordinator or the Deputy Title IX Coordinator for Students, in his or her sole discretion, shall determine whether this Part IV of the Student Handbook should be applied to conduct occurring off premises. Part IV may also be applied to behavior conducted online, via email, or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats and social networking sites 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. TTUHSC does not regularly search for this information but may take action if and when such information is brought to the attention of TTUHSC officials.~~

b. ~~_____ Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Part IV of the Student Handbook shall apply to~~

persons who withdraw after alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with TTUHSC, or who have been notified of their acceptance.

c. This Part IV. C. of the Student Handbook refers to processes and procedures pertaining to Sexual Misconduct. For all other types of misconduct, refer to Part II of the Student Handbook.

5. Timelines

a. It is recommended that reports of Sexual Misconduct should be received by the Title IX Coordinator or the Deputy Title IX Coordinator for Students 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.

b. In an effort to respond promptly and effectively to reports of Sexual Misconduct, the University attempts to resolve complaints within sixty (60) days' notice of the incident, not including appeal. However, this incidents should be resolved within 60 days of notice regarding the incident, not including appeal. This timeline period may vary depending on the complexity of the investigation, severity and nature of the alleged conduct, availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

6. Standards of Evidence

The proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. The standard of proof used in TTUHSC proceedings in Part IV. C. of the Student Handbook is the preponderance of evidence. The term "preponderance of evidence" 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.

7. Reporting Allegations of Sexual Misconduct

All Students, employees, and third parties are strongly encouraged to promptly report any incidents of Sexual Misconduct to the Title IX Coordinator. To file a complaint of Sexual Misconduct against student(s) or student organization(s), individuals should complete the complaint form at <http://www.ttuhs.edu/title-ix/>. Individuals may also file a report in person at 3601 4th Street, Room 2C400 located in the Office of Student Services. However, even if a formal complaint is not filed, the Title IX Coordinator or Deputy Title IX Coordinator for Students may conduct an investigation regarding the allegation, at his or her discretion.

8. Confidentiality

a. The confidentiality of both the Reporting Party and the Responding Party will be honored by TTUHSC to the extent possible without compromising TTUHSC's commitment and obligation to investigate allegations of Sexual Misconduct, to protect the University Community, and to the extent allowed by law. However, because TTUHSC also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, many TTUHSC employees have mandatory reporting and response obligations and may not be able to honor a Reporting Party's request for confidentiality. The Title IX Coordinator will evaluate requests for confidentiality.

b. The willful and unnecessary disclosure of confidential information by anyone, including the Reporting Party or Responding Party, may affect the integrity of the investigation.

c. ~~Students may make confidential reports to the Program of Assistance for Students (PAS). Likewise, employees may make confidential reports through the Employee Assistance Program. All Reporting Parties may also make confidential reports to local rape crisis centers or to other licensed clinical and/or mental health professionals acting in their professional role of providing these services.~~

9. ~~Anonymity~~

~~TTUHSC understands the sensitive nature of incidents involving Sexual Misconduct and further, TTUHSC is mindful of Reporting Parties' desire, in some cases, to report an incident without disclosing their name or other identifying information. TTUHSC 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. TTUHSC will work with each student on a case-by-case basis to find the approach that best fits the student's wants and needs.~~

10. ~~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 TTUHSC, to local law enforcement, or to TTUHSC administrators are happy to assist students in making a report to law enforcement, and will even accompany the student if he or she wishes.~~

~~Nothing in this policy shall limit a person from seeking assistance or filing a complaint with an outside agency.~~

~~Administrative Agencies:~~

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>
U.S. Equal Employment Opportunity Commission	1-800-669-4000	300 E. Main Dr. Suite 500 El Paso, Texas 79901
Texas Workforce Commission	512-463-2222	101 E. 15th Street Austin, Texas 78778
U.S. Department of Education, Office of Civil Rights	214-611-9600	1999 Bryan Street Suite 1620 Dallas, Texas 75201

~~Law Enforcement Agencies:~~

<u>CONTACT</u>	<u>PHONE</u>	<u>ADDRESS</u>
TTU Police Department	806-742-3931	413 Flint Avenue Lubbock, Texas 79409
Lubbock Police Department	806-775-2865	916 Texas Avenue Lubbock, Texas 79401
Lubbock County Sheriff's Department	806-775-1400	811 Main Street P.O. Box 10536 Lubbock, Texas 79407
Texas Department of Public Safety	512-424-2000	5805 North Lamar Blvd. Austin, Texas 78752

11. ~~Amnesty Provisions~~

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

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

~~Abuse of amnesty provisions can result in a violation of the Code of Student Conduct. Amnesty does not preclude students from being charged with allegations of misconduct related to Actions against Members of the University Community and Others. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, or actions required to comply with professional ethic requirements. Amnesty does not preclude students from being required to meet with TTUHSC staff and to participate in conditions such as counseling. The Deputy Title IX Coordinator for Students can assist with questions related to amnesty provisions.~~

12. ~~Considerations for Sexual Misconduct Procedures~~

~~a. Remedies and Resources~~

~~i. Remedies~~

~~TTUHSC will take immediate action to eliminate hostile environments, prevent reoccurrence and address any effects on the victim and community. This may include immediate steps to protect Reporting Parties even before the final outcome of the investigations, including prohibiting the Reporting Party from having any contact with the Responding Party. These steps will attempt to minimize the burden on the Reporting Party while respecting due process rights of the Responding Party. Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, modifications to parking assignments, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.~~

~~ii. No Contact Orders~~

~~When initial inquiry indicates persistent and potentially escalating conflict between two members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Deputy Title IX Coordinator for Students via the student's official TTUHSC email. The notice serves as an official directive details of the parameters of 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 Deputy Title IX Coordinator for Students. 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 possible violation(s) under Part II of the Student Handbook, and/or a referral to the Texas Tech Police Department during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.~~

~~iii. Resources~~

~~TTUHSC 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, student legal services, academic support referrals, and other support services.~~

~~b. Interim Measures~~

~~The Reporting Parties may request and TTUHSC may implement interim measures, as may be necessary to assure the safety and well-being of the participants in the complaint process, to maintain an environment free from harassment, discrimination, or retaliation, and to protect the safety and well-being of the University Community. The Title IX Coordinator or Deputy Title IX Coordinator for Students will decide if and what interim measures are necessary. Additionally, other appropriate University officials may be consulted regarding interim measures. Such interim measures may include, but are not limited to:~~

- ~~• Separating the Reporting Party's and Responding Party's academic interactions;~~
- ~~• Forbidding contact between parties involved in a complaint; or~~
- ~~• Suspending the right of the Responding Party to be present on campus or otherwise altering the University status of the Responding Party.~~

~~The Reporting or Responding Party who are the subjects of an alleged Sexual Assault will be allowed to drop a course in which they are both enrolled without academic penalty.~~

~~Other interim measures may be implemented depending on the Responding Party's relationship with TTUHSC. These interim measures may be kept in place through the conclusion of any review, investigation, or appeal process. Interim measures can be implemented regardless of whether or not the Reporting Party pursues formal TTUHSC or criminal action.~~

~~c. Immediate Temporary Suspension for Students~~

~~A student may be temporarily suspended and/or referred to the Texas Tech Police Department pending completion of conduct procedures if, in the judgment of the Deputy Title IX Coordinator for Students, or on recommendation of a Title IX 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 TTUHSC. The Deputy Title IX Coordinator for Students or his/her designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) university working days from the date of temporary suspension. A student who receives an interim suspension may request a meeting with the Deputy Title IX Coordinator for Students or his/her designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the TTUHSC will still proceed with conduct proceedings. Upon immediate temporary suspension, the student may no longer attend classes, use TTUHSC or TTU services and/or resources, and is not allowed to be on campus until the conduct proceedings under Part IV have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Deputy Title IX Coordinator for Students and the Texas Tech Police Department. Conduct, on or off campus that typically results in interim suspension under Part IV includes but is not limited to:~~

- ~~• A significant and articulable threat to the health or safety of a student or other member(s) of the University Community;~~
- ~~• Sexual Assault, other forms of Sexual Misconduct that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;~~
- ~~• Violation of a No Contact Order; or~~
- ~~• Retaliatory harm, discrimination or harassment~~

d. Notice of Involvement.

When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Title IX Investigator. In addition to other possible sanctions, conditions and/or restrictions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Title IX 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 the Deputy Title IX Coordinator for Students from proceeding with disciplinary 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 in Part II of the Student Handbook.

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

A student has a right to:

i. A prompt, fair, and equitable process;

ii. Be accompanied by an advisor to any meeting or Hearing. An "advisor" can be any one of the following: a member of TTUHSC the University Community (faculty, staff, or student), a Victim's Advocate, a parent or legal guardian, a relative, or in situations involving criminal legal proceedings, an attorney. An advisor's role is that of support — he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Texas Tech University System Office of General Counsel may attend the hearing on behalf of TTUHSCthe University. The Reporting Party and/or Responding Party is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing unless authorized by the Hearing Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Hearing Officer upon written request five (5) working business days in advance of the scheduled hearing date.

iii. The Reporting Party and the Responding Party are expected to cooperate with the TTUHSC University's Sexual Misconduct process, but may elect not to participate in the investigation process, either in part or entirely. However, if either Party chooses not to provide information during the investigation, they will not be allowed to present new information during the Hearing; similarly, if either Party 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.

iv. The opportunity to provide information and evidence in support of his/her case;

v. Know if they have been issued any allegations of misconduct;

vi. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;

vii. Know the TTUHSC University's conduct policies and procedures, and where to find them;

viii. Know that any information provided by the student may be used in a conduct proceeding;

ix. Know that if a student makes any false or misleading statement(s) during the investigation or Hearing the student will be subject to further disciplinary action under Part II of the Student Handbook.

It is the student's responsibility to:

1. Be responsive to all correspondence from the University;
2. Provide information relevant to the incident or situation in the event they choose to participate in the Title IX formal adjudication process;
3. Be honest and provide true and accurate information during the investigation;
4. Review the TTUHSC Student Handbook: Code of Professional Conduct in order to fully understand all aspects of the Title IX adjudication process.

a. Intake and Initial Inquiry/Investigation Procedures

a. Intake and Initial Inquiry

Upon notice receipt of a report of alleged of Sexual Misconduct, the Deputy Title IX Coordinator, or his or her designee, for Students will appoint a Title IX Investigator to review the allegations. As Additionally, The Deputy Title IX Coordinator for Students, in his or her sole discretion, may appoint more than one a Title IX Investigator or co-investigators to review an allegation of Sexual Misconduct. Reported allegations of Sexual Misconduct have varying degrees of complexity and severity. Therefore, the investigation and resolution procedures described below may vary. The Title IX Coordinator or appointed Title IX Investigator(s) will inquire, gather, and review information about the reported student Sexual Misconduct 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 or appointed Title IX Investigator(s) will may conduct an initial meeting with the Reporting Party Party to gather additional information of the incident regarding the allegation; and inform him/her of on and off-campus resources, procedural options, and, immediate safety and security measures, procedural options, and the the TTUHSC 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.

If the Reporting Party is not willing or able to submit his/her complaint in writing, notes taken by the Title IX Coordinator or appointed Title IX Investigator(s) Title IX Investigator may be used to initiate an investigation. Additionally, if a formal complaint is not filed, the Title IX Coordinator may conduct an investigation regarding the allegation if the University learns of 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.

Incidents will not be forwarded to Formal Investigation formally investigated unless there is reasonable cause to believe a policy TTUHSC OP 51.03 has been violated. Reasonable cause is defined includes as some credible information to support each element of the offense, even if that information is merely a credible witness or Reporting Party statement a policy violation. If it is determined that the information reported does warrant an investigation an investigation will be conducted, the Responding Party will be given notice of the complaint and an opportunity to respond. If it is determined that an the information reported does not warrant an allegation investigation will not be conducted, the Title IX Coordinator may contact the Responding Party to discuss the reported concern. a policy warning letter may be issued to any individual involved to clarify the policy that was in question. Unsupported allegations with no credible information will not be forwarded to Formal Investigation formally investigated.

When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Title IX Coordinator or appointed Title IX Investigator will investigate the reported incident to fullest extent of the information available. When a Reporting Party is identified but is reluctant, and/or refuses to participate in the investigation ve process and/or the Sexual Misconduct process entirely, the Title IX Coordinator will may investigate the reported incidental allegations to the fullest extent possible given the of the information made available. TTUHSC Th the University will make every attempt to follow the wishes of the Reporting Party while weighing the interests of protecting the University Community and the possibility of a continuing threat. If the Reporting Party does not want to participate in the investigative process but has no aversion to TTUHSC the University pursuing conduct action with respect to the named Responding Party, TTUHSC the University will proceed with the Sexual Misconduct process to the extent of the information available.

b. Informal Resolution

Prior to the formal investigative process, either the Reporting Party or the Responding Party may make a request, either orally or in writing, for informal resolution to the Title IX Coordinator. The Title IX Coordinator will assess the severity of the severity of the alleged harassment and the potential risk of a hostile environment for others in the University Community to determine whether informal resolution may be appropriate. Mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Upon determining that informal resolution is appropriate, the Title IX Coordinator will consult further with the person initiating the request, inform the other party, and gather additional relevant information from the parties and others as useful to assist in the informal resolution process. The Title IX Coordinator may also put in place any appropriate interim measures to protect the educational and work environment of the parties and the University Community.

The University will not compel the Reporting Party or Responding Party to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the Reporting Party and Responding Party have the option to discontinue the informal process at any time and request a formal investigation. If at any point during the informal resolution process, the Reporting Party, the Responding Party, or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution

process will stop and the formal resolution process outlined in this Part IV, Section C(3)(c), of the Student Handbook below will proceed.

Prior to the formal investigative process, both Reporting and Responding Parties 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 Title IX Investigator. The Student Rights and Responsibilities document informs the student of his or her rights to be exercised before and during the investigative process. Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

C. Informal Resolution

12. b. Formal Investigation Process

If ~~The~~ Title IX Coordinator or designee ~~will~~ conducts an investigation of the ~~reported incidents~~ reported allegation, ~~—A~~ trained ~~The~~ Title IX Coordinator or appointed Title IX Investigator will conduct a thorough, reliable, and impartial investigation of the ~~reported incidents~~ including ~~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 ~~present their sides~~ share information regarding the allegation, as well as any response to such, and identify witnesses and other relevant evidence. The extent of the investigation and its procedures will be determined by the Title IX Coordinator. During the investigative process, it is expected that the Reporting Party and the Responding Party will cooperate with the University in ~~Reporting Parties and Responding Parties are responsible for providing all information or evidence that they believe should be considered.~~ Additionally, other administrators may be consulted to assist with the investigation. Any findings of the investigation will be based upon a preponderance of the evidence.

Prior to an investigative interview, the Reporting and Responding Parties will be provided a student rights and responsibilities document to review and sign. The student rights and responsibilities document informs the student of his or her rights to be exercised before and during the course of the investigation and student conduct process.

Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order, lawfully issued subpoena, or otherwise required by law.

~~meeting with the Party party bringing the complaint, interviewing Responding Party and any witnesses, collecting evidence, creating timelines and receiving any additional relevant information.~~

When initial inquiry indicates a concurrent police investigation is occurring, the Title IX Investigator Coordinator will, where possible, collaborate with the Texas Tech Police Department during investigation. Elements of this collaborative investigation may include the Title IX Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Title IX Investigator Coordinator 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 investigative process, Reporting Parties and Responding Parties are responsible for providing all information or evidence that they believe should be considered.~~

~~Once the investigative process~~After the investigation is complete, the Title IX Coordinator or appointed Title IX Investigator~~designee~~ will prepare a written investigation report, 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 Title IX Coordinator or appointed Title IX Investigator will document any physical or electronic evidence in a manner that is conducive and unobstructive to concurrent or forthcoming police investigations.

Reporting Parties and Responding Parties will have access to the completed Investigation Report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, Reporting Parties and Responding Parties are not given copies or Investigation Reports and/or investigative materials.

443d. Administrative Resolution

At any point in the student conduct process, if, after the Initial Inquiry or Investigation, the Responding Party accepts responsibility for the alleged violations of the Student Handbook TTUHSC OP 51.03, and the Reporting Party agrees, the Parties may choose to resolve the issue through the Administrative Resolution process outlined below. The Administrative Resolution process is voluntary.

After completion of the Initial Inquiry or Investigation, the Deputy Title IX Coordinator for Students will, in consultation with the appropriate TTUHSC University dean, or if the allegation involves a student organization, the appropriate University staff member whose professional capacity involves the advising advisor of the organization, review the complaint and information gathered about the reported student Sexual Misconduct, and if applicable, propose findings and specify appropriate sanctions. The Deputy Title IX Coordinator for Students or his/her designee will send written notice to both the Reporting Party and the Responding Party of the proposed findings and sanctions. The Parties will have five (5) university working business days to review the Informal Administrative Resolution and decide whether they would like to accept or decline the proposed findings and recommended sanctions. Agreement with the terms of the Informal Administrative Resolution is established by one of the two following ways:

- (1) A signature, or an electronic signature, by a Party or the Parties attesting to agreement with the findings and sanctions; or
- (2) No written objection by the Reporting Party or the Responding Party to the findings and sanctions within five (5) university working business days of the date the proposed findings and recommended sanctions were sent to the Parties.

If both the Reporting Party and the Responding Party agree with the proposed findings and recommended sanctions, the matter is considered concluded. Additionally, if accepted, the Parties waive their right to a formal resolution hearing, the process ends, the finding is final, and there is no appeal. The case complaint will only be reopened if new material, previously unavailable is presented.

If either Party disagrees with or does not accept the proposed findings and/or recommended sanctions, then the case complaint will proceed and a formal hearing process will take place.

454e. Hearing Procedures

aj. Prehearing/Formal Allegations Assigned

Once the ~~investigative process~~ investigation is complete, if the ~~case complaint~~ is not otherwise resolved through Administrative Resolution, the Reporting Party and the Responding Party will be given notice of a ~~p~~Pre-hearing ~~m~~Meeting ~~scheduled outside of the Parties' academic schedules~~. Should the Reporting Party or the Responding Party not participate in the ~~P~~Pre-hearing ~~m~~meeting, the conduct process may continue without their participation through resolution, including the assignment of allegations and Hearing. During this meeting, ~~the th~~e Reporting Party and the Responding Party will be given the opportunity to review the ~~i~~Investigation ~~r~~Report, relevant evidence, and other documents to be used in the ~~H~~earing. Other documents may include notification of ~~R~~Reporting ~~e~~sponding Party's allegations, list of potential Hearing Officers ~~panel~~, and ~~H~~earing ~~h~~earing ~~S~~cript. Following the ~~p~~Pre-hearing, the Reporting Party and the Responding Party will be notified ~~, via the notification procedures, outlined in the Student Handbook~~ of a date, time, and location of the ~~h~~earing.

While the Reporting Party and the Responding Party may identify errors in their own statements during the ~~p~~Pre-hearing, they are not able to add additional information to the ~~i~~Investigation ~~r~~Report unless that information, in the judgment of the Title IX ~~Investigator~~Coordinator, was unavailable during the investigative process and is pertinent to ~~the consideration of the complaint case~~. If a Reporting Party or Responding Party discovers new, previously unavailable information during the time after the ~~P~~Pre-hearing ~~h~~earing but before the ~~H~~earing, the party should inform the Title IX ~~Investigator~~Coordinator immediately. If the new information is pertinent to the consideration of the ~~case complaint~~, the Title IX ~~Investigator~~Coordinator will determine whether the new information should be included in the ~~i~~Investigation ~~r~~Report or presented verbally during the ~~H~~earing. If there is new evidence introduced, ~~other involved parties would also~~ the Reporting Party and the Responding Party will be given the opportunity to provide a response to any ~~new such~~ evidence that will be presented in the ~~H~~earing.

~~Formal Allegations will be assigned during the Pre-Hearing per the information and evidence gathered during investigation. Allegations are assigned for deliberation in the Hearing by the Hearing Officers to determine the Responding Party's responsibility for misconduct. An Allegation Letter will be provided to the Responding Party in the Pre-Hearing Meeting or via other methods of notice. The Title IX Investigator/Coordinator or designee will schedule the Final Hearing hearing no sooner than five (5) university working business days from the date of the last Prepre-Hearing hearing meeting. The five-day period can be waived by the Deputy Title IX Coordinator for Students with agreement by upon consultation with the involved Parties.~~

bij. Hearing

After ~~proper~~ notice has been given to the Reporting Party and the Responding Party, ~~TTUHSC the University~~ may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Responding Party's alleged misconduct and, ~~in the event of a responsible finding, if appropriate,~~ decide appropriate sanctions, conditions, and/or restrictions. The ~~Deputy Executive Vice President of Academic Affairs Title IX Coordinator for Students~~ shall appoint a panel of three (3) Hearing Officers to conduct ~~the a~~ hearing in accordance with Part IV of this Handbook. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a ~~sexual Sexual~~ misconduct ~~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 ~~Deputy Executive Vice President of Academic Affairs Title IX Coordinator for Students~~ shall appoint another person to the panel. Additionally, both the Reporting Party and the Responding Party may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the ~~Executive Vice President of Academic Affairs Title IX Coordinator or Deputy Title IX Coordinator for Students~~ within three (3) business days after notice has been given to the Parties of the panel members. The ~~Executive Vice President of Academic Affairs Title IX Coordinator~~ will weigh these issues and resolve them accordingly. No party has a right to disqualify a Hearing Officer panel member absent a demonstrated bias.

The ~~Hearing hearing~~ may be held and a decision or recommendation made, regardless of whether the Reporting Party or the Responding Party fails to respond ~~or fail to~~, attends the hearing ~~or fails to attend the hearing~~. Should the Reporting Party or the Responding Party fail ~~to respond or fail~~ to attend the ~~Hearing hearing~~, the Hearing Officers ~~s~~ may consider the available information and render a decision.

Hearings are closed to the public. Both the Reporting Party and Responding Party have the right to be present at the ~~Hearing hearing~~; however, they do not have the right to be present during the deliberation of the Hearing Officers. Arrangements can be made so that Reporting Party and Responding Party do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, the parties should contact the ~~Deputy~~ Title IX Coordinator for ~~Students~~ not less than ~~three five (35) university working business~~ days prior to the scheduled ~~Hearing hearing~~.

~~As provided in further detail in the Title IX Hearing Script~~ During the hearing, the Title IX Investigator ~~Coordinator or appointed Title IX Investigator~~ designee presents the allegations, investigation report, evidence, witnesses, allegations, and questions for deliberation in the ~~Hearing hearing~~. The ~~Hearing hearing~~ Officers may question the Title IX Coordinator, Title IX Investigator, Reporting Party, Responding Party and any witnesses ~~through the Title IX Investigator~~. The Reporting Party and Responding Party do not have the right to question each other nor witnesses directly but may do so through the Title IX ~~Investigator~~ Coordinator. The Reporting Party and Responding Party have the right to add or make additional comments about the facts of the case complaint. ~~The Hearing Officers may ask questions to all parties through the Title IX Investigator Coordinator.~~ Should new evidence be presented without prior discussion with the Title IX ~~Investigator~~ Coordinator, the ~~Hearing 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, ~~(Reporting Party, Responding Party, or witnesses)~~ the alleged misconduct in the hearing process will be forwarded to the ~~Deputy~~ Title IX Coordinator for ~~Students~~ or his/her designee. ~~In regard to removal of the student, the Deputy Title IX Coordinator for Students or his/her designee will forward the alleged misconduct to the appropriate student conduct administrator, who will follow the conduct process in Part II of the this Student Handbook in regard to adjudication of the alleged misconduct.~~

Following the ~~Hearing hearing~~, the Hearing Officers will deliberate and will render a finding of ~~Responsible~~ responsible or ~~Not not Responsible~~ responsible for the Responding Party's alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. Any findings of the investigation will be based upon a preponderance of the evidence, which means more likely than not. The Hearing Officers will inform the ~~Deputy~~ Reporting Party and the Responding Party ~~Title IX Coordinator for Students~~ in writing within five (5) ~~university working business~~ days of ~~the their~~ decision(s). ~~Outcomes of the Hearing will be provided to the Reporting Party and the Responding Party in writing within five (5) university working business days after the Hearing Officers inform the Deputy Title IX Coordinator for Students of their decision(s).~~

Either the Reporting Party or Responding Party may utilize ~~Disciplinary the~~ Appeal Procedures outlined in sub-section "~~de~~" below.

ei.iii. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

In the event a Responding Party is found responsible for the alleged misconduct, the ~~The~~ Hearing Officers may impose sanctions, conditions, and/or restrictions as, including but not limited to those described in Part II of the this Student Code Handbook, ~~conditions and/or restrictions as a result of a Hearing where the Responding Party is found responsible.~~

If the allegation involves a student organization, the Hearing Officers may meet with a University staff member whose professional capacity involves the advising of the organization. This staff member may provide information relevant to potential sanctions, conditions, and restrictions for the Hearing Officer.

All records concerning a student or student organization related to the disciplinary process will remain on file with the Deputy Title IX Coordinator for Students for a minimum of seven (7) years from the date the ~~case complaint is completed through a hearing and/or disciplinary appeal procedure resolved.~~

df. Conduct Appeal Procedures

Either the Reporting Party or Responding Party may appeal the decision or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officers by submitting a written appeal to the Executive Vice President of Academic Affairs or his/her designee within five (5) ~~University working 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:

- i. ~~(1)~~ A procedural [or substantive] error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- ii. ~~(2)~~ The discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; ~~and/or~~
- iii. ~~(3)~~ The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

~~The Deputy Title IX Coordinator for Students will provide the request for appeal to the other party and provide opportunity for response.~~

The Executive Vice President of Academic Affairs will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal. If any of these requirements are not met, the appeal will be dismissed, and the original decision of the Hearing Officers will be final. If the grounds for an appeal are determined proper by the Executive Vice President of Academic Affairs, an appeal is granted, 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 Executive Vice President of Academic Affairs within five (5) business days after receiving a copy of the request for appeal.

~~The~~ results of the appellate process as outlined below will be final.

If the Executive Vice President of Academic Affairs determines that a procedural [or substantive] error occurred that significantly impacted the outcome of the hearing, he/she may order a new hearing. If a new hearing is ordered, all hearing procedures in Part IV, Section C (3) (e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five (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 Executive Vice President of Academic Affairs determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officers to reconsider the new evidence, or may ~~order~~ order a new ~~Hearing~~ hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the ~~findings~~ findings, sanctions, conditions, and/or restrictions. The Hearing Officers ~~or designee~~ will notify the student of the outcome using the ~~written notice procedures~~ within ~~five eight ten (8105) University working business~~ days of their decision. The decision is final and may not be appealed. If a new ~~Hearing~~ hearing is ~~ordered~~ ordered, all hearing procedures in Part IV, Section C (3) (e) ~~E.C.15~~ will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome using the ~~written notification procedures~~ within five (5) ~~university working business~~ days of their decision. The decision of the Hearing Officers is final and may not be appealed.

~~In those cases in which the error cannot be cured by the original Hearing Officers (i.e., some cases of bias), the Executive Vice President of Academic Affairs or designee may order a new hearing with new panel of Hearing Officers.~~

If the Executive Vice President of Academic Affairs determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, ~~the Executive Vice President of Academic Affairs or designee~~ he/she may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officers or ~~convening~~ ordering a new ~~Hearing~~ hearing. ~~If the Executive Vice President of Academic Affairs makes a decision regarding the sanctions, conditions, and/or restrictions without returning the case to the original Hearing Officers, he/she will notify the student in writing of the outcome using the written notification procedures within five (5) University working business days of his/her decision. The decision of the Executive Vice President of Academic Affairs is final and cannot be appealed. If the Executive Vice President of Academic Affairs returns the case to the original Hearing Officers, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Hearing Officers or designee will notify the student of the outcome within five (5) business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C (3) (e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five (5) business days of their decision. The decision of the Hearing Officers is final and may not be appealed.~~

~~In those cases in which the error cannot be cured by the original Hearing Officers (i.e., some cases of bias), the Executive Vice President of Academic Affairs or designee may order a new hearing with a new panel of Hearing Officers.~~

The ~~Deputy~~ Title IX Coordinator ~~for Students~~ shall make all reasonable efforts to timely notify the Reporting Party and Responding Party of the status of the appeal throughout the appellate process, ~~and shall make all reasonable efforts to notify the parties as to the result of the appeal within five (5) university working business days after the final decision is rendered.~~

~~465f.~~ Follow up

a. —After the findings(s) and sanctions become final and all appeals, if any, are exhausted, the Reporting Party shall be advised that if the complained of activity persists, they ~~Party~~ should contact the ~~Deputy~~ Title IX Coordinator ~~for Students~~. Likewise, in the event the ~~student~~ Reporting Party believes retaliation for filing a complaint has taken place, they should contact the ~~Deputy~~ Title IX Coordinator ~~for Students~~.

~~b-~~ The Deputy Title IX Coordinator for Students will follow up with the Reporting Party within sixty (60) ~~university working~~ calendar days after conclusion of the matter to ensure that the complained of behavior has ceased.



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 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.

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.

Notification of Rights under FERPA for Postsecondary Institutions the Family Educational Rights and Privacy ACT (FERPA) afford 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 that identifies the record(s) 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 his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.

- 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 his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for 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:

Family Policy Compliance Center
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 his/her capacity as an employee that are not available for any other purpose, unless the Student is employed as a result of his/her status as a Student;

4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and

5. Alumni records or other records that contain information about an individual after he/she is no longer a Student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

E. Disclosure of Education Records

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. Texas Tech University Health Sciences Center may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, 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)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a) (1))
- 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))
- 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)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a) (6))
- To accrediting organizations to carry out their accrediting functions. (§99.31 (a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31 (a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31 (a)(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))

- 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))
- 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 educational records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student Handbooks for each School and the TTUHSC 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 the records.

1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. 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 Executive Vice President for Academic Affairs or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the Student believes the record is inaccurate, misleading or in violation of his/her privacy rights. [Note: The substantive judgment of a faculty member regarding a Student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for 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 his/her Education Records, the Executive Vice President for Academic Affairs ("EVPAA") or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the Office of the Registrar, the EVPAA or designee will provide written notification to the Student whether or not TTUHSC will implement the change. If not, the EVPAA 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 EVPAA 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 President or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the Student or the 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 his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. If the Student has an advisor, the Office of General Counsel shall represent the University. The Student and the Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the Parties are not permitted to speak or participate directly in the hearing.

c. At the hearing, the Student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the Student.

d. Any additional information regarding the hearing procedures will be provided to the Student when notified of the right to a hearing.

e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the Student, the Office of the Registrar, and the EVPAA 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 Numbers
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.tuhsc.edu on the MyTech tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as “directory information”. To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information prior to the 12th class day in the fall term. Restricted directory information will remain restricted until the students unrestricts the information.

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. Student organizations wishing to register with the Texas Tech University Health Sciences Center must file an application with the Office of HSC Student Services. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center.
2. This application shall contain, but not be limited to, the following information:
 - a. A statement of the organization's purposes;
 - b. Any present or intended relation the organization may have to any other local, state, or national organization;
 - c. The organization's proposed activities;
 - d. A list of the organization's officers;
 - e. A copy of the organization's constitution/bylaws;
 - f. A copy of the constitution/bylaws of any related organization if any; and,
 - g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
3. Membership in the organization shall be open only to students of Texas Tech University Health Sciences Center without regard to race, religion, sex, handicap 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.
4. The organization shall not duplicate the purposes and functions of a previously registered organization unless need for such duplication is substantiated.
5. All funds allocated to the organization from TTUHSC controlled sources must be maintained in a TTUHSC account.
6. The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization and be lawful and peaceful in its activities.
7. The organization shall not use the name of the Texas Tech University Health Sciences Center, 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. The organization is permitted to use the word "TTUHSC Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSC." Requests to use logos or symbols protected by TTUHSC, Texas Tech University or the Texas Tech University System shall be submitted to Office of the Vice Chancellor for Institutional Advancement.
8. 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 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 co-signing checks or vouchers, revising credits and debits in OrgSync~~ –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 insure that the current officers are designated with administrator privileges.

C. Conditions for Maintaining Registration

1. In order to maintain its registration, a student organization shall comply with the following requirements:

a. The organization shall file a list of its current officers and advisor within one (1) month of the first day of classes of the fall semester each year. The current president of the organization or his or her designated representative shall file notification of subsequent changes, when such changes occur.

b. The organization shall submit a Slate of Officers and budget form for the next academic year by March 1. Failure to do so may jeopardize their funding for the next academic year. Also, if elections for new officers have not taken place by the deadline, a Slate of Officers form must be submitted and updated with new officers after elections are completed to the Office of TTUHSC Student Services for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds or changes in membership requirements.

c. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center.

d. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the application.

e. The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center regulations and state statutes.

f. 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.

g. The Office of TTUHSC Student Services 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 TTUHSC Student Services 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 TTUHSC Student Services in writing. The applying organization may appeal in writing to

the Executive Vice President for Academic Affairs within five (5) business days from the date of the denial letter. The decision of the Executive Vice President for Academic Affairs is final.



**PART VII. USE OF UNIVERSITY SPACE,
FACILITIES AND
AMPLIFICATION EQUIPMENT**

1. Space and Facilities

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. 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.

b. TTUHSC buildings, grounds, or property may not be used by individuals or organizations not connected with TTUHSC.

c. 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.

d. 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.

e. TTUHSC reserves the right to move the location of any assembly should it appear that the activity might interfere with the normal operations of TTUHSC or interfere with the rights of others. The use of buildings, grounds or TTUHSC property must conform to these regulations and to local, state and federal law.

f. Although TTUHSC is generally an open campus for purposes of student, faculty and staff free expression activities, students, faculty and staff are encouraged, and person and groups not affiliated with TTUHSC are required, to use the Forum Areas of the campus for free expressions activities. Forum Areas for each campus are set forth in TTUHSC OP 61.07, Use of TTUHSC Premises and Amplification Equipment.

g. With the exception of free expression activities mentioned above, 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 Services. 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 Services.



PART IX. STUDENT TRAVEL POLICY

A. TTUHSC OP 77.08, *Student Travel Policy*

1. TTUHSC OP 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. 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 University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization. The 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.

B. Travel Using University Owned Vehicles

1. *Appropriate Use.* Only persons who are acting within the course and scope of University-related activities should use university vehicles, owned, rented, leased by, or loaned to, the system or its components.

2. *Drivers.* Because of the risks of personal injury, it is required that only those persons whose names appear on the approved driver's list be asked or allowed to use University-owned motor vehicle owned, rented, leased by, or loaned to, the system or its components. If students will be using state-owned or rental vehicles, the following is required:

- a. The requesting department or unit must submit a completed request through the Texas Tech Vehicle Operating System (<https://apps.texastech.edu/vos/>)
- b. Qualifications for drivers of all University or rental vehicles are as follows:
 - i. Must possess a valid (Texas or other U.S. state or District of Columbia) driver's license, be at least 18 years of age and have held a valid license for at least two years;
 - ii. **Must comply with driver record check requirements on an annual basis.**
 - iii. Must have available documentation of current personal insurance;
 - iv. Must sign a disclosure statement;
 - v. Must not have any moving violations within the last 18 months,
 - vi. Are required to report any driving violations to their immediate supervisor within five days of the occurrence. This includes violations that occur while driving a vehicle not owned, rented, leased by,

or loaned to, the University;

- vii. Must not have had any conviction for driving while intoxicated, driving under the influence of drugs or reckless driving for two years prior to the request to use or operate a TTUHSC vehicle as described above in 2.a.
- viii. Must not have had a reinstated license in effect for less than one year after a revocation.
- ix. **Must not have a suspended license.**

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

- i. Must be at least 21 years of age and held a valid license, as defined in 2.a. for at least two years;
- ii. Must comply with Motor Vehicle check on an annual basis;
- iii. Must successfully complete a 15-passenger Van drive training course;
- iv. Must attend retraining annually;
- v. Must not have any moving violation in the last 18 months; and
- vi. **Must successfully pass a drug test.**

3. *Operator Conduct.*

a. Operators of University vehicles must take a 15-minute break every 3 hours and may drive no more than 10 hours in a 24-hour period. When the vehicle driven is a van with passengers, a second person must remain awake at all times and ride in the front passenger seat.

b. Those who operate a University vehicle represent the University to the general public. The image conveyed does affect the University; therefore:

- i. **SHALL NOT** use University vehicles for personal transportation or business;
- ii. **SHALL NOT** allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;
- iii. **SHALL NOT** pick up hitchhikers or transport family members or any unauthorized passenger;
- iv. **SHALL NOT** allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;
- v. **SHALL** observe all traffic rules and regulations;
- vi. **SHALL** drive carefully, safely, and courteously;
- vii. **SHALL** require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;
- viii. **SHALL NOT** operate the vehicle unless all occupants are wearing the appropriate restraints; and,
- ix. **SHALL NOT** allow the number of passengers to exceed the authorized capacity of the vehicle;
- x. The driver **SHALL NOT** use a cell phone, other type of communication device, or other electronic equipment when the vehicle is moving. The driver is only permitted to use these types of items when the vehicle is stopped and safely pulled off to the side of the road and parked. Care should be exercised when using GPS or any instrumentation that distracts the driver.

c. When a vehicle is damaged through operator misuse or operated by a person under the influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

d. Use common sense when driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

4. *Collision Reporting.* The following procedures should be followed whenever a University vehicle is involved in an accident, regardless of the extent of damage.

a. Stop immediately and notify local police so that an official report can document the accident;

b. Take necessary steps to prevent another accident;

c. Use the motor pool card with instructions on the front and numbers to call on the back;

d. Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;

e. Obtain names and addresses of all witnesses;

f. Provide all required information to the police officer;

g. Notify the department head or supervisor (if you are unable to contact or reach someone, contact the Texas Tech Police Department); and,

h. Refer to TTUHSC OP 76.34, Accidents Involving University Vehicles, for the completion of required vehicle accident documentation, summarized in the Vehicle Fleet Management Handbook, Section 1, M. An operator may be asked to submit to a "for cause" screen in compliance with TTUHSC OP 70.39, Drug-Free Workplace Policy, when there is any accident causing injury to anyone, damage to property of TTUHSC or others, or when the operator received a traffic citation as a result of an on-the-job motor vehicle accident. If the operator refuses the screen, the individual will be subject to disciplinary action up to and including termination.

Authorization:

Employees who drive vehicles owned, rented, leased by, or loaned to, the University, or have driving listed as one of their functions of University employment, must have a current driver record on file with the Texas Tech University System Office of Risk Management. This office may be contacted for information on how to add and delete names on the list of approved drivers.

5. Travel by Commercial or Charter Aircraft

All students traveling on official university business or activities will use only those aircraft and aircraft operators that meet the requirements set forth below. The travel regulations contained in the Texas Appropriations Act and other applicable laws will be followed by the university.

TTUHSC will only use aircraft and aircraft operators that are flight worthy and are certified and operate under Subchapters F & G, Parts 91, 119, 121, 125, or 135 as applicable in Chapter 1, Federal Aviation Regulations, 14 Code of Federal Regulations (the "C.F.R."). In addition pilots that are fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating, must pilot all qualified used pursuant to this provision, at a minimum.

C. Travel Using Personal Vehicles

1. *Transportation Generally.* The University recognizes that students occasionally use personal vehicles while engaged in University-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their personal vehicles while conducting University business should be made aware of the possibility of personal liability related to such use. No coverage for personal injuries or property damage is available to students if they drive their personal vehicles on university-related activities as defined hereinabove.

2. *Reimbursement for Costs of Personal Vehicles.* Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. may be reimbursed.

3. *Use of Personal Vehicles Not Required.* No individual shall be required to use a personal vehicle to perform University-related activities with the exception of travel to and from clinical affiliation sites.

4. Policy Concerning Use of Personal Vehicles by Students.

a. Use of personal vehicles by students to drive to University-related activities is discouraged.

b. If students use their personal vehicles, and/or transport other students as passengers, their personal insurance will be primarily responsible for any liability that may arise from such use.

c. No University coverage for personal injuries is available to students if they drive their personal vehicles on University-related activities as defined here in above.

D. Policy Concerning Student Releases and Medical Authorization

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities,

execute a copy of the Student Liability Release Form and the Authorization for Emergency Medical Treatment (Attachment B) which are attached to this policy.

International Travel by Students.

Students traveling abroad for any TTUHSC related reason (e.g., conferences, research, competition, community service, mission work, etc.) in any status (i.e. undergraduate, postgraduate, graduate, supported by scholarships, assistantships, institutional, etc.) must comply with HSC OP 10.29 and procedures and **complete the required forms through the Office of Global Health.**

Students are not permitted to travel to a nation that is subject to a Travel Warning issued by the United States Department of State. To determine if a country is the subject of such a travel advisory, contact the Office of International Affairs (OIA) or the U.S. Department of State Office in Washington, DC at 202-647-4000 or through the web at http://travel.state.gov/travel/cis_pa_tw/tw/tw_1764.html . In the event the Department of State issues a travel advisory to which a student will be traveling, OIA will contact the student immediately. If the country has been placed on the Travel Warning list, the student must cancel the trip.

When an emergency occurs, procedures for Planned Response to Emergencies Abroad will be followed (HSC OP 10.29, Attachment B).

E. Guidelines Concerning Safe Travel Practices

1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.
2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC will assume no responsibility, financial or otherwise.
3. Faculty and staff sponsors and organization officers are urged to take all possible pre-cautions to ensure the safety and well-being of all persons participating in off-campus activities.
4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.



**PART X. MISCELLANEOUS
POLICIES**

A. Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

1. Absences

Please refer to the individual School's catalogs and/or handbooks for more specific details 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 his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the 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.

B. 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:
 - High fever
 - Severe Headaches
 - Vomiting
 - Light sensitivity
 - Stiff neck
 - Nausea
 - Lethargy
 - Seizures
 - Confusion and sleepiness
 - 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:

- Permanent brain damage
- Kidney failure
- Learning disability
- Gangrene
- Coma
- Convulsions
- Hearing loss
- Blindness
- Limb damage that may require amputation
- 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

Medical and Religious Exemptions

2010-2011 Texas Vaccine Exemption Information

7. The state of Texas in law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some time so please do not wait until the last minute to get your papers in order.

For everyone claiming an exemption for the first time after 9/1/03, you must comply with the new law. If you have submitted an old religious exemption prior to 9/1/03, you are grandfathered under the old law (see notes below) and do not need a new form. The vaccine exemption forms for reasons of conscience including a religious belief are only for students claiming a vaccine exemption for the first time after 9/1/03 when the new law went into effect. If you need to request forms from the state health department, you can do it by fax, mail, personal visit, or through an online submission form. If you send your request by mail, we suggest sending it registered mail with a receipt so you can keep track of your request. If you send it by fax, set your fax machine to print out a delivery receipt. We would like to keep track of the Health Department's processing time.

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <https://corequest.dshs.texas.gov/>.

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.

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.

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).

10. Working with Affiliated Entities-Student Drug Screenings, HSC OP 77.15

a. *Defined Terms*

- I. For purposes of this policy, the term "Student" does not include residents in the Schools of Medicine or 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 standards that are more stringent 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 his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.
- 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 his/her 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 his/her expense, will be required to complete and successfully pass a new drug screen test.
- ii. Negative Drug Screen Results. The School which receives the 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.
- iii. Positive Drug Screen Results. 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.
- iv. Any student with a positive drug screen will not be placed in any clinical facility pending review and outcome of appeal with the vendor.
- v. The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.
- vi. 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.
- vii. 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

- i. 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 his/her 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.

- i. TTUHSC reserves the right to change, modify, amend or rescind this policy in whole, or in part at any time.

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.

.Disabilities (Students)

TTUHSC OP 10.15 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 and competitive 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.

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 ADA Compliance Officer for Students. Any student seeking accommodations on the basis of disability must register as a disabled student with the ADA Compliance Officer for Students in the Office of Student Services and must provide all required documentation of disability. Students seeking accommodations must complete an application for disability services and provide supporting documentation. For more information, visit www.ttuhschool.edu/HSC_OP10.15.pdf.

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 the Office of Student Services. For more information, visit <https://www.ttuhschool.edu/hsc/op/op51/op5101.pdf>, *Equal Employment Opportunity Policy and Affirmative Action Plan*.

Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in 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.

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 register as a disabled student with the ADA Compliance Office for Students in the Office of Student Services and must provide all required documentation of disability. Appropriate and reasonable accommodations, if any, will be determined by the ADA Compliance Office for Students in the Office of Student Services.

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 flag placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of flags 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.

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. 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.

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 Student Services the University's Intent to Graduate form in the semester before anticipated graduation (the student's "diploma name" as requested in the Intent to Graduate form is printed on her/his diploma and information provided by the student is used in commencement programs);
 - 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. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

Health Services and Health Insurance Information

- a. The Texas Tech Physicians Family & Community Medicine clinic provides health services to TTUHSC students who are currently enrolled and have paid the Student Health Fees as part of tuition and fees. To receive health services, you must present a Student I.D. card at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement.

*The Student Health Fee covers only those services provided by the Family & Community Medicine clinic and specific laboratory and radiology service performed at cooperating locations. **All other charges incurred are your responsibility.***

- b. Clinic Procedures
 - i. 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. 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.
 - ii. If the student receives a bill from the Health Sciences Center for services covered by the medical service fees, please contact the Office of Student Services at (806) 743-2300.

- iii. **Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration.**
- iv. 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 Services, www.ttuhs.edu/student-services.

Interprofessional Education

All TTUHSC students, regardless of school affiliation, will be required to complete a non-credit, online course in interprofessional education. Implementation of this requirement will vary across schools and degree programs. Students should consult their academic/program advisor and/or school catalog for additional information.

Interprofessional Practice and Education (IPE) Core Curriculum

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 the knowledge post-test) 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.

Notification of Student Death

The Office of Student Services is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must notify the Assistant Vice President for Student Services immediately in the event of any student death.

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 five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services website at the following address: http://www.ttuhs.edu/student-services/documents/PAS_Document.pdf.

Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit webraider.ttuhs.edu and sign in. Select the "My Tech (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

Student Publications

- a. The Daily Toreador student newspaper and La Ventana yearbook are free of arbitrary and capricious censorship and advance-copy approval, when operated and published within the canons of responsible journalism as established by the University Committee on Student Publications.
- b. All aspects of TTU\TTUHSC Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

Registration

- a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration 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.
- b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanction will be barred from registration. Students must provide all final transcripts to the ~~Office of the Registrar~~ 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.ttuhsu.edu/registrar/documents/student.record.transcript.policy.pdf>~~
<http://www.ttuhsu.edu/registrar/documents/student.record.transcript.policy.pdf>
- ~~c.~~ d-c. Late Registration. Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration.

Religious Holy Days

- a. A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of his/her School. A student will be excused from attending class (es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.
- b. A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.
- c. Any disputes regarding this policy should be submitted in writing to the TTUHSC President or his/her designee. Any decision by the President or his/her designee regarding the dispute shall be final.
- d. This policy does not apply to any student absence for a Religious Holy Day, which may interfere with patient responsibilities or patient care.

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.

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. The Deputy Title IX Coordinator for Students is the Assistant Vice President for Student Services, 2C400 Academic Classroom Building, and (806) 743-2300. Student concerns about sexual harassment, which include faculty, staff, or students, should be directed to the individual School's Dean.

Tuition and Fees Installment Payment Options

- i. 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:
 - ii. Full payment of tuition and fees in advance of the beginning of the semester; or
 - iii. 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.
 - iv. TTUHSC shall develop procedures, which will provide that students may elect to pay tuition and fees using the payment alternative.
 - v. 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.
 - vi. 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.
 - vii. 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.

- viii. TTUHSC shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

Biennial Approval of Student Fees: Bi-annual approval of tuition and fees by: ~~TTU~~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.

Tuition and Fees Refund Policies

Withdrawal / Refund Policies Refund Policies (Institutional and Title IV Withdrawal / Refund Policies)

Detailed information about the impact of decreasing course load on:

- ✓ Institutional Refund Policy - All students who withdraw from TTUHSC or drop all courses during a term
- ✓ Additional considerations for students who received financial aid and withdraw from TTUHSC or drop all courses during a term

Institutional Refund Policy

Refund Policies for Tuition and Fees. Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	1st class day through 4th class day	100%
	After the 4th day of class	None
Fall, Spring or Summer - Duration of 10 weeks or longer	1st class day through 4th day of class	100%
	After the 4th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official withdrawal date:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day or later	None

Term	Class Day	Percent of Refund of Charges
Fall, Spring or Summer - Duration of 10 weeks or longer	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

Students who withdraw from TTUHSC or drop all courses during a term that receive (d) financial aid.

It is important for students who receive financial aid and withdraw or drop all courses during the term to be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations.

- a. The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/ balances created by the returning of Title IV program funds that the school was required to return.
- b. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID (1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at www.studentaid.ed.gov.

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term, students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds

How the calculation works:

1. Number of days attended ÷ Days in semester = % of semester completed
2. Total \$ disbursed X % completed = Earned \$
3. Total \$ disbursed - Earned \$ = \$ to be returned

Once it is determined that you owe money back to any of the federal aid programs, you will be ineligible to receive further federal aid at TTUHSC or any other institution, until this debt is cleared.

To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of two categories:

1. grade point average on hours attempted (qualitative)
2. hours successfully completed (quantitative) based on hours enrolled.

As a general rule, a student must successfully pass 67% of the hours they attempt (hours as of the census date).
You can find more information here: <http://www.tuhsc.edu/financialaid/faq.aspx>



**PART XI. STUDENT COMPLAINT OR
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 Office of Student Services website:

<http://www.ttuhsc.edu/studentservices/StudentGrievances.aspx>
<https://www.ttuhsc.edu/student-services/grievances.aspx>

It is the policy of 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

The Student Resolution Center, which is located on the Texas Tech University campus in Lubbock, serves as a neutral, objective third party to provide students in the Texas Tech University System including TTUHSC with informal assistance in resolving student-related problems, conflicts, and disputes. The Student Resolution Center is available by phone to assist all TTUHSC students in identifying appropriate complaint-resolution procedures and resources.

A. Complaints regarding the general or academic misconduct of another student

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (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. Complaints regarding discrimination

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the TTUHSC Operating Policies and Procedures. The following list identifies key institutional policies governing complaints regarding discrimination:

- HSC OP 10.15, *Americans with Disabilities Act*
- HSC OP 51.01, *Equal Employment Opportunity Policy and Affirmative Action Plan*

C. Complaints regarding student records

HSC OP 77.13, *Student Education Records*, provides detailed information about filing complaints relating to student records.

D. Complaints regarding employment at TTUHSC

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. Complaints regarding grades or grading

The processing of formal grade appeal procedures is the responsibility of the school, which administers the course. Relevant school policies are listed below:

- School of Health Professions: Student Complaint Resolution and Hearing Policy (addresses academic and non-academic issues, including grade appeals)
- School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Grading Policy, Promotions Policy, and policies and procedures for Challenging Student Records or Grades
- School of Nursing: Academic Grade Challenges/Appeals
- School of Pharmacy: Grade Grievance Resolution
- Graduate School of Biomedical Sciences: Grade Appeals Policy

F. Complaints regarding other types of mistreatment

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school.

Relevant school policies include the following:

- 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)
- School of Medicine–Lubbock: Student-Faculty Dispute Resolution Policy, Student-Student Dispute Resolution Policy, Part IV Anti-Discrimination and Title IX,
- School of Nursing: ~~Academic Grade Challenges/Appeals~~ and Complaint or Grievance Resolution (Non-Grade Related)
- School of Pharmacy: Nontrade Grievance Resolution
- Graduate School of Biomedical Sciences: Appeals Policy for Students and Grade Appeals Policy

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:

- School of Health Professions: Associate Dean for Admissions and Student Affairs
- School of Medicine-Lubbock: Assistant Dean for Student Affairs
- School of Nursing: Associate ~~Academic~~ Dean for ~~Student Affairs~~ and Education Support and Student Affairs
- School of Pharmacy: Assistant Dean for Student Services
- Graduate School of Biomedical Sciences: Assistant Dean

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC Office of Student Services in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services 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. The TTUHSC Office of Student Services will administer this institutional policy and will insure that due process is afforded to all concerned.

1. *Early Resolution*

Prior to contacting the TTUHSC Office of Student Services, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant Vice President for Student Services. The student shall address the issue and initiate action under this policy within 30 days of the event-giving rise to the complaint.

2. The Assistant Vice President for Student Services may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President of Student Services will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services will provide a written statement of his or her 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 Vice President of Student Services will attempt to facilitate a resolution before proceeding with a hearing, as described below. (If the complaint is against the Assistant Vice President for Student Services, the student should meet with the Executive Vice President for Academic Affairs, who will follow the procedures outlined here.)

3. *Filing a Hearing Request*

If the student is not satisfied with the recommendation of the Assistant Vice President for Student Services, he/she may file a request for a hearing by submitting a written complaint to the Assistant Vice President for Student Services. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for Student Services' recommended resolution.

If the student files a request for a hearing, a Student Hearing Committee as defined below must convene within 15 working days.

4. *Hearing Procedure*

Upon receipt of a written request for a hearing, the Assistant Vice President for Student Services 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 Vice President for Student Services 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 Vice President for Student Services will provide technical assistance and support to this committee.
- c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
- d. At least three days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for Student Services 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).

5. *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 Executive Vice President for Academic Affairs.
- c. The Executive Vice President for Academic Affairs will review the complaint resolution and render a decision within five working days. The decision of the Executive Vice President for Academic Affairs is final.
- d. If the Executive Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five working days. The decision of the President is final.

6. *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. Policies and procedures for student complaints can be found in the TTUHSC Student Handbook (http://www.ttuhs.edu/student-services/documents/HSC_Institutional_Student_Handbook.pdf).

Incident Report Form <https://app4.ttuhs.edu/grievanceforms/>

- Title IX Complaint <http://www.ttuhs.edu/title-ix/TitleIXComplaint.aspx>



**PART XII. CONTACT
INFORMATION FOR STUDENT
SERVICES PERSONNEL**

ATTACHMENT C

Student Business Services	(806) 743-7867
Office of Student Services	(806) 743-2300
Office of Student Financial Aid	(806) 743-3025
Office of the Registrar	(806) 743-2300
Graduate School of Biomedical Sciences	(806) 743-2560
School of Health Professions Admissions and Student Affairs	(806) 743-9025 (806) 743-3220
School of Medicine Student Affairs	(806) 743-3005
School of Nursing Student Affairs	(806) 743-9294 (806) 743-2730
School of Pharmacy Student Services	(806) 414-9393
Deputy Title IX Coordinator for Students	(806) 743-6426
Title IX Coordinator for TTUHSC	(806) 743-9894

ATTACHMENT

3

**TTUHSC El Paso Student Handbook *Code of Professional Conduct*—
Executive Summary and Handbook with proposed revisions
(ACS Item 10)**

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO
Student Handbook: *Code of Professional and Academic Conduct*

EXECUTIVE SUMMARY

Proposed revisions to the Institutional Student Handbook: *Code of Professional and Academic Conduct* are noted in the attached document.

Cover changes: updated year and revision date

Part I: Forward

- D. Policy of Non-Discrimination-Per EEO added improved wording from the office of Cole Johnson. Added HSCEP Policies for reference.

Part II: Code of Professional Conduct “Student Code”

- D. Misconduct
 - #3. Firearms, Weapons and Explosives-added HSCEP OP Policy for regulations for the carrying of concealed handguns by licensed holders.
- F. Disciplinary Procedures
 - #4. Student Conduct Board Hearings
 - O. Dean’s Review-added Vice President for Academic Affairs/Provost as a reviewer.

Part III: Withdrawal of Consent

- No changes

Part IV: Anti-Discrimination and Sexual Misconduct Policy and Procedures (including Title IX)

Major changes were made for compliance and improvements of the process TTUHSC El Paso has revised Part IV of the Student Handbook, relating to Title IX and Sexual Discrimination and Sexual Misconduct, to address updated definitions of prohibited behavior; updated and added provisions related to amnesty for students; protocols for informing students of TTUHSC El Paso’s sexual assault policy; and protocols for responding to reports of sexual assault.

Part V: Student Records

- No changes

Part VI: Registration of Student Organizations

- Minor changes; inserted workable links

Part VII: Use of University Space, Facilities and Amplification Equipment

- No changes

Part VIII: Solicitations, Advertisements and Printed Materials

- No changes

Part IX: Student Travel Policy

- Minor changes; updated links and some wording

Part X. Miscellaneous Policies

- Minor changes – mainly grammatical and formatting.

Part XI: Student Complaint or Grievance Policies and Procedures

- No changes

Part XII: Contact Information for Student Services Personnel

- No Changes



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

**Institutional
Student
Handbook: Code
of Professional
and Academic
Conduct
20187-20198**

**Paul L. Foster School of Medicine
Gayle Greve Hunt School of Nursing
Graduate School of Biomedical
Sciences**

Rev. April 20, 2018

TABLE OF CONTENTS

STATEMENT OF ACCREDITATION.	<u>76</u>
PART I. FORWARD	<u>87</u>
A. General Policy	8
B. Tobacco-Free Environment	<u>98</u>
C. Authority	<u>98</u>
D. Policy of Non-Discrimination	<u>98</u>
E. University Name, Document and Records	<u>98</u>
F. Definitions	<u>10</u>
<u>9</u>	
PART II. CODE OF PROFESSIONAL AND ACADEMIC CONDUCT.	<u>143</u>
A. General Policy	<u>143</u>
B. Disciplinary Jurisdiction	<u>143</u>
C. Violation of Law and TTUHSC El Paso Discipline	<u>153</u>
D. Misconduct	<u>154</u>
1. Alcoholic Beverage	<u>154</u>
2. Narcotics or Drugs	<u>154</u>
3. Firearms, Weapons, and Explosives	<u>154</u>
4. Theft, Damage, or Unauthorized Use	<u>165</u>
5. Actions Against Members of the University Community	<u>165</u>
6. Gambling, Wagering, or Bookmaking	<u>176</u>
7. Hazing	<u>176</u>
8. False Alarms or Terrorist Threats	<u>186</u>
9. Financial Irresponsibility	<u>187</u>
10. Unauthorized Entry, Possession or Use	<u>187</u>
11. Traffic and Parking	<u>197</u>
12. Student Recreation Regulations	<u>197</u>
13. Failure to Comply with Reasonable Directions or Requests of University Officials	<u>197</u>
14. Failure to Present Student Identification	<u>197</u>
15. Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment	<u>197</u>
16. Providing False Information or Misuse of Records	
<u>2018</u>	
17. Skateboard, Roller Blades, or Similar Devices	
<u>2018</u>	
18. Academic Misconduct	
<u>2118</u>	

| 19. Violation of Published University Policies, Rules, or Regulations

230

20. Violation of Federal, State, and/or Local Law	230
21. Abuse of the Discipline System	230
E. Other Professional and Ethical School Standards	241
1. Gayle Greve Hunt School of Nursing	241
2. Paul L. Foster School of Medicine	241
3. Graduate School for Biomedical Sciences	252
F. Disciplinary Procedures	252
1. Nature of Proceedings	262
2. Procedural Deviations	262
3. Filing Complaint	262
4. Student Conduct Board Hearings	273
G. Sanctions	327
H. Interpretation and Revision	328
PART III. WITHDRAWAL OF CONSENT.	3428
A. Recommendation to Withdraw Consent during Periods of Disruption	3428
B. Concurrence by Dean	3429
C. Confirmation by President	3529
D. Hearing	3530
PART IV. ANTI-DISCRIMINATION PART IV. ANTI-DISCRIMINATION AND AND SEXUAL MISCONDUCT POLICY AND PROCEDURES	314
A. Introduction Introduction	315
1. Non-Discrimination and Anti-Harassment Policy Non-Discrimination and Anti-Harassment Policy	315
2. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy	335
3. Definitions Amnesty	34
B. Sexual Harassment, Sexual Assault, Sexual Misconduct Involving Students or Student Organizations Sexual Harassment, Sexual Assault, Sexual Misconduct Involving Students or Student Organizations	35
1. Intake and Initial Inquiry	35
2. Informal Resolution	36
3. Investigation Process	36
4. Administrative Resolution	37
5. Hearing Procedures	38
i. Prehearing/Formal Allegations Assigned	38
ii. Hearing	38
iii. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)	39
6. Appeal Procedures	39
7. Follow Up	41

6

3. Title IX Coordinators	39
4. Reporting Concerns	40
5. Office of Civil Rights Complaints	41
6. Non-Retaliation	41
7. Confidentiality	41
8. Faculty/Staff and Student Relationship	42
9. Grievance or Complaint Processes	42
B. Sexual Misconduct Complaints Involving Other Students	43
1. Jurisdiction	43
2. Timelines	44
3. Standard of Evidence	44
4. Reporting Allegations of Sexual Misconduct	44
5. Confidentiality	44
6. Anonymity	45
7. Reporting Criminally	45
8. Amnesty Provisions	46
9. Conduct Procedures for Sexual Misconduct	46
	€
	€
PART V. STUDENT RECORDS.	€41
A. General Policy	€41
B. Address of Record	€41
C. Student Access to Educational Records	€41
D. Records Not Accessible to Students	742
E. Disclosure of Education Records	743
F. Student's Request to Amend Records	744
G. Release of Student Directory Information	746
H. Destruction of Records	46
I. Letters of Recommendation	47
J. Medical Records	47
PART VI. REGISTRATION OF STUDENT ORGANIZATIONS.	477
A. Conditions for Registration	724
B. Faculty or Staff Advisor	734
C. Conditions for Maintaining Registration	734
D. Denial of Registration	744
PART VII. USE OF UNIVERSITY SPACE, FACILITIES, AND AMPLIFICATION EQUIPMENT.	7449
PART VIII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS.	7550
PART IX. STUDENT TRAVEL POLICY.	7650

A. TTUHSC El Paso OP 77.08 Student Travel	<u>7650</u>
B. Travel Using University-owned Vehicles	<u>7651</u>
C. Travel Using Personal Vehicles	<u>7853</u>
<u>D. Policy Concerning Student Releases and Medical Authorization</u>	<u>53</u>
<u>E. Guidelines Concerning Safe Travel Practices</u>	<u>54</u>

D. Policy Concerning Student Releases and Medical Authorization	78
Guidelines Concerning Safe Travel Practices	79

PART X. MISCELLANEOUS POLICIES.	547
1. Absences	<u>795</u>
2. Academic Requirements	<u>795</u>
3. Admissions and Applicants	<u>805</u>
4. Adding and Dropping Courses	<u>805</u>
5. Affiliation	<u>805</u>
6. Attendance	<u>805</u>
7. Bacterial Meningitis	<u>805</u>
8. Required Immunizations	<u>825</u>
9. Working with Affiliated Entities-Student Drug Screenings	<u>835</u>
10. Credit by Exam	<u>856</u>
11. Disabilities (Students)	
12. Discrimination/Equal Opportunity	<u>6186</u>
13. Employment Grievance	<u>6186</u>
14. Exams	<u>6287</u>
15. Financial Policies	<u>8762</u>
16. Grades/Grading	<u>8762</u>
17. Graduation Procedures	<u>6388</u>
18. Health Services and Health Insurance Information	<u>6388</u>
19. Inter-professional Education	<u>6489</u>
20. Notification of Student Death	<u>6489</u>
21. Program of Assistance for Students	<u>6489</u>
22. Student Emergency Contact Information	<u>6489</u>
23. Student Publications	<u>6489</u>
24. Registration	<u>6590</u>
25. Religious Holy Days	<u>6590</u>
26. State Residency Classification	<u>6691</u>
27. Tuition and Fees Installment Payment Options	<u>6691</u>
28. Tuition and Fees Refund Policies	<u>6792</u>
29. Academic Support	<u>6994</u>
30. Student Government Association	<u>6994</u>

PART XI. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES	6994
A. Complaints regarding the general or academic misconduct of another student	<u>7095</u>
B. Complaints regarding discrimination	<u>7095</u>
C. Complaints regarding student records	<u>7095</u>
D. Complaints regarding employment at TTUHSC El Paso	<u>7095</u>
<u>D.</u>	

E. Complaints regarding grades or grading	<u>7097</u>
F. Complaints regarding other types of mistreatment	<u>7196</u>
G. Other Institutional-Level Student Complaint Procedures	<u>7196</u>
1. Early Resolution	<u>7196</u>
2. Filing a Hearing Request	<u>7297</u>
3. Hearing Procedure	<u>7297</u>
4. Committee Decision	<u>7398</u>

PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL 7399

ATTACHMENT A - GENERAL CONDUCT INCIDENT FORM	<u>7510</u>
0	
ATTACHMENT B - SEXUAL MISCONDUCT FORM	<u>7710</u>
2	
ATTACHMENT C - STUDENT OF CONCERN FORM	<u>7910</u>
4	
ATTACHMENT D - STUDENT ORGANIZATION MISCONDUCT FORM	<u>8010</u>
5	

STATEMENT OF ACCREDITATION

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

PART I. FOREWORD

A. General Policy

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

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

- Train competent health professionals and scientists
 - Increase externally funded, peer-reviewed research, especially NIH-funded research, with an emphasis on cancer, infectious disease, neuropsychiatric disorders and diabetes.
 - Improve access to quality health care for TTUHSC El Paso's target populations
 - Prepare health professions students for an increasingly diverse workforce and patient population
 - Provide leadership in the development of partnerships and collaborations to improve community health
 - Operate TTUHSC El Paso as an efficient and effective institution
2. A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC EL PASO Operating Policies and Procedures, and the individual School's catalogs are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center El Paso.
 3. The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules and/or policies. Enrollment requires students to share this responsibility. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the TTUHSC EL PASO Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications. Registered student organizations are required to follow all of these standards, rules and policies.
 4. ***The Texas Tech University Health Sciences Center El Paso (TTUHSC -El Paso or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, expressed or implied, between any student or faculty member and Texas Tech University System, TTUHSC -El Paso, Paul L. Foster School of Medicine, Gayle Greve Hunt School of Nursing or the Graduate School of Biomedical Sciences.***

B. Tobacco-Free Environment

1. According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk for a number of cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration (HSCEP OP 10.19).
2. As a health care institution, TTUHSC El Paso is committed to the establishment and enforcement of a healthier tobacco-free environment. TTUHSC El Paso OP 10.19, Tobacco- Free Environment Policy, includes regulation and assessment.

C. Authority

1. The authority to enact and enforce regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.
2. All references to the Chancellor and/or President of the University, the Vice President of Academic Affairs or Assistant Vice President for Student Services or 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, ~~sex~~, 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. ~~Non-discrimination is observed in the admission, , and education of students and in policies governing discipline, extracurricular life and activities. The University is committed to providing educational programs, activities, facilities, or services that are free of unlawful discrimination. For more information, visit see HSCEP~~ [\[AH1\]OP 51.01 http://elpaso.ttuhs.edu/opp/ documents/51/op5101.pdf](#), Equal Employment Opportunity Policy and Affirmative Action Plan and [HSCEP 51.02 \[AH2\]\[AH3\]Non-Discrimination and Anti-Harassment Policy, and Part IV of this Student Handbook below.](#)

E. University Name, Documents, and Records

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Office of the Vice Chancellor for Institutional Advancement or designee, or any unauthorized use of

[Back to Table of Contents](#)

University documents, records or seal is prohibited. See TTUHSC EP OP 67.01, at http://el Paso.ttuhs c.edu/opp/_documents/67/op6701.pdf *Publication Guidelines*.

F. Definitions

1. "Accused Student" means any student accused of violating the TTUHSC EL PASO 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" means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
3. "Complainant" means a member of the University community who submits a Complaint alleging that a student violated the Student Code. When a student believes that he or she has been a victim of another student's misconduct, the student who believes that he or she has been a victim will have the same rights under the Student Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
4. "Complaint of Misconduct" or "Complaint" means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the Student Code(s). The form for a Complaint of Misconduct is attached to this Handbook as Attachment A. 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 reference F. Definitions, pg. 9, item # 22.
6. "Disciplinary good standing" is defined as relating to a student not currently on disciplinary probation; or, a student, whose disciplinary suspension, expulsion or conditions and/or restrictions imposed, if any, have been totally fulfilled in a timely manner.
7. "Faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by University to be a member of its faculty.
8. "Flag" means 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" means any person who is a volunteer including high school students, an enrolled student, faculty or staff member, University official, any other person employed by the University or campus visitors.
11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC El Paso Student Handbook; Gayle Greve Hunt School of Nursing handbook and catalog; Paul L. Foster School of Medicine catalog; the Graduate School of Biomedical Sciences Catalog; and/or the TTUHSC El Paso web page and computer use policies.
12. "Department Chair" means the Chair is 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 Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso). 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" means any number of students who have complied with the formal requirements for University registration.
14. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Vernon's Texas Codes Annotated, Tax Code. The term "Religious Holy Day" generally means a day on which the tenets of said religion prohibit class attendance or the completion of specific assignments on designated dates. See Tex. Gov't Code § 62.112.
15. "Representative" means 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 and Academic Conduct.
16. "School" means Gayle Greve Hunt School of Nursing, Paul L. Foster School of Medicine, 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. "Student" means all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, specifically excluding Paul L. Foster School of Medicine House staff (residents). In addition, for purposes of Part II of this Handbook, persons who withdraw or on a leave of absence after alleging violating the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who

have been notified of their acceptance may be considered “students.”

20. “Student Code” means the TTUHSC El Paso Code of Professional Conduct, which is 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 El Paso Schools. A student must have applied for admission or be enrolled in the applicable School before a School’s provisions in Section E apply to the student.
21. “Student Conduct Administrator” means a TTUHSC El Paso official authorized by the Dean of each School to receive complaints and administer the procedures outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board’s deliberations. In any case in which the Student Conduct Administrator is the Complainant, the Dean or designee of the applicable School will appoint an alternate to serve as Student Conduct Administrator for that case. For each School at TTUHSC El Paso, the Assistant Vice President for Student Services will serve as the Student Conduct Administrator.
22. “Student Conduct Board” or “Board” means any person or 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 be able to serve objectively and shall decline to serve if there is a conflict of interest or an appearance of a conflict of interest with either the Accused Student or the Complainant. When a person declines to serve because of a conflict of interest, or appearance thereof, the Dean shall appoint another person with the same or similar faculty/student status as the person declining to serve. For each School, appointments are made as follows.
- a. For the Graduate School of Biomedical Sciences, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
 - i. One (1) Faculty member from the membership of 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 Gayle Greve Hunt School of Nursing, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
 - i. Three (3) (faculty members not directly involved with the Complainant or the Accused Student; and,
 - ii. Two (2) students not directly involved with the Complainant or the Accused Student.
 - iii. The Board will elect one (1) of the faculty members as its Chair

- c. For the Paul L. Foster School of Medicine, the Student Conduct Board shall be appointed by the Student Conduct Administrator as follows:
 - iv. Two (2) faculty members chosen by the Chair of the Grievance Committee or designee;
 - v. One (1) faculty member chosen by the Chair of the Student Affairs Committee or designee; and,
 - vi. Two (2) medical students, who will be chosen by the Chair of the Student Affairs Committee from a list of second, third, and fourth year students.
 - vii. The Board will elect one (1) of the faculty members as its Chair.
- 23. “Student Conduct Board Hearing” or “Hearing” refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Student Code 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.
- 24. “Student Handbook” or “Handbook” means the TTUHSC El Paso Student Handbook.
- 25. “Student organization” means any number of students who have complied with the formal requirements for Texas Tech University Health Sciences Center El Paso registration.
- 26. “University” means Texas Tech University System or Texas Tech University Health Sciences Center El Paso (inclusive of all regional sites and their components).
- 27. “University official” means any person employed by Texas Tech University System, Texas Tech University or Texas Tech University Health Sciences Center El Paso while performing their assigned administrative or professional responsibilities.
- 28. “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).
- 29. “User” means any member of the University community who uses any University computing and/or networking resources.
- 30. “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 community has developed standards of behavior pertaining to students and to student organizations.
2. Students and student organizations are subject to disciplinary action according to the provisions of the Student Code and/or any other applicable University rules or regulations.
3. Each student is responsible to become familiar with the various regulations of the University and meet the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools’ individual catalogs and student affairs handbooks. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of University officials to take such disciplinary action, including dismissal or expulsion, as may be deemed appropriate for failure to abide by such rules and regulations.
4. Each student is responsible for his/her own integrity, and is likewise responsible for reporting possible violations of this Student Code by other students. Faculty and staff shall take all reasonable steps to prevent violations, and each faculty/staff member likewise is 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 University and/or pursuit of its objectives. On a case-by-case basis, the Dean and his/her designee of each respective School, in his or her sole discretion, shall determine whether the Student Code should be applied to conduct occurring off premises.
2. All students are expected to subscribe to an honor system which is implicit in accepting admission to the University. Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

C. Violation of Law and TTUHSC El Paso Discipline

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly

violates both the criminal and/or civil law and/or this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution.

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

D. Misconduct

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

1. Alcoholic Beverages

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

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

2. Narcotics or Drugs

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

3. Firearms, Weapons, and Explosives

a. Use or possession of firearms, ammunition, explosive weapons, illegal knives and other deadly weapons are prohibited on university property except as specifically authorized by federal, state, or local laws.

~~b. Campus Carry Policy, TTUHSC El Paso OP 10.30, HSCEP OP 10.30^[AH4], Regulations for the carrying of concealed handguns by licensed holders.~~

As a health-related educational institution, TTUHSC El Paso facilitates a complex composition of activities, which include education, patient care, research, and community engagement. As such TTUHSC El Paso campuses must accommodate the unique needs of diverse stakeholders, including patients, learners of all types, faculty, staff, contractors, and visitors. Within the context of this unique and complex composition, TTUHSC El Paso is committed to the following principles for the campus environment:

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

iii. TTUHSC El Paso will communicate safety policies to stakeholders through all appropriate means.

4. Theft, Damage, or Unauthorized Use

a. Attempted or actual theft of property of the University, students, of members of the University community or campus visitors;

b. Possession of property known to be stolen or belonging to another person without the owner's permission;

c. Attempted or actual damage to property of the University, University students, members of the University community or campus visitors; or,

d. Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or misrepresentation of any form of identification including, but not limited to, a social security number or driver's license number.

5. Actions Against Members of the University Community

a. Physical harm or threat of harm to any person;

b. Intentional or reckless conduct which endangers the health or safety of any person, campus visitor, or volunteer;

c. Behavior that disrupts the normal operation of the University, including its students, faculty, staff or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a student or students' academic pursuits or a faculty or staff's work environment. Such conduct does not necessarily have to be in violation of the law to violate this section.

d. Sexual conduct that involves:

i. Deliberate touching of another's sexual parts without consent;

ii. Deliberate sexual invasion of another without consent; or,

iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see Part IV Anti-discrimination and Title IX.

e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:

i. Academic pursuits;

ii. University employment;

iii. Participation in activities sponsored by the University or organizations or groups related to the University; or,

iv. Opportunities to benefit from other aspects of University life; see Part IV Anti-discrimination and Title IX.

f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control

techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.

g. Actions involving free expression activities are covered in Parts VII and VIII of this Handbook.

6. Gambling, Wagering, or Bookmaking

Gambling, wagering, or bookmaking on University premises is prohibited.

7. Hazing

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

- a. Any type of physical or emotional brutality, or the threat of such activity, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body or similar activity;
- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student;
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
- d. Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;
- e. Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student affairs office;
- f. Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g. Any act that is unlawful as designated by local, state, or federal government.

g-h. NOTE: *Texas Education Code, Sections 37.151-37.157 and Section 51.936*

8. False Alarms or Terrorist Threats

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

9. Financial Irresponsibility

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

10. Unauthorized Entry, Possession or Use.

a. Unauthorized entry into or use of University facilities;

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

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

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

11. Traffic and Parking

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

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

12. Student Recreation Regulations

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

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

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

14. Failure to Present Student Identification

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

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

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

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

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

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

17. Skateboard, Roller Blades, or Similar Devices

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

NOTE: Also refer to TTUHSC El Paso OP 76.32, Traffic and Parking Regulations,

18. Academic Misconduct

- a. A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the

appropriate authority (See Part II.D). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.D.

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

c. “Cheating” includes, but is not limited to:

- i. Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
- ii. Failing to comply with instructions given by the person administering the test;
- iii. Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
- iv. Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with other 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, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
- vii. Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
- viii. Paying or offering money or other valuable thing to, or coercing another person to obtain an examination, test key, homework solution or computer program, or information about an examination, test key, homework solution or computer program;
- ix. Falsifying research data, laboratory reports and/or other academic work offered for credit;
- x. Taking, keeping, misplacing or damaging the property of the University, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;
- xi. Possession at any time of current or previous test materials without the instructor’s permission;
- xii. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
- xiii. Alteration of grade records;
- xiv. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
- xv. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
- xvi. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific permission of the instructor of the course for which the work is being submitted.
- xvii. Possession during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, etc.

d. “Plagiarism” includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another’s work (such as words, ideas, expressions, illustrations, or

product of another), in whole or in part, and the submission of it as one's own work offered for an academic credit or requirement. When a student presents the works of another (published or unpublished) in his/her academic work, the student shall fully acknowledge the sources according to methods prescribed by his/her instructor.

e. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, 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 Paul L. Foster School of Medicine Academic Misconduct procedures, please refer to E.2.d.

19. 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, applicable publications for each TTUHSC School, such as student handbooks, catalogs, professional and ethical standards and course syllabus.

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

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

21. Abuse of the Discipline System

a. Failure by an Accused Student to comply with or respond to a notification to appear before the Dean of his or her 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 or 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 sanction(s), condition(s) and/or restriction(s) imposed under this Student Code;

i. Influencing or attempting to influence another person to commit an abuse of the discipline system; or,

j. Retaliation against any person or group who files a Complaint of Misconduct in accordance with the Student Code or files a grievance under the applicable School grievance policy.

E. Other Professional and Ethical School Standards

In addition to the Misconduct identified in Part II.D, the following constitute professional and ethical standards for individual TTUHSC El Paso Schools and for the basis of a disciplinary action.

1. Gayle Greve Hunt School of Nursing

a. All students entering into the Gayle Greve Hunt School of Nursing are required to subscribe to the standards and codes of the profession.

b. GGHSON students as nursing professionals, are expected, not only by patients, but also by society as a whole to adhere to:

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

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

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

2. Paul L. Foster School of Medicine

a. All students entering the Paul L. Foster School of Medicine are required to subscribe to the Medical Student Honor Code, as well as the Student Code. Adherence to the Medical Student Honor Code and the Student Code is considered a requirement for admission to the Paul L. Foster School of Medicine.

b. Paul L. Foster School of Medicine students, as well as medical professionals in general, are expected, not only by patients, but also by society as a whole, to possess certain attributes, which include, but are not limited to:

i. Altruism, whereby they subordinate their own interests to take care of their patients;

ii. High ethical and moral standards;

iii. Honesty, integrity, trustworthiness, caring, compassion and respect in their

interactions with patients, colleagues and others;

iv. . Accountability, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession; and,

v. Maintaining confidentiality concerning the patient and the patient's records.

c. Medical Student Honor Code

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

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

3. Graduate School of Biomedical Sciences

a. All students enrolled in the GSBS are required to maintain a high level of performance and comply fully with the policies of the institution.

b. GSBS students as future scientists and health-related professionals are expected, by society as a whole, not to engage in scientific misconduct.

i. Allegations of scientific misconduct (fraud, dishonesty, or any kind of misconduct in science) will be investigated by the university's research integrity officer as outlined in HSCEP OP 73.07 Honesty in Research & Allegations of Scientific Misconduct- Attachment A.

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 El Paso may file a Complaint(s) against a student(s) or a student organization(s) for violation(s) 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, Attachment A shall be completed and delivered by the Complainant to the Student Conduct Administrator. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a “case by case” basis as determined by the Student Conduct Administrator.

b. When a Complaint is filed, the Student Conduct Administrator will provide the Accused Student with the Complaint of Misconduct filed by the Complainant and will notify the Accused Student 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. The Accused Student shall meet with the Student Conduct Administrator.

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

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

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

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

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

4. Student Conduct Board Hearings

a. *Closed Hearing.* A Student Conduct Board Hearing will be conducted in closed session. 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,

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

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

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

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

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

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

f. *Separate or Joint Hearings.* A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. An accused student may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.

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

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

information is received, excluding deliberations.

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

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

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

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

ii. *Board Witnesses.* In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.

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

l. *Deliberations.* If the Student Conduct Board concludes that all pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and

prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the

Accused Student has violated any section of the Student Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) 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 Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice Section II.F..4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Accused Student to attend the hearing or answer the charges.

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

o. *Dean's Review of Findings and Recommendations.* The Dean of the Sschool, or in the event that the same individual serves as both Dean of the School and President of the University, the Vice President for Academic Affairs/Provost, will review the Findings and Recommendations of the record from the Student Conduct Hearing and supporting documents, and transmit his or her decision in writing within ten ~~(10)~~ business days from receipt to the Accused Student, the Complainant, the Student Conduct Administrator, and the Chair of the Student Conduct Board. Actions of the Dean/Vice President for Academic Affairs/Provost are not limited to sanctions recommended by members of the Student Conduct Board. The Dean's/Vice President for Academic Affairs/Provost's decision shall be final.

p. *Appeal.* Within ten ~~(10)~~ business days of receipt of the decision of the Dean/Vice President for Academic Affairs/Provost, if either party believes that the *due process* procedures have been violated, an appeal may be made, in writing, to the President of the University. The President will review the case and notify all parties of his decision within ten ~~(10)~~ business days. If a written appeal is not submitted within ten ~~(10)~~ business days following receipt of the Dean's/Vice President for Academic Affairs/Provost's letter, the right to appeal is thereby waived and said the Dean's decision is final. ~~In the event that the same individual serves as both Dean of the School and President of the University, the Vice President for Academic Affairs is designated to hear any such appeal.~~

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

- a. Whether a procedural deviation occurred that substantially affected the outcome of the case;
- b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts

were not known to the person appealing at the time of the original Student Conduct Board Hearing.

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

~~If the Vice President for Academic Affairs reviews the appeal and finds no procedural deviation and no new information, then the Dean's determination is final. If there has been a procedural deviation or new information sufficient to alter findings, then the case will be referred back to the hearing committee for further deliberation. That decision will be transmitted to the dean as described in "o" above and the Dean's decision is final.~~

G. Sanctions

1. 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, and/or cancellation of all, or any portion, of a prior course credit.
 - b. *Censure.* A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Dean's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.
 - c. *Probation.* A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
 - d. *Loss of Privileges.* Denial of specified privileges for a designated period of time.
 - e. *Restitution.* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - f. *Discretionary Sanctions.* Assignments may be made at the discretion of the 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 student's disciplinary file or other related discretionary assignments.
 - g. *Suspension.* Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.
 - h. *Dismissal With or Without Readmission.* Separation or dismissal of the student from their current program, with or without the option to apply for readmission to the University.

The student's transcript will reflect the nature of the dismissal.

i. *Revocation of Admission and/or Degree.* Admission to or a degree awarded 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.

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

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

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

2. Other than dismissal from the University or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the Office of the Dean or designee for the applicable School.
3. In situations involving both an Accused Student(s) (or a registered student organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim.
4. The following sanctions may be imposed upon registered student organizations and/or members thereof:
 - a. Those sanctions listed above in Part II.G.1 above.
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. *Deactivation.* Loss of all privileges, including University recognition and/or registration, for a specified period of time.

H. Interpretation and Revision

1. Any question of interpretation or application of this Student Code shall be referred to the Dean of the appropriate School or his or her 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 President regarding omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Student Code. The Review Committee is composed of the Student Affairs representatives from each School. The President may invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members.

PART III. WITHDRAWAL OF CONSENT

A. Recommendation to Withdraw Consent During Periods of Disruption

1. The term “period of disruption” is any period in which it reasonably appears that there is any of the following (Texas Education Code § 51.231):

- a. Threat(s) of destruction to University premises;
- b. Physical or emotional injury to human life on University premises; or,
- c. Threat(s) of willful disruption of the orderly operation of the University.

2. During periods of disruption, the Associate Dean for Student Affairs within the applicable School may recommend to the Dean that prior to a Student Conduct Board Hearing, and in accordance with Texas Education Code, Section 51.233, a student have his/her consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.

3. Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.

4. Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend, 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 Associate Dean’s recommendation, the student will have his/her 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); Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
- b. Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
- c. Notification that the student is entitled to a hearing on the withdrawal not later than three (3) days from the date of receipt by the 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 President within twenty-four (24) hours, unless the Dean has reinstated consent for the student. The report shall contain all of the following:

- a. Description of the student, including, if available, the student’s name, address, and phone number; and,

b. Statement of the facts giving rise to the Withdrawal of Consent.

C. Confirmation by President

1. If the President or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or University premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).
2. If the President or his/her 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 not to have been made for probable cause.

D. Hearing

1. The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the President, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.
2. The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.
 - a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted no later than three (3) days from the date that the President receives the request for hearing. The Hearing Committee will be appointed by the President and will be comprised of members from the respective schools other than the accused.
 - b. *Representation.* The student may be represented by counsel. The University will be represented by the Office of General Counsel.
 - c. *Witnesses.* The student, as well as the Department Chair who recommended consent be withdrawn, have the right to call and question witnesses and to cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. Witnesses are permitted to attend the Hearing only when they are providing information, unless the Hearing Committee, in its sole discretion, allows otherwise. The student shall be advised of the content of the statements, and the names of the persons who made them, at the hearing.
 - d. *Evidence.* All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable.
 - i. All pertinent records, exhibits and written statements (including Impact or Position Statements);
 - ii. A list of witnesses, if any, who will be speaking on behalf of the Accused Student or

~~TTUHSC_HSCEP~~ OP 51.02 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus.

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

The University expects all members of the University Community to comply with the law. Members of the University Community who violate University policies and laws may be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from University premises and events.

If a student has a complaint of discrimination or harassment by an employee, whether faculty, staff, or student employee, the provisions relating to the complaint process set forth in ~~TTUHSC_HSCEP~~ OP 51.02 shall apply. Students with complaints of discrimination or harassment by an employee should contact the Office of Equal Opportunity and/or submit a completed Complaint of Discrimination or Harassment form to the Office of Equal Opportunity, which is available on the University's Human Resources website at the following link:
<http://www.ttuhsoc.edu/human-resources/> - <http://el Paso.ttuhsoc.edu/hr/>.

CONTACT	PHONE	ADDRESS	EMAIL
Office of Equal Opportunity	806-742-3627	System Administration Building 1508 Knoxville Ave., Suite 208 Box 41073 Lubbock, TX 79409	eeo@ttu.edu

If a student has a complaint of discrimination or harassment by a student or a student organization, such complaints are guided by the 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 Office of Student Services and/or utilize the online Incident Report Form available at
<http://el Paso.ttuhsoc.edu/student services/ documents/TTUHSCPEP%20Student%20Grievance%20Form%2012.7.15.pdf>.

CONTACT	PHONE	ADDRESS	EMAIL
Office of Student Services	806-743-2300 915-215-4370	Office of Student Services Texas Tech University Health Sciences Center El Paso 3601 4th Street 5101 El Paso Drive MS-8310 MEB 1210 Lubbock El Paso, TX 79905430	http://el Paso.ttuhsoc.edu/student services/ Student.services@ttuhsoc.edu

In instances of complaints of sex/gender discrimination only, the complainant may also contact the Title IX Coordinator.

	<u>PHONE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
<u>TTUHSC Title IX Coordinator for Employees</u> <u>Rebecca Salcido</u> <u>Assist. Vice President for Human Resources</u>	<u>915-215-4140</u>	<u>TTUHSC El Paso Title IX Office</u> <u>Texas Tech University Health Sciences Center El Paso</u> <u>200 N. Concepcion Drive</u> <u>El Paso, Texas 79905</u>	<u>Rebecca.Salcido@ttuhsc.edu</u>
<u>TTUHSC Title IX Deputy Coordinator for Students</u> <u>Kathryn V. Horn, M.D.</u> <u>Assist. VP for Student Services</u> <u>Assoc. Dean for Student Affairs</u>	<u>915-215-4786</u>	<u>TTUHSC El Paso Office of Student Affairs</u> <u>Texas Tech University Health Sciences Center El Paso</u> <u>5001 El Paso Drive</u> <u>Medical Education Bldg. 2140</u> <u>El Paso, Texas 79905</u>	<u>Kathryn.Horn@ttuhsc.edu</u>

While Sexual Harassment, Sexual Misconduct, and Sexual Assault may constitute prohibited acts of discrimination, such behavior is prohibited under TTUHSC-HSCEP OP 51.03 Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy and Complaint Procedure.

2. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX (see TTUHSC-HSCEP OP 51.03 for complete policy)

Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Policy Overview

The University prohibits discrimination based on sex, which includes pregnancy, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes Sexual Harassment, Nonconsensual Sexual Contact, Nonconsensual Sexual Intercourse, Sexual Assault, Sexual Exploitation, Stalking, Public Indecency, Interpersonal Violence, Sexual Violence, and any other misconduct based on sex.

While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

~~TTUHSC HSCEP~~ OP 51.03 applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus. ~~TTUHSC HSCEP~~ OP 51.03 will apply to on-campus and off-campus conduct of which the University is made aware and which adversely impacts the educational and employment environments of the University. The University will take all reasonable steps to prevent reoccurrence of any Sexual Misconduct and remedy discriminatory effects on the Reporting Party and others, if appropriate.

The University has a Title IX Coordinator who oversees the University's compliance with Title IX, which prohibits discrimination based on sex. The University has also designated a Title IX Deputy Coordinator for ~~employees~~students.

The Title IX Deputy Coordinator will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Opportunity (Office of EO) will investigate complaints of Sexual Misconduct by or between employees. Student complaints of Sexual Misconduct by an employee will be investigated jointly by the Title IX Coordinator and the Office of Human Resources~~Equal Opportunity~~.

	PHONE	ADDRESS	EMAIL
TTUHSC Title IX Coordinator for Employees Rebecca Salcido Assist. Vice President for Human Resources	915-215-4140	TTUHSC El Paso Title IX Office Texas Tech University Health Sciences Center El Paso 200 N. Concepcion Drive El Paso, Texas 79905	Rebecca.Salcido@ttuhsc.edu Rebecca.Salcido@ttuhsc.edu
TTUHSC Title IX Deputy Coordinator for Students Kathryn V. Horn, M.D. Assist. VP for Student Services Assoc. Dean for Student Affairs	915-215-4786	TTUHSC El Paso Office of Student Affairs Texas Tech University Health Sciences Center El Paso 5001 El Paso Drive Medical Education Bldg. 2140 El Paso, Texas 79905	Kathryn.Horn@ttuhsc.edu

If a student has a complaint of Sexual Misconduct by an employee, whether faculty, staff or student employee, the provisions relating to employees and the complaint process set forth in [TTUHSC_HSCEP OP 51.02](#) and [51.03](#) shall apply. Students with complaints of Sexual Misconduct by an employee should contact the Title IX Coordinator, the Deputy Title IX Coordinator, or Office of Equal Opportunity, and/or utilize the online reporting tool available on the University's website at <https://www.ttuhs.edu/title-ix/default.aspx>, <http://el Paso.ttuhs.edu/hr/documents/TTUHSC%2051.03%20complaint%20form.pdf>

If a student has a complaint of Sexual Misconduct by a student or student organization, the complaint process set forth below in Part IV, Section C (3) of this Student Handbook shall apply.

Individuals wishing to remain anonymous can file a complaint in any manner, including by telephone or written communication, with the University Title IX Coordinator, Title IX Deputy Coordinator, or Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals or organizations accused of violating [TTUHSC_HSCEP OP 51.03](#).

3. Amnesty

i.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, Dating Violence, or Stalking for a violation by the student of this Student Handbook, occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.

ii.b. The University reserves the right to investigate to determine whether a report of an incident of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking was made in good faith. After such investigation, the Title IX Coordinator or his/her designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.

iii.e. Notwithstanding the forgoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking.

iv.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.

v.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.

B. Sexual Harassment, Sexual Assault, Sexual Misconduct and Title IX Complaint Process Involving Students or Student Organizations

These complaint provisions shall apply to Sexual Misconduct that occurs on University premises, at University sponsored activities, or off-campus if it occurred in the context of an educational program or activity of the University or if there is a

hostile environment on campus resulting from the off-campus activity. Additionally, these provisions may also be applied to behavior conducted online, via email, or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats, and social networking sites may be in the public sphere, may not be private, and could subject a student to complaints of conduct violations. The University does not regularly search for this information but may take action if and when such information is brought to the attention of the University.

All complaint investigations and procedures are entirely administrative in nature and are not considered legal proceedings. Additionally, mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Each student shall be responsible for his/her conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. As such, these provisions of this Student Handbook shall apply to persons who withdraw after an alleged violation, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance.

In an effort to respond promptly and effectively to reports of Sexual Misconduct, the University attempts to resolve complaints within sixty (60) days' notice of the incident, not including appeal. However, this time period may vary depending on the complexity of the investigation, severity and nature of the alleged conduct, availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

1. a.—Intake and Initial Inquiry

Upon receipt of a report of Sexual Misconduct, the Title IX Coordinator, or designee, will review the allegations. As reported allegations of Sexual Misconduct have varying degrees of complexity and severity, the investigation and resolution procedures described below may vary. The Title IX Coordinator will inquire, gather, and review information and will evaluate the accuracy, credibility, and sufficiency of the information received. If a formal complaint is not filed, the Title IX Coordinator may nonetheless conduct an investigation if the University learns of alleged Sexual Misconduct through other means depending on the source and nature of the information provided, the seriousness of the alleged incident, the specificity of the information, the objectivity and credibility of the source of the report, whether any individuals can be identified who were subjected to the alleged Sexual Misconduct, and whether those individuals want to pursue the matter.

The Title IX Coordinator may conduct an initial meeting with the Reporting Party to gather additional information regarding the allegation; inform him/her of on and off-campus resources, procedural options, and the University's policy regarding retaliation; and to determine safety, security, or other interim measures. Additional meetings may be necessary depending on the complexity of the reported allegations.

Incidents will not be investigated unless there is reasonable cause to believe [TTUHSC HSCPEP OP 51.03](#) has been violated. Reasonable cause includes some credible information to support a policy violation. If it is determined that an investigation will be conducted, the Responding Party will be given notice of the complaint and an opportunity to respond. If it is determined that an investigation will not be conducted, the Title IX Coordinator may contact the Responding Party to discuss the reported concern.

When a Reporting Party is reluctant, and/or refuses to participate in the investigation process, the Title IX Coordinator may investigate the allegations to the fullest extent possible given the information made available.

The University will make every attempt to follow the wishes of the Reporting Party while protecting the University Community.

b2. Informal Resolution

Prior to the formal investigative process, either the Reporting Party or the Responding Party may make a request, either orally or in writing, for informal resolution to the Title IX Coordinator. The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the University Community to determine whether informal resolution may be appropriate. Mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Upon determining that informal resolution is appropriate, the Title IX Coordinator will consult further with the person initiating the request, inform the other party, and gather additional relevant information from the parties and others as useful to assist in the informal resolution process. The Title IX Coordinator may also put in place any appropriate interim measures to protect the educational and work environment of the parties and the University Community.

The University will not compel the Reporting Party or Responding Party to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the Reporting Party and Responding Party have the option to discontinue the informal process at any time and request a formal investigation. If at any point during the informal resolution process, the Reporting Party, the Responding Party, or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined in this Part IV, Section C(3)(c), of the Student Handbook below will proceed.

c-3. Investigation Process

If the Title IX Coordinator or designee conducts an investigation of the reported allegation, the investigation may consist of the review of the complaint, any relevant documentation, and interviews with relevant individuals. Each party will be given the opportunity to share information regarding the allegation, as well as any response to such, and identify witnesses and other relevant evidence. The extent of the investigation and its procedures will be determined by the Title IX Coordinator. During the investigative process, it is expected that the Reporting Party and the Responding Party will cooperate with the University in providing all information or evidence that they believe should be considered. Additionally, other administrators may be consulted to assist with the investigation.

Prior to an investigative interview, the Reporting and Responding Parties will be provided a student rights and responsibilities document to review and sign. The student rights and responsibilities document informs the student of his or her rights to be exercised before and during the course of the investigation and student conduct process.

Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order, lawfully issued subpoena, or otherwise required by law.

After the investigation is complete, the Title IX Coordinator will prepare a written investigation report.

Reporting Parties and Responding Parties will have access to the completed investigation report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order

to protect confidentiality, Reporting Parties and Responding Parties are not given copies or investigation reports and/or investigative materials.

~~4.~~

~~5.4.~~ d. Administrative Resolution

At any point in the student conduct process, if the Responding Party accepts responsibility for the alleged violations of ~~TTUHSC HSCEP~~ OP 51.03, the Parties may choose to resolve the issue through the Administrative Resolution process outlined below. The Administrative Resolution process is voluntary.

The Title IX Coordinator will, in consultation with the appropriate University dean, or if the allegation involves a student organization, the appropriate University staff member advisor of the organization, review the complaint and information gathered about the reported Sexual Misconduct, and if applicable, propose findings and specify appropriate sanctions. The Title IX Coordinator will send written notice to both the Reporting Party and the Responding Party of the proposed findings and sanctions. The Parties will have five business days to review the Administrative Resolution and decide whether they would like to accept or decline the proposed findings and recommended sanctions. Agreement with the terms of the Administrative Resolution is established by one of the two following ways:

- (1) A signature, or an electronic signature, by a Party or the Parties attesting to agreement with the findings and sanctions; or
- (2) No written objection by the Reporting Party or the Responding Party to the findings and sanctions within five business days of the date the proposed findings and recommended sanctions were sent to the Parties.

If both the Reporting Party and the Responding Party agree with the proposed findings and recommended sanctions, the matter is considered concluded. Additionally, if accepted, the Parties waive their right to a hearing, the process ends, the finding is final, and there is no appeal. The complaint will only be reopened if new material, previously unavailable is presented.

If either Party disagrees with or does not accept the proposed findings and/or recommended sanctions, then the complaint will proceed and a hearing will take place.

~~6.5.~~ e. Hearing Procedures

i. Prehearing/Formal Allegations Assigned

Once the investigation is complete, if the complaint is not otherwise resolved, the Reporting Party and the Responding Party will be given notice of a pre-hearing meeting. Should the Reporting Party or the Responding Party not participate in the pre-hearing meeting, the conduct process may continue without their participation through resolution. During this meeting, the Reporting Party and the Responding Party will be given the opportunity to review the investigation report, relevant evidence, and other documents to be used in the hearing. Other documents may include Reporting Party's allegations, list of potential Hearing Officers, and hearing script. Following the pre-hearing, the Reporting Party and the Responding Party will be notified of a date, time, and location of the hearing.

While the Reporting Party and the Responding Party may identify errors in their own statements during the pre-hearing, they are not able to add additional information to the investigation report unless that information, in the

judgment of the Title IX Coordinator, was unavailable during the investigative process and is pertinent to the complaint. If a Reporting Party or Responding Party discovers new, previously unavailable information during the time after the pre-hearing but before the hearing, the party should inform the Title IX Coordinator immediately. If the new information is pertinent to the consideration of the complaint, the Title IX Coordinator will determine whether the new information should be included in the investigation report or presented verbally during the hearing. If there is new evidence introduced, the Reporting Party and the Responding Party will be given the opportunity to provide a response to any such evidence that will be presented in the hearing.

The Title IX Coordinator or designee will schedule the hearing no sooner than five business days from the date of the last pre-hearing meeting. The five-day period can be waived by the Title IX Coordinator with agreement by the involved Parties.

ii. Hearing

After notice has been given to the Reporting Party and the Responding Party, the University may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Responding Party's alleged misconduct and, in the event of a responsible finding, decide appropriate sanctions, conditions, and/or restrictions. The ~~Executive~~ Vice President for Academic Affairs shall appoint a panel of three Hearing Officers to conduct the hearing. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a Sexual Misconduct case in accordance with this 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 ~~Executive~~ Vice President of Academic Affairs shall appoint another person to the panel. Additionally, both the Reporting Party and the Responding Party may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the ~~Executive~~ Vice President of Academic Affairs within three business days after notice has been given to the Parties of the panel members. The ~~Executive~~ Vice President of Academic Affairs will weigh these issues and resolve them accordingly. No party has a right to disqualify a Hearing Officer panel member absent a demonstrated bias.

The hearing may be held and a decision or recommendation made, regardless of whether the Reporting Party or the Responding Party fail to respond or fail to attend the hearing. Should the Reporting Party or the Responding Party fail to respond or fail to attend the hearing, the Hearing Officers may consider the available information and render a decision.

Hearings are closed to the public. Both the Reporting Party and Responding Party have the right to be present at the hearing; however, they do not have the right to be present during the deliberation of the Hearing Officers. Arrangements can be made so that Reporting Party and Responding Party do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, the parties should contact the Title IX Coordinator not less than five business days prior to the scheduled hearing.

During the hearing, the Title IX Coordinator or designee presents the allegations, investigation report, evidence, witnesses, and questions for deliberation in the hearing. The hearing Officers may question the Title IX Coordinator, Title IX Investigator, Reporting Party, Responding Party and any witnesses. The Reporting Party and Responding Party do not have the right to question each other nor witnesses directly but may do so through the Title IX Coordinator. The Reporting Party and Responding Party have the right to add or make additional comments about the facts of the complaint. Should new evidence be presented without prior discussion with the Title IX Coordinator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officers remove a student due to misconduct in the hearing process, the alleged misconduct in the hearing process will be

forwarded to the appropriate student conduct administrator, who will follow the conduct process in Part II of this Student Handbook.

Following the hearing, the Hearing Officers will deliberate and will render a finding of responsible or not responsible for the Responding Party's alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. Any findings of the investigation will be based upon a preponderance of the evidence, which means more likely than not. The Hearing Officers will inform the Reporting Party and the Responding Party in writing within five (5) business days of their decision(s).

Either the Reporting Party or Responding Party may utilize the Appeal Procedures outlined in sub-section "e" below.

iii. Conduct Outcomes/Findings (Sanctions, Conditions, Restrictions)

In the event a Responding Party is found responsible for the alleged misconduct, the Hearing Officers may impose sanctions, conditions, and/or restrictions as described in Part II of this Student Handbook.

Records concerning a student or student organization related to the disciplinary process will remain on file with the Title IX Coordinator for a minimum of seven years from the date the complaint is resolved.

7.6. ~~f.~~ Appeal Procedures

Either the Reporting Party or Responding Party may appeal the decision or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officers by submitting a written appeal to the ~~Executive~~ Vice President ~~of~~ for Academic Affairs or his/her designee within five business days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal and the only issues that may be considered on appeal are as follows:

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

The ~~Executive~~ Vice President ~~of~~ for Academic Affairs will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal. If any of these requirements are not met, the appeal will be dismissed, and the original decision of the Hearing Officers will be final. If the grounds for an appeal are determined proper by the ~~Executive~~ Vice President ~~of~~ for Academic Affairs, the Title IX Coordinator will provide the request for appeal to the other party and provide opportunity for response. Any responses must be provided to the ~~Executive~~ Vice President ~~of~~ for Academic Affairs within five business days after receiving a copy of the request for appeal.

The results of the appellate process as outlined below will be final.

If the ~~Executive~~-Vice President of Academic Affairs determines that a procedural [or substantive] error occurred that significantly impacted the outcome of the hearing, he/she may order a new hearing. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of the decision of the Hearing Officers. The decision of the Hearing Officers is final and may not be appealed.

If the ~~Executive~~-Vice President ~~of~~ for Academic Affairs determines that new evidence should be considered, he/she may return the complaint to the original Hearing Officers to reconsider the new evidence, or may order a new hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Hearing Officers will notify the student of the outcome within five business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

If the ~~Executive~~-Vice President ~~of~~ for Academic Affairs determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, he/she may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officers or ordering a new hearing. If the ~~Executive~~-Vice President ~~of~~ for Academic Affairs makes a decision regarding the sanctions, conditions, and/or restrictions without returning the case to the original Hearing Officers, he/she will notify the student in writing of the outcome within five business days of his/her decision. The decision of the ~~Executive~~-Vice President ~~of~~ for Academic Affairs is final and cannot be appealed. If the ~~Executive~~-Vice President ~~of~~ for Academic Affairs returns the case to the original Hearing Officers, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Hearing Officers or designee will notify the student of the outcome within five business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Hearing Officers will notify the Reporting Party and Responding Party of the outcome within five business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

In those cases in which the error cannot be cured by the original Hearing Officers (i.e., some cases of bias), the ~~Executive~~-Vice President ~~of~~ for Academic Affairs may order a new hearing with a new panel of Hearing Officers.

The Title IX Coordinator shall make all reasonable efforts to timely notify the Reporting Party and Responding Party of the status of the appeal throughout the appellate process.

7. Follow up

After the findings(s) and sanctions become final and all appeals, if any, are exhausted, the Reporting Party shall be advised that if the complained of activity persists, they should contact the Title IX Coordinator. Likewise, in the event the Reporting Party believes retaliation for filing a complaint has taken place, they should contact the Title IX Coordinator.

The Title IX Coordinator will follow up with the Reporting Party within sixty calendar days after conclusion of the matter to ensure that the complained of behavior has ceased.

El PasoEL PASO

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 El Paso.

B. 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.

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.

Notification of Rights under FERPA for Postsecondary Institutions The Family Educational Rights and Privacy ACT (FERPA) afford eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center El Paso receives a request for access.

A student should submit to the Office of the Registrar a request by completing and submitting HSCEPOP 77.13 Attachment B that identifies the record(s) 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.

Generally, if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar. Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial obligation to the University, have a "hold" at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not

otherwise require disclosure of the records.

2. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the [School] 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 [School] who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the [School]. [Optional] Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE TO POSTSECONDARY INSTITUTION: FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school states in its annual notification that it intends to forward records on request.

3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education 400 Maryland
Avenue, SW 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 EL PASO in his/her capacity as an employee that are not available for any other purpose, unless the Student is employed as

a result of his/her status as a Student;

4. Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the Student, that are not disclosed to anyone other than the individuals providing the treatment; and
5. Alumni records or other records that contain information about an individual after he/she is no longer a Student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

E. Disclosure of Education Records

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

1. To other school officials, including teachers, within Texas Tech University Health Sciences Center El Paso whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
2. To officials of another school where the student seeks or intends to enroll, or 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))

45

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 educational records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student Handbooks for each School and the TTUHSC El Paso 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 the records.

1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. 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 -Attachment C to the Assistant Vice President for Student Services or designee. The request shall clearly identify the part of the record the Student believes should be changed, and specify why it should be changed, i.e., why the Student believes the record is inaccurate, misleading or in violation of his/her privacy rights.
[Note: The substantive judgment of a faculty member regarding a Student’s work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. This section does not include procedures for Students challenging individual grades. Grade appeal and grievance procedures are set forth in the individual Student handbooks for each School and the TTUHSC El Paso Student Handbook/ Code of Professional Conduct.]

3. After receiving the written request from the Student for a change in his/her Education Records, the Assistant Vice President for Student Services or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the Office of the Registrar, the Assistant Vice President for Student Services or designee will provide written notification to the Student whether or not TTUHSC El Paso will implement the change. If not, the SVPAA 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 Vice President for Student Services or designee shall arrange for a hearing and provide written notice to the Student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:
 - a. The hearing shall be conducted by a hearing official or committee appointed by the President or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the Student or the 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 his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. If the Student has an advisor, the Office of General Counsel shall represent the University. The Student and the Office of the Registrar are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the Parties are not permitted to speak or participate directly in the hearing.
 - c. At the hearing, the Student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the Student.
 - d. Any additional information regarding the hearing procedures will be provided to the Student when notified of the right to a hearing.
 - e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the Student, the Office of the Registrar, and the Assistant VP for Student Services 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 Directory Information:

1. Student Name
2. Permanent and Local Addresses
3. Telephone Numbers
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 Institutions 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 HSCEP OP 77.13 Attachment A, Student Consent to Release Education Records, or by restricting personal directory information at <https://portal.texas-tech.edu/web/elp/my-tech> on the MyTech-El Paso tab. Students should select the Directory Profile link located under Personal Information and uncheck the box next to their name. The publication known as the Texas Tech Campus Directory is one type of printed periodical containing data classified as “directory information”. To restrict directory information from appearing in the printed directory, students must go to WebRaider and restrict directory information **prior** to the 12th class day in the fall term. Restricted directory information will remain restricted until the students un-restricts the information.

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 Associate Dean for Student Affairs 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 TTUHSC El Paso faculty at Texas Tech Physicians at Hague or other Texas Tech clinics. Information contained in the medical record is completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by law. Students needing to request a copy of their medical records should contact the office where they received care.

PART VI. REGISTRATION OF STUDENT ORGANIZATIONS^[VC6]

A. Conditions for Registration

1. Student organizations wishing to register with the Texas Tech University Health Sciences Center El Paso must file an application with the Office of Student Services. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center El Paso.
2. This application shall contain, but not be limited to, the following information:
 - a. A statement of the organization's purposes;
 - b. Any present or intended relation the organization may have to any other local, state, or national organization;
 - c. The organization's proposed activities;
 - d. A list of the organization's officers;
 - e. A copy of the organization's constitution/bylaws;
 - f. A copy of the constitution/bylaws of any related organization if any; and,
 - g. The signature, title, and campus address of a full-time member of the faculty or staff indicating his or her willingness to serve as the advisor to the organization.
 - h. The purposes and activities of the organization shall be lawful and not in conflict with regulations published by TTUHSC El Paso.
3. Membership in the organization shall be open only to students of Texas Tech University Health Sciences Center El Paso without regard to race, religion, sex, handicap or national origin, except in cases of designated fraternal organizations which are exempted by federal law from Title IX regulations concerning discrimination on the basis of sex. Faculty and staff may hold adjunct memberships in accordance with the organization's constitution.
4. The organization shall not duplicate the purposes and functions of a previously registered organization unless need for such duplication is substantiated.

5. All funds allocated to the organization from TTUHSC El Paso controlled sources must be maintained in a TTUHSC El Paso account.
6. The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization and be lawful and peaceful in its activities.
7. The organization shall not use the name of the Texas Tech University Health Sciences Center El Paso, logotype, or symbols of TTUHSC EL PASO as part of its name in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC EL PASO. The organization is permitted to use the word "TTUHSC El Paso Chapter" as part of its name or to use the complete statement "a registered student organization at TTUHSC EL PASO." Requests to use logos or symbols protected by TTUHSC El Paso, Texas Tech University or the Texas Tech University System shall be submitted to Office of Communications and Marketing.

Registration of an organization results from compliance with these regulations; it does not imply TTUHSC El Paso approval of the organization or its activities. The organization shall agree to adhere to the policies, rules, and regulations of TTUHSC El Paso.

B. Faculty or Staff Advisor

Each registered organization shall have a TTUHSC El Paso full-time faculty or staff advisor to be available to the officers and members for consultation about the organization's affairs, to attend organization meetings and functions as often as possible, to certify the expenditures of the organization to offer suggestions regarding the operations of the organization and to oversee adherence to TTUHSC El Paso regulations and the organization's constitution and bylaws.

C. Conditions for Maintaining Registration

1. In order to maintain its registration, a student organization shall comply with the following requirements:
 - a. The organization shall file a list of its current officers and advisor within one (1) month of the first day of classes of the fall semester each year. The current president of the organization, or his or her designated representative shall file notification of subsequent changes, when such changes occur.
 - b. The organization shall submit to the TTUHSC El Paso Office of Student Services for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds or changes in membership requirements.
 - c. The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center El Paso.
 - d. The organization shall demonstrate by its activities that it is conducting business to achieve its purpose as stated on the application.
 - e. The organization shall conduct its affairs in a lawful manner, in accordance with the

constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center El Paso regulations and state statutes.

f. The organization shall be responsible for the observance of all applicable TTUHSC El Paso regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.

g. The Office of TTUHSC El Paso Student Services may withdraw the registration of an organization for non-compliance with University policies and procedures.

D. Denial of Registration

1. No student organization will be officially registered with the Texas Tech University Health Sciences Center El Paso if the Office of Student Services determines that the organization's actions or activities are detrimental to the educational purposes of the University or not in accordance to the Student Handbook.

2. If registration is denied, the designated president and advisor of the applying organization shall be notified of the decision by the Office of Student Services in writing. The applying organization may appeal in writing to the Assistant Vice President for Student Services within five (5) business days from the date of the denial letter. The decision of the Assistant Vice President for Student Services is final.

PART VII. USE OF UNIVERSITY SPACE, FACILITIES AND AMPLIFICATION EQUIPMENT

1. Space and Facilities

a. The space and facilities of the University are intended primarily for the support of the instructional program of the institution. 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.

b. Outside individuals or groups who are not faculty, staff or a currently enrolled student may attend functions held on TTUHSC El Paso property, but to be eligible for use of campus facilities, the function must be sponsored or cosponsored by, and affiliated with, a recognized TTUHSC El Paso 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 El Paso requirements for liability insurance, hold-harmless agreements, financial responsibility for property damage, etc.

c. Permission to use campus space facilities may be granted only by the offices designated by TTUHSC El Paso OP 61.07, *Use of TTUHSC El Paso 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.

d. TTUHSC EL PASO reserves the right to move the location of any assembly should it appear that the activity might interfere with the normal operations of TTUHSC El Paso or interfere with the rights of others. The use of buildings, grounds or TTUHSC El Paso property must conform to these regulations and to local, state and federal law.

e. Although TTUHSC El Paso is generally an open campus for purposes of student, faculty and staff free expression activities, students, faculty and staff are encouraged, and person and groups not affiliated with TTUHSC El Paso are required, to use the Forum Areas of the campus for free expressions activities. Forum Areas for each campus are set forth in TTUHSC El Paso OP 61.07, *Use of TTUHSC El Paso Premises and Amplification Equipment*.

f. With the exception of free expression activities mentioned above, reservations must be made for the use of TTUHSC El Paso premises and must be in accordance with TTUHSC El Paso OP 61.07, *Use of TTUHSC El Paso Premises and Amplification Equipment*. The term "TTUHSC El Paso premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by TTUHSC El Paso (including adjacent streets and sidewalks).

PART VIII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS

Solicitation and sales and services on University premises or in University-owned or University-controlled buildings are prohibited without prior written approval from the Office of Student Services. 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 Services.

PART IX. STUDENT TRAVEL POLICY

A. TTUHSC EL PASO OP 77.08, Student Travel Policy

1. TTUHSC EL PASO OP 77.08 regulates any travel undertaken by one or more students presently enrolled at TTUHSC El Paso to an activity or event that is located more than 25 miles from the campus of TTUHSC El Paso. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC El Paso, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC El Paso.

2. Modes of travel by students to events or activities as defined above include:

- a. personally-owned vehicles;
- b. rental cars, vans, chartered buses;
- c. commercial airlines; and
- d. use of TTUHSC El Paso-owned vehicle.

3. The purpose of this policy is to help minimize the risks of liability connected with motor vehicle travel by University students. The policy applies to the use of the above modes of travel to any activities directly related to the academic, research and/or administrative responsibility of the department involved. This policy also applies to travel undertaken by one or more students presently enrolled at the University to reach a University-related activity located more than 25 miles from the University. It applies to travel required by a registered student organization.

B. Travel Using University-Owned Vehicles

1. Appropriate Use. Only persons who are acting within the course and scope of University-related activities should use University vehicles.

2. Drivers. Because of the risks of personal injury, it is required that only those persons whose names appear on the approved driver's list be asked or allowed to use University-owned motor vehicles. If students will be using state-owned or rental vehicles, the following is required:

a. The requesting department or unit must place students who drive on behalf of the University on the approved driver's list.

b. Qualifications for drivers of all University or rental vehicles are as follows:

- i. Must possess a valid (Texas or other U.S. state or District of Columbia) driver's license, be at least 18 years of age and have held a valid license for at least two years. Foreign students with no driving experience in the U.S. will not qualify, and an alternative driver will be required;
- ii. Must have available documentation of current personal insurance;
- iii. Must sign a disclosure statement^[VC7];
- iv. Must not have any moving violations within the last 18 months,
- v. Are required to report any driving violations to their immediate supervisor as soon as possible. This includes violations that occur while driving a vehicle not owned by the University; and
- vi. Must not have had any violations for drunk driving, driving under the influence of drugs or reckless driving.
- vii. Must not have had a reinstated license in effect for less than one year after a revocation.^[VC8]
- viii. Must not have a suspended license; and
- ix. Must be able to provide documentation of current personal automobile liability insurance

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

- i. Must be at least 21 years of age and held a valid license, as defined in 2 (b) for at least two years;
- ii. Foreign students with no driving experience in the U.S. will not qualify, and an alternate driver will be required;
- iii. Must comply with Motor Vehicle check on an annual basis;
- iv. Must successfully complete a 15-Passenger Van driver training course;
- v. Must complete 15-Passenger Van retraining annually;
- vi. Must not have more than one moving violation in the last 18 months; and
- vii. Must successfully pass a drug test.

3. Operator Conduct.

a. Any operator of a of a University vehicle must take a 15-minute break every 3 hours and **may drive no more than 10 hours in a 24-hour period**. When the vehicle driven is a van with passengers, **a second person must remain awake at all times and ride in the front passenger seat**.

b. Those who operate a University vehicle represent the University to the general public. The image conveyed does affect the University; therefore:

- i. DO NOT use University vehicles for personal transportation or business;
- ii. DO NOT allow alcoholic beverages or narcotics to be transported or consumed in any University vehicle;
- iii. DO NOT pick up hitchhikers or transport family members;
- iv. DO NOT allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public;
- v. DO observe all traffic rules and regulations;
- vi. DO drive carefully, safely, and courteously;
- vii. DO require driver and all passengers to use seat belts and other appropriate occupant restraints at all times the vehicle is being operated;
- viii. DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints; and,
- ix. DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle.
- x. DO NOT use a cell phone, other type of communication device, or other electronic equipment when the vehicle is moving. The driver is only permitted to use these types of items when the vehicle is stopped and pulled off to the side of the road and parked. Care should be exercised when using GPS or any instrumentation that distracts the driver.

c. When a vehicle is damaged through operator misuse or operated by a person under the influence of alcohol or narcotics, the operator shall provide a complete statement of the circumstances and a copy of the police report to the department head for appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.

d. Use common sense when driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

4. Accidents.

The following procedures should be followed whenever a University vehicle is involved in an accident, regardless of the extent of damage.

- a. Stop immediately and notify local police so that an official report can document the accident;
- b. Take necessary steps to prevent another accident;
- c. Use the motor pool card with instructions on the front and numbers to call on the back;^[vc9]
- d. Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;

- e. Get names and addresses of all witnesses;
- f. Provide all required information to the law enforcement officer;
- g. Notify the department head or supervisor (if you are unable to contact or reach someone, contact the Texas Tech Police Department); and,
- h. Refer to TTUHSC El Paso OP 76.34, *Accidents Involving University Vehicles*, for the completion of required vehicle accident [documentation](#)^[VC10].

C. [Travel Using Personal Vehicles](#)^[VC11]

1. General Transportation/Transportation in General. The University recognizes that students occasionally use personal vehicles while engaged in University-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their personal vehicles while conducting University business should be made aware of the possibility of personal liability related to such use. No University coverage for personal injuries is available to students if they drive their personal vehicles on university-related activities as defined hereinabove.
2. Reimbursement for Costs. Mileage costs related to any significant use of personal vehicles to conduct University-related business unrelated to required academic experiences, e.g. clinical rotations, clerkships, etc. will not be reimbursed.
3. Use of Personal Vehicles Not Required. No individual shall be required to use a personal vehicle to perform University-related activities, with the exception of travel to and from clinical affiliation sites.
4. Policy Concerning Use of Personal Vehicles by Students.
 - a. Use of personal vehicles by students to drive to University-related activities is discouraged.
 - b. If students use their personal vehicles, and/or transport other students as passengers, their personal insurance will be primarily responsible for any liability that may arise from such use.
 - c. No University coverage for personal injuries is available to students if they drive their personal vehicles on University-related activities as defined here in above.

D. Policy Concerning Student Releases and Medical Authorization

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities, execute a copy of the [Travel Release and Indemnification Agreement](#)^[VC12] and the [Authorization for Emergency Medical Treatment](#).

E. [Guidelines Concerning Safe Travel Practices](#)^[VC13]

1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks

of injury during that travel.

2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC El Paso, Texas Tech University or Texas Tech University System will assume no responsibility, financial or otherwise.

3. Faculty and staff sponsors and organization officers are urged to take all possible precautions to ensure the safety and well-being of all persons participating in off-campus activities.

4. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips sponsored by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors may set their own requirements for class work missed under such circumstances: they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.

5. Please refer to the TTUHSC El Paso Travel Office and the Office of Global Health for information regarding travel abroad.

PART X. MISCELLANEOUS POLICIES

A. Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

1. Absences

Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

2. Academic Requirements

Academic requirements vary with each TTUHSC El Paso School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog for specific details.

3. Admissions and Applicants

The educational policies of the TTUHSC El Paso are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC El Paso is an upper-level, graduate, and professional study institution. The application and admissions policies for TTUHSC El Paso are outlined in the individual Schools' catalogs.

Most programs at TTUHSC El Paso 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 his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the 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 meningitides*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.

b. *Risks and Exposures.* The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.

c. *Symptoms and Diagnosis.* Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:

- 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. Texas Tech Physicians at Hague 915-215-5810
- iv. TTUHSC EL PASO Office of Occupational Health 915-215-4429.
- v. Visit these web sites for more information -
www.cdc.gov/ncidod/dbmd/diseaseinfo or www.acha.org

Medical and Religious Exemptions 2010-2011 Texas Vaccine Exemption Information

State of Texas law grants and acknowledges the right of parents to exempt their children from vaccination requirements for day care, school, and college for reasons of conscience including a religious belief or for medical reasons. In 2003, the Texas legislature passed changes to the statutes expanding the reasons a parent can claim an exemption but the Health Department has questionably also increased the bureaucratic red tape necessary for claiming the exemption. There are specific procedures for requesting an official state form and submitting it to the school or for completing a medical exemption that all take some time so please do not wait until the last minute to get your papers in order.

For everyone claiming an exemption for the first time after 9/1/03, you must comply with the new law. If you've submitted an old religious exemption prior to 9/1/03, you are grandfathered under the old law (see notes below) and do not need a new form. The vaccine exemption forms for reasons of conscience including a religious belief are only for students claiming a vaccine exemption for the first time after 9/1/03 when the new law went into effect. If you need to request forms from the state health department, you can do it by fax, mail, personal visit, or through an online submission form. If you send your request by mail, we suggest sending it registered mail with a receipt so you can keep track of your request. If you send it by fax, set your fax machine to print out a delivery receipt. We would like to keep track of the Health Department's processing time.

According to the Texas Dept. of State Health Services: Online requests must be made through the web submission form posted at <http://webds.dshs.state.tx.us/immco/affidavit.shtm>.

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 EL PASO requires **all entering students** to provide documentation of all immunizations as required by their respective schools. Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2012 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). The meningitis requirement must be sent in immediately and all other requirements must be met prior to orientation

I. Tuberculosis Surveillance

Tuberculosis surveillance for Covered Individuals is based on current U. S. Department of Health and Human Services, *Centers for Disease Control and Prevention (CDC) Recommendations and Reports(December 30, 2005, 54 (#RR-17):1-147), Guidelines for Preventing the Transmission of Mycobacterium tuberculosis in Health-Care Settings.*

II. Immunizations

Immunization requirements are based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC), and the U.S. Advisory Committee for Immunization Practices (ACIP). See attached CDC *Healthcare Worker Vaccination Recommendations* (2011).

III. Exposure Management

Institutional management of exposure to: (1) blood-borne pathogens, (2) body fluids and, (3) other miscellaneous exposures is based on regulations, guidelines and recommendations available as of October, 2009 from the Texas Administrative Code (TAC), Texas Department of State Health Services (DSHS), the U.S. Centers for Disease Control and Prevention (CDC)."

9. Working with Affiliated Entities-Student Drug Screenings, HSCEP OP 77.15

1. Defined Terms

For purposes of this policy the term “Student” does not include residents in the Paul L. Foster School of Medicine

2. Background

TTUHSC EL PASO enters into affiliation agreements with various health care clinical entities (“Affiliated Entities”), such as hospitals and other facilities, in order to provide clinical experience opportunities for its students enrolled in TTUHSC EL PASO clinical education programs.

Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity, than those required by TTUHSC EL PASO as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.

Clinical rotations are an essential element in certain degree programs’ curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program.

TTUHSC EL PASO schools may NOT mandate this requirement for all students. It applies solely to those students who must fulfill the requirement for participation in a clinical rotation at an Affiliated Entity.

3. Clinical Placement.

Placements at Affiliated Entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the Affiliated Entity. Any student placed with an Affiliated Entity that requires additional background checks and/or drug screens, who cannot meet these requirements, must discuss all available options with their School’s Office of Student Affairs or their designee.

Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied externship placement, s/he shall be subject to disciplinary action in accordance with the TTUHSC EL PASO policies.

4. Responsibility of the School The student’s School shall:

- a. Notify the student of the Affiliated Entity’s requirements for a drug screen, to include the type(s) of drug screen required by the Affiliated Entity, deadlines to meet the Affiliated Entity’s requirements, a list of approved drug screen testing vendors, and a completed Authorization, ,” for signature by the student.
- b. Receive the student’s drug screen test results, which shall be maintained in a confidential, locked file separate from the student’s primary educational records.
- c. Notify and ensure the Affiliated Entity that all students prior to their clinical rotation have met their drug screening requirements.

5. Responsibility of the Student

- a. The student shall pay for the cost of any and all drug screening required by an Affiliated Entity that is designated for student matriculation by TTUHSC EL PASO provided articles

b, c, d, below are met. The student shall be responsible for the cost of any necessary re-test or subsequent tests at TTUHSC EL PASO designated Affiliated Entity(s) and any drug screening required by an Affiliated Entity selected for matriculation by the student.

b. The student shall complete the drug screen prior to the deadlines provided by the School and meet the guidelines of the Affiliated Entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation in the Affiliated Entity.

c. The student shall use a drug screen vendor from the designated vendors provided to the student by his/her School and/or the Affiliated Entity. 1) Results from a vendor NOT on designated by the School and/or Affiliated Entity will not be accepted and the student shall be required to have the drug screening test(s) conducted by an approved vendor.

d. The student will be required to sign a valid consent and authorization, consenting to the drug screening and giving the vendor performing the test permission to provide the drug screen test results to the person designated by the School to receive student drug screen tests results under this policy.

6. Student Refusal to Consent to Drug Screen

Any student who fails or refuses to consent to a drug screen required by an Affiliated Entity to which the student has been assigned by his/her School shall be subject to disciplinary action in accordance with the TTUHSC EL PASO Student Handbook/Code of Professional and Academic Conduct, the Schools' written policies, if any, and this policy.

7. Period of Validity – Drug Screen Results

a. Unless otherwise required by an Affiliated Entity, drug screen test results will generally be valid for the time the student is in the program within the School unless there is a break in enrollment, defined as not enrolled for one full semester.

b. Students may be required to undergo drug screening more than once depending on the requirements of each Affiliated Entity in which the student is placed to meet their learning objectives or the number of Affiliated Entities at which the student is placed.

8. Drug Screen Results

a. Diluted Specimen. Should the vendor report that the screening specimen was diluted, thereby precluding an accurate drug screen test, the student, at his/her expense, will be required to complete and successfully pass a new drug screen test.

b. Negative Drug Screen Results. The School which receives the student's drug screen test results, may release negative drug screen test results to the student, provided the student has signed the appropriate release form, HSCEP OP 77.15-Attachment A.

c. Positive Drug Screen Results.

i. A positive drug screen is any instance in which a drug screen report shows a positive test for one or more of the drugs on the panel required by the Affiliated Entity.

ii. Any student with a positive drug screen will not be placed in any clinical facility

pending review and outcome of appeal with the vendor.

- iii. The student has the right, at his/her expense, to request an independent review of any positive drug screen, by an independent Medical Review Officer, provided by the vendor. There will be an additional charge if review by the Medical Review Officer is requested, and the student is responsible for all costs related to this review.
- iv. Any appeal based on a positive drug screen is solely between the student, the Medical Review Officer and the vendor. The student's School will not become involved in the appeal of a positive drug screen.
- v. If, after review by the independent Medical Review Officer, there is no valid medical basis which would cause or contribute to the positive drug screen, the test results will stand, at which point the student will be referred to the School's Office of Student Affairs for disciplinary action in accordance with this policy and the School's written policies.

9. Confidentiality of Records

Drug screening reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law.

10. Readmission

- a. Any student who is withdrawn due to a positive drug screen without medical validation will only be eligible for readmission to any TTUHSC EL PASO program of study in accordance with the School's readmission policies.
- b. If accepted for readmission after the required period of time, the student must, at his/her own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the School.

11. Right to Change Policy

TTUHSC EL PASO reserves the right to change, modify, amend or rescind this policy in whole, or in part. at any time.

10. Credit by Exam

Specific credit by examination policies may be found in each of the Schools' catalogs and/or student handbooks; however, the Gayle Greve Hunt School of Nursing, and the Graduate School of Biomedical Sciences, do not offer Credit by Exam. Pass or fail grades earned on examinations for these courses will not be considered in determining grade-point averages. TTUHSC EL PASO Schools may elect not to accept credit by examination, where it is determined that such academic achievement may hinder the success on national licensure exams/certifications.

11. Disabilities (Students)

TTUHSC EL PASO complies with HSCEP OP 10.15 (Americans with Disabilities Act) and HSCEP OP 77.14 (Establishing Reasonable Accommodations for Students with Disabilities) regarding the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws,

no otherwise qualified individual with a disability shall be denied access to or participation in services, programs and activities of TTUHSC EL PASO solely on the basis of the disability.

Any student seeking accommodations on the basis of disability must register with Disability Support Services (DSS) in the Office of Student Services. The process to request accommodations includes an application for services, appropriate documentation of the disability, and an intake interview with the Director of Academic and Disability Support Services.

Students with grievances related to discrimination on the basis of a disability should review the Institutional Student Handbook, Part IV on Anti-Discrimination policies and procedures. The grievance process would include the Director of Academic and Disability Support Services.

The application, documentation guidelines, grievance procedures, and other forms can be found on the Disability Support Services website: elpaso.ttuhs.edu/student-services/disability-support-services.

For more information, see HSCEP OP 10.15: American's with Disabilities Act (http://elpaso.ttuhs.edu/opp/_documents/10/op1015.pdf) or HSCEP OP 77.14 Establishing Reasonable Accommodations for Students with Disabilities (http://elpaso.ttuhs.edu/opp/_documents/77/op7714.pdf)

12. Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC EL PASO on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. Grievances related to discrimination on the basis of race, religion, national origin or age should be pursued through regular administrative channels. Academic problems are to be handled in the academic administrative structure culminating in review by the individual School's Dean. The individual Schools as noted in their Schools'

catalogs should direct non-academic student matters to the Office of Student Services. For more information, visit https://elpaso.ttuhs.edu/opp/_documents/51/op5101.pdf, Equal Employment Opportunity Policy and Affirmative Action Plan.

13. Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the TTUHSC EL PASO OP 70.10, Non-faculty Employee Complaint and Grievance Procedures^[AH14]. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

14. 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 register as a disabled student with the ADA Compliance Office for Students in the Office of Student Services and must provide all required documentation of disability. Appropriate and reasonable

accommodations, if any, will be determined by the ADA Compliance Office for Students in the Office of Student Services.

15. 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, (including failure to return Title IV funds), are considered a lack of financial responsibility. Financial irresponsibility can subject the student to action by TTUHSC EL PASO, including, but not limited to, denial of registration, withholding of grades and transcripts and possible adjudication under the Code of Professional and Academic Conduct. Generally, failure to meet financial obligations to the University may result in:

- a. Cancellations of the student's registration if tuition and registration fees are not paid by the 12th class day and 20th class day (4th class day and 15th class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
- b. 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 flag placed on a student's academic records preventing future registration (before registering or requesting a transcript, students may check on the presence of flags on their records by contacting the Office of the Registrar); and/or,
- d. Reporting of financial problems to a credit agency or a collection agent. For more information, please visit the Student Business Services website at <http://el Paso.ttuhs.edu/fiscal/businessaffairs/studentbusserv/>

16. 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 5 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.**

17. Graduation Procedures

- a. Degree requirements are published in the individual School's catalogs.
- b. Prior to graduation, all candidates for TTUHSC EL PASO degrees are required to:
 - i. Complete all graduation requirements set forth by the applicable School;
 - ii. Complete and return to the Office of Student Services the University's *Intent to Graduate* form in the semester before anticipated graduation (the student's "diploma name" as requested in the *Intent to Graduate* form is printed on her/his diploma, and information provided by the student is used in commencement programs);
 - 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. Attend an Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

18. Health Services and Health Insurance Information

- a. The Texas Tech Physicians at Hague provides health services to TTUHSC EL PASO students who are currently enrolled and have paid the -Medical Services Fee as part of tuition and fees. To receive health services, you must present a Student I.D. card at the time of the appointment. If you also have private insurance in addition to Student Health Services, you will need to submit your receipt for the co-pay to your insurance company for reimbursement.

*The -Medical Services Fee covers only those services provided by the Texas Tech Physicians at Hague and specific laboratory and radiology service performed at cooperating locations. **All other charges incurred are your responsibility.***

b. Clinic Procedures

Please call to make an appointment. If you need to be seen for a sudden illness, please call that day as early as possible. If you need to be seen after hours, call the office at Hague and ask to leave a message for the on-call physician. When you check in, please inform the receptionist that you are a TTUHSC EL PASO student. If you come to the office without an appointment, it may be necessary for you to wait for a physician.

Immunizations, paper work, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested. If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed as a provider on your insurance. *Visits to an emergency room that generate a charge from either TTUHSC EL PASO or the hospital are your responsibility.*

- c. If the student receives a bill from the Texas Tech Physicians at Hague for services covered by the medical service fees, please contact the Office of Student Affairs at (915) 215-4370.
- d. **Students are expected to have hospitalization insurance coverage for each semester enrolled. Students should be prepared to provide proof of coverage at the time of registration.**
- e. TTUHSC EL PASO will make available information on student health insurance

providers for all registered students in the University. Students may investigate other insurance plans. Insurance information can be found on the Office of Student Services website at <http://elpaso.TTUHSC El Paso.edu/elpaso/studentervices/>

19. Interprofessional Education^[AH15]

All TTUHSC EL PASO students, regardless of school affiliation, will be required to complete a non-credit, online course in interprofessional education. Implementation of this requirement will vary across schools and degree programs. Students should consult their academic/program advisor and/or school catalog for additional information.

20. Notification of Student Death

The Office of Student Services is the Office of the Chancellor's liaison regarding notification of any student deaths. Schools must notify the Assistant Vice President for Student Services immediately in the event of any student death.

21. Program of Assistance for Students

Personal counseling services are available to all TTUHSC EL PASO 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 1-800-327-0328 or the 24-hour crisis line through the Emergence Health Network at (915) 779-1800. In the event of an emergency, the answering service will connect the student with the counselor who is on call. Through PAS, TTUHSC EL PASO students and their dependents are eligible to receive five free counseling sessions per year. Additional information about PAS services is published in a brochure that is available from student affairs personnel on all campuses and is also posted on the Office of Student Services website at the following address: <http://elpaso.ttuhs.edu/som/studentaffairs/counselingresources%20.aspx>^[AH16]

22. Student Emergency Contact Information

Students must keep their Emergency Contact Information current. To do so, visit El Paso <https://portal.texastech.edu/web/elp/my.tech> and sign in. Select the "MyTech-El Paso (for Students)" tab and look in the "Personal Information" box. Click "Update Emergency Contacts" and fill in your information.

23. Student Publications

All aspects of TTUHSC EL PASO Student Publications shall be the responsibility of the President of the appropriate component institution and therefore under his/her direction.

24. Registration

- a. Registration is coordinated by the Office of the Registrar in cooperation with the School in which the student enrolls. Tuition and fees are payable in full at the time of registration or

immediately upon posting to a student's account, unless other arrangements have been completed. Registration for new students is completed as a step in the orientation process, or with the assistance of the Schools' Student Affairs or Coordinator's office.

- b. To be eligible for registration, the student must have been officially admitted as a new student, or officially readmitted following an absence, and must have satisfied all admission requirements, or must be a continuing student who is eligible to continue as a student at the University. Any student deemed ineligible due to academic, administrative or disciplinary sanctions will be barred from registration. **Students must provide all final transcripts to the Office of the Registrar by the end of the first semester in which they are enrolled or a hold will be placed preventing registration in future semesters.**

***See Student Record and Transcript Policy located at <http://www.TTUHSC El Paso.edu/registrar/documents/student.record.transcript.policy.pdf>**

- c. *Late Registration.* Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Office of the Registrar for deadline dates for registration

25. Religious Holy Days

- a. A student who intends to observe a Religious Holy Day should provide written notice, at the earliest possible date prior to the absence, to the following: (1) the instructor of each affected class and (2) the Director of Student Affairs of his/her School. A student will be excused from attending class(es), examinations, or other required activities for the observance of a Religious Holy Day, including travel for that purpose. A student whose absence is excused under this section will be allowed to take an examination or complete an assignment within a reasonable time and at the sole discretion of the instructor of record and/or the Director of Student Affairs before or after the absence.
- b. A student who is excused under the above provision may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete the missed assignment or examination within the above-stated time.
- c. Any disputes regarding this policy should be submitted in writing to the TTUHSC El Paso President or his/her designee. Any decision by the President or his/her designee regarding the dispute shall be final.
- d. This policy does not apply to any student absence for a Religious Holy Day, which may interfere with patient responsibilities or patient care.

26. 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.

27. 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 (10 weeks or longer) summer semesters in installments. TTUHSC El Paso offers the following payment alternatives:
 - i. Full payment of tuition and fees in advance of the beginning of the semester; or
 - ii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.
- b. TTUHSC El Paso shall develop procedures that will provide that students may elect to pay tuition and fees using the payment alternative.
- c. TTUHSC El Paso is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.
- d. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The Board of Regents has delegated to the President of Texas Tech University Health Sciences Center El Paso, the authority to approve all discretionary, incidental fees.
- e. If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.
- f. TTUHSC El Paso shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.
- g. Annual Approval of Student Fees: The Board of Regents shall approve the assessment and collection of fees from Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso). The amounts to be collected are presented in a Global Fee Document to the Board of Regents annually for approval.

28. Tuition and Fees Refund Policies

Withdrawal / Refund Policies

Refund Policies (Institutional and Title IV Withdrawal / Refund Policies)

- Detailed information about the impact of decreasing course load on:
- ✓ Institutional Refund Policy - All students who withdraw from TTUHSC El Paso or drop all courses during a term
 - ✓ Additional considerations for students who received financial aid and withdraw from TTUHSC El Paso or drop all courses during a term

Institutional Refund Policy

Refund Policies for Tuition and Fees. Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	1st class day through 4th class day	100%
	After the 4th day of class	None
Fall, Spring or Summer - Duration of 10 weeks or longer	1st class day through 12th class day	100%
	After the 12th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official withdrawal date:

Term	Class Day	Percent of Refund of Charges
Summer - More than 5 weeks but less than 10 weeks in duration	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day of later	None
Fall, Spring or Summer - duration of 10 weeks or longer	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%

	4th five class days	25%
	21st class day and after	None

Students who withdraw from TTUHSC El Paso or drop all courses during a term that receive(d) financial aid

It is important for students who receive financial aid and withdraw or drop all courses during the term to be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Any refund due to a student will be after calculation of the amount of tuition and fees due at the time of withdrawal. If the student has paid less than the amount due at the time of withdrawal, the student will be required to pay the percentage due.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All "unearned aid" must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations. Failure to return Title IV funds constitutes a failure to meet a financial responsibility due to the University which is subject to any of the actions stated in section 15.

- a. The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/balances created by the returning of Title IV program funds that the school was required to return.
- b. If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID(1-800-433- 3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at <https://studentaid.ed.gov/sa/>.

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds

How the calculation works:

1. Number of days attended ÷ Days in semester = % of semester completed
2. Total \$ disbursed X % completed = Earned \$
3. Total \$ disbursed - Earned \$ = \$ to be returned

Once it is determined that you owe money back to any of the federal aid programs, you will be ineligible to receive further federal aid at TTUHSC El Paso or any other institution, until this debt is cleared.

Please note, your failure to complete a semester or term could impact your Satisfactory Academic Progress (SAP) and your future eligibility for financial aid. To remain eligible for

financial aid, a student must maintain satisfactory academic progress. This consists of three categories: (1) grade point average on hours attempted (qualitative), 2 hours successfully completed (quantitative) based on hours enrolled and (3) time to degree. You must complete your program of study within 150% of the normal time required for the program.

The complete policy is available on the Student Services website under Satisfactory Academic Progress.

29. Academic Support

Academic support services are available to all TTUHSC El Paso students through the Program of Academic Support and Assistance (PASE). The PASE program offers several features such as learning assessments, remedial advisement, board preparation, workshops, tutoring services, and individual learning and study assistance in areas of time management, stress management, test taking, note taking, reading and general study skills. The PASE program is led by the Director of Academic and Disability Support Services. Information on the PASE program can be found on the Student Services website: <http://elpaso.ttuhs.edu/studentservices/academicssupport.aspx>

30. Student Government Association

The Student Government Association (SGA) promotes, directs and coordinates student activities at Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso_[VC17]). The executive council and senators are elected from each of the three schools and act to voice student concerns to the TTUHSC El Paso Faculty and Staff and encourage interdisciplinary communication and participation among the individual schools that compose TTUHSC El Paso. The office of Student Services provides administrative support for SGA.

PART XI. STUDENT COMPLAINT OR GRIEVANCE POLICIES AND PROCEDURES

The following narrative summarizes TTUHSC EL PASO's student complaint or grievance policies and procedures. Links to specific policies and procedures are provided on the Student Services website: <http://elpaso.TTUHSC El Paso.edu/elpaso/studentservices/>

It is the policy of the Texas Tech University Health Sciences Center El Paso to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC El Paso students or by TTUHSC El Paso personnel toward students. Policies and procedures exist for the following areas of student complaints:

- Complaints regarding the general or academic misconduct of another student
- Complaints regarding discrimination
- Complaints regarding student records
- Complaints regarding employment at TTUHSC El Paso
- Complaints regarding grades or grading
- Complaints regarding other types of mistreatment
- Other institutional-level student complaint procedures

A. Complaints regarding the general or academic misconduct of another student

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (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. Complaints regarding discrimination

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the TTUHSC El Paso Operating Policies and Procedures. The following list identifies key institutional policies governing complaints regarding discrimination:

- HSCEP OP 10.15, Americans with Disabilities Act
- HSCEP OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan

C. Complaints regarding student records

HSCEP OP 77.13, Student Education Records, provides detailed information about filing complaints relating to student records.

D. Complaints regarding employment at TTUHSC El Paso

Information about employment grievances for students who are employed at TTUHSC El Paso is provided in HSCEP OP 70.10, Non-faculty Employee Complaint and Grievance Procedures. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

E. Complaints regarding grades or grading

The processing of formal grade appeal procedures is the responsibility of the school that administers the course. Relevant school policies are listed below:

- Paul L. Foster School of Medicine: Challenging Student Records or Grades
- Gayle Greve Hunt School of Nursing: Academic Grade Challenges/Appeals
- Graduate School of Biomedical Sciences: Grade Appeals

F. Complaints regarding other types of mistreatment

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school. Relevant school policies include the following:

- Paul L. Foster School of Medicine: Appropriate Treatment of Medical Students; Student – Faculty Dispute Resolution Policy; Student-Student Dispute Resolution Policy
- GGHSON : Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- Graduate School of Biomedical Sciences: [Procedure for Grade and Non-Grade Complaints](#)

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:

- Paul L. Foster School of Medicine in El Paso: Associate Dean for Student Affairs
- Gayle Greve Hunt School of Nursing: Associate Dean for Academic Programs
- Graduate School of Biomedical Sciences: Dean

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC El Paso Office of Student Services in accordance with the following institutional-level student complaint procedures. These procedures are also published on the Office of Student Services 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 El Paso administrators. The TTUHSC El Paso Office of Student Services will administer this institutional policy and will insure that due process is afforded to all concerned.

1. Early Resolution

Prior to contacting the TTUHSC El Paso Office of Student Services, the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant Vice President for Student Services. The student shall address the issue and initiate action under this policy within 30 days of the event-giving rise to the complaint.

The Assistant Vice President for Student Services may counsel the student to discuss

the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President for Student Services will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for Student Services will provide a written statement of his or her 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 Director of Student Services will attempt to facilitate a resolution before proceeding with a hearing, as described below.

(If the complaint is against the Assistant Vice President for Student Services, the student should meet with the Vice President for Academic Affairs, who will follow the procedures outlined here.)

2. Filing a Hearing Request

a. If the student is not satisfied with the recommendation of the Assistant Vice President for Student Services, he/she may file a request for a hearing by submitting a written complaint to the Assistant Vice President for Student Services. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for Student Services' recommended resolution.

b. 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 Vice President for Student Services will appoint a Hearing Committee according to the following procedure:

a. Each party will propose in writing a list of four TTUHSC El Paso faculty, staff, and/or students to serve on the Hearing Committee. The Assistant Vice President for Student Services will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a TTUHSC El Paso faculty or staff member) and these individuals will comprise the Hearing Committee. This group will select a chair from among themselves.

b. The Assistant Vice President for Student Services will provide technical assistance and support to this committee.

c. As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.

d. At least three days prior to the hearing, all parties will provide to the chair of the

Hearing Committee and the Assistant Vice President for Student Services a list of the names of any witnesses or counsel who will attend the hearing. If the student will be represented by counsel, the University may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.

e. The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.

f. The Hearing Committee chair shall keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials).

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 five working days, to the Vice President for Academic Affairs.

c. The Vice President for Academic Affairs will review the complaint resolution and render a decision within five working days. The decision of the Vice President for Academic Affairs is final.

d. If the Vice President for Academic Affairs is serving as a mediator in the case, then the President or his designee will review the complaint resolution and render a decision within five working days. The decision of the President is final.

PART XII. CONTACT INFORMATION FOR STUDENT SERVICES PERSONNEL

Deputy Title IX Coordinator for Students	(915) 215-4786
Title IX Coordinator for TTUHSC El Paso	(915) 215-4140
Student Business Services	(915) 215-5723
Office of Student Services	(915) 215-4370

Office of Student Financial Aid	(915) 215-4370
Office of the Registrar	(915) 215-4370
Graduate School of Biomedical Sciences	(915) 215-4157
Gayle Greve Hunt School of Nursing Student Affairs	(915) 215-6124
Paul L. Foster School of Medicine Student Affairs	(915) 215-4370

**TEXAS TECH UNIVERSITY HEALTH SCIENCES
CENTER EL PASO (TTUHSC EL PASO)**

Student Grievance Form

This form is to be used for an official grievance (as described on the website: <http://elpaso.ttuhschool.edu/student-services/grievance.aspx>) that involves a student who is enrolled at TTUHSC El Paso. The student(s) could be the accused or the complainant. Please use this form if you have a grievance about a faculty, staff, student or student organization for alleged violations of the Code of Professional and Academic Conduct (referred to as the "Student Code") in the TTUHSC El Paso Institutional Student Handbook. This form is to be submitted to the Assistant Vice President for Student Services at TTUHSC El Paso. A separate form must be completed for each individual or student organization accused of violations of the Student Code. *{Please note that students who are challenging a grade (grade grievances) are not covered. This is under the individual school.}*

Please complete the following:

Name of Accused Faculty/Staff/Student/Registered Student Organization:

School, Department and Program of Accused (*if known*):

List the course name, number, and section (*if applicable*) in which the alleged misconduct occurred.

Please provide a clear and concise explanation of the circumstances of the grievance. Include all relevant information, including, but not limited to, the name of the person(s) who witnessed the incident(s) and where the incident(s) occurred. Use additional pages if necessary. Please attach relevant supporting documents, e.g., copy of assignment, source of plagiarism, etc.

Date of discovery of alleged violation (*please report within 20 business days of discovery*):

Date of alleged violation (*if different from above*):

Please cite the Student Code(s) and the provision(s) of such code(s) that the Accused allegedly violated.

What remedy are you seeking for your complaint (e.g., if cheating, reduction of grade for particular work and/or class; warning, probation, suspension, dismissal, restitution, etc.)?

I certify that all information provided herein is accurate and complete.

Printed Name

Complainant Date

Complainant's Signature

Complainant's Contact Information:

Address – Email – Phone Number

The following notice is provided in accordance with Texas Government Code § 559.003(a) of the Texas Government Code: (1) with few exceptions, you are entitled on your request to be informed about the information TTUHSC El Paso collects about you; (2) under Sections 552.021 and 552.023 of the Texas Government Code, you are entitled to receive and review the information; and (3) under Section 559.004 of the Texas Government Code, you are entitled to have TTUHSC EL PASO correct information that is incorrect in accordance with TTUHSC El Paso policies and procedures.

Please Email Completed Form to Kathryn Horn, M.D. at Kathryn.Horn@ttuhsc.edu

If you are the victim of misconduct, please describe how you would prefer the University to respond to the situation. (You will not be held to this response, it just gives us a starting point).

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO (TTUHSC EL PASO)

Student of Concern Form

IF THIS IS AN EMERGENCY, PLEASE CALL 911 or TEXAS TECH UNIVERSITY POLICE DEPARTMENT AT (915) 215-7111 Texas Tech strives to protect the reporter’s confidentiality, whenever possible. Additionally, a report may be completed anonymously by omitting the reporter’s name and contact information from the form (completing the items with an asterisk). Reporters should be aware, however, that this may restrict the team from completing a thorough investigation.

Please complete the following:

Your Full Name: _____

Your Phone Number: _____

Your Email Address: _____

Date of Incident: _____

Time of Incident: _____

Location of Incident: _____

Name of Involved Individuals/Organization: _____

Please provide an R# for student(s) involved or SSN/Driver’s License number if a non-student(s) if available.

Distress Concern (Circle all applicable)

- Grief Homicidal Ideation Suicidal Ideation Suicide
- Wellness Other

Actions Against Others (Check all applicable boxes)

- Disruptive Conduct Threatening or Endangering Conduct Sexual Misconduct
- Discriminatory Harassment Hazing Retaliation Other

Health (Check all applicable boxes)

- Medical Alcohol and Drugs Mental Health Concerns Other

Description/Narrative - Please describe in details the behaviors you have observed and any action steps you have taken in assisting with these behaviors.

If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

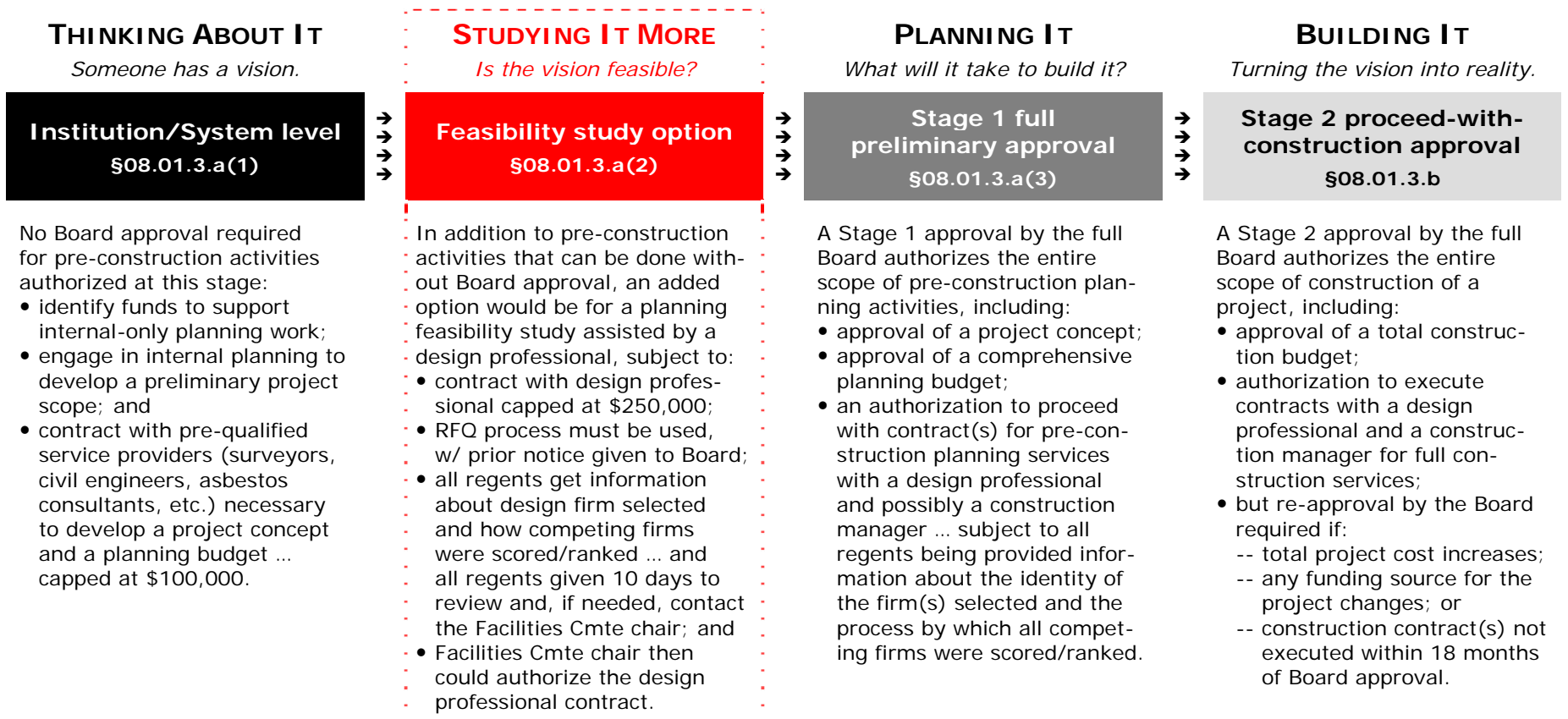
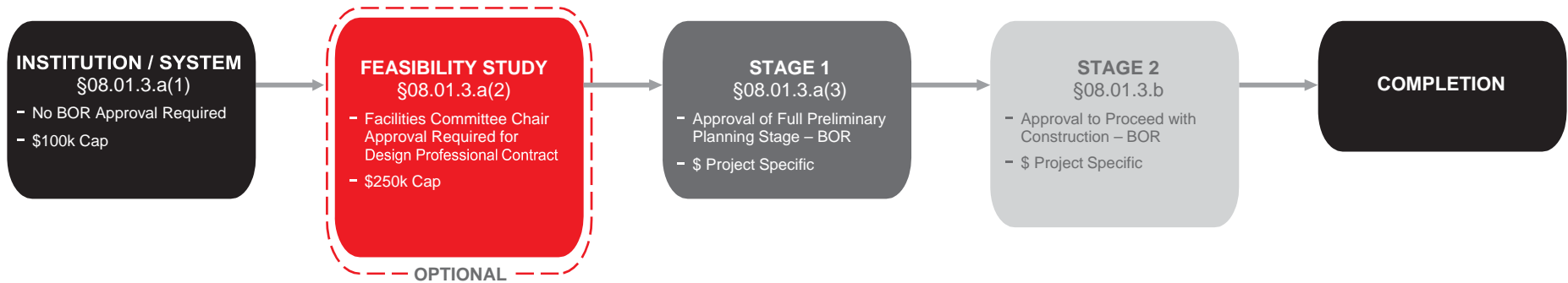
If you have any pictures, video, email or other supporting documents of this misconduct please include it with this form and turn it into the Office of Student Services.

ATTACHMENT

4

TTUS Proposed amendments to *Regents' Rules*,
Chapter 08, Section 08.01.3
(Facilities Item 8)

To add a policy that governs a feasibility study option for major construction projects



AMEND SECTION 08.01.3, AS FOLLOWS:

08.01 **Construction program**

• • •

08.01.2 Authorization. Construction projects are either new construction projects or repair and renovation projects, and each category of construction projects shall be governed as follows:

- a. Major projects are construction projects with a total budget of \$2,000,000 or more. These projects are governed by Section 08.01.3, *Regents' Rules*.
- b. Minor projects are construction projects with a total budget of less than \$2,000,000. These projects are governed by Section 08.01.4, *Regents' Rules*.

08.01.3 Major construction projects. Major construction projects include [:] new construction projects and repair and renovation projects with a total project budget of \$2,000,000 or more.

a. For major construction projects:

(1) **Project activities prior to Board approval.** The chancellor, or the chancellor's designated representative, upon the recommendation of the president if the project is being constructed for a component institution, may proceed with the following pre-construction activities before a project has received preliminary approval of the board **under Section 08.01.3.a(3):**

§08.01.3.a(1) = pre-construction activities that can be done without any Board approvals:

- identify funds to support "internal" planning work
- engage in "internal" planning to develop a preliminary project scope
- contract with pre-qualified service providers necessary to develop a proposed project concept and planning budget ... with total not to exceed \$100,000

- (a) identify funding from the entity for which the project is being constructed so that planning activities for the project may begin, with a preliminary estimate of the project budget (a budget goal) being provided along with the funding request;
- (b) work with facility user representatives, as designated by the president if the project is being constructed for a component institution, to develop a preliminary scope of the project, which shall be known as an Owner's Project Requirements (OPR) document; and

- (c) engage in other preliminary pre-construction planning activities through the use of pre-qualified service providers (such as surveyors, civil engineers, asbestos consultants, and so forth), with the commitments to such service providers not to exceed a cumulative total of \$100,000.

- (2) Project activities for the feasibility study option. In addition to activities authorized under Section 08.01.3.a(1), the chancellor, or the chancellor's designated representative, upon the recommendation of the president if the project is being constructed for a component institution, may utilize the option of engaging an architect/engineer team (a design professional) for pre-construction feasibility study planning services before a project has received preliminary approval of the board under Section 08.01.3.a(3), subject to the following limitations:

- (a) the commitment to such a service provider shall not exceed a cumulative total of \$250,000 for the feasibility study phase of the project;
- (b) the design professional shall be selected by means of a Request For Qualifications (RFQ) process, with advance notice provided to the Board prior to the RFQ being issued;
- (c) no earlier than ten (10) days prior to the execution of such a contract with a design professional, the board shall be presented information that includes a preliminary project concept, the proposed feasibility study budget, and an overview of the selection process for the identified design professional that includes the information required under Section 08.01.3.a(3); and
- (d) authorization in writing by the chair of the board's Facilities Committee, with notification to all board members, is required before a contract with the design professional may be executed.

§08.01.3.a(2) = feasibility study prior to Stage 1 Board approval:

In addition to pre-construction activities that can be done without any Board approvals [per §08.01.3.a(1)], a process is provided to expedite authorization of a contract with a design professional for feasibility study assistance, subject to certain conditions.

Before the Facilities Cmte chair could authorize execution of a contract with the identified design professional, all regents would have a 10-day opportunity to go to the Facilities Cmte chair with any concerns or objections they may have regarding that design professional.

§08.01.3.a(3) = Stage 1 Board approval = full preliminary approval:

- project concept
- planning budget
- authorization to proceed with contracts for pre-construction planning services

*If a design professional engaged for a feasibility study has not performed adequately and/or is not well-suited to continue working on subsequent stages of the project:
-- FP&C could propose a switch to a different design professional; or
-- Board approval at this stage could be dependent upon selection of a different design professional.*

In either case, selection of a new/different design professional would require reporting to the Board of the identity of the selected firm as well as the overview of how all of the competing firms were scored/ranked.

(3) [Preliminary approval by the board.](#) [A preliminary project approval,](#) to include a project planning budget, is required before an architect/engineer team, a construction manager-agent, or a construction manager-at-risk may be engaged for pre-construction services. [\(If an architect/engineer team was previously engaged under the provisions of Section 08.01.3.a\(2\) and if a change in this service provider is not deemed necessary, board approval at this stage constitutes an authorization for the architect/engineer team to continue providing pre-construction design services for the project.\)](#) When such preliminary project approval is requested, the board shall be presented information that includes a summary of the project concept, the proposed project planning budget, an estimated total project budget, and an overview of the selection process for each proposed external partner that includes the following information:

- (a) Initial Submittal Phase:
 - i. weighted grading criteria used in the initial selection phase;
 - ii. names of all submitting firms;
 - iii. grading of the initial submittals by the members of the selection committee; and
 - iv. a summary of the scores.
- (b) Interview Phase:
 - i. weighted grading criteria for this phase;
 - ii. names of firms selected to interview for this phase;
 - iii. scoring of each firm by the members of the selection committee; and
 - iv. summary of final scores from the Interview Phase.

§08.01.3.b = Stage 2 Board approval = proceed to construction:

- authorization to proceed with construction
- total project budget
- authorization to execute contracts for full construction services

b. **Approval to proceed with construction.** For major construction projects, when approval to proceed with the construction phase of a project is requested, the board shall be presented information that includes the project design, the proposed project budget, and a detailed summary of proposed fees, cost, included and excluded consultants (for design professionals), proposed bonding, and general conditions (for construction managers) for each selected external partner. The chancellor or the chancellor's designated representative, upon the recommendation of the president, shall obtain the approval of the board prior to proceeding with the following actions as applicable to the project:

- (1) approve a total project budget;
- (2) proceed with design development and construction documents;
- (3) submit required reports to the Texas Higher Education Coordinating Board;
- (4) solicit and accept construction bids or proposals;
- (5) award a construction contract or execute a Guaranteed Maximum Price contract amendment; and
- (6) amend any associated existing contracts to reflect the remaining scope of the project as well as construction management services for the project.

c. Board approval: combining steps in the process; dividing projects.

BUT REMEMBER:

08.01.3.a = for feasibility studies and full Stage 1 preliminary approval

08.01.3.b = for Stage 2 approval to proceed with construction

(1) Any of the steps listed in Section 08.01.3.b may be combined in the board approval process. The board, however, may choose to retain control over any or all of the steps listed above in the board approval process.

(2) Projects shall not be divided for the purpose of falling within a lower level of approval.

d. The chancellor's designated representative for major construction projects shall be the FP&C Office. All major construction projects shall be managed by the FP&C Office.

- e. The board may choose to employ an outside entity that supplies Construction Manager-Agent Services to assist the FP&C Office.
- f. All major construction projects that have a construction cost of more than \$10,000,000 shall be conducted under the auspices of the FP&C Office but with the assistance of a Construction Manager-Agent unless the board approves an exception.
- g. The following changes to a major construction project require re-approval by the board and may require re-submission of a report to the Texas Higher Education Coordinating Board:
 - (1) the total cost of a project exceeds the board-approved budget;
 - (2) the TTU system administration or the component institution has not contracted for the project within 18 months of the date of final approval by the board; or
 - (3) any funding source of an approved project is changed.
- h. Even though the overall amount of a project budget may not increase, any amount for an architect/engineer team, a construction manager-agent, or a construction manager-at-risk that will exceed the budgeted amount approved by the board shall be reported to the board prior to execution of the related amendment to that contract.
- i. 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.

ATTACHMENT

5

**TTU Proposed revisions to Student Handbook
(Consent Item d.)**

TEXAS TECH UNIVERSITY
STUDENT HANDBOOK ~~2017-2018~~ 2018-
2019

TABLE OF CONTENTS

Forward Part I: Code of Student Conduct

- Section A: Student Conduct Mission and Policies
- Section B: Misconduct
- Section C: Conduct Procedures for Students
- Section D: 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: Financial Responsibility
- Section G: Freedom of Expression
- Section H: Gender-based Harassment, Sexual Misconduct, Discrimination, and Title IX
- Section I: Housing Requirements
- Section J: Solicitations, Advertisements and Printed Materials
- Section K: Student Identification
- Section L: Student Involvement & Representation
- Section M: Student Organizations
- Section N: Student Right to Know
- Section O: Student Records Section
- P: Use of University Space Section
- Q: Withdrawals

Appendix

- Appendix A: Definitions
- Appendix B: ~~Rights and Responsibilities Form~~ Consent at Texas Tech
- ~~Appendix C: Sanctioning Grids~~
- ~~Appendix D: Campus Resources~~

General Purpose

FOREWARD

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

The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students are responsible for knowing the information, policies and procedures outlined in this document. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the Undergraduate Catalog and other official University publications, as well as the [Texas Education Code](#). Student organizations also agree to follow these standards, rules, and/or policies. The University or its representative may amend this document at any time without notice. Neither this handbook or 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 18, 2017~~8~~** to be effective Monday, **May 22~~1~~**, 2017~~8~~.

Membership in the TTU Community

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

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

Texas Tech University Vision

Texas Tech is a great public research University where students succeed, knowledge is advanced, and [global engagement is championed.](#)

Texas Tech University Mission

As a public research University, Texas Tech advances knowledge through innovative and creative teaching, research, and scholarship. The University is dedicated to student success by preparing learners to be ethical leaders for a diverse and globally competitive workforce. The University is committed to enhancing the cultural and economic development of the state, nation, and world. *Approved by the Texas Tech University Board of Regents on May 14, 2010.*

Texas Tech Statement of Ethical Principles

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

School of Law and Texas Tech University Health Sciences Center

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

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

Students enrolled in the Schools of Medicine, Allied Health Sciences, 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 and Academic Conduct](#).

PART I
CODE OF STUDENT CONDUCT

SECTION A: STUDENT CONDUCT MISSION AND POLICIES

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

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

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

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

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

1. Disciplinary Authority

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

The Dean of Students, Managing Director of the Office of Student Conduct and the Title IX Administrator, herein after referred to as the Managing Director or designee, will assume responsibility for the Investigation of an allegation of misconduct to determine if the complaint has merit.

a. Investigator

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

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

b. Administrative Hearing Officer

An Administrative Hearing Officer is a trained University staff member whose role is to make a decision of responsibility and assign sanctions, as appropriate in an Administrative Hearing. 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 in a Hearing.

d. Administrative Hearing Officer Appointments

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

2. Hearing Panel Terms

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

3. Hearing Panel Composition

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

4. Resource Person

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

5. Removal of a Hearing Panel Member

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

6. Panel Hearings

The Office of Student Conduct will establish meeting dates and times during which cases will be heard and will also 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 Administrative Hearing Panel.

d. The *Code of Student Conduct* Review Committee

The *Code of Student Conduct* is reviewed every year by the *Code of Student Conduct* Review Committee in conjunction with the Office of Student Conduct, University Student Housing, Dean of Students, and the Associate Vice Provost for Student Affairs. The *Code of Student Conduct* Review Committee will conduct an annual review of the *Code of Student Conduct* and make recommendations to the Associate Vice Provost for Student Affairs regarding omissions, clarifications, constructive changes and other matters relevant to the proper interpretation and operation of the *Code of Student Conduct*. The Associate Vice Provost for Student Affairs will then present the *Code of Student Conduct* ~~to the Vice Provost for Undergraduate Education & Student Affairs and the Provost~~ 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 Advisory Council, and the President of the Residence Halls Association.

2. Committee Composition

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

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

3. Committee Removals

The Managing Director or designee may remove a member from this committee when, in ~~his/her~~ 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 *Code of Student Conduct* may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information, but may take action if and when 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 programs by contractual agreements. Visitors to and guests of the University may seek resolution of violations of the *Code of Student Conduct* committed against them by members of University community.

3. Notice

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

Student organizations are provided notice through the organization's spokesperson via the notification procedures described above. In most cases, the organization's spokesperson is the President of the organization. However, organizations may appoint an alternate spokesperson to formally represent the organization. A student organization spokesperson must be a currently Texas Tech University student who is a member of the responding

organization. The spokesperson may not be an alumni advisor, chapter advisor, faculty/staff advisor, national or international headquarters volunteer or staff member, or coach. Student organizations may only appoint one spokesperson for each case and must inform the University in the event that the appointed spokesperson is not the President of the organization.

4. **Timelines**

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

The Office of Student Conduct and/or the Office of Student Rights and Resolution will make every effort to complete the process as quickly as possible. Incidents may be resolved within 60 days of notice regarding the incident, not including appeal. This ~~Timelines~~ may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

5. **Standards of Evidence**

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

6. **Reporting Allegations of Misconduct**

To 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 of Student Rights and Resolution Student Union Building Room 232E.

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

7. Confidentiality

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

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

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

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

8. Anonymity

Texas Tech understands the sensitive nature of some incidents of alleged misconduct. Further, the University is mindful of a 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 victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense concerning the final results of a disciplinary Hearing.

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

10. Student Organizations

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

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

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

11. **Reporting Criminally**

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

12. **Amnesty**

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

- Victims of misconduct who were engaging in policy violations, such as underage drinking or drug use, at the time of the incident.
- Students who offer assistance to others by calling medical personnel or law enforcement.
- Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.
- The university will not take any disciplinary action against a student who in good faith reports being the victim of, or witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the Code of Student Conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the disciplinary process regarding the incident.

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

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 withdraw or choice to participate in the Investigation. The University reserves the right to reinstate a student who withdraws at any point during the conduct process.

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

SECTION B: MISCONDUCT

1. Academic Misconduct

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

a. Cheating

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

b. Plagiarism

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

c. Collusion

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

d. Falsifying academic records

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

e. Misrepresenting facts

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

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

f. Violation of Professional Standards

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

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

g. Unfair Academic Advantage

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

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 normal operation of the University, its students, faculty, staff and/or University visitors.

b. Harmful, Threatening, or Endangering Conduct

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

1. Assault

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

2. Threats

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

3. Intimidation

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

4. Intimate partner / relationship violence/dating violence

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

NOTE: 4. (a) Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities.

5. Bullying / cyber bullying

Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of expression will not be considered violations of the *Code of Student Conduct*. NOTE: Information related to freedom of expression policy is available in Part II, Section P Use of University Space.

6. Stalking

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

c. Sexual Misconduct

1. Sexual Harassment

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

2. Sexual Exploitation

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

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

3. Public Indecency

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

4. Nonconsensual Sexual Contact

Intentional sexual touching, however slight and with any object or part of one's body, of another's private areas without consent. Private area includes butt, breasts, mouth, genitals, groin area, or other bodily orifice.

5. Nonconsensual Sexual Intercourse

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

NOTE: Refer to Appendix AB: Definitions for a comprehensive definition of consent

d. Hazing

Intentional, knowing, or reckless act directed against a student by one person acting alone

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

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

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

e. Discriminatory Harassment

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

f. Retaliatory Discrimination or Harassment

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

g. Complicity

1. Assisting via acts or omissions another student, individual, or group in committing or attempting to commit a violation of the *Code of Student Conduct*, specifically violations that constitute Actions against Members of the University Community and others.

2. Complicity with or failure of any organized group to address known or obvious violations of the *Code of Student Conduct* by its members, specifically Actions against Members of the University Community and others.

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

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

Smoking in unauthorized areas on University property as designated by the Texas Tech University [smoke-free and tobacco-free environment policy](#).

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. 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.
- f. Alteration, forgery or misrepresentation of any form of identification.
- g. Possession or use of any form of false identification.
- h. Failure to meet financial obligations owed to the University, or components owned or operated by the University, including, but not limited to, the writing of checks from accounts with insufficient funds.
- h.i. Selling items including but not limited to: stolen items, student identification cards and/or any item which may be used as a form of false identification.

9. Gambling, Wagering, Gaming and/or Bookmaking

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

10. False Alarms or Terroristic Threats

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

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.

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. Failure to comply with the sanctions imposed by an Investigator under the *Code of Student Conduct* the Student Handbook.

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

13. **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*. ~~"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.)~~ 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 private information and passwords, including the unauthorized sharing of confidential and/or sensitive private information or passwords with individuals who have not been granted access to University information resources.
- b. Use of University information resources:
 - 1. For unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).
 - 2. To violate Part I, Section B.2 of the *Code of Student Conduct* (Actions against Members of the University Community and Others).
- c. Attempted or actual:
 - 1. Breach of the security of another user's account and/or computing system, depriving another user of access to TTU information resources, compromising the privacy of another user or disrupting the intended use of TTU information resources.
 - 2. Use of TTU information resources to interfere with the normal operation of the University.
 - 3. Use of TTU information resources for unauthorized political or commercial purposes, or for personal gain. This includes email signatures that promote personal or commercial gain or political agendas.
 - 4. Destruction, disruption, or modification of programs, records, or data belonging to or licensed by the University or another user, or destruction of the integrity of computer-based information using TTU information resources.
- d. Use of TTU information resources to interfere with the normal operation of the University.
 - 1. Use of TTU information resources for unauthorized political or commercial purposes, or for personal gain. This includes email signatures that promote personal or commercial gain or political agendas.
 - 2. Destruction, disruption, or modification of programs, records, or data belonging to or licensed by the University or another user, or destruction of the integrity of computer-based information using TTU information resources.
- e. Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the explicit approval by the TTU official processes regarding academic ethical issues. Discovery of obscene material, including child pornography, on any TTU information resource must be reported to the Information Security Officer or Chief Information Officer immediately.

- f. Intentional “spamming” of students, faculty, or staff (defined as the sending of unsolicited and unwanted electronic communications, including but not limited to e-mails and text messages to parties with whom the sender has no existing business, professional or personal relationship) using TTU information resources.

14. 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.

14. 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. Violation of Published University Policies, Rules or Regulations

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

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

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

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

18. Abuse of the Discipline System

- a. Failure of a student to respond to a notification to appear before an Investigator during any stage of the conduct process.
- b. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Filing an allegation known to be without merit or cause.

- d.e. Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.
- e.f. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during and/or after the disciplinary proceeding.
- f.g. Influencing or attempting to influence another person to commit an abuse of the discipline system.

SECTION C: CONDUCT PROCEDURES FOR STUDENTS

Upon notice or receipt of potential violation(s) of the *Code of Student Conduct*, The Dean of Students or the Managing Director or designee will appoint an Investigator who will inquire, gather and review information about the reported student misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

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

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

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, ~~support coordinator~~, modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-

by-case basis.

a. Resources

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

b. Interim Actions

Under the Code of Student Conduct, the Managing Director or designee may impose restrictions and/or separate a student from the community pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim action(s) or interim suspension may request a meeting with the Managing Director or designee to demonstrate why an interim action(s) or suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a hearing. Through an interim action or during an interim suspension, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Managing Director or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Managing Director or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student. Students are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section _____ of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension are not sanctions. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim action may result in additional allegations of the Code of Student Conduct.

1. No Contact Order

When initial inquiry indicates persistent and potentially escalating conflict between members of the University community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Office of Student Conduct or Dean of Students via the student's

official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension ~~during-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.” ~~indefinite, unless otherwise stated in the Order.~~
~~Immediate Temporary Suspension – Students~~

2. Immediate Temporary Suspension – Students

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the ~~Dean of Students~~ 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 ~~Dean of Students or designee will notify the “Managing Director”~~ Managing Director or designee to 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. Any instances whereby the student should need to return to campus must be coordinated through the Office of Student Conduct and the Texas Tech Police Department. Conduct, on or off campus that typically results in immediate temporary suspension:

- A significant and articulable threat to the health or safety of a student or other member(s) of the University community that is deemed a continuous threat;
- Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;
- Criminal felony charges related to weapons, drugs, aggravated assault, and/or terroristic threats;

- Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests;
- Violation of a No Contact Order;
- Retaliatory harm, discrimination, or harassment.

3. Other Interim Actions

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

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

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

4. Non-Student Interim Actions

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

NOTE: *Students of Texas Tech University may be held ~~accountable~~ 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), ~~support coordinator~~, a parent or legal guardian, a relative, or in situations involving

criminal legal proceedings, an attorney. An advisor’s role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the accused student is an attorney, an attorney from the Office of General Counsel may attend the Hearing on behalf of the University. The Complainant and/or the Respondent is responsible for presenting their own information, and therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor. ~~except at the discretion of an Investigator upon written~~
~~written request five (5) University working days in advance of the scheduled Hearing~~

date;

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.

b. 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 unobstructive to concurrent or forthcoming police Investigations. A student will have access to review the completed Investigation Report and/or investigative materials relevant to the Investigation after the Investigation has concluded. In order to protect confidentiality students may be given an electronic password protected copy of the investigation report which may be redacted.~~however, students may not be given copies of Investigation Reports and/or investigative materials.~~

Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the 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.

d. Informal Resolution

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

process, a student must accept both the finding and the sanctions.

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

In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent must agree to both the finding and the sanctions as recommended by the Investigator. The case will only be reopened if new material, previously unavailable is presented. ~~Mediation will not be used to resolve cases involving Title IX-based allegations. The Informal Resolution, while not considered mediation, will also not be utilized to resolve cases of nonconsensual sexual intercourse.~~

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

e. 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.

4. 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.

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

Conduct prior to the scheduled Hearing.

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

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

a. Administrative Hearing

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director or designee. The Investigator or Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, as appropriate. Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5.

b. Panel Hearing

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

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

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

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

The Panel Resource Person may:

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

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

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. Written notification of the outcome of the Sanction Only Hearing will be provided to the student(s) within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, “the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions.” *A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.*

~~*Prior to the sanctioning phase of a hearing, the complainant and/or respondent are allowed to give an impact statement.*~~

5. **Sanctions**

An Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or Panel Hearing, when a student is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid at <http://www.depts.ttu.edu/studentconduct>. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer, or the Hearing Panel. The Investigator, Administrative Hearing Officer and/or the Hearing Panel may deviate from the grid for sufficient reason. Implementation of the disciplinary sanction(s) will begin immediately or as assigned. Students may request to have their sanctions held in abeyance through the appellate process. Students must provide written justification to the Managing Director or designee with regard to why they are asking for abeyance through the appellate process. The Managing Director will notify the Respondent and Complainant (if applicable) if abeyance is granted. Upon the judgement of the Managing Director or designee, some cases resulting in sanctioning of suspension or expulsion may begin prior to the completion of the disciplinary appeal process and may not be held in abeyance.

Both the Respondent and the Complainant (if applicable) will be notified of the appellate officer’s decision and sanctions as appropriate. When sanctions are final, appropriate University Administrators may be notified of the student’s sanctions. Findings and sanctions agreed upon through the Informal Resolution Process are final and cannot be appealed.

~~*NOTE: Findings and sanctions agreed upon through the Informal Resolution Process are final and cannot be appealed.*~~

All records related to the disciplinary process will remain on file in the Office of Student Conduct or University Student Housing for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, Administrative Hearing, or Panel Hearing and/or Disciplinary Appeal Procedures in Part I, section C.5. All records related to the disciplinary process resulting in suspension and/or expulsion will remain on file indefinitely.

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

a. Disciplinary Reprimand

The disciplinary reprimand is an official written notification using the notice procedures outlined in Part I, section A.3 to the student that the action in question was misconduct.

b. Disciplinary Probation

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

c. Time-Limited Disciplinary Suspension

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

prevent future registration.

e. Conditions

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

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

g. Restrictions

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

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

h. Academic Penalties

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

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

i. 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 Director of the ~~Office of Student Conduct~~ Managing Director or designee.

6. 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 ~~designated appeal officer~~ within five~~three~~ (5~~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 five~~three~~ (5~~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 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 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 abeyance of sanctions, please see sanction procedures.

7. Former Student Conduct & Readmission

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

revocation of a degree, and withdrawal of a diploma.

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

SECTION D. CONDUCT PROCEDURES FOR STUDENT ORGANIZATIONS

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

Incidents will be forwarded for Investigation when there is reasonable cause to believe a policy has been violated. If it is determined that the information reported does not warrant an allegation, a Policy Clarification Letter may be issued to involved parties to clarify the policy in question.

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

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

1. Remedies & Resources

The University may take immediate interim actions to eliminate hostile environments, prevent recurrence, and address any effects on the Complainant and community prior to the initiation of formal Investigation and/or formal conduct processes. These interim immediate steps will be taken to minimize the burden on the Complainant while respecting due process

rights of the Respondent. Remedies for students may include, but are not limited to counseling services, ~~support coordinator assistance~~, and modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

a. Resources

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

b. Interim Actions for Student Organizations

Under the *Code of Student Conduct*, the Managing Director or designee may impose restrictions and/or impose an Interim Suspension of Student Organization Activities on a student organization pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct* when a student organization represents a threat of serious harm to others that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an Investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include Interim Suspension of Organization Activities or restrictions pending the completion of the conduct process for alleged violation(s) of the *Code of Student Conduct*. A student organization that receives an interim action(s) or Interim Suspension of Student Organization Activities may request a meeting with the Managing Director to

demonstrate why an interim action(s) or Interim Suspension of Student Organization Activities is not merited. Regardless of the outcome of this meeting, the University may still proceed with conducting an Investigation and the scheduling of a campus Hearing. Through an interim action or during an interim suspension, a student may be denied access to University facilities/events. As determined appropriate by the Managing Director, or designee this restriction may include University activities or privileges for which the student organization might otherwise be eligible. Student organizations are informed of interim actions or of an interim suspension by the official notice procedures outlined in Part I, section A.3 of the *Code of Student Conduct*. Interim action(s) or an Interim Suspension of Student Organization Activities are not sanctions. Interim actions are taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action(s) is/are preliminary in nature; and are in effect only until the conduct process has been completed. However, violations of interim action may result in additional allegations of the *Code of Student Conduct*.

1. 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~~indefinite, unless otherwise stated in the Order.~~

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.

NOTE: 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.

3.4. **The Conduct Process for Student Organizations**

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

A student organization will be given notice of the organization's involvement in a referral or report received by the University related to the *Code of Student Conduct* by receipt of a "Notice of Investigation/Notice of Involvement" letter which will include an invitation for the student organization spokesperson to meet with an Investigator. In a case of a student organization's dangerous misconduct, serious injury, and/or death, The Managing Director or designee may issue an interim suspension of all organizational activities. In the event that a student organization fails to respond to written notification, interim actions and/or restrictions may be implemented by the Managing Director or designee. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent an Investigator from proceeding with the conduct process. Likewise, failure of a student organization to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

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

The Managing Director or designee may proceed with the conduct process (even if the complainant chooses not to participate) on a case by case basis if the alleged behavior involves pattern, predation, threat, or violence (PPTV) that may significantly impact the campus community and others.

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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), ~~support coordinator~~, 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.

2-4. Provide information and evidence in support of the case;

3-5. Know if they have been issued any allegations of misconduct;

4-6. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;

5-7. Know the Texas Tech University conduct policies and procedures, and where to find them;

6-8. Know that any information provided by the student organization may be used in a conduct proceeding;

7-9. Know that if the student organization spokesperson, or members of the organization, makes any false or misleading statements on behalf of the organization during the student conduct process, the student organization could be subject to further disciplinary action.

It is the Student Organization's Responsibility to:

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

advisory board may speak on behalf of the local advisory board. Be responsive to all communications from the University;

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

c. Investigation

The Managing Director or designee will appoint an Investigator to conduct a thorough, reliable, and impartial Investigation of the reported concern. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity.

Therefore, the Investigation procedures described below may vary.

1. ~~Cooperative Investigation 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 ~~Cooperative Investigation Partnership Process~~ with the Office of Student Conduct and/or Center for Campus Life.

Student organizations participating in a ~~Cooperative Investigation 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 ~~Cooperative~~ InvestigationPartnership -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 ~~a~~ 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 unobstructive to concurrent or forthcoming police Investigations. The student organization spokesperson will have access to review the completed Investigation Report and/or investigative materials relevant to the Investigation after the Investigative Process has concluded. In order to protect confidentiality, the student organization spokesperson may be given an electronic password protected copy of the investigation report which may be redacted. Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigation at which point the Investigator explains the options for resolution to the involved parties. Should a student organization not participate in the Investigative Process, the conduct process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student organization's participation, if appropriate.

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

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

d. Informal Resolution (~~Cooperative Sanctioning Partnership~~ Process)

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

severity of the incident and the cumulative conduct history of the student organization.

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

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

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

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

e. Pre-Hearing Process

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

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during

the time after the Pre-Hearing but before the Administrative or Panel Hearing, the student should inform the Investigator immediately. If the new information is pertinent to the consideration of the case, the Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative or Panel Hearing.

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

NOTE: 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.

4. **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~~ the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Panel may ask questions of the Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or

witnesses directly, but may pose questions through the Investigator. Should new evidence be presented without prior discussion with the Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the

Resource Person of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct for additional processing, as appropriate.

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

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

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

c. **Sanction Only Hearing**

If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing, by either a Hearing officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Investigator. During presentation of the Investigation Report and finding, the Respondent and the Complainant are not allowed to dispute the facts or details of the case. Both the Respondent and the Complainant may be present and both the Respondent and the Complainant may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the student organization spokesperson and may be considered by the Hearing body. Written notification of the outcome of the Sanction Only Hearing will be provided to the student organization within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by student organizations by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5. In Sanction Only

Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions."

A student organization may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.

Prior to the sanctioning phase of a hearing, the complainant and/or respondent are allowed to give an impact statement.

The investigator may assist the Resource Person or Committee Chairperson during the hearing

5. Sanctions

An Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or Panel Hearing, when a student organization is found responsible. The potential sanctions are listed in the Student Organization Sanction Grid in the Student Handbook Appendix. The grid is provided only as a guideline for administering sanctions by the Investigator, Administrative Hearing Officer or the Hearing Panel.

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

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

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

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 ~~Investigator~~ 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 ~~Investigator~~ Managing Director or designee may deny registration to the student organization. On a denial of student organization registration, the Investigator or ~~Managing Director~~ of Campus Life 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
- g. Restrictions
- A restriction is an additional component of a disciplinary sanction, usually an educational restriction on organization activities that occurs during a time period of probations or deferred suspension or upon return from time-limited suspension. Examples include, but are not limited to
- Revocation of organization benefits such as eligibility for SGA funding, eligibility to reserve rooms, eligibility to solicit or hold events on campus
 - Denial of participation or restrictions associated with participation in University activities as a student organization such as homecoming, intramurals, recruitment activities
- h. Required Notifications
- Some organization misconduct requires additional notifications. Texas Education Code, Chapter 51.936 indicates that institutions of higher education shall distribute to each student during the first three weeks of each semester a list of organizations that have been disciplined for hazing or convicted for hazing on or off the campus of the institution during the preceding three years.

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

6. 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 ~~designated appeal officers~~ within five three (53) University working days of receiving the written decision.
- b. The ~~Dean of Students~~ 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.

7. **Student Organization Records**

- a. All records concerning a student organization related to conduct processes will remain on file with the University for a minimum of seven (7) years from the date of the completion of the case via informal resolution, formal Hearing, and/or conduct appeal processes.
 - b. Student organization records do not impact the content of individual student records for student organization members. 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.
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PART II COMMUNITY POLICIES

SECTION A. ALCOHOL POLICY & INFORMATION

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

SECTION B. ACADEMIC INTEGRITY

a. Texas Tech University Statement of Academic Integrity

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

b. Academic Dishonesty Definitions

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

c. Instructor Responsibilities

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

for the assignment and/or course, issue a failing grade on the assignment, and/or issue a failing grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Office of Student Conduct as a central clearinghouse of violations and for adjudication as a *Code of Student Conduct* violation where disciplinary sanctions will be assigned.

d. Withdrawal and Assignment of Grades

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

SECTION C. ANTI-DISCRIMINATION POLICY

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

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

1. Discriminatory Harassment

- a. Discriminatory harassment is verbal, ~~or~~ physical, or written conduct that shows hostility toward an individual based on or related to sex, race, national origin, religion, age, disability, sexual orientation, gender identity, genetic information, or other protected categories, classes, or characteristics ~~and~~ and is severe, persistent, or pervasive such that it creates an intimidating, hostile, or offensive educational environment; has the purpose or effect of unreasonably interfering with a student's educational performance; adversely affects a student's educational opportunities; and ~~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.
- b. Examples of inappropriate behavior that may constitute discriminatory harassment include, but are not limited to:
 - Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
 - Display of explicit or offensive calendars, posters, pictures, drawings, cartoons, screen savers, e-mails, or other multi-media materials in any format that reflects disparagingly upon a class of persons or a particular person in a protected category;
 - Derogatory remarks about a person's national origin, race or other ethnic characteristics;
 - Disparaging or disrespectful comments if such comments are made because of a person's protected status;
 - Loud or angry outbursts or obscenities in the academic environment directed toward another student, faculty, staff, or

- visitor; or
- Disparate treatment without a legitimate business reason; or
- Other threats, discrimination, hazing, bullying, stalking, or violence based on ~~the referenced above~~ a protected category, class, or characteristic.

2. Sexual Harassment

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

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

- Sexual teasing, jokes, remarks, or questions
- Sexual looks and gestures;
- Sexual innuendoes or stories;
- Communicating in a demeaning manner with sexual overtones;
- Inappropriate comments about dress or physical appearance;
- Gifts, letters, calls, e-mails, or materials of a sexual nature;
- Sexually explicit visual material (calendars, posters, cards, software, internet materials);
- Sexual favoritism;
- Pressure for dates or sexual favors;
- Inappropriate discussion of private sexual behavior;
- Non-consensual video or audio-taping of sexual activity;
- Exposing one’s genitals or inducing another to expose their genitals;
- Unwelcome physical contact (touching, patting, stroking, rubbing);
- Sexual assault; or nonconsensual sexual intercourse or contact;
- Stalking;
- Interpersonal, ~~or~~ Relationship, or Dating violence;
- Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

- Note: While not appropriate, not all rude or offensive comments or conduct constitute sexual harassment or unlawful discrimination.
- See Part I, Section B: Misconduct, C. Sexual Misconduct of the Code of Student Conduct

4. Reporting Concerns

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

~~Students reporting discrimination or harassment in their employment capacity should contact the Office of Equal Opportunity. An online reporting form is also available~~ Information on reporting may be found here: <http://www.texastech.edu/offices/equal-employment/> https://www.depts.ttu.edu/titleix/students/Report_an_Incident.php

5. Office of Civil Rights Complaints

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

6. Retaliation

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment in good faith, assists someone in reporting a complaint, or participated in any manner in an investigation. Retaliation is defined as any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a conduct process, civil rights grievance proceeding, or other protected activity.

7. Confidentiality

Confidentiality of both the involved parties will be honored to the extent possible without compromising the University's commitment and obligation to investigate allegations of discrimination or violations of law, to protect the university community, and to the extent allowed by law. The willful and unnecessary disclosure of confidential information by the involved parties may affect the integrity of the investigation and may result in appropriate disciplinary measures against the offending party.

8. Faculty/Staff and Student Relationships

Texas Tech University is committed to the promotion of professional and educational relationships and open channels of communication among all individuals. The faculty/staff

and student relationship is of the highest value and impacts a student's educational experience. Consensual relationships, including affectionate liaisons or other intimate or close relationships between faculty and students in a faculty members class or with whom the faculty member has an academic or instructional connection are prohibited. Faculty/staff with direct or indirect teaching, training, research oversight or direction, supervisory, advisory, or evaluative responsibility over the student should recognize and respect the ethical and professional boundaries that must exist in such situations. If questions arise about situations involving faculty/staff and student relationships, they can be directed to the student's Academic Dean, Provost's Office or the Dean of Students.

9. Grievance or Complaint Processes

A grievance is a formal complaint pertaining to adverse actions taken on the basis of a student's protected status or other violation of 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. For additional information regarding the complaint process, see TTU Operating Policies 40.02 and 40.03.

10. 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. ~~or staff.~~
- b. All grievance or complaint investigations and procedures will be non-adversarial in nature. These procedures are entirely administrative in nature and are not considered legal proceedings.
- c. The filing of a grievance or complaint shall not affect the ability of TTU to pursue academic and disciplinary procedures for reasons other than the student's filing of a grievance or complaint.
- d. A student may consult with the Office of the Dean of Students to determine if he/she wishes to file a formal grievance or complaint. Students wishing to file a grievance or complaint should complete the grievance or complaint form located at www.deanofstudents.ttu.edu. However, even if a formal grievance or complaint is not filed, the Dean may notify key personnel at their discretion about the allegation, and other action may be taken by TTU as deemed appropriate. Other actions include, but are not limited to, conferring with supervisors or other administrators concerning inappropriate behavior occurring within their area of responsibility and informing the responding party of TTU's policyies and educating departments and supervisors as needed on this and other policies.
- e. If the grievance or complaint involves the Dean of Students, the grievance or complaint should be presented to the Equal Opportunity Office.
- 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 ~~or and~~ the Office of Equal Opportunity. Any findings in the Investigation will be based upon a preponderance of the evidence.
- h. After the investigation is complete, the Office of the Dean of Students or the Title IX Administrator and the Office of Equal Opportunity or designee will provide a written determination to the student who has filed the grievance or complaint, the responding party and the appropriate administrators.
- i. The finding of the Office of the Dean of Students or the Title IX Administrator and the Office of Equal Opportunity is final and not appealable.
- j. In the event a finding of a violation of this policy or TTU OP 40.02 or 40.03 is made, appropriate disciplinary action will be taken as determined by the appropriate administrator.
 - k. ~~If either party disagrees with the imposed disciplinary action, or lack thereof, he or she may appeal within the time period and through the procedures established in OP 32.05 for faculty and OP 70.10 for staff. If there is a finding of a violation of gender discrimination under TTU OP 40.02 or any violation under TTU OP 40.03 either party may appeal the imposed disciplinary action or lack thereof as provided under TTU OP 40.03. For all other violations, only the responding employee may appeal the disciplinary action as provided in other TTU policies.~~ At the conclusion of the Investigation, the student shall be advised that if the discrimination or unlawful activity persists the student should contact the Office of Equal Opportunity. Likewise, in the event the student believes unlawful retaliation for filing a grievance or complaint has taken place, the student should contact the Office of the Dean of Students, Title IX Administrator, or the Office of Equal Opportunity, and/or file a grievance or complaint for retaliation.
 - ~~l. In the event of a finding of a violation of this policy, the Office of Equal Opportunity will follow up with the reporting party within 60 days to ensure that the complained-of behavior has ceased.~~

SECTION D. CLASS ABSENCES

1. Class Absences

Responsibility for class attendance rests with the student. Regular and punctual attendance at all scheduled classes is expected, and the University reserves the right to deal at any time with individual cases of non-attendance. In case of an illness requiring an absence from class for more than one week, the student should notify his/her academic dean. Texas Tech University Operating Policy 34.04 provides complete information regarding class attendance and reporting student illness and emergencies.

2. Religious Holy Day Absences

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. More information is available in Texas Tech University Operating Policy 34.19.

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

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

SECTION E: COMPLAINT PROCESSES

1. Complaints/Grievances

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

2. Academic Status Complaints

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

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

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

5. Disability-Related Complaints

- a. Complaints related to disabilities are guided by Operating Policy 10.08 Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504) and Operating Policy 34.22 Establishing Reasonable Accommodation for Students with Disabilities.
- b. Any students seeking remedy on the basis of a disability must register as a disabled student with Student Disability Services and must provide all required documentation of a disability. Students who are denied services or denied a specific accommodation request by a Student Disability Services counselor may appeal the decision to the Managing Director of Student Disability Services. The ADA Campus Coordinator for Students is the Managing Director of Student Disability Services, 335 West Hall, (806) 742-2405.

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 O. The Registrar's Office provides oversight for student records and student record complaints.

7. Disciplinary Action

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

8. Employment

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with their immediate supervisor or the person in charge of that department may contact Human Resources or the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the University Operating Policy 70.10 Non-Faculty Employee Complaint Procedures and Operating Policy 40.032 (formerly 70.28) Anti-Discrimination Policy and Grievance Procedure for Violations of Employment and Other Laws.

9. Grades

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

10. Parking Citations

Students may appeal a campus parking citation online at www.parking.ttu.edu. Transportation & Parking Services rules and a description of the three-tiered appeals process is described in the *Traffic and Parking Regulations* available online at <http://www.parking.ttu.edu/resources/pdf/rulesregulations.pdf> <http://www.depts.ttu.edu/parking/PDFsandDocuments/rulesandregs.pdf>.

11. Graduate School Requirements

- a. Graduate student complaints related to academic standing and performance follow processes outlined in Operating Policy 64.07 Graduate Student Appeals. Such matters include, but are not limited to, disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, and graduate assistantships.
- b. Appeals of course grades are made through the dean of the college in which the course is offered and are guided by process in Operating Policy 34.03 Student Grade Appeal.

12. Housing Complaints

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

13. Online and Distance Student Complaints

Students enrolled in distance learning courses utilize the same complaint procedures as students enrolled in traditional courses. In accordance with the Higher Education Opportunities Act of 2008, Texas Tech University provides a website related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at <http://www.depts.ttu.edu/elearning/complaint-process/>.

14. Tuition, Fee, and Financial Aid Complaints

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

~~15. 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/>.~~

SECTION F. FINANCIAL RESPONSIBILITY

1. Financial Responsibility of Students

- a. Students must meet all financial ~~R~~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, ~~b~~ut the due date may be prohibited from registering for classes until full payment is made. Students should understand that consequences may result from not resolving one's financial obligations to the University.
- b. Generally, failure to meet financial obligations to the University may result in:
 - Cancellation of the student's registration.
 - Possible criminal prosecution for writing insufficient fund checks.
 - A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term.
 - A hold preventing future registration placed on a student's academic records.
 - A hold on receiving official University transcripts until the obligation is paid.
 - The University may report individual student financial problems to a credit agency or a collection agent. Before registering or requesting a transcript, students may check on the presence of holds by accessing their records at www.raiderlink.ttu.edu under the TTU MyTech (for Students) tab.
- c. For more information, please visit the Student Business Services website at www.sbs.ttu.edu.

SECTION G. FREEDOM OF EXPRESSION

1. Freedom of Expression

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

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

Texas Tech University (TTU) has established policies and grievance procedures providing for prompt and equitable resolution of student complaints of discrimination and harassment,

including sexual harassment, sexual violence, and other forms of sexual misconduct. In the event a student believes their rights under Title IX or other laws have been violated, TTU Operating Policies 40.02 and 40.03 set forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. Additional information regarding gender-based harassment, sexual misconduct, discrimination, and Title IX can be found at titleix.ttu.edu. Further information and definitions may be found here:

<https://www.depts.ttu.edu/titleix/students/Gender-Based-Harassment-Sexual-Misconduct-Discrimination-and-Title-IX.pdf>.

SECTION I: HOUSING REQUIREMENTS

1. Housing Information

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

2. Housing Policy

- a. In support of the Strategic Plan of Texas Tech University, the University requires enrolled first year students to live in the University residence halls. Institutional research suggests that students who live on campus are significantly more inclined to remain in college and achieve higher GPAs in comparison to students living off campus. Compliance with the University housing policy is a condition of enrollment, as set forth in the Student Handbook and the Undergraduate and Graduate Catalog and approved by the Board of Regents.

3. Housing Requirement

- a. Subject to verification and authorization by University Student Housing, students who meet one or more of the following criteria may be given permission to live off campus prior to moving in:
 1. A student is residing and continues to reside in the established primary residence of her/his parents (or legal guardian) if it is within a 60-mile radius of Texas Tech University. The parents must have established their primary Lubbock residency at least six months prior to the request for an exemption. Legal guardianship must have been established by a court of

law at least one year prior to the request.

2. A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for Financial Aid.
 3. A student is married or has dependent children living with the student.
 4. A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.
 - ~~5.~~ 5. A transfer student has successfully completed 30 or more semester hours of academic credit prior to the student's enrollment or re-enrollment. Credit earned by exam (Advanced Placement, CLEP, ACT, and SAT) and hours received from concurrent high school credit are not considered.
 - ~~5-6.~~ 5-6. A student is awarded a University scholarship/sponsorship that is managed by a University department or college, which minimally includes the equivalence of the current academic school year's room, dining plan, tuition, fees, and textbooks (as estimated by the Student Financial Aid Office). Upon prior approval from the managing department or college, the student may request to be exempt from living on campus. The managing department or college must provide verification in writing to University Student Housing prior to the student's enrollment and/or re-enrollment to the University.
 - ~~6-7.~~ 6-7. A student is enrolled in the Graduate School or Law School.
 - ~~7-8.~~ 7-8. A student has served in active military service, as verified by a discharge certificate (DD214).
 - ~~8-9.~~ 8-9. A student presents sufficient evidence of an extreme medical condition, as documented by his/her treating physician for which on-campus accommodations cannot be made.
 - ~~9-10.~~ 9-10. A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.
 - ~~10-11.~~ 10-11. A student has completed a full academic year (fall and spring terms) of living on campus in the Texas Tech University residence halls; or provides sufficient evidence of living on campus at another University prior to off campus residence eligibility.
 - ~~11-12.~~ 11-12. A student is enrolled in on-line classes only.
 - ~~12-13.~~ 12-13. A student is taking less than six hours during the academic year.
 - ~~13-14.~~ 13-14. A student enrolled for a Texas Tech University or Texas Tech University Health Sciences Center at a campus other than the Lubbock campus.
- b. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement will be grounds for disciplinary action. Such action may include, but is not limited to, revocation of a previously approved exemption, restitution of up to a semester's room and dining plan fees, or probation, as determined by the Office of Student Conduct and in accordance with the *Code of Student Conduct* of Texas Tech University.

- c. Students sign a University Student Housing and Hospitality Services Contract for the summer session or the academic year (fall and spring semesters). Any student wishing to move from the residence halls should consult the Residence Hall Contract for the provisions applicable to cancellation of the contract.
 1. Signing a lease for off-campus housing does not relieve the student of contractual obligations that may have been assumed with the University for housing in the residence halls. It is responsibility of the student to comply with all provisions of the contract.
 2. It is the responsibility of the student to update any incorrect information, regarding place of residence with the Office of the Registrar.
 3. No exemptions will be approved once the student has moved into the residence halls.

4. Room and Dining Plan Fees and Advance Payments

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

SECTION J. 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/ ~~and return to the Center for Campus Life~~. Requests must be submitted at least six (6) University working days before intended use.
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the Managing Director of the Center for Campus Life.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Senior Vice President of Administration and Finance.
- d. All regulations pertaining to on-campus solicitations by academic departments and faculty shall be administered by the Provost and Senior Vice President of Academic Affairs.

- e. Solicitation of all gifts, donations, and non-contractual grants from private philanthropic sources (e.g., individuals, foundations, and corporations) are administered by the Vice Chancellor of Institutional Advancement and in accordance with OP 02.02.

5. Solicitation Processes

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

Committee.

- h. The Director of the Center for Campus Life will convey the appeal decision, in writing, to the student or registered student organization and to the Outdoor Events Coordinating Committee within five (5) University working days from the receipt of the written appeal.
- i. The student or registered student organization may not appeal beyond the Director of the Center for Campus Life.

6. Advertisements

- a. Advertisements by commercial organizations, either as groups or through student representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co-sponsorship, which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.
- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the Texas Tech Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Outdoor Events Coordinating Committee.

7. Printed Materials & Digital Signage

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

- a. Only individuals affiliated with the University (i.e. students or student organizations) may distribute handbills, leaflets or any other type of printed materials, except as provided by law
- b. Students and registered student organizations do not need prior approval concerning the content or distribution of materials such as leaflets and handbills; however, students may be required to provide verification of current student status upon request;
- c. Solicitation and Advertising materials must conform with the provisions stated above;
- d. Student election campaign literature must conform to the procedures outlined in the Student Election Code of the Student Government Association;
- e. Use of the Texas Tech campus that results in the need to utilize University personnel for litter collection, crowd control, repair/replacement of University property, etc., may necessitate repayment to the University by the responsible party;
- f. Printed materials may not be placed on vehicles parked in University parking lots or

- on vehicles in motion without permission of the vehicle owners;
- g. Printed materials such as handbills and leaflets may not be distributed within University buildings;
 - h. Printed materials and digital signage content shall not violate any local, state, or federal law; Printed materials shall not include the use of obscenities, libelous statements, or “fighting words” as defined by law.
 - i. Registered student organizations and University departments are allowed to hang banners within the Student Union at the discretion of the Director of the Center for Campus Life. A list of requirements regarding the banners is available in the Center for Campus Life.

8. Use of Bulletin Boards & Digital Signage

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

9. Violations

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

SECTION K. STUDENT IDENTIFICATION

1. Student Identification

- a. The student identification card is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.

- c. Students shall not alter their student identification in any way.
- d. On request, students must present their student identification to any member of the University faculty, staff, administration or police.
- e. A student must pay a replacement charge for lost, stolen or damaged student identification cards. Upon issuance of a replacement student identification card, previous cards cannot be reactivated.

SECTION L. STUDENT INVOLVEMENT & REPRESENTATION

1. Student Government Association

The Student Government Association (SGA) is the official organization representing student interests and voicing concerns to administration. SGA provides programs and activities directed to enhance and develop premier leadership and career success through education.

2. Student Media

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

3. Military & Veterans Programs

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

- a. The exemption for Texas Veterans under the Hazelwood Act which provides an education benefit to honorably discharged or separated Texas veterans and to

- eligible dependent children and spouses of Texas veterans.
- b. The educational programs such as the various educational benefits offered through the Department of Veteran Affairs.

SECTION M. STUDENT ORGANIZATIONS

1. Registered Student Organizations

- a. Texas Tech University defines a student organization as a group consisting of 5 or more students (president, treasurer, and a minimum of three members) joining together for a common mission, cause, and/or any other association. Only currently enrolled students are eligible to be part of student organizations at TTU. TTU registers student organizations annually through the Center for Campus Life. Registered student organizations are bound by the expectations set forth by the Center for Campus Life and receive all rights and Responsibilities outlined by TTU. Student organizations that are unregistered may not access University resources however, unregistered student organizations shall be subject to the TTU Code of Student Conduct.
- b. Generally, student groups broadly fall under one of the following categories:
 - Academic-Agricultural Sciences and Natural Resources,
 - Academic- Architecture, Academic-Arts and Sciences,
 - Academic-Business,
 - Academic-Education, Academic-Engineering, Academic-Human Sciences, Academic-Media and Communications, Academic-Visual and Performing Arts, Advocacy/Activism, Campus Departmental Support, Cultural/International, Fraternity/Sorority, Graduate, Hobby/Leisure/Recreation, Honor, Law School, Political, Pre-Law, Pre-Professional, , Residential, Service/Philanthropy, Spiritual/Faith Based, and Sport Club.
 - ~~Advocacy/Lobby, Campus Departmental Support, Cultural/International, Fraternity/Sorority, Graduate, Hobby/Leisure/Recreation, Honor, Law, Professional-Agricultural Sciences and Natural Resources, Professional-Architecture, Professional Arts and Sciences, Professional-Business,~~
 - ~~Professional Education, Professional Engineering, Professional Human Sciences, Professional Media and Communications, Professional Visual and Performing Arts, Religious, Residential, Service, and Sports Clubs.~~
- c. All student organization registration is administered by the Center for Campus Life.
- d. Must be in compliance with Texas Education Code, Section 51.9361, Risk Management Programs for Members and Advisors of Student Organizations. *Note: See Texas Education Code, Sections 37, 151-37, 155*

and Section 51.936 as delivered by the Office of Campus Life annually.

2. Sport Clubs

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

3. Social Fraternities/Sororities

- a. The Center for Campus Life is responsible for the oversight of Texas Tech Social Fraternities and Sororities. A group seeking single-sex social fraternity or sorority status must first be recognized by one of the four governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.
- b. All student organizations registering as a single-sex social fraternity or social sorority must show proof of their Title IX exemption by attaching to their registration application a letter from their national affiliate with their IRS 501(c)7 number.

4. Conditions for Registration of New and Reforming Student Organizations

- a. A student organization is eligible for registration if it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, or gender expression, except that: a registered student organization created primarily for

religious purposes may restrict the right to vote or hold office to persons who subscribe to the registered student organization's religious beliefs; and a registered student organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972.

- b. Faculty and staff may hold associate memberships to the extent allowed by the student organization's constitution.
- c. The organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is

substantiated with the Center for Campus Life.

- d. 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.
- e. 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.
- f. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/ associate members should not be granted voting privileges nor can they hold executive officer positions. To preserve the governing integrity of a student organization, these privileges can only be vested in currently enrolled students at Texas Tech University.
- g. Registered student organizations shall not use the name, logo or symbols of the University in print, online, and on social media as part of its name or in its publications. In addition, the organization shall not advertise or promote functions or activities in a manner that suggest sponsorship by the University. Registered student organizations are permitted to use the word “Tech” as a part of their names or to use the complete statement “a registered student organization at Texas Tech University.” Approval of the use of logos or symbols protected by Texas Tech University is under the discretion of the Athletic Department External Operations, Texas Tech University.
- h. 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 Student Handbook.
- i. All registered student organization resources must be used to advance and support the organization’s purpose, identified goals, and/or mission.
- j. Must comply with University rules, standards, and policies.
- k. Student organization registration does not imply University approval of either the organization or its functions or activities.

5. Registration of New and Re-Registering Student Organization

- a. A student may submit the “intent to form” request, a new student organization application on ~~OrgSyne~~[TechConnect](#). The student is then contacted to attend a required to meeting with the Student

Organization Staff to discuss the registration process. After the form has been submitted and the student has met with the Student Organization Staff the non-registered group will be placed on a 30 day temporary status, which will allow the group the privileges of the University facilities and publicity venues common to registered student organizations. The 30-day time period should be used to recruit new members, develop a constitution and by-laws and obtain a permanent full- time faculty/staff advisor. A student organization may choose to register within the 30-day

time period if they have met all of the requirements to register.

b. Before the “intent to form” expiration deadline, students still interested in permanent status should complete the on-line registration process, and schedule an additional meeting with the Student Organization Staff, if necessary to discuss finalizing their status as a registered student organization. Extensions of the “intent” status are possible under extenuating circumstances and requests should be addressed to the Student Organization Staff. Although re-registration of current groups occurs during the spring, this does not mean that new or reforming groups have to wait until the spring to complete the process.

~~e. New and/or re-registering student organizations that desire the benefits of a registered student organization should attend request an appointment with the Student Organization staff to discuss the policy regulating the registration of student organizations.~~

~~d. After attending the meeting or individual appointment and reviewing the policy regulating student organization registration, students who are still interested in re-registering or forming an organization and are in a position to meet the requirements of registered student organizations, must complete the online registration process.~~

~~e.c.~~ Registration occurs by going to the Student Organization TechConnect website at <https://ttu.campuslabs.com/engage/http://ttu.orgsyne.com> and logging in to ~~OrgSyne~~ using your eRaider username and password. Students are guided through completing the registration process online. Students will be prompted to create an individual profile if they have not already created one.

~~f.d.~~ To validate the online process, student organizations must provide:

- List of Officers (must include president and treasurer).
- ~~List a member of the organization as the Student Organization Representative Council (SORC) representative (either an officer or a general member may be listed) or an Organization representative (for fraternities, sororities, and sport clubs).~~
- List of membership, must have a minimum of ~~three~~ two members in addition to a president, treasurer ~~and SORC/Organization Representative~~ (total minimum organization size of five).
- List an on-campus address, also known as a Mail Stop or box number.
- Submit updated copy of constitution and/or by-laws and constitution and/or by-laws of any other local, state or national affiliate organization (if applicable). An organization’s constitution and/or by-laws should address a minimum of these areas: name and purpose, membership requirements, selection and removal process, anti-discrimination statement, officer titles, duties, election and removal process, departmental and/or external relationships, financial procedures, procedures for decision making (quorum and voting), faculty/staff advisor selection and expectations, and parliamentary authority. It is recommended to include the organization’s risk management policy into the bylaws or upload it to the organization

OrgSyne-TechConnect files folder documents.

- New student organizations registering as a single-sex, social fraternity or social sorority must show proof of their Title IX exemption. Upon filing their registration application, groups must attach 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.
- Provide the title, campus address, telephone number and e-mail address of a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member indicating their willingness to serve as the organization's advisor.
- ~~President, Treasurer, SORC or~~ The president or Organization representative, must meet with the Faculty/Staff advisor(s) and have two (2) members must sign a "University Policy Agreement Advisor Agreement Form" (found within registration in OrgSyne-TechConnect and in the OrgSyne-TechConnect TTU Student Organization "files Documents" folder Student Organization Resources folder) stating ~~they intend to comply with all University standards, rules and/or policies as well as all federal, state, and/or local laws they agree to serve as the organization's Faculty/Staff Advisor for the next year.~~
- Submit-Upload the signed copy of the Advisor Agreement Form on the last page of registration University Policy Agreement page(s) to complete the registration process. ~~These form(s) should be scanned and uploaded into the OrgSyne registration application.~~

g.e. The registration process must be completed annually for student organizations, fraternities and sororities, and sport clubs to maintain registration status. Registration will open up in mid-spring and will need to be completed by the first day of the fall semester May 1st to participate in summer org fairs and. ~~The registration process for fraternities and sororities will take place twice a year needing to be completed by the first day of the fall and spring semester to avoid being Frozen. Organization that are Frozen will still be able to access and register their organization but will not be listed as an organization to the public. Once the organization has submitted their registration and has been approved they will be removed from Frozen status.~~

6. Benefits of Registered Student Organizations

- a. Benefits include: free space reservations in the Student Union, opportunity to reserve rooms in academic space (i.e. classrooms), and Grounds Use application free mailbox in the Student Union, organization information published online, posting on campus, use of University logo (with permission of Athletics Department External Operations), leadership training, student org resources, and access to Involvement Center, opportunity for free cubicle space storage lockers through the Student Union Main Office, ~~and free webpage via OrgSyne.~~
- b. Registered student organizations may apply for funding through the Student Government Association (SGA) each year provided they are registered as a

student organization with the Center for Campus Life and have completed the annual risk management requirement prior to the application deadline for reviewing registered student organization funding and meet other eligibility requirements. Registered student organization that are not funded by SGA may apply for funding from the Core Values Fund each year. Access to the application can be found on the Student Involvement website.

c. Sport Clubs

Sport clubs are entitled to all of the benefits of a registered student organization. In addition, each club receives administrative and financial support from Recreational Sports. However, since the Sport Club program receives its funding from the Student Recreation Fee, organizations that affiliate with Recreational Sports are not eligible for SGA funding.

7. Faculty or Staff Advisor

- a. Each registered student organization shall have a full-time University faculty or staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning and decision-making. The advisor should certify the organization's expenditures by co-signing all checks or vouchers. The advisor must oversee adherence to University standards, rules and/or policies as well as the organization's constitution and by-laws.
- b. Registered student organizations may have additional advisors, i.e. coaches (typical of sports clubs) or alumni advisors, to the extent permitted by their constitution and/or by-laws; however, one advisor must be a full-time Texas Tech University/Texas Tech Health Science Center faculty or staff member as required and identified in the registration ~~packet~~process.
- c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Texas Tech employee should also be included when filling out the registration application, complete with names, addresses, telephone numbers and emails.
- d. Registered student organizations have ten (10) University working days to update their Org Profile at <https://ttu.campuslabs.com/engage/http://ttu.orgsyne.com> with the name, address, telephone number and email of any new or replacement full-time University faculty or staff member appointed as their advisor. Failure to do so may result in suspended privileges.
- e. Certain student organizations do not choose their advisor(s); rather, they are assigned a full-time faculty or staff person by the department to oversee the administration of those areas, groups and resources.
- f. Established full-time University faculty or staff members, who reduce employment hours below full-time status and maintain an office on-campus, may continue to function as the "Primary" advisor of a student organization with the approval of the Center for Campus Life.
- g. Student organization advisors should complete advisor risk management training set by the Student Organization Staff.

8. Prerequisites for Maintaining Registration

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

- a. Organizations must update the “~~Org Profile Roster~~” on ~~OrgSyne TechConnect~~ at <https://ttu.campuslabs.com/engage/> ~~http://ttu.orgsyne.com~~ within ten (10) University working days of any of the following:
 - b. Election of or change in officers ~~and/or SORC/Organization representatives must be emailed to studentorgs@ttu.edu when changed outside of a registration period;~~
 - c. Change of full-time faculty or staff advisor;
 - d. Changes in organization documents (i.e. constitution, membership requirements);
 - e. Conduct its affairs in a lawful manner as a collaborative entity, in accordance with the constitution and by-laws it has on file, and applicable policies, rules, regulations and standards of the University and/or federal, state, and/or local statutes.
 - f. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Texas Tech University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the Student Organization Staff or designee.
 - g. Ensure off-campus individuals or organizations whose appearance on campus is sponsored by the organization observe all applicable policies, rules, regulations and standards of the University.
 - h. In accordance with Texas Education Code, Section 51.9361, all registered student organizations are required to attend training sessions on the topic of risk management as it relates to individuals, organization functions, and/or activities and complete the required assessment. Social fraternities and sororities are required to attend the Clay R. Warren Risk Education Programming annually. The Student Organization Staff and/or other designated departments may require other student organizations to attend the Clay Warren Risk Education Programming ~~in order~~ to fulfill this requirement. Student organizations not required to attend will participate in an alternative risk management training opportunity identified by the Student Organization Staff.
 - i. Student organizations will be assigned a tier group based on the questions they answer in their student organization registration regarding risk.
 - j. The Student Organization Staff will determine any additional risk management training requirements for student organizations.
- a. Student Organizations are expected to send at least their president to the Student Org Academy each spring to receive needed training to prepare them for next academic school year.
- b. Center for Campus Life and/or Office of Student Conduct may suspend the registration of an organization for noncompliance with the regulations and/or standards as set forth in the Student Handbook, Part I, Section D

9. Conduct Procedures for Student Organizations

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

SECTION N. 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 O. STUDENT RECORDS

1. General Policy

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

2. Address of Record

Students must maintain an accurate permanent address with the Office of the Registrar. The address is used for official notifications including billing and notification of official University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at www.raiderlink.ttu.edu via the MyTech (for Students) tab.

3. Student Access to Educational Records

- a. All current and former students of the University have the right to access their educational records as provided by law.

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

4. Records Not Accessible to Students

The following are records not accessible to students:

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

5. Authorized Non-student Access to Student Records

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

- a. Officials, faculty and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends to enroll or seeks to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c. Authorized representatives of federal, state or local educational authorities.
- d. Individuals needing this information in connection with a student application for, or receipt of, financial aid.
- e. Organizations such as Educational Testing Service administering predictive tests, student aid programs and improving instruction. The organizations must not show the personally identifiable information to outsiders and the information must be destroyed when no longer needed for audit, evaluation or compliance with federal requirements.
- f. Accrediting organizations.
- g. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ascertained 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.

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

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

does not have direct interest in the outcome of the Hearing appointed by the Associate Vice Provost for Student Affairs.

- The student may present evidence relevant to the content of the educational records to demonstrate how they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.
- A written decision must be delivered in writing to all interested parties within seven University working days after the conclusion of the Hearing.

7. Release of Student Directory Information

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

8. Destruction of Records

The University constantly reviews the “educational records” it maintains and periodically destroys certain records. The University will not destroy records if prohibited by state or federal law. The student’s basic scholastic record is kept and maintained permanently in

the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Office of Student Conduct. **In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely.** Student Disability Services records are maintained for three years after the last date of enrollment.

9. Letters of Recommendation

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

SECTION P. USE OF UNIVERSITY SPACE

1. General Policy

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

University buildings, grounds or property may not be used by individuals or organizations not connected with the University, with the exception of the use of Forum Areas for free expression as set forth in the section below or as otherwise permitted under Texas Tech University or Texas Tech University System policies. An individual who is not a student, faculty, or staff member may attend functions or activities held on University property, but to be eligible for the use of campus facilities, the function or activity must be sponsored by and affiliated with a University department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person. Except as otherwise permitted under Texas Tech University or Texas Tech University System policies, non-registered organizations or off-campus groups or persons not sponsored by a department or registered organization will not be permitted to reserve space on campus. State law requires that University facilities and property be used only for

state purposes and not for private gain.

2. Reservation Requirements

- a. Reservations must be made for the use of buildings and grounds under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. Requests must be made to the appropriate office. Requests from registered student organizations must be signed by the organization's president and full-time faculty/staff advisor. Requests from individuals must be signed by the person applying for the use of the space or facilities.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

3. Use of Facilities by Student Organizations

- a. Student organizations must be registered to use University facilities or grounds.
- b. These meetings must be held within a 30 calendar-day time period from the date the Center for Campus Life Staff notifies the Student Union for the petitioning organization's intent to register. Academic 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.
- b. Academic Buildings
Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Operations Division Planning and Administration. All requests must be submitted by an active member of the student organization using the online request form in Ad Astra Schedule at http://academicscheduling.ttu.edu/Astra_Schedule or in person at the Operations Division Planning and Administration office. A link to the scheduling site and complete instructions can be found on the department website

at <http://www.depts.ttu.edu/registrar/sectionsodpa/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, ~~or~~ during final examination periods, or during Individual Study Day. Academic use by departments and colleges has priority over other uses and organizational assignments may be changed or canceled if conflicts with regular academic programs develop.

Academic space will be assigned on a limited basis if:

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

c. Residence Halls

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

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

d. Intercollegiate Athletic Facilities

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.

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, Health Sciences Center Commencement, Texas Tech basketball and volleyball games and major arena events, such as concerts, have priority in booking the United Supermarkets Arena. Space in the United Supermarkets Arena is reserved through the Arena Management Office.

5. Use of Campus Grounds

- a. Selected grounds area (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, students and employees. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop.
- b. Students or registered student organizations desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304. Faculty, staff, or departments of the University desiring to use campus grounds must register for grounds use with the Outdoor Events Coordinating Committee (OECC) in Student Union Room 304 as well. In accordance with the University's Operating Policy 61.02 regarding Use of University Grounds, Facilities and Amplification, each use must be approved

in writing by the Outdoor Events Coordinating Committee (OECC). Requests must be submitted at least two (2) weeks before the intended use. Recurring use assignments shall not be permitted.

- c. The Outdoor Events Coordinating Committee (OECC) will coordinate all grounds use applications and shall grant only grounds use requests that are consistent with applicable University regulations and local, state and federal law.
 - d. A permit granting grounds use shall specify the boundaries of the area to be used, the date for which the use is approved, the time at which the proposed activity may begin, the time at which the reservation for the use expires and any special provisions concerning the use of the space. No request will be approved for activities occurring during individual study days and/or final examination period.
 - e. Students or registered organizations using a designated area are subject to the following requirements:
 - Use of amplification equipment must comply with the guidelines below.
 - A structure may not be erected on campus grounds without prior written approval that will include arrangements for securing the structure, and cleaning up after the event.
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- 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 should contact the Environmental Health and Safety Department to make necessary arrangements for any event that includes concessions or a mobile concession stand. In order for any person, vendor, or organization to operate a temporary food service or mobile unit on Texas Tech property, the Environmental Health and Safety Department must issue a valid Temporary Food Service Permit.
 - The sponsor should contact Transportation & Parking Services to make necessary parking arrangements for the event.
 - If the use of University grounds is for programs or activities involving minor children, the sponsoring group must comply with Texas Education Code 51.976, which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely

reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

6. Freedom of Expression Activities and Forum Areas

- a. The open exchange of information, opinions, and ideas between students is an essential element of the campus experience. These policies are intended to protect the interests of all students as well as other members of the University community. These policies presume that students are generally free to engage in freedom of expression activities in those outdoor areas of campus that are common and accessible to all students (such as park-like areas and sidewalks) without the need of prior approval of the University.
- b. Although the Texas Tech University campus is generally an open campus for purposes of student freedom of expression activities, students are encouraged, and persons and groups not affiliated with the University are required, to use the Forum Areas of the campus for freedom of expression activities.
- c. The following are the Forum Areas as currently defined at Texas Tech University. Each location is marked with a plaque that reads, "Forum Area," and may be used on a first-come, first-serve basis.
 - Southwest Collections – the outdoor gazebo and concrete octagon surrounding it located immediately east of the Southwest Collections building close to the corner of 15th Street and Boston Avenue.
 - Engineering Key – the northern 1/3 of the grassy area of the Engineering Key from the diagonal sidewalk going north to the flowerbed and bound by the street curbs on the east and west sides.
 - Student Union – northeast corner (15th Street and Akron Avenue).
 - Student Union/Library Plaza – the southern 1/3 of the plaza between the Student Union and Library described as follows: From the southwest raised flowerbed in front of the Library on the west to the black brick border of the flowerbeds on the east; and from the black brick border that stretches from the Library steps to the flowerbed outside the Student Union west entrance on the north to the bollards on the south end.
 - College of Media and Communication – the western half of the courtyard between the College of Media and Communication building and the Architecture building as described by the midway sidewalk on the east to the inside of the Flint Avenue sidewalk on the west and the sidewalks on the north and south sides.
 - Jerry S. Rawls College of Business Administration – the western half of the courtyard between the College of business Administration building and the Architecture building as described by the midway sidewalk on the east to the inside of the Flint Avenue sidewalk on the west and the sidewalks on the north and south sides.
 - Urbanovsky Amphitheater – the Urbanovsky Amphitheater bound on the west

by the second semicircular sidewalk, on the east by the inside of the sidewalk bordering Flint Avenue, and by the north and south sidewalks.

e.d. Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:

- The location selected for the activity is inadequate for the purpose for which it will be used (either too close to buildings, not big enough for the event, etc.);
- The activity substantially interferes with either vehicular or pedestrian traffic;
- The activity blocks the ingress or egress to buildings;
- The space is not available due to prior reservation;
- The activity conflicts with a previously planned University activity;
- The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University;
- The activity presents an unreasonable danger to the health or safety of the applicant or other individuals;
- The activity is prohibited by local, state, or federal law; or
- The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on campus.

d.e. Students engaged in freedom of expression activities may be subject to discipline under the *Code of Student Conduct* for the following actions:

- Activities which are illegal.
- Activities that deny the rights of other students, faculty and staff of the University.
- Activities that substantially obstruct or restrict the free movement of persons on any part of the University campus, including the free entry or exit from University facilities.
- Activities that deny the use of office or other facilities to the students, faculty, staff or guests of the University.
- Activities that threaten or endanger the health or safety of any person on the University campus.
- Activities that include the use of obscenities, libelous statements, or “fighting words,” as defined by law.
- Activities that result in damage to or destruction of University property or;
- Activities that attempt to prevent a University event or other lawful assembly by the threat or use of force or violence.
- Signs, banners, posters, and other displays used for freedom of expression activities must be handheld and must remain in the hands of individuals engaged in the expressive activities at all times.

7. Appeals of Ground Use Request Denials

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

as follows:

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

8. Use of Amplification Equipment

- a. Use of Amplification Equipment for Freedom of Expression Activities
 - Use of Amplification Equipment in Forum Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities within the designated Forum Areas from 8:00 am to 5:00 pm Monday through Friday.
 - Use of Amplification Equipment in All Other Outdoor Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities in all other outdoor areas of the campus after 5:00pm Monday through Friday.
 - Use of amplification equipment is subject to all rules concerning the time, place, and manner of freedom of expression activities and Forum Areas as set forth in section 7 of this policy.
 - Only handheld amplification devices are permitted.
 - No amplification of sound is permitted during the week prior to or the week of final exams.
 - The volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
 - Use of amplification equipment shall not create a sustained or repeated noise disturbance that substantially interferes with the normal activities of the University community.
- b. Other Use of Amplification Equipment
 - The use of loudspeakers, any other type of amplification equipment (e.g. portable stereo devices, portable studios, etc.), or amplified musical instruments on University grounds by students and/or registered student organizations for any purpose other than expressive activities as set forth in section 7, above, is by permission only.
 - Applications from individuals, departments, and organizations for permission to use amplification equipment must be made on the Grounds Use and Solicitation Request form provided by the Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration.

- Applications must be submitted at least two weeks before the intended use.
 - The Outdoor Events Coordinating Committee and the management of Operations Division Planning and Administration may prescribe rules concerning scheduling, maximum sound levels, location and direction of speakers, and other rules to facilitate the use of amplified sound to mediate any conflict with University functions, classes in session, examinations, other nearby activities, and the campus environment.
 - The use of amplification equipment for solicitation purposes must conform to all campus grounds use provisions, as well as policies governing solicitation and commercial activities.
 - The use of such equipment or loudspeakers is not permitted in the vicinity of classrooms during regularly scheduled class hours without written permission from Operations Division Planning and Administration.
 - Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with
 - classes in session, examinations, or other campus community activities.
 - Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Outdoor Events Coordinating Committee (OECC).
 - Outdoor dances utilizing sound amplification devices may be held only on Friday and Saturday nights, and must terminate by 1:00 a.m. Bands may use their own equipment on such dates.
- c. Academic Use
- The appropriate use of loudspeakers for official University activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the Provost.
 - Permission for use of the victory bells or carillon bells in the towers of the Administration Building must be requested through the Office of the Provost at least one University working day before time of intended use. Use of the bells must not interfere with the normal functions and programs of the University. See OP 30.21.

SECTION O. WITHDRAWALS

1. Voluntary Withdrawal from the University

- a. According to the Undergraduate and Graduate Catalog and OP 34.05, students who find it necessary to withdraw from the University during a semester or summer term must apply to the Office of the Registrar prior to the term withdrawal deadline. A student wishing to drop to zero hours must withdraw from

the institution. If a student withdraws on the 13th class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the Office of International Affairs as a part of the withdrawal procedure. Student athletes must receive clearance from their Athletic Academic Advisor. Withdrawal and re-enrollment procedures vary for School of Law students. Students enrolled in the School of Law and seeking withdrawal information should contact the Associate Dean for Student 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.
- c. There may be financial implications to withdrawal. If a student receives financial aid or is living in TTU student housing, he/she should first contact those offices before applying for the withdrawal. If a registration hold exists on the student's record, it must be cleared before the withdrawal can be processed. To check your student record for registration holds, log on at www.raiderlink.ttu.edu and select the MyTech (for Students) tab.
- 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/>.
- e. Returning to the University after a Voluntary Withdrawal
Application materials and deadlines for former Texas Tech students are available at www.gototexastech.com. Official transcripts from all institutions attended subsequent to Texas Tech re-enrollment must be submitted by the application deadline. All returning students must have a minimum of a 2.0 GPA on work taken since leaving Texas Tech. Please visit the following for more information: <http://www.depts.ttu.edu/formertech/>.

2. Involuntary Withdrawals

- a. When a student poses a direct threat to the health or safety of others, and the direct threat cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations where required, a student may be involuntarily withdrawn from the University.
- b. Notice
Notice regarding students who may be direct threats (both self-reports and third party reports) should be made to the Office of the Dean of Students or designee.
- c. A "direct threat" means
 - There is a high probability (not just a slightly increased, speculative, or remote risk)
 - of substantial harm

- Based on observation of a student’s conduct, actions, and statements.
- e. The Dean of Students or designee will review the information presented in the notice, including what attempts, if any, have been made to reduce or eliminate the direct threat, such as the student’s voluntary compliance with medical or counseling assistance.
 - f. The Dean of Students or designee will notify the student of the concern.
 - g. The Dean of Students or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled within five University working days in order to determine whether the student poses a direct threat to him/herself or others. The meeting may include, but is not limited to discussion of:
 - Involvement of parents or significant others;
 - Academic progress;
 - Living arrangements;
 - Previously granted accommodations;
 - Confidentiality waivers;
 - Other possible accommodations, care and support resources including medical or counseling assistance; and
 - Withdrawal implications such as financial aid, health insurance, visas, and academic timelines.
 - h. If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via certified mail to the student’s last known official, local address as provided by the student to the Registrar’s Office and/or electronically to the student’s University email account. Students not responding to requests for meetings or assessments may be referred to the Office of Student Conduct for allegations of failure to comply with reasonable directives and/or requests of a University official acting in the performance of their duties.
 - i. Temporary Suspensions
 During the involuntary withdrawal process, if the Associate Vice Provost, ~~Undergraduate Education and for~~ Student Affairs or designee determines that an immediate direct threat exists against others or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending a final decision on the involuntary withdrawal as long as the student has received notice of the concern, and had an opportunity to address the concern, and the student is afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may not attend classes, use University services and/or resources (except those expressly permitted by the Associate Vice Provost, ~~Undergraduate Education and for~~ Student Affairs or designee), and may not be on campus until the proceedings have been resolved. If the student needs to return to campus, the visit must be coordinated through the Associate Vice Provost, ~~Undergraduate Education and for~~ Student Affairs or designee and the Texas Tech

Police Department.

j. Involuntary Withdrawal Assessment

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

The assessment will be based on reasonable medical judgment, using current medical knowledge, or the best available objective information, to assess the student's ability to safely participate in the University's programs. The assessment will be in the form of a written report containing the findings and recommendations of the medical and other professionals performing the assessment.

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

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

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

The assessment will determine:

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

k. Involuntary Withdrawal Committee

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

The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Associate Academic Dean, Director of the Student Counseling Center, Medical Director of Student Health Services, Director of Student Disability Services, and Dean of Students. If the student resides in campus housing, the Director of Student Housing will also serve as a voting member of the committee. The Dean of Students or designee will chair the committee. A non-voting resource person may be assigned from the Associate Vice Provost for ~~Undergraduate Education and~~ Student Affairs to present information and assist the committee. The Involuntary University Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be permitted an opportunity to address the evidence being considered by the Involuntary Withdrawal Committee.

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

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

l. Review of Committee Recommendation

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

m. Appeals Process

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

n. Final Decision

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

o. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year. At that time, the student should present documentation to the Office of the Dean of Students for review. Documentation may include, but it is not limited to, current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon re-enrollment. The documentation shall be presented to the Involuntary Withdrawal Committee for recommendation to

the Dean of Students or designee. Readmission requests and documentation must be presented by February 1 for summer enrollment, May 1 for fall enrollment, and October 1 for spring enrollment. Readmission will be contingent upon demonstration or documentation that the student is no longer a direct threat, and upon meeting admission deadlines and requirements.

APPENDIX A

DEFINITIONS

Academic Work, Test, Quiz, or Other Assignment

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

Administrative Hold

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

Complainant

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

Conduct History

The term “conduct history” is a compilation of records related to any student or student organization’s behavior that resulted in a finding of Responsible through the University conduct process outlined in the *Code of Student Conduct*.

Consent

The term “consent” means mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific sexual activity. Consent cannot be compelled or coerced. Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to engage in sexual activity.

- Revocation of Consent:

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

Coercion

Sexual coercion is defined as the use of violence or threats of violence against a person or the

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

Dating Violence

Abuse or violence, or a threat of abuse or violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship.

Designee

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

Disciplinary Good Standing

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

Discipline Body

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

Employee:

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

Hearing Body

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

Interpersonal Violence

The term “Interpersonal Violence” means (Domestic or family violence) Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person

with whom the Reporting Party shares a child in common, by a person whom the Reporting party is (or has) cohabitated, or by any other person against a Reporting Party who is protected from that person's acts under the domestic or family violence laws of the state of Texas.

Investigation Report

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

Managing Director

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

Member of the University Community

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

Official Academic Record

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

Policy

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

Policy Clarification

The term "policy clarification" refers to written notice to a student when it is determined that the information reported does not warrant an allegation, but may warrant notice to the involved parties to clarify the policy in question.

Preponderance of Evidence

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

Religious Holy Day

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

Respondent

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

Retaliation

Retaliation is strictly prohibited against a person who files a report through appropriate university reporting mechanisms which are made in good faith, who assists someone in filing a report, or participated in any manner in the investigation and/or conduct process. Retaliation is defined as any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in an investigation and/or conduct process, civil rights grievance proceeding, or other protected activity.

Sponsorship and/or co-sponsorship

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

Student

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

Student/Student Organization Conduct History

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

Investigator

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

Student Organization

Texas Tech University defines a student organization as a group consisting of 5 or more students (president, treasurer, and a minimum of three members) joining together for a common mission, cause, and/or any other association. Only currently enrolled students are eligible to be part of student organizations at TTU. TTU registers student organizations annually through the Center for Campus Life. Registered student organizations are bound by the expectations set forth by the Center for Campus Life and receive all rights and Responsibilities outlined by TTU (Section M. 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 Organization Event

University

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

University Official

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

University Premises

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

Appendix B
Consent at Texas Tech

o Community members engaging in sexual activity must have clear, knowing, and voluntary consent from their sexual partner prior to and during each sexual activity.

o Consent is defined as mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for a specific activity.

o The following factors must all be fulfilled in order to have valid consent:
Consent has been expressed by each partner through clear words or actions.
Consent is actively expressed by each partner. Consent is not passive or implied.
Each partner is informed about each sexual activity and knowingly consents to participate in each sexual activity.

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

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

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

Some examples of non-verbal communication that demonstrate lack of consent include:

- Resistance: pushing hands away, pulling away from partner
- Body going limp or freezing up
- Crying
- Wincing

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

o Revocation of Consent:

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

o A prior existing sexual relationship between consenting adults does not imply future consent to engage in sexual activities. At any time in a relationship, one partner may revoke

his or her consent to sexual activities with the other partner. This is true even in marriage or other long-term sexual relationships. Consent for one sexual activity does not equal consent for other sexual activities.

o Consent cannot be compelled. Compelled sexual activity is by definition non-consensual. Compelling someone into engaging in sexual activities by the use of physical force, threats, intimidation, or coercion invalidates consent, even if it's eventually given, and thus constitutes a violation of the TTU sexual misconduct policies.

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

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

A person CANNOT consent to sexual activity when they are incapacitated. Engaging in sexual activity with someone you know or reasonably should know is incapacitated is a violation of the sexual misconduct policy. The question of what the responding party should have known is objectively based on what a reasonable person, sober and exercising good judgment, would have known about the condition of the complainant/reporting party.

There are three types of incapacitation:

- Age: A minor cannot consent to engage in sexual activity. In Texas, the legal age of consent is 17.
- Mental Disability: A person with a mental disorder or other cognitive issue which prohibits them from making an informed decision lacks capacity to consent to engage in sexual activity.
- Physical Incapacitation: A person who is asleep, unconscious, and/or intoxicated to the point of no longer understanding or controlling their actions cannot consent to engage in sexual activity.

o Key Points Regarding Consent

It is the responsibility of the initiator of sexual activity to obtain consent prior to acting.

Silence is not consent – consent must be “actively given.”

A person is not required to actively resist their aggressor.

A person is not required to say “No” as a means of expressing non-consent.

A person’s intentional use of alcohol/drugs neither negates nor diminishes the initiator’s responsibility to acquire consent before engaging in sexual activity.

Consent can be withdrawn at any time, and if communicated clearly that consent has been withdrawn, all sexual activity must cease.

Consent has an expiration date. Consent on Thursday does not mean consent on Friday.

ATTACHMENT

6

**ASU Proposed revisions to Traffic and Parking Regulations and Fees
(Consent Item h.)**

ANGELO STATE UNIVERSITY
TRAFFIC AND PARKING REGULATIONS ~~2017-2018~~ 2018-2019

The Board of Regents of the Texas Tech University System, in accordance with *V.T.C.A., Education Code*, Section 51.202, is authorized to promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other property of Angelo State University.

In addition to these Angelo State University Traffic and Parking Regulations, *V.T.C.A., Education Code*, Section 51.201, provides that: "All of the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state," and all persons are responsible for compliance with these laws. Angelo State University personnel who are commissioned as peace officers by the Board of Regents of the Texas Tech University System are vested with all of the powers, privileges and immunities of peace officers in the enforcement of these regulations and the general and criminal laws of the State of Texas.

The use of a motor vehicle on the Angelo State University campus is a privilege, and the university is not obligated to furnish parking space to accommodate all vehicles. However, the university will attempt to provide a reasonable number of parking spaces in keeping with resources and available sites.

The university will make every reasonable effort to render protection to vehicles parked on campus, but cannot assume the responsibility for any damages or losses. The university recommends that you properly secure your vehicle and any valuables contained therein. The university holds each operator responsible for the proper registration and use of his or her vehicle.

Pursuant to *V.T.C.A., Education Code*, Section 51.202, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.00.

These regulations apply to all persons who operate vehicles on university property. Repeated violations of these regulations or the failure of faculty, staff, or students to respond to a violation citation may result in appropriate disciplinary or other action in accordance with the *Regents' Rules*.

The university further reserves the right to close or re-zone lots due to construction, traffic congestion and special events. All changes will be made available through the Parking Services Web page <http://www.angelo.edu/parking> or can be obtained upon request from the University Police Department and/or Parking Services Office. All reasonable means shall be used to alert the campus community in advance to lot closures or re-zoning. The Traffic and Parking Regulations are a publication of Angelo State University. Its purpose is to provide students with general information regarding the policies, rules, and regulations concerning traffic and parking. The policies, rules, and regulations contained in the regulations are subject to change at any time without notice. Students are expected to be familiar with the regulations contained herein and to conduct themselves in a manner consistent with them.

Parking Services is located at 1830 Rosemont Drive in the General Services Building. For phone or e-mail inquiries, please call (325) 486-6435 or e-mail your question to parking@angelo.edu.

Angelo State University is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, and sex. These rules and regulations shall be reviewed to ensure their viability and continued adherence to the university's goals and mission.

- I. **Definitions** – for the purpose of this document, the following definitions are used:
- A. **“Campus”** is all lands owned, managed, or otherwise controlled by the university, herein called “Angelo State University.”
 - B. **“Impoundment”** refers to the actual towing of a vehicle or immobilizing a vehicle by means of an “Auto-Boot.”
 - C. **“Visitor”** is an individual with no official connection with Angelo State University as a student, faculty member, or staff member.
 - D. **“Valid Parking Space”** is an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.
 - E. **“Vehicle”** is a device used for transporting people or goods, such as a car, truck or motorcycle but is not limited to these descriptive terms.
 - F. **“Non-university Employees”** are individuals working on campus for entities with term contracts with the university (excluding construction) and are not considered university faculty or staff, (i.e., bookstore, food service, bank services).
 - G. **“General Use”** parking lots marked “A/B/C/D” are designated as general use lots. Anyone with a valid ASU parking permit may park in these lots at any time.
 - H. **“Reserved”** is any parking space or area, permanent or temporary that either requires a special permit or is otherwise marked. Examples would include, but not be limited to, “D” zones, visitor spaces, disabled spaces, service or maintenance spaces.
 - I. **“Alternative Fuel Vehicle”** is any vehicle that runs on a fuel other than “traditional” petroleum fuels (gasoline or diesel). This would include electric, hybrid electric & flex-fuel vehicles. The United States Department of Energy officially recognizes the following as alternative fuels: biodiesel, electricity, ethanol, hydrogen, natural gas & propane. Ethanol blends must be 15% or greater to be considered an alternative fuel.

II. Angelo State University Police Department

- A. Angelo State University police officers are duly commissioned peace officers of the State of Texas. Upon request of a university police officer, any person on the campus is required to provide proper identification.
- B. All thefts, accidents, or other offenses that occur on campus should be immediately reported to the University Police Department. One-vehicle accidents and inoperable vehicles must be promptly reported. Keys or valuables should not be left in vehicles while parked on campus. ALWAYS KEEP YOUR VEHICLE LOCKED. The majority of property loss in vehicles can be traced back to an unlocked vehicle.
- C. Angelo State University is concerned about the protection of persons and property and places a high priority on Traffic and Parking Regulations in striving to maintain a safe environment for students, faculty, staff, and visitors. The university, however, cannot guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility.
- D. University Police enforce speed limits on campus and adjacent public streets using RADAR and/or LIDAR. Appropriate citations are issued to speeding violators.
- E. ~~V.T.C.A., Penal Code, Section 46.03, provides that a person commits a felony offense, if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.~~

III. Vehicle Regulations

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Angelo State community must obtain and display, in his or her name, a vehicle registration permit. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member, or is not a member of that person's immediate family. Violation of the Traffic and Parking Regulations is prohibited by the *Student Handbook* and Angelo State University policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty member, staff member or student MUST display a state issued placard or license plate as well as a university parking permit.
- B. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus. Valid parking permits are required regardless of the number of hours for which a student may be enrolled.
- C. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus.
- D. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student permit in addition to the faculty/staff permit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student permit must be parked in the designated student parking area and not in a faculty/staff parking area.
- E. A faculty/staff permit is to be used by the registering faculty or staff member only, and its use is not transferrable to another person for any reason. If your vehicle is being repaired or is inoperable, you may transfer your hang tag to the vehicle you will be driving temporarily or obtain a temporary permit from [Parking Services](#) or the University Police Department.
- F. Any person giving false information when registering a vehicle is subject to the appropriate disciplinary action and revocation of their motor vehicle registration permit and related parking privileges.
- G. Angelo State University issues the following parking permits:
 1. "A" zone - All faculty and regular staff employees
 2. "B" zone - Commuters (all students living off campus in non-university-owned housing)
 3. "C" zone - Residence hall students (all students living on campus in university residence halls)
 4. "D" zone - Reserved parking (commuter students with special permits only) includes:
 - a. Academic Building (Upper Lot P-39), permits marked 39 only.
 - b. Carr Education-Fine Arts Building (Lot P-42b), permits marked 42 only.
 - c. "General Use" Lots (lots marked A/B/C/D)

Vehicles found illegally parked in a reserved parking lot shall be subject to immediate towing at the owner's expense.

5. "E" zone - Extended parking for outer lots includes:

a. Foster Field Lot (P21) off Jackson Street.

5.6. "S" zone - Special vendor parking or contracted parking.

6.7. "Temporary" - Permits may be issued for:

- a. Students enrolled in the Extended Studies Program. ("B" zone parking only)
 - b. Trailers to park in designated areas as established by the University Police Department or the Parking Services Office only after obtaining permission.
 - c. Special disability situations that are limited to individuals with temporary disabilities who are not eligible to park in handicapped spaces. Special disability parking permits are valid only on university property and shall not exceed two weeks in duration. Individuals seeking a temporary disabled permit beyond two weeks must provide a written doctor's excuse.
 - d. Special circumstances as deemed necessary by the parking services manager and/or the chief of university police.
 - e. All temporary or special permits may be obtained at the Parking Services Office.
- H. All permits are for the exclusive use of the registrant. Permits may not be sold, exchanged, given away or purchased from any person or agency other than Angelo State University.
 - I. Misuse of a permit could result in it being confiscated, parking privileges being revoked and appropriate fines assessed. Students suspected of misusing their permit or parking privileges, may be referred to the Student Life office for disciplinary action.
 - J. Permits remain the property of Angelo State University and may be recalled at any time.
 - K. Any expired Angelo State University parking permits must be removed from the motor vehicle(s) prior to use of the current year permit.
 - L. Lost or stolen permits should be reported as soon as possible to the Parking Services Office or the University Police Department. The recovery of a lost or stolen permit should be reported immediately.
 - M. A \$5 fee will be charged for each replacement permit.
 - N. Upon termination of employment, an employee's parking privileges are revoked. The faculty/staff permit must be returned to the Parking Services Office or to the Office of Human Resources at the time of his/her exit interview.
 - O. With the exception of ASU maintenance and emergency vehicles, motor vehicles may only be parked in the designated parking areas and are prohibited at all times from being parked on the turf, sidewalks, pedestrian traffic zones or any other place not clearly designated for parking. Motorcycles shall park in designated motorcycle parking areas if available. If no space is available, motorcycles may park in any available space within the appropriate zone.
 - P. Anyone who changes permit status or vehicles, must on the following class day, update the information at the Parking Services Office.
 - Q. Scooters that are not required by state law to obtain vehicle registration and inspection stickers are not required to obtain a parking permit and are not allowed to park in

motorcycle or vehicle parking spaces. Individuals operating scooters on campus must adhere to the regulations pertaining to bicycle use.

- R. Trailers must be registered with the Parking Services Office, before they may be parked on the campus. A temporary permit may be issued on a space available basis without charge for a period not to exceed two weeks. Trailer permits for periods to exceed two weeks shall be on a space available basis at the rate established for second vehicles. Trailer parking, if approved, will be limited to a specific area as designated by the University Police Department or the Parking Services Office.
- S. Permits are not issued for mobile homes or for mobile units in which overnight accommodations are intended.

IV. Vehicle Registration

- A. Permits are issued for a full academic year (August to August) or on a semester basis. Vehicle registration fees are as follows:

Fulltime Faculty/Staff “A” Zone and Non-University Employees

Permits must be paid in person at Parking Services and are non-refundable. Full Year Permit (per vehicle) may be deducted from university employees’ paychecks at a monthly rate. For two vehicle pricing, permits must be purchased at same time.

Single or Two Vehicle(s)	
Single Permit (August – August)	\$ 7290 .00
Two Vehicles (August-August)	\$ 117444 .00

Part Time /Temporary/Casual Employees “A” Zone and Non-University Employees

Monthly Permit- Must be paid in person at Parking Services. Non-refundable.

Automobiles or Motorcycles	
Monthly Permit (Rate based on months employed)	\$5.00

Commuter Students “B” Zones

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$ 7290 .00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$ 6480 .00
Spring Semester Only (January-May)	\$50.00
Summer Semester Only (May-August)	\$50.00

Residential Students “C” Zones

Automobiles or Motorcycles	
Fall Yearly (August-August)	\$ 7290 .00
Fall Semester Only (August-December)	\$50.00
Spring/Summer (January – August)	\$ 6480 .00
Spring Semester Only (January-May)	\$50.00

Summer Semester(s) Only (May-August)	\$50.00
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Student Reserved Parking “D” Zones

Academic Upper Lot (P-39) only -
Carr EFA Lot (P-42) only – “General
Use” A/B/C/D Zones included

Automobiles or Motorcycles	
Flat Fee (per vehicle)	\$120

Student Two Vehicle Permits

For two vehicle pricing, permits must be purchased at same time.

Reserved “D” Zones Not Offered in Combination

Two Vehicles	
Fall Yearly (August – August)	\$130 450.00
Fall Semester Only (August-December)	\$80.00
Spring/Summer (January-August)	\$110 430.00
Spring Semester Only (January-May)	\$80.00
Summer Semester(s) Only (May-August)	\$80.00

Student Extended Parking “E” Zones

Automobiles or Motorcycles	
<u>Fall Yearly (August-August)</u>	<u>\$36.00</u>
<u>Fall Semester Only (August-December)</u>	<u>\$25.00</u>
<u>Spring/Summer (January – August)</u>	<u>\$30.00</u>
<u>Spring Semester Only (January-May)</u>	<u>\$25.00</u>

B. Additional or Replacement Permits

**Students/Faculty/Staff additional permits are priced the same as applicable permits.
Replacement or lost permits are \$5.00.**

- Faculty/Staff and Non-University Employees

Lost or stolen “A” zone permits must be reported immediately to the University Police Department.

- Students

Window decal parking permits are not transferable to another vehicle. Decal permit holders, wishing to transfer a permit to another vehicle or make zone changes, must scrape off the current decal and present it to the Parking Services Office at the time of the requested change. Failure to present the scraped current decal will result in a replacement fee being assessed. Hang tags, if applicable, are transferable to another vehicle operated by the student only. Lost or stolen hang tags will result in an appropriate replacement fee being assessed.

Anyone wishing to exchange a permit must surrender the old permit. A \$5.00

administrative fee will be assessed for any permits being exchanged.

C. Refunds

1. Withdrawing students may be eligible for a refund in accordance with current academic catalog refund policies. Refunds may only be given for the semester in which the permit was purchased and if the unused permit is returned. No other refunds will be honored.
2. A request for a refund will not be honored when a person's privilege to park on campus has been suspended or other debts remain unpaid.
3. The following chart details the university refunds policy:

Refunds Fall and Spring Semester	
Prior to the first class day	100%
During the 1st, 2nd, 3rd, 4th and 5th class days	80%
During the 6th, 7th, 8th, 9th and 10th class days	70%
During the 11th, 12th, 13th, 14th and 15th class days	50%
During the 16th, 17th, 18th, 19th and 20th class days	25%
After the 20th class day	0%

Refunds Summer Semester	
Prior to the first class day	100%
During the first class day	80%
During the second class day	50%
After the third class day and thereafter	0%

V. Permit Regulations

- A. All faculty and staff parking or standing a motor vehicle on campus shall have a valid "A" zone permit displayed at all times. A student working part time for the university is not eligible for an "A" zone permit and shall have a valid student parking permit displayed at all times while parked on campus. Graduate students do not qualify as faculty. Teaching Assistants may be issued a temporary "A" zone permit on a semester-by-semester basis. Teaching Assistants must have their instructor submit a written request to the Parking Services Office and purchase a student permit to obtain a temporary "A" permit.
 1. Hang tag parking permits may be used on any vehicle driven by the person to whom the permit is issued; however, it is a violation to loan a permit to another person to be used in any manner.
 2. A permit holder is responsible for any parking violations incurred if someone else is using their permit. It is a violation to allow someone else to use a permit not issued to him/her. Such violators may also be charged with unauthorized use of a parking permit. Both parties involved are subject to being charged with this violation.
 3. Any and all old or invalid ASU parking permits shall be removed from vehicles being operated or parked on campus.
- B. Parking permits shall be displayed as follows:
 1. **Faculty/Staff** – hang tags

- A. Hang tags shall be displayed unobstructed, on rearview mirror with front side facing windshield. Permit number and parking zone must be clearly visible from outside the front of the vehicle in order for permit to be valid.
 - B. Faculty/Staff driving convertible type vehicles may obtain a motorcycle decal to place on the front windshield above the vehicle registration/ safety inspection sticker(s).
2. **Students** – window decals and/or hang tags
- A. Hang tags, shall be displayed unobstructed, on rearview mirror with front side facing windshield. Permit number and parking zone must be clearly visible from outside the front of the vehicle in order for permit to be valid.
 - B. Window decals shall be permanently affixed to the driver’s side, lower left outside portion of the front windshield. It must be affixed in a manner as to not interfere with the visibility of the state registration and/or inspection sticker.
 - C. Students driving convertible type vehicles may obtain a motorcycle decal to place on the front windshield above the vehicle registration/ safety inspection sticker(s).
3. **Motorcycles** - window decals
- Shall be affixed to the yoke, windshield or other conspicuous place.

All parking permits shall be visible and easily read from the front/rear of the vehicle, where applicable, to be considered valid.

VI. Parking Zones

- A. Faculty, staff, and students MUST have a valid university parking permit displayed to park on campus. Failure to display a permit in accordance with these rules will result in a parking citation.
- B. Faculty and staff employees will park in areas designated as “A” zone.
- C. Commuting students will park in “B” zone.
- D. Students living in all campus housing shall park in “C” zone specific lots.
- E. Students purchasing a “D” reserved zone permit must park in the lot number specified on the permit or in any General Use zone on campus. They may **NOT** park in the other reserved lots or “B” zones.
- F. **PARKING IN A RESERVED “D” ZONE WITHOUT THE PROPER VALID “D” ZONE PERMIT MAY RESULT IN A CITATION BEING ISSUED AND/OR A VEHICLE BEING TOWED AT THE OWNER’S EXPENSE.**
- G. Students purchasing an “E” extended zone permit must park in the extended parking lots, currently lot P21 off Jackson Street.
- H. “A” and “C” zones are in effect and enforced between 7:30 a.m. and 4:30 p.m., Monday through Friday. After 4:30 p.m., “A” and “C” zones are open for general use, unless otherwise specified.
- I. “B”, “D” and “E” zones are in effect and enforced from 7:30 a.m. to 1:00 p.m., Monday

through Friday. After 1:00 p.m., “B”, “D” and “E” zones are open for general use with a valid parking permit. “E” zone permits may park in “B” zones during the summer semesters when the shuttle service is not operating.

- J. “A/B/C/D” zones are “general use” parking lots. Any person having a valid campus parking permit may park in general use lots. These lots are open and have no restricted times, unless otherwise specified.
- K. Faculty, staff, and students with a valid parking permit may park in any zone when the parking regulations specified above are not in effect. A valid parking permit is required whenever any vehicle is parked on campus. Students must have an appropriate, valid parking permit anytime they are attending afternoon or evening classes or any other university function requiring parking.
- L. Disabled or handicapped individuals must display a valid approved State of Texas permit on their motor vehicle to legally park in a designated handicapped parking space. This special permit must be obtained at the County Tax Assessor’s Office. This permit must be displayed in conjunction with a valid ASU parking permit. In accordance with *V.T.C.A., Transportation Code*, Section 681.008, disabled veterans with valid State of Texas Disabled Veteran license plates may park in designated handicapped spaces without displaying a valid university parking permit. The Parking Services Office is authorized to issue temporary disabled permits, which allow for parking in disabled spaces on campus. **Such permits are only valid on the ASU campus.** Violation of this law may result in a Justice of the Peace citation or an ASU citation, at the officer’s discretion.
- M. Faculty, staff, and students shall not park at any time in spaces designated for visitors.
- N. Motorcycles may be parked in designated Motorcycle Zones or in a valid parking space only within the appropriate parking lot.
- O. Vehicles must be parked, nose-first, in all parking spaces. **BACKING IN OR PULLING THROUGH A PARKING SPACE IS PROHIBITED ON CAMPUS.**
- P. All yellow curbs denote “NO PARKING ZONES.”
- ~~Q. Spaces marked for “Alternative Fuel” vehicles are reserved for vehicles that meet the definition of alternative fuel. Vehicles parking in these spaces must also abide by the lot zone designation. Currently these spaces are only available in lot P-13 and are zoned for “C” parking permit holders.~~

VII. Parking areas for visitors

- A. Visitors must obtain and display a proper visitor’s pass when parked on campus. Visitor’s parking passes are free and may be issued for up to six months. Visitor’s passes may be issued and obtained at the Parking Services Office or the University Police Department.
- B. Guests of students residing in campus housing or apartments are permitted to park in “C” zones provided they have obtained a proper visitor’s pass from the Parking Services Office.
- C. Visitors to the university residence halls and apartments may also be required at any time to identify themselves and specify the names and locations of students whom they are visiting.
- D. A university police officer may deny parking to any visitor and/or may require the visitor to leave the campus anytime it is believed his/her presence on campus is disruptive.

VIII. Towing of vehicles

- A. Any vehicle illegally parked on university property is subject to towing at the owner's expense.
- B. The university reserves the right to impound or have impounded any vehicle that is parked in a manner dangerous to vehicular or pedestrian traffic or in flagrant violation of university parking regulations. Any person receiving four or more unresolved citations shall be considered in flagrant violation of university parking regulations, and his or her vehicle may be impounded. If the need arises to impound a vehicle, a local independent wrecker service will be utilized. Charges for this service will be at the discretion of the wrecker operator, and the vehicle owner shall bear all costs associated with the impoundment.
- C. The university reserves the right to remove and impound an abandoned or disabled vehicle or any vehicle found on its property without a valid parking permit, an expired vehicle inspection sticker, or without valid license plates.
- D. A vehicle found to be disabled or not in working order for an extended period may be subject to towing at the owner's expense.
- E. The university reserves the right to attach an "auto cuff" to any vehicle illegally parked on campus. The driver of the vehicle will be advised by a temporary adhesive sign to report to the Parking Services Office for removal of the cuff. A fine of \$30.00 will be charged in addition to the scheduled violation fee(s). The cuff will not be removed until all fines have been paid. Vehicles remaining cuffed longer than 72 hours shall be towed from the campus at the owner's expense.
- F. Any vehicle found illegally parked in a designated student "reserved" parking lot shall be subject to immediate towing at the owner's expense.

IX. General requirements

- A. Each operator must possess a valid operator's license at the time a permit is issued. If a person's driving privileges are suspended, the permit immediately becomes null and void.
- B. Every person operating a vehicle on the Angelo State University campus is responsible for obeying all university rules and regulations, the City of San Angelo traffic ordinances, and the State of Texas laws regulating traffic and parking.
- C. In all cases in which a vehicle is parked, the position shall be such that the whole vehicle is within the boundaries of the parking space. The fact that other vehicles are parked improperly will not constitute an excuse for improper parking of any vehicle.
- D. Each operator of a vehicle must, upon request by a university police officer, display a valid operator's license. If the operator is a university student, he or she may also be required to present an Angelo State University I.D. card.
- E. Car washing and car servicing or repairs are prohibited on the Angelo State University campus.
- F. The Parking Services Office will not issue any campus parking permit to individuals with outstanding fines.
- G. Non-university employees shall comply with all campus parking rules and regulations.

X. Violations/Fines

- A. An individual issued a parking permit shall be responsible for all violations of the parking rules and regulations. If a vehicle is not registered with the university, and a family member is currently enrolled, it shall be presumed that the student is the operator of the vehicle and is therefore responsible for all parking violations incurred.
- B. No person shall drive, cause or permit a vehicle to be driven on Angelo State University property at a speed greater than is reasonable and prudent under the existing circumstances. Any speed in excess of posted limits shall be prima facie evidence that the speed is not reasonable and is unlawful.

Speed Limits

- 1. Campus Streets: 25mph, unless otherwise posted.
- 2. Parking Lots: 10mph, unless otherwise posted.

- C. Citations may be issued for any of the following violations or for other violations of city traffic ordinances or the State of Texas laws regulating traffic and parking:

Violation Fees	
Refusal to display driver's license and/or ASU I.D. card to any university police officer	\$25.00
Failure to stop or heed instructions from a university police officer	\$25.00
Unauthorized use of a parking permit	\$200.00
Parking in or blocking DISABLED space	\$200.00
Parking/Standing in Fire Lane	\$50.00
Blocking a dumpster	\$35.00
Parking with no permit, expired permit, or fail to display permit	\$35.00
Parking/Standing in No Parking Zone	\$35.00
Parking/Standing in Driveway/Right of Way	\$35.00
Parking/Standing in Maintenance/Loading Zone	\$40.00
Parking/Standing in a Reserved Area	\$40.00
Parking/Standing in a Wrong Zone	\$30.00
Parking/Standing on a Sidewalk	\$25.00
Parking/Standing on the Grass/Lawn Area	\$25.00
Not in a designated space/using (2) two spaces	\$20.00
Parking/Standing in a Barricaded/Prohibited Area	\$40.00
Backing or pulling through Parking Space	\$15.00
Bicycles secured to Railing, Trees or Posts	\$20.00
Parking with improperly displayed/Obscured permit	\$20.00
Auto cuff fee	\$30.00
Providing inaccurate vehicle registration information	\$50.00
All other violations/including traffic violations	\$25.00

Fines are applicable to all persons operating motor vehicles on Angelo State University property.

- D. All violations not issued through the Justice of the Peace must be cleared at the Parking Services Office. Holds are placed immediately on a student's record upon receipt of a university citation. Failure to pay the amount owed by the end of the semester may result

in any or all of the following:

1. Withholding of future registration privileges
 2. Withholding the issuance of an official certified transcript
 3. Withholding the conferring of a degree
- E. Justice of the Peace citations may be issued for illegally parking in a handicap space. County citations must be paid at the Justice of the Peace Pct. 4 Building, 124 W. Beaugard. The penalty for illegally parking in a designated handicap space is a fine of not less than \$250.00 or more than \$1,000.00. In addition to the parking citation, illegally parked vehicles may be towed at the owner's expense.
- F. The University Police Department may issue citations to appear before a Justice of the Peace for violations of the traffic code, state laws, or *Regents' Rules* as provided by the *V.T.C.A. Education Code*, Section 51.202.
- G. Stealing or defacing a parking permit may result in criminal prosecution and/or a university citation. Using a stolen or altered permit or allowing the use of such a permit may result in a university fine of \$200.00.
- H. Parking permits remain the property of Angelo State University and shall not be transferred or gifted to anyone. Valid permits must be surrendered to the Parking Services Office upon separation from the university either by terminating your study or employment with the university. Expired permits are not required to be returned.
- I. Using the permit of another person will result in a fine of \$200.00. The permit holder is also subject to the same fine for allowing its use.

Such violations will be referred to Student Life and Student Services Office for appropriate disciplinary action.

XI. Appeals

- A. The Traffic Appeals Committee will review all appeals of traffic violations. The committee will review traffic grievances and has the authority to void citations on the basis of substantive evidence to support such action.
- B. Appeals are only accepted in cases where there is significant dispute over the facts or when there are major extenuating circumstances. Not agreeing with a valid parking regulation, being late to class, bad weather, not being able to find a parking space, or only parking in violation for a short period of time are **NOT** grounds for an appeal.
- C. An appeal form must be completed and returned to the Parking Services Office within ten (10) days after a citation has been issued. The written appeal form will be reviewed by the chief of university police, or designee, who will make a ruling on the appeal based on the information available. If the violation is overturned on appeal, the citation will be voided. If the citation is upheld on appeal, the violator will be expected to submit appropriate payment of the fine. Individuals whose appeal is denied by the Chief of University Police or designee, may request further appeal to the university Traffic Appeals Committee. The chairperson of the Traffic Appeals Committee shall then contact the person making the appeal and advise him/her as to the date, time, and the place the appeal will be heard. Appeal forms may be obtained from the Parking Services Web site at: <http://www.angelo.edu/parking>.

XII. Bicycles

- A. Students are encouraged to use bicycles as a mode of transportation on campus. Parking racks are conveniently located around campus for bicycles. Individuals shall not chain bicycles to buildings, signs, railings, light standards, trees, or shrubs, or park bicycles in any location, area, or space not specifically designated for bicycle parking. Bicycles found secured to trees, posts, hedges, buildings, on hand rails and in buildings may be impounded by the University Police Department. Replacement locks and storage fees will be the responsibility of the owner. Any bicycle left on campus after residence halls close at the end of the spring semester will be considered abandoned, unless prior arrangements have been made with the University Police Department or the ASU Office of Residential Programs. All abandoned property is subject to impoundment.
- B. It is recommended that students take advantage of the engravers located at the University Police Department to mark their bicycles with their driver's license numbers.
Operation ID is a free service provided by the University Police Department's Crime Prevention Unit.

XIII. Skates and Skateboards

- A. No person may skate or use a skateboard on or in any university building, structure, stairway, elevated sidewalk, access ramp, step, retaining wall, handrail, mall, bench or other architectural element.
- B. Skates and skateboards are prohibited on streets or in parking areas.
- C. Skates and skateboards must be operated in a controlled and safe manner. Such individuals must yield the right-of-way to pedestrians, bicyclists, motor vehicles and any device designed to assist in the transportation of persons with disabilities.

XIV. Lost and Found

- A. *V.T.C.A., Education Code, Section 51.213, "Abandoned Personal Property,"* states: "The governing board of each state institution of higher education, including public junior colleges, is authorized to promulgate rules and regulations providing for the disposition of abandoned and unclaimed personal property coming into the possession of the campus security personnel where the personal property is not being held as evidence to be used in any pending criminal case."
- B. All abandoned personal property should be turned-in to the University Police Department. All unclaimed or abandoned personal property of every kind, which shall remain unclaimed for a period of 30 days, shall be transferred to the university property manager, who will arrange to pick up the property and, thereafter, handle it in accordance with established procedure for the disposal of surplus property.
- C. The University Police Department offers a searchable online lost and found. This service allows individuals to search all property currently in our lost and found. To view the online lost and found, please visit our Web page at asupd.angelo.edu.

Anyone claiming property from lost and found must present a valid photo identification before **claiming** property. Individuals claiming property may also be requested to provide additional descriptions of the item being claimed.

XV. Money Saving Tips

- A. Purchase/pick up and properly display your parking permit.

- B. Plan ahead, do not wait until the last minute to arrive for class.
- C. DO NOT PARK OR STAND IN: FIRE LANES, VISITOR AREAS, DISABLED SPACES OR RESERVED PARKING AREAS.
- D. Do not back or pull through a parking space.
- E. Display a valid university parking permit **any time** your vehicle is parked on campus.
- F. Respond immediately if you have been issued a citation.
- G. Notify the Parking Services Office of any changes in your permit status or vehicles.
- H. Do not hang any other items from your mirror other than your valid parking permit or handicap placard.
- I. Be sure you provide accurate information when registering your vehicle. Do not guess on any information provided. Providing incorrect information will result in a fine being assessed.
- J. Do not park in a designated "reserved" parking lot without the appropriate permit or your vehicle will be towed at the owner's expense.
- K. If you need to have a permit replaced, the old permit must be returned to the Parking Services Office. Failure to do so will require the purchase of a new permit.

ATTACHMENT

7

**TTUHSC Proposed revisions to Parking Regulations
(Consent Item k.)**

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
~~TRAFFIC AND~~ PARKING REGULATIONS
2018-2019

I. Introduction

These regulations are established by Texas Tech University Health Sciences Center in order to facilitate the safe and orderly conduct of business and to provide registered vehicles parking space as conveniently as possible within the limits of space available. Operating a motor vehicle on campus is a privilege and is conditioned, in part, on complying with these rules and regulations.

II. Applicability of State General and Criminal Laws

Section 51.201 of the Texas Education Code provides that: "All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state."

III. Authority of Board of Regents to Make Rules and Regulations

Section 51.202 of the Texas Education Code provides as follows: "Rules and Regulations: Penalty—

- A. The governing board or each state institution of higher education, including public junior colleges, may promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to carry out the provisions of this subchapter and the governance of the institution, providing for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control including, but not limited to, the following:
1. limiting the rate of speed;
 2. assigning parking spaces and designated parking areas and their use and assessing a charge for parking;
 3. prohibiting parking as it deems necessary;
 4. removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator; and,
 5. instituting a system of registration for vehicle identification, including a reasonable charge.
- B. A person who violates any provision of this subchapter or any rule or regulation promulgated under the authority of this subchapter is guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$200."

IV. The following are the rules and regulations that apply to all of the Health Sciences Center campuses, where applicable, including fee and refund schedules, to be effective for the academic year for students and the entire fiscal year for faculty/staff.

V. General Regulations for ~~Traffic and~~ Parking

- A. Texas Tech is committed to the principle that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, national origin, age, sex, or disability, and that equal opportunity and access to facilities shall be available to all.
- B. Due to the diverse nature of operations between the University and the Health Sciences Center campuses, it is necessary to have certain regulations that pertain to the specific institution; these are submitted separately by each institution. Following are the regulations that apply to Texas Tech as defined in C.1 below.
- C. Definitions
1. The campus is defined as all lands owned, managed, or otherwise controlled by the various Health Sciences Center campuses, herein called "Texas Tech".
 2. Impoundment refers to the actual towing of a vehicle or immobilizing a vehicle by means of an "Auto-Boot".
 3. A visitor is an individual with no official connection with Texas Tech as a student, faculty, or staff member.

4. A valid parking space is defined as an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.
 5. A shared-use path is a pathway created and signed for the simultaneous use of pedestrians and bicycle traffic.
- D. Texas Tech makes every effort to provide protection for vehicles parking on campus, but cannot assume responsibility for any loss.
 - E. The person to whom a vehicle is registered with Texas Tech is responsible for all violations of the parking rules and regulations. If a vehicle is not registered with Texas Tech, and a family member is a currently enrolled student, it shall be presumed that the student is the operator of the vehicle and is responsible for all violations of the parking rules and therefore subject to all Texas Tech traffic rules, policies, and penalties associated with monetary obligations owing Texas Tech.
 - F. Pedestrians in crosswalks will be given the right-of-way at all times.
 - G. Speed limits on campus are radar and/or lidar enforced.
 - H. No person shall drive, cause or permit a vehicle to be driven on Texas Tech property at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the posted limits shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful:

Speed Limits

1. Campus Streets: Twenty miles per hour, unless otherwise posted.
 2. Parking Lots: Ten miles per hour, unless otherwise posted.
 3. Parking Garages: Five miles per hour, unless otherwise posted.
- I. Inoperable, damaged, or dismantled vehicles are to be reported to the appropriate Parking Services Office as soon as possible. Operators should identify their problem immediately and follow the instructions given.
 - J. The campus is restricted for use as described in these regulations. Any vehicle in violation of the regulations or not having a valid Texas Tech registration permit properly displayed may be issued a campus citation.
 - K. Skates and Skateboards
On the campus of Texas Tech (as defined in Section IV.c.(1) of these regulations):
 1. No person may skate or use a skateboard
 - a. on or in any University buildings, structures, stairways, elevated sidewalks, access ramps, steps, retaining walls, handrails, malls, benches, fountain areas or other architectural elements;
 - b. on or in planting areas, grass areas or seeded areas;
 - c. on streets open for vehicular traffic;
 - d. where prohibited by sign, by police officer, or where otherwise prohibited by law; or,
 - e. in a manner that is incompatible with the flow of vehicular or pedestrian traffic.
 2. No person may use a skateboard in such a way that it is
 - a. not under the control of the user; or
 - b. operated in an unsafe manner.
 3. No person who is skating or using a skateboard may fail to yield the right-of-way to
 - a. a pedestrian;
 - b. a bicyclist;
 - c. a motor vehicle; or
 - d. a wheelchair or other device designed for the transport of persons with disabilities.

Pursuant to Section 51.202, Texas Education Code, a person who violates any provision of this regulation is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.

- L. These regulations apply to all persons who operate vehicles on Texas Tech property.
- M. The Chief of the Texas Tech Police Department, the Director of Student Business Services at the Health Sciences Centers (responsible for managing the parking function on that campus), and the

Managing Director of University Parking Services on the University campus are responsible for the implementation and the just and proper enforcement of these regulations.

- N. The parking wheel stops and curbs located all over campus are six inches tall. Many newer and some older model vehicles have special ground effects, attachments, air dams, fog/driving lights, or other attachments that reduce ground clearance under the vehicle. Driving such vehicles over the parking wheel stop or curb may cause damage to these vehicles. Drivers are urged to use caution when parking vehicles to avoid damage. Texas Tech University System assumes no responsibility in such cases.

VI. Vehicle Registration

- A. In order to operate or benefit from the use of a motor vehicle on campus, each member of the Texas Tech community must obtain and display, in his or her name, a vehicle registration permit. No person may register a motor vehicle in his or her name which belongs to another student, faculty, or staff member. Violation of the ~~Traffic and~~ Parking Regulations is prohibited by the Student Affairs Handbook and Texas Tech policy. To benefit from the use of parking spaces designed for persons with disabilities, an eligible faculty/staff member or student **MUST** display a state issued placard or license plate **as well as a Texas Tech disability permit**.
- B. Students are required to register each motor vehicle to be operated on campus at the time they register for school or at the time they commence operating a motor vehicle on campus.
- C. Faculty and staff are required to register their motor vehicles on or before the date they commence operating a motor vehicle on campus. Faculty and staff who share a motor vehicle where one is employed at the University and the other at the Health Sciences Center, must register at each campus if they intend to park at both campuses.
- D. Faculty and staff, whose dependents are students, may allow those dependents to register a commonly operated motor vehicle for a student permit in addition to the reserved permit. If the faculty or staff member has two motor vehicles registered, and if both motor vehicles are on campus at the same time, the motor vehicle with the student permit must be parked in the designated student parking area and not in either the faculty or staff member's reserved space or in the time limit areas on campus.
- E. Any person giving false information when registering a vehicle is subject to appropriate disciplinary action and revocation of their motor vehicle registration permit and related parking privileges.
- F. Texas Tech issues two types of registration permits, non-transferable and transferable.
 - 1. Non-transferable Permits
Non-transferable permits must be permanently affixed to the front windshield in the lower corner of the driver's side. All such permits are self-adhering and application in any other manner may subject the motor vehicle to ticketing. Vehicle registration is not complete until the permit is properly and completely affixed to the motor vehicle of record.
 - 2. Transferable Permits
Transferable permits are designed and intended to be hung from the rearview mirror. The purpose of these permits is to allow the owner to move them from vehicle to vehicle; the permit **MUST** be displayed on the motor vehicle parked on campus. Be sure to contact Parking Services personnel if you have any problems with your transferable permit. The Texas Tech Police Department recommends you properly secure your vehicle and any valuables contained therein.
 - 3. All permits are for the exclusive use of the registrant. Permits may not be sold, exchanged, given away, or purchased from any person or agency other than Texas Tech.
 - 4. Permits remain the property of Texas Tech and may be recalled at any time.
 - 5. All outdated Texas Tech registration permits must be removed from the motor vehicle(s) prior to installation of the current year permit.
- G. Lost or stolen permits should be reported as soon as possible to the Texas Tech Police Department and the appropriate Parking Services Office. The recovery of a lost or stolen permit must be reported immediately to the Texas Tech Police Department and the appropriate Parking Services Office.
- H. Replacement Permits

1. Replacement for a non-transferable permit will be issued when identifiable remnants or proof of loss or destruction of the permit are provided. The replacement fee indicated in the current fee schedule will be charged for each replacement permit.
2. Replacement for a transferable permit which is reported lost or stolen will be issued the first and second time for the replacement fee indicated in the current fee schedule; thereafter, the cost will be the full price of the permit.

- I. Persons who hold non-transferable reserved registration permits and are assigned reserved spaces may obtain one duplicate permit at no additional charge. Additional permits may be purchased for the replacement fee indicated in the current fee schedule. Duplicate permits do not allow for more than one motor vehicle to be on campus during the reserved period.
- J. Persons who hold Health Sciences Center registration permits and are assigned to Reserved or Area Reserved spaces may also park on the University campus in Visitor, Time Limit, and Park and Pay spaces. University Reserved and Area Reserved permits will be honored in Health Sciences Center Patient and Visitor parking spaces. Parking is restricted to use in the individual's capacity as an employee which does not include attending class as a student.
- K. Upon termination of employment with Texas Tech, an employee's parking privileges are revoked. If the registration permit(s) is returned to the appropriate Parking Services Office, the refund in effect at the time it is returned will be issued.

VII. Parking Enforcement, Parking Violations, and Sanctions

- A. Parking is governed by markers and traffic signs. Parking is permitted only in areas clearly identified for parking.
- B. The absence of "No Parking" signs does not imply that parking is allowed. Street parking is prohibited except where signs indicate parking is permitted.
- C. The following illegal parking acts may result in a citation being issued:

<u>Violation</u>	<u>Fine</u>
**1. Parking in non-designated areas.	\$25.00
2. Permit not properly installed.	10.00
**3. Parking in a fire lane.	50.00
4. Failure to remove expired permit(s).	20.00
**5. Parking in a no parking or tow away zone.	25.00
**6. Parking in service vehicle spaces, service drives, or access drives.	20.00
**7. Unauthorized parking in reserved parking spaces.	25.00
**8. Obstructing traffic, street, sidewalk, crosswalk, driveway, trash container, building entrance or exit.	25.00
**9. Parking overtime in a time limit zone.	20.00
**10. Parking a bicycle in violation of these regulations.	10.00
11. Parking a motor vehicle beyond the lines of a parking space.	20.00
**12. Parking in reserved zones without proper permit.	25.00
13. Parking on wrong side of street facing oncoming traffic.	20.00
**14. Parking without a valid permit.	25.00
**15. Parking a motor vehicle upon any unmarked (including turf) or unimproved ground which has not been designated for parking.	75.00
**16. Parking in a space or area designated for persons with disabilities without the proper insignia.	200.00
**17. Blocking an access ramp or curb cut designed to aid persons with disabilities.	200.00
**18. Display or use of a lost, stolen, forged, revoked, or altered permit. Such violation may result in the responsible party/parties being referred to the appropriate office for disciplinary action which may include loss of parking privileges for the remainder of the academic year.	Up to 200.00
**19. Other parking violations as defined on the face of the citation.	20.00

20. Failure to display transferable permit.	10.00
21. Failure to pay at Pay Station.	20.00

****Impoundable Offenses**

- D. In the State of Texas, motorcycles, mopeds, and bicycles are subject to the same rules and regulations as automobiles. Operators are subject to a moving violation, to be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208, for failing to comply with the Official Texas Motor Vehicle Laws and these Regulations. Examples of the most common bicycle violations are:
1. Riding on sidewalks or other prohibited areas
 2. Failing to stop at stop signs and red lights
 3. Failing to yield right-of-way to pedestrians in crosswalks
 4. Operating bicycle without proper lights and reflectors when required
 5. Failing to drive on the right side of the roadway

The maximum fine for violation of these STATE LAWS is \$200.00.

- E. Motorcycles and mopeds must be parked in areas designated for parking of such vehicles. Motorcycles and mopeds are not permitted to park in time limit areas unless registered to a vehicle that displays a reserved or area reserved permit.
- F. All motorcycle registration permits are issued for the academic year for students and the fiscal year for faculty and staff. They may be purchased at any time during the year at a rate that is prorated monthly.
- G. Bicycles should be parked in racks whenever available. Use of shrubs, trees, or any architectural structures to secure bicycles is prohibited. Bicycles are not permitted in Texas Tech academic or administrative buildings. Any bicycle found in violation of this subsection may be impounded. The normal impoundment fee is \$40.00. THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION OR ANY APPLICABLE STORAGE FEES. (See Section IX.A. 1 and 2)
- H. No person shall operate a bicycle or any other vehicle upon a sidewalk or sidewalk area except those vehicles expressly designed for the transport of persons with disabilities and bicycles operated by officers of the Texas Tech Police Department when necessary to fulfill their lawful duties. Bicycles operating on a shared-use pathway must yield right-of-way to pedestrians and operate at a speed and in a manner consistent with public safety.
- I. Bicycle registration is encouraged and conducted free of charge, 24 hours a day, at the Texas Tech Police Department.
- J. Any bicycle or locking device not removed from campus at the end of the Spring Semester may be considered abandoned and may be properly disposed of through Property Inventory.
- K. Scooters that are not required by State Law to obtain vehicle registration and inspection are not required to obtain a parking permit, and are not allowed to park in motorcycle or vehicle parking spaces. Individuals operating scooters on campus must adhere to the regulations pertaining to bicycles.
- L. Moving Violations
1. All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state, Section 51.201, Texas Education Code. All violations as set forth above may be adjudicated in a court of competent jurisdiction as provided in the Texas Education Code, Section 51.208.
 2. It shall be unlawful for any person to drive, operate, push, park, or leave standing a motor vehicle on any area of the campus not designated for driving such a motor vehicle.
 3. It shall be unlawful for any person to drive by, through, or beyond a barricade or roadblock that is lawfully erected.
 4. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer vested by law with authority to direct, control, or regulate traffic.

VIII. Resolving Citations

Citations for parking violations may be resolved in one of the following ways:

- A. Pay the stated fee for each citation. If payment is not received within ten (10) calendar days, an additional \$5.00 charge will be assessed. Citation payment information for the TTUHSC Lubbock campus can be found online at www.fiscal.ttuhsu.edu/parking/.
- B. Appeal the citation in writing, within ten (10) calendar days of the alleged violation, through the appropriate Parking Services Office. Citation appeals must be submitted online for the TTUHSC Lubbock campus. Appeal information can be found online at www.fiscal.ttuhsu.edu/parking/. For those who do not have access to the internet, a terminal is available for use in the Parking Services Office, Room BB097.
- C. The Presidents shall provide equitable and efficient appeals processes through the establishment of a Parking Violation Appeals Advisory Committee. Written appeals will be provided to the Parking Violation Appeals Committee when there is a significant dispute over facts or major extenuating circumstances. The appeal must be submitted within ten (10) days from the date of the decision denying the first appeal. A final appeals hearing may be provided should an individual wish to contest the findings of the Parking Violation Appeals Committee. The Hearings Officer will be appointed each year by the Law School Student Bar Association. The final appeal must be submitted within ten (10) days from the date of the decision denying the second appeal. Individuals appearing before the Hearings Officer must bring any supporting documentation. The decision of the Hearings Officer is final and no further appeals will be provided. Individuals who fail to appear at three scheduled hearings before the Law School Hearings Officer will have their citation(s) ruled valid and no further appeals will be provided.
- D. After a period of ten (10) days from the date of issuance of the citation or from the date of final determination of an appealed citation, citations not resolved through the appropriate Parking Services Office will be overdue. Overdue citations may subject the permit holder's motor vehicle(s) to impoundment and removal of the parking permit(s). Overdue citations may be applied to a student's tuition statement if they remain unresolved or may result in restriction of subsequent academic registration and withholding of a student's transcript until such time as the obligation is satisfied. Parking and these restricted services may be restored when all overdue citations have been resolved. At the discretion of Texas Tech, overdue citations may be adjudicated in a court of competent jurisdiction in accordance with Section 51.208 of the Texas Education Code.
- E. Notice of violation for motor vehicles without permits and returned notices of violation will be sent to the address on file with the Texas Department of Transportation, Division of Motor Vehicles.
- F. Four valid violations of the ~~Traffic and~~ Parking Regulations within the academic year may result in the revocation of the individual's parking privileges for a period of 90 days. If, at the end of the 90 days the individual's parking privileges are restored, a single violation of the Regulations may result in permanent revocation for the academic year.
 - 1. All citations must be resolved before any parking privileges are restored.
 - 2. The revocation period shall commence with the return of the registration permit(s) to the appropriate ~~Traffic and~~ Parking Office.
- G. Individuals with at least three unpaid parking citations from the TTUHSC Parking Services Office that are found parking in violation of the rules and regulations on HSC or UMC grounds, may be issued a county citation.

IX. Impounding Vehicles

- A. Vehicles belonging to individuals with ten or more valid violations of the ~~Traffic and~~ Parking Regulations are subject to impoundment on each subsequent violation, regardless of the type of violation.
- B. Impoundment may be accomplished either by towing or through immobilization by use of an auto boot.
- C. When a vehicle has been impounded it will be necessary for the operator of the vehicle to contact the appropriate Texas Tech parking dispatcher for release. Prior to the release of the impounded vehicle, satisfactory arrangements for payment shall be made.
 - 1. The impoundment fee for towed vehicles will be a \$15 administrative fee plus the amount charged by the towing company. This amount may vary depending on the vehicle impounded and the current wrecker service contract. Current impoundment charges can be found at the TTU University Parking Services Office or website.
 - 2. The impoundment fee for booted vehicles will be \$40.

3. Vehicles impounded will be charged storage at the rate of \$6.00 per day, including tax, commencing 72 hours after impoundment.
 4. The maximum storage fee to be charged is \$130.00 per month, including tax.
- D. If the owner or driver of a motor vehicle to be impounded arrives before impoundment has begun, the vehicle will not be impounded. If the owner or driver arrives after impoundment has begun, the vehicle will not be impounded if the driver opts to pay the tow truck driver the impoundment fee (see Section IX.C.1) less the \$15 administrative fee (payable in a manner acceptable to the towing company) in lieu of impoundment.
 - E. If a motor vehicle or bicycle is parked on Texas Tech property and is not moved for a period of 30 days, Texas Tech may deem the same to be abandoned. Abandoned motor vehicles or bicycles may be impounded and disposed of in the manner prescribed by law. This includes those motor vehicles which have a valid registration permit.
 - F. No personal property or vehicles (including boats, trailers, motor homes, etc.) shall be permitted to be stored or parked on the campus without permission from the appropriate Parking Services Office. Such property or vehicles are subject to impoundment.
 - G. A motor vehicle parked on Texas Tech property will be subject to impoundment if any of the following apply:
 1. It does not have attached to it an unexpired license plate and a valid vehicle inspection certificate as required by the State in which it is registered.
 2. It is inoperable and has remained inoperable for more than 14 (fourteen) consecutive days.
- X. Texas Tech Police
- A. Texas Tech Police Officers are duly commissioned peace officers of the State of Texas. Upon request of a police officer of Texas Tech, any person on the campus is required to identify himself with proper identification.
 - B. All thefts, accidents, or other offenses that occur on campus should be reported to the Texas Tech Police Department immediately. Accidents should be reported immediately. In accordance with State law, vehicles involved in an accident should be moved prior to reporting the accident if they are moveable. One-vehicle accidents and inoperable vehicles must also be promptly reported. Keys or valuables should not be left in a motor vehicle. ALWAYS KEEP YOUR VEHICLE LOCKED.
 - C. Texas Tech is concerned about the protection of persons and property and places a high priority on striving to maintain a safe environment for students, faculty, staff, and visitors. The University cannot, however, guarantee the absolute safety of any one individual. Personal safety must begin with individual responsibility. With that thought in mind, a Personal Safety brochure has been prepared which contains personal safety recommendations, crime statistics, safety services and programs, as well as a list of telephone numbers to contact for help. All visitors and members of the campus community are encouraged to make themselves familiar with this information. The Personal Safety brochure is available at various locations on campus including the Personnel Office, the Texas Tech Police Department, the Center for Campus Life, and the residence halls.
 - D. Chapter 46, Section 46.03, Texas Penal Code, provides that a person commits a felony offense if the person carries a firearm, illegal knife, club, or other prohibited weapon listed in Section 46.05(a) on the physical premises of an educational institution.
- XI. Types of Motor Vehicle Registration Permits
- A. Reserved parking spaces are assigned to full-time faculty and staff and part-time faculty and staff not enrolled as students as space is available. Any space remaining after the needs of the faculty and staff are met will be available for assignment to part-time instructors, graduate teaching assistants, and graduate research assistants who hold contracts for one-half time or more. Such assignments may be revoked as necessary to accommodate regular faculty and staff requirements.

1. Non-transferable permits will be issued for reserved spaces. The permit will contain the lot and space number assigned to the registrant. The space is reserved from 6:30 a.m. to 5:30 p.m., Monday through Friday, year-round, excluding holidays.
- B. Reserved Area parking spaces are available to qualified faculty and staff in certain designated parking lots. Non-transferable permits will be issued for all area reserved lots. Area reserved permit holders should overflow to other designated area reserve parking lots if all available area reserved spaces in the lot are occupied.
- C. Reserved Area parking spaces may be purchased by part-time employees (less than 20 hours a week) at half the specified cost. An approved PAF form must accompany the vehicle registration form. At the Lubbock campus, part-time employees must complete their vehicle registration online at www.fiscal.ttuhs.edu/parking/. The employee must then contact the Parking Services Office to receive the rate reduction.
- D. Renewal notices for persons assigned reserved and area reserved spaces are sent out no later than July 1 of each year. Employees must renew their vehicle registration by the date stated in the renewal notice. Payment may be made by credit card (Visa, MasterCard, and Discover [Discover is not accepted at the Lubbock Parking Services Office]), cash, personal check, or payroll deduction. (Payroll deduction is available at the Abilene, Amarillo, Lubbock, and Odessa campuses.) At the Lubbock campus, vehicle registration must be completed online at www.fiscal.ttuhs.edu/parking/. Credit card information (Visa and MasterCard) may be entered directly into this site and personal checks can be mailed through campus mail to Mail Stop 6290. This site is "secure" and all data entered will be protected.
- E. Commuter permits will be issued for motor vehicles belonging to students.
 1. Commuter permits will be of the non-transferable type.
 2. Commuter permits are issued to the individual vehicle and ownership is not transferable. Use of a commuter permit by anyone other than the individual to whom it was issued is not permitted. Violation of this regulation may result in ticketing, impoundment, and loss of all parking privileges on campus, including parking for the academic year for all parties involved.
 3. Parking is available in certain designated lots.
 4. Health Sciences Center commuter permits will be allowed in commuter lots around the periphery of the Texas Tech University campus. Health Sciences Center commuter permits will be honored in designated commuter parking areas at all TTUHSC locations (Abilene, Amarillo, Lubbock, Odessa and TTUHSC El Paso).
 5. Texas Tech University commuter, park and ride, garage, law school, and residence hall permits will be honored in the TTUHSC designated commuter parking lots. TTU students are not authorized to park in the TTUHSC parking lots to attend classes at the TTU campus.
 6. At the Lubbock campus, students must complete their vehicle registration on-line at www.fiscal.ttuhs.edu/parking/.
- F. Persons with disabilities may be issued disability access motor vehicle registration permits designed to assist them in campus mobility.
 1. Parking in spaces reserved for persons with disabilities requires the correct motor vehicle registration permit and the appropriate state issued placard or license plate.
 2. State placards or license plates must be displayed at all times when a vehicle is parked in these areas.
 3. The designated disability parking areas are reserved 24 hours daily.
- G. Disabled Veteran Parking

A vehicle may park in disabled spaces as long as:

 1. The vehicle is being operated by a Disabled Veteran or handicapped person
 2. The vehicle displays the appropriate state issued placard or license plates

TTUHSC requires a vehicle to display a parking permit issued by the institution, including disabled spaces, but may not charge for the parking permit (except as indicated below)

 1. This does not apply to disabled space located in controlled access parking, areas temporarily designated for special events, or areas temporarily prohibited due to health or safety concerns.
 2. This does not entitle a person to park in a space that has not been designated as disabled space, unless that person has been granted a parking permit for that space.

When parking on campus in non-handicapped designated parking, the driver is required to park in spaces authorized by their permit type.

Privileges apply to the registered Disabled Veteran only and not to anyone else driving the vehicle.

Parking benefits begin upon receipt of appropriate documentation. Please contact the Parking Services Office for additional assistance.

~~H.G.~~ Motorcycle registration permits will allow parking of motorcycles or mopeds in designated two-wheel areas. Motorcycle registration permits must be permanently affixed to the top of the front headlight, front fender or shock absorbers. Mopeds and motorcycles may not park in bicycle racks. All motorcycle registration permits expire in August.

~~I. H.~~ Temporary registration permits will be issued for the fee indicated in the current fee schedule. Temporary permits are not refundable.

XII. General Regulations

- A. Persons who hold a Texas Tech Medical Center – Southwest vehicle registration permit (S1) should park in patient/visitor lots if space is available when parking at the Lubbock campus. If space is not available, they should park in the designated area reserved parking lots (A1, A2, B3, C3, D3, or F1).
- B. Persons who hold a motor vehicle registration permit for reserved or area reserved parking from any Health Sciences Center campus or TTUHSC El Paso may park in a designated visitor's area when visiting another campus.

XIII. Visitor and Patient Parking

Visitors and patients are welcome on the campus. Special parking areas are designated for patients and visitors. Visitors' motor vehicles parked in areas not designated for visitor parking are subject to receiving a campus citation.

XIV. Time Limit

Designated time limit parking areas are enforced from 7:30 a.m. to 4:00 p.m., Monday through Friday, unless otherwise posted.

XV. Loading Dock

Parking at the loading dock is enforced 24 hours daily.

XVI. Service and Vendor Vehicle Parking

It is recognized that service vehicles are required to transport personnel and materials to work sites on the campus. It is not the intent of these regulations to hinder or handicap workers in the performance of their duties. Property damage and unsafe conditions, however, frequently occur on campus as a result of drivers ignoring parking regulations.

Service and vendor motor vehicles found to be blocking a street or creating a hazard may be ticketed and impounded.

A. University Service Vehicle Parking

Faculty, staff, and students who operate Texas Tech service vehicles on campus should become familiar with the contents of HSC OP 76.37.

1. Movement of heavy equipment and supplies to the buildings will be accomplished from the loading dock, or the designated delivery area, if possible. If not possible, the individual or contractor responsible for moving, loading, hauling, etc., should make prior arrangements with the designated project manager who will contact the Parking Services Office or the corresponding office at Abilene, Amarillo, and Odessa/Midland to obtain alternate delivery, parking and routing information to ensure protection of lawns, sidewalks, brick areas, ramps, lawn sprinkler systems, designated fire lanes, etc.

2. Parking partially in the street and partially on a walk/curb is prohibited. Vehicles must park in designated areas only.
3. Damage resulting from vehicles traversing lawns, sidewalks, bricked areas, etc., will be repaired by Grounds Maintenance, TTUHSC Plant Operations, or Regional Facilities Operations and Maintenance. All repair costs will be charged to the department or vendor/contractor responsible for such damage as determined by TTUHSC and in the context of circumstances.
4. Blocking of doorways, sidewalks, handicap access, and fire lanes is prohibited.
5. Texas Tech service vehicles may be parked only in the following areas which are listed in priority order:
 - a. In designated service vehicle parking at the loading dock or designated service vehicle parking location
 - b. F-1 Parking (Lubbock)
 - c. Time limited parking
 - d. On-street parking (Lubbock)

B. Vendor Parking

For external vendor and delivery vehicles, parking spaces are available at the loading dock.

Vendor and delivery vehicles found to be blocking a street, sidewalk or designated parking space will be ticketed and towed by the Parking Services Office or the Police.

Vehicles belonging to vendors may be parked only in the following areas which are listed in priority order:

1. In designated service vehicle parking at the loading dock
2. Visitor parking

C. Contractor Parking

1. Contractors may obtain, at no charge, a construction permit for their trucks or cars from the TTUHSC Parking Services Office, Room BB097, or the corresponding office at Amarillo or Odessa, by prior arrangement through the designated project manager.
2. Contractors must display parking permit on the rear view mirror or lower left-hand drivers' side of windshield at all times while parked on TTUHSC property. Vehicles with the contractor logo clearly shown will be permitted to park in the designated contractors' parking lot/area without a TTUHSC parking permit.
3. Parking for contractors is limited to the following area:
 - a. Contractor's parking lots or specifically designated locations on each campus.
 - b. Parking outside the designated Contractor's lot is a violation of the parking regulations and does subject the vehicle to a citation and/or impoundment.

XVII. Parking Fees and Refunds - Texas Tech University Health Sciences Center
Rates not to exceed those listed in the table below.

Parking Fees and Refunds - Texas Tech University Health Sciences Center

2018-2019 Rates Through	Faculty/Staff Reserved Space		Faculty/Staff Area Reserved		Two-Wheeler	
	12 months		12 months		12 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Sep. 30	\$582.00	\$528.50	\$164.40	\$145.70	\$42.00	\$33.50
Oct. 31	533.50	480.00	150.70	132.00	38.50	30.00
Nov. 30	485.00	431.50	137.00	118.30	35.00	26.50
Dec. 31	436.50	383.00	123.30	104.60	31.50	23.00
Jan. 31	388.00	334.50	109.60	90.90	28.00	19.50
Feb. 28	339.50	286.00	95.90	77.20	24.50	16.00
Mar. 31	291.00	237.50	82.20	63.50	21.00	12.50
Apr. 30	242.50	189.00	68.50	49.80	17.50	9.00
May. 31	194.00	140.50	54.80	36.10	14.00	5.50
Jun. 30	145.50	92.00	41.10	22.40	10.50	2.00
Jul. 31	97.00	43.50	27.40	8.70	7.00	0.00
Aug. 31	48.50	0.00	13.70	0.00	3.50	0.00

2018-2019 Rates Through	Commuter		Commuter		Extended Commuter	
	12 months		9 months		14 months	
	Cost	Refund	Cost	Refund	Cost	Refund
Jul. 31					\$125.30	\$111.35
Aug. 31					116.35	102.40
Sep. 30	\$107.40	\$93.45	\$80.55	\$66.60	107.40	93.45
Oct. 31	98.45	84.50	71.60	57.65	98.45	84.50
Nov. 30	89.50	75.55	62.65	48.70	89.50	75.55
Dec. 31	80.55	66.60	53.70	39.75	80.55	66.60
Jan. 31	71.60	57.65	44.75	30.80	71.60	57.65
Feb. 28	62.65	48.70	35.80	21.85	62.65	48.70
Mar. 31	53.70	39.75	26.85	12.90	53.70	39.75
Apr. 30	44.75	30.80	17.90	3.95	44.75	30.80
May. 31	35.80	21.85	8.95	0.00	35.80	21.85
Jun. 30	26.85	12.90			26.85	12.90
Jul. 31	17.90	3.95			17.90	3.95
Aug. 31	8.95	0.00			8.95	0.00

Refunds are based on the schedule.

Refunds will not be given unless identifiable remnants of the permit (s) are presented at the time of the refund request.

Additional Permits (after two)	\$2.00
Replacement Permits w/identifiable remnants	
Non-transferable permit (w/identifiable remnants)	\$2.00
Transferable permit – 1 st Replacement	\$5.00
Transferable permit – 2 nd Replacement	\$10.00
Temporary Permits (Non-Refundable)	
Commuter Area Parking per Week	\$2.00
Faculty/Staff Area Parking per Week	\$3.00
Reserved Space per Week	\$6.00