



TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™

Student Affairs Handbook

**CODE OF PROFESSIONAL AND ACADEMIC CONDUCT
2007-2008**

**School of Medicine
Graduate School of Biomedical Sciences
School of Nursing
School of Allied Health Sciences
School of Pharmacy**

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PART I. FOREWORD

A. General Policy

1. 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 Affairs Handbook 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.
2. 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 Affairs Handbook 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.
3. *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 Schools of Medicine, Allied Health Sciences, Pharmacy, 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 (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 70.29, 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 race, creed, national origin, age, sex or disability and that equal opportunity and access to facilities shall be available to all. Non-discrimination is observed in the admission, housing, and education of students and in policies governing discipline, extracurricular life and activities.

E. University Name, Document 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 and Academic 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 student, faculty or staff member, University official or any other person employed by the University.

11. "Policy" means the written regulations, standards and/or rules of the University as found in, but not limited to, the TTUHSC Student Affairs Handbook; Texas Tech University Residence Hall Calendar and Handbook, if applicable; School of Nursing handbook and catalog; School of Medicine catalog; School of Allied Health Sciences 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, 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 Allied Health Sciences 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 School of Medicine House staff. In addition, for purposes of Part II of this Handbook, persons who withdraw 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 Code of Professional and Academic 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:

- a. For the Graduate School of Biomedical Sciences, the Associate Dean.
- b. For the School of Medicine, the Associate Dean for Educational Programs.
- c. For the School of Nursing, the appropriate Associate Dean for Administration and Student Affairs.
- d. For the School of Allied Health Sciences, the Associate Dean.
- e. For the School of Pharmacy, the Assistant Dean for Student Services.

22. "Student Conduct Board" or "Board" means any person or persons authorized annually 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 School of Medicine, the Student Conduct Board is comprised of the following:
 - 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 Allied Health Sciences, the Student Conduct Board shall be comprised of the following:
 - i. The Associate Dean serves as the Student Conduct Administrator and he/she will appoint a Student Conduct Board comprised of the following:
 - ii. One (1) faculty member 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 appointed by the Student Conduct Administrator as follows:
 - i. Three faculty members of the Student Affairs Committee;
 - ii. President of the Pharmacy School Student Government; and,
 - iii. Vice President of the Pharmacy School Student Government.
 - iv. The Board will elect a Chair from its membership, and that Chair will vote only in the case of a tie.

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 Appellate Board" or "Appellate Board" means any person or persons authorized by the Dean of each respective School to consider an appeal from a Student Conduct Board's finding as to whether a student violated the Student Code, or from the sanctions recommended by the Student Conduct Board. For each School, appointments are made as follows:

- a. For the Graduate School of Biomedical Sciences, the Dean will appoint an Appellate Board consisting of three (3) graduate faculty members who have not served on the

original Hearing committee. The Appellate Board will elect a Chair from its membership.

b. For the School of Medicine, the Dean will appoint an Appellate Board consisting of three (3) tenured faculty members who have not served on the original Hearing Committee. The Appellate Board will elect a Chair from its membership.

c. For the School of Nursing, the Dean will appoint an Appellate Board consisting of three (3) faculty members who have not served on the original Hearing committee. The Appellate Board will elect a Chair from its membership.

d. For the School of Allied Health Sciences, the Dean will appoint an Appellate Board and Chair consisting of three (3) faculty members who have not served on the original hearing committee.

e. For the School of Pharmacy, the Dean will appoint an Appellate Board consisting of three (3) senior faculty members who have not been involved in the previous hearing(s).

25. "Student Handbook" or "Handbook" means the TTUHSC Student Affairs Handbook.

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

27. "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).

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

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

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

A. General Policy

1. An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior 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 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 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 Discipline

1. A disciplinary proceeding may be instituted against a student charged with conduct that allegedly violates both the criminal and/or civil law and 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 off campus 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.

2. When a student is charged by federal, state or local authorities with a violation of law, TTUHSC will not request or agree to special consideration for that individual because of his or her status as a student. If an alleged offense is also being processed under this Student Code, TTUHSC may advise off-campus authorities of the existence of this Student Code and how such matters are typically handled at TTUHSC. To the extent allowed by law, TTUHSC will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators, provided that the conditions do not conflict with TTUHSC rules or sanctions.

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. Use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by University policy; or,
- b. Being under the influence of alcohol and/or intoxication.

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 law; or,
- b. Being under the influence of narcotics or drugs, except as permitted by law.

NOTE: The University respects the rights and responsibilities of students and shall consider each violation of the University's substance abuse policy and each violation of federal, state, and/or local law on a "case-by-case" situation and, if appropriate, may attempt to initially use

educational options and subsequent intervention and/or prevention options to assist students. Violations of this substance abuse policy shall result in appropriate disciplinary action by the respective School, which may include, but is not limited to, required attendance and active participation in substance abuse education and/or intervention programs, and may result in notification to the parents/guardians of dependent students under twenty-one (21) years of age.

3. Firearms, Weapons, and Explosives

- a. Use or possession of weapons, including handguns, firearms, ammunition, fireworks, explosives, noxious materials, incendiary devices or other dangerous substances on University premises; or,
- b. Attempting to ignite and/or the action of igniting University and/or personal property on fire either by intent, or as a result of reckless behavior, which results in damage on University premises.

NOTE: Possession of weapons by licensed holders of concealed handguns is prohibited on University premises. The Texas Tech Police Department provides storage for weapons and firearms.

4. Theft, Damage, or Unauthorized Use

- a. Attempted or actual theft of property of the University, of other University students, of other members of the University community or off 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 off 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.

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;

c. Behavior that disrupts the normal operation of the University, including its students, faculty and staff;

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 substantially increased risk of sexual injury;

e. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of 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;

f. Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to retain or recruit a student for membership in an organization; or,

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 the campus, by one person alone or acting with others, directed against a student, 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 reasonable defense in a disciplinary proceeding. Hazing includes, but is not limited to:

- a. Any type of physical brutality, 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 educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above;
- e. Any activity in which a person engages in hazing; 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; and, knowingly 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 or Terrorist Threats

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

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.

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.

11. Traffic and Parking

- a. Violation of University Traffic and Parking regulations; or,
- b. Obstruction of the free flow of pedestrian 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 publication provided by the University Department of Housing and Dining Services.

13. Student Recreation and Aquatic Center Regulations

Violation of rules, which govern behavior in 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

Failure to present student identification on request to any University official and identify himself/herself to any University official acting in the performance of his/her duties.

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 Information or Misuse of Records

Knowingly furnishing false information 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.

NOTE: Also refer to TTUHSC OP 76.32, Traffic and Parking Regulations, Attachment A, Section V (K).

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.F). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with Part II.F.

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 of 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 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.

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 Federal, State, and/or Local Law

Misconduct which constitutes a 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, the following constitute professional and ethical standards for individual TTUHSC Schools.

1. School of Medicine

a. 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.

b. TTUHSC 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 Texas Tech University Health Sciences Center 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."

2. School of Nursing

a. All students entering into the TTUHSC SON are required to subscribe to the standards and codes of the profession.

b. TTUHSC SON 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;
- ii. Texas Board of Nurse Practice/Unprofessional Conduct Rules.

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.

3. School of Pharmacy

a. 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. All candidates of the TTUHSC School of Pharmacy shall subscribe to the Student Code. Each candidate implicitly and personally subscribes to the following, as well as the Student Code, in accepting admission to the School of Pharmacy.

- i. A Pharmacist should never knowingly condone the dispensing, promoting or distributing of drugs or medical devices, or assist therein, that are not of good quality, that do not meet standards required by law, or that lack therapeutic-

value for the patient.

ii. A Pharmacist should always strive to perfect and enlarge professional knowledge. A pharmacist should utilize and make available this knowledge as may be required in accordance with the best professional judgment.

iii. A Pharmacist has the duty to observe the law, to uphold the dignity and honor of the profession, and to meet and maintain ethical principles. A pharmacist should not engage in any activity that will bring discredit to the profession and should expose, without fear or favor, illegal or unethical conduct in the profession.

iv. A Pharmacist should seek at all times only fair and reasonable remuneration for professional services. A pharmacist should never agree to, or participate in, transactions with practitioners of other health professions or any other person under which fees are divided or that may cause financial or other exploitation in connection with the rendering of professional services.

v. A Pharmacist should respect the confidential and personal nature of professional records; except where the best interest of the patient requires or the law demands, a pharmacist should not disclose such information to anyone without proper patient authorization.

vi. A Pharmacist should not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill, that cause a deterioration of the quality of professional services, or that require consent to unethical conduct. A Pharmacist should strive to provide information to patients regarding professional services truthfully, accurately and fully and should avoid misleading patients regarding the nature, cost or value of those professional services.

vii. A Pharmacist should associate with organizations having as their object the betterment of the profession of pharmacy and should contribute time and funds to carry on the work of these organizations.

viii. Acts of plagiarism or any other acts of academic dishonesty (as defined in Part II.D above) by students on any assignment, quiz or examination shall result in a course grade of zero (0) and may also result in the additional sanctions identified in Part II.G below.

4. School of Allied Health Sciences

Students in the School of Allied Health Sciences will not lie, cheat, or steal or tolerate those who do.

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 specifically 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 for that purpose.

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 minor 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. If an Appellate Board has been appointed, the parties and the Chair of the Appellate Board may mutually agree to procedural deviations. Such deviations are not then subject to appeal by the parties. Other minor deviations are acceptable as long as such deviations are not found upon appeal to be unreasonably harmful to the student.

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 Complaint

a. Any member of the University community may file a Complaint(s) against a student(s) or a student organization(s) for violation(s) of this Student Code. Prior to filing a Complaint, a preliminary investigation/discussion with a supervisor (program director, chair, etc.) must be done prior to formally filing of a Complaint. If there is a basis for the Complaint, the Complaint should be prepared in writing using Attachment A and shall be directed to the Student Conduct Administrator. Any Complaint shall be submitted as soon as possible after the event takes place, but no later than twenty (20) business days from the date of the relevant event or when the Complainant becomes aware of the relevant event.

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 request in writing that the Accused Student may appear before the Student Conduct Administrator to discuss the Complaint. (Attachment B). The Accused Student must meet with the Student Conduct Administrator.

c. The Student Conduct Administrator may conduct an investigation to determine if the Complaint can be disposed of administratively by mutual, written consent of the parties

involved on a basis acceptable to the Student Conduct Administrator and the applicable Dean. Such disposition shall be final and there shall be no subsequent proceedings.

d. If the Complaint is not disposed of administratively under Part II.F.4.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, within five (5) business days from meeting with the Student Conduct Administrator, or fails to respond to the Student Conduct Administrator within five (5) days from the Student Conduct Administrator's written request to meet with the student, the allegations shall be referred by the Student Conduct Administrator for a Hearing before the Student Conduct Board under Part II.F.4 below.

e. A Student Conduct Board Hearing shall be scheduled within twenty (20) business days after the Accused Student has been notified under Part II.F.4 below. 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 to the Student Conduct Administrator, who shall render a written decision.

b. *Hearing Notice.* At least ten (10) business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties (e.g., Sample Hearing Notice from Chair, Attachment D) 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), 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 the impartiality of any member of the Student Conduct Board up to three (3) days after receiving the Hearing Notice by submitting reasons for the challenge in writing 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 chair that the member can serve with fairness and objectivity. If he cannot establish his or her fairness and objectivity to the Student Conduct Board chair, the chair will ask the member to recuse himself or herself and a substitute will be appointed by the Student Conduct Administrator.

d. *Evidence Submission.* At least five (5) 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, exhibits and written statements (including Impact or Position Statements);
- ii. A list of all 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.5.i below.

e. *Evidence Exchange.* At least three (3) 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.* In Student Conduct Board Hearings involving two or more Accused Students, the Student Conduct Administrator, in his or her sole discretion, may permit the Student Conduct Board Hearings concerning each student, respectively, to be conducted either separately or jointly.

g. *Recordings.* TTUHSC shall record, either digitally or through audiotape, all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares 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 advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

i. *Advisors.* The advisor must be a member of the University community and may not be an attorney. 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 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 shall attend the Student Conduct Board Hearing on behalf of the University. The University will provide legal counsel for the Student Conduct Board if the SCB 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 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 things as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only when they are providing information, unless the Student Conduct Board, in its sole discretion, allows 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 Student Conduct Administrator. The Student Conduct Administrator will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Student Conduct Administrator 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 Student Conduct Administrator 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.5.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. (Sample Findings and Recommendations are attached as Attachment E). 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), to the Dean, the Student Conduct Administrator, the Accused Student and the Complainant.

o. Request for Reconsideration. If the Accused Student does not file a Request for Reconsideration in accordance with Part II.H below, the Dean will review the Findings and Recommendations and the Request for Reconsideration, 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 if applicable, the Chair of the Appellate 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.

G. Sanctions

1. The following sanctions 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.

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 violating 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. Work assignments, essays, training, service to TTUHSC or other related discretionary assignments.

g. *Suspension*. Separation of the student from TTUHSC 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 TTUHSC. 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.

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.

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. Request for Reconsideration to Appellate Board

1. The Accused Student(s) or Complainant(s) may request reconsideration of the Findings and Recommendations of the Student Conduct Board within five (5) business days from the date of the decision. Such request shall be in writing and shall be delivered to the Student Conduct Administrator or his or her designee. A copy of the Request for Reconsideration must be sent to the other affected party along with the Dean, the Student Conduct Administrator and the Chair of the Student Conduct Board.

2. The Appellate Board may request that the Chair of the Student Conduct Board submit a written statement in response to the Accused Student's Request for Reconsideration. In such case, the Accused Student will be provided an opportunity to respond in writing to the Chair's statement within three (3) business days from the Accused Student's receipt of the Chair's statement.

3. The Accused Student or Complainant may only raise, and the Appellate Board 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 written decision of the original board must go to the Dean for review.

4. The Appellate Board's review of the appeal shall be limited to the verbatim record of the Student Conduct Hearing and supporting documents, as well as any written submissions by the Accused Student, the Complainant and/or the Chair of the Student Conduct Board. The appellate procedure is not intended to provide a new hearing to the Accused Student or the Complainant. The Appellate Board must by majority vote either:

a. recommends to the Dean that the Student Conduct Board's Findings and Recommendations be upheld;

b. return the Complaint of Misconduct to the original Student Conduct Board and Student Conduct Administrator for re-opening of Student Conduct Board Hearing to allow reconsideration of the original Findings and Recommendations; or

c. recommends to the Dean that another Student Conduct Board, consisting of person

not part of the original Student Conduct Board Hearing, be convened to rehear the Complainant of Misconduct, if the Appellate Board believes that a procedural deviation occurred that substantially affected the outcome.

5. If the Appellate Board recommends to the Dean that the Student Conduct Board's Findings and Recommendations be upheld (Part II.H.4.a.) the Dean's decision regarding the complaint shall be final and binding on all involved.

6. Complaint of Misconduct is returned to the original Student Conduct Board for reopening (Part II.H.4.b.), or the Dean convenes another Student Conduct Board to rehear the Complaint of Misconduct (Part II.H.4.c.), the Findings and Recommendations of the Student Conduct Board will be forwarded directly to the Dean, who will issue a final decision regarding the Complaint of Misconduct.

I. 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 Executive Vice President for Academic Affairs 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 and two full-time TTUHSC students. The two full-time TTUHSC students will be appointed by the Executive Vice President for Academic Affairs who will invite recommendations by the President of the Student Government Association. A quorum for the Review Committee is four members, so long as at least one student member is present. The Executive Vice President for Academic Affairs may remove a member from this committee when, in his or her judgment, the member has failed or refused to serve and perform the duties and functions of the Review Committee.

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 Withdrawal of Consent also occurs, the procedures set forth in Parts II and III may occur concurrently.

B. Concurrence by Dean

1. If the Dean concurs with the Department Chair's recommendation, the student will have his/her consent to be in attendance at the University or on University premises withdrawn 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

Executive Vice President for Academic Affairs and 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 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 shall enter written confirmation upon the report of the action taken by the Dean. Texas Education Code § 51.236 (b).

2. If the President does not confirm the action taken by the Dean within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall expire, 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, with a copy to the Dean, within the 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 Texas Education Code, Sections 51.234 and 51.243.

a. *Hearing Notice.* Upon receipt of the request for hearing, the President shall 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 by a Student Conduct Board for the applicable School within three (3) business from the date that the President receives the request for hearing.

b. *Representation.* The student may be represented by counsel and should provide written notification to the President at least one (1) day prior to the hearing that the student will be represented by counsel. If the student is 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 Student Conduct Board may also question the witnesses. Questioning may be limited in the sole discretion of the Chair of the Student Conduct Board for such things as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning and/or providing for efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only when they are providing information, unless the Student Conduct Board, 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.

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

f. *Recordings.* TTUHSC shall record, either digitally or through audiotape, the hearing until such time that the Student Conduct Board begins discussion and deliberation and prepares Findings and Recommendations. Deliberations of the Student Conduct Board shall not be recorded. The record is University property.

g. *Appeal to President.* The student may appeal the Student Conduct Board's decision within three (3) business days from the date of the decision by sending a written appeal to the President, with a copy to the Executive Vice President for Academic Affairs, the Dean and the Chair of the Student Conduct Board. If the student does not appeal the decision by the Student Conduct Board, the decision is final.

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 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. STUDENT RECORDS

"The Family Educational Rights and Privacy Act of 1974 ("FERPA") (20 U.S.C.A. Section 1232g; 34 C.F.R. Part 99) affords certain rights to students concerning their educational records. FERPA grants students the right to inspect and review their educational records (with exceptions), to request that their records be amended, to have limited control over the disclosure of information contained in their records, and to file a complaint with the U.S. Department of Education concerning alleged failures of the University to comply with the requirements of FERPA.

TTUHSC has provided the following information to annually notify students regarding their rights under FERPA. In addition, students will be notified of their rights through the TTUHSC registration process and the TechSIS Web for Students at <http://techsis.admin.ttu.edu/Student/>. Individual TTUHSC schools may also provide FERPA information to Students (HSC OP 77.13)."

PART V. 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, to offer suggestions regarding the operations of the organization and to oversee adherence to TTUHSC 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 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 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.
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 VI. 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 Form 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 VII. SOLICITATIONS, ADVERTISEMENTS AND PRINTED MATERIALS

Visit the Office of HSC Student Services for more information.

PART VIII. 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.

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) driver's license, be at least 18 years of age and have held a valid license for at least two years;

ii. Must have available documentation of current personal insurance;

iii. Must sign a disclosure statement;

iv. Must not have more than two 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. Must not have had a reinstated license in effect for less than one year after a revocation.

c. Additional qualifications for drivers of vans equipped for 15 passengers are:

i. Must be at least 21 years of age;

ii. Must comply with Motor Vehicle check on an annual basis;

iii. Must successfully complete a driver training course;

iv. Must attend retraining annually; and

v. Must not have more than one moving violation in the last 18 months.

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. 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.

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;
- 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 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.

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 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 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 Release and Indemnification Agreement and the Authorization for Emergency Medical

Treatment.

E. Guidelines Concerning Safe Travel Practices

1. Each administrative unit approving University-related travel, especially travel that involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.
2. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the students' own risk. If personal injury or accident should occur to students or other persons during such activities, TTUHSC, 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 Texas Tech University (TTU) Study Abroad Department for information regarding travel abroad.

PART IX. 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 the Registrar's office 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. 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.

6. Bacterial Meningitis

a. *General.* Meningococcal disease is a potentially life-threatening infection caused by the bacterium *Neisseria meningitidis*. Bacterial meningitis is an inflammation of the membranes that surround the brain and spinal cord. This disease affects approximately 3000 Americans each year, including 100-125 people on college campuses, leading to 5-15 deaths per year among college students.

b. *Risks and Exposures.* The organism is spread from person-to-person through the exchange of respiratory and throat secretions such as coughing and kissing. Sharing cigarettes, water bottles, eating utensils and food, may increase your exposure. Resident Hall-style living may also play a role as crowded environments facilitate the spread of the infection.

c. *Symptoms and Diagnosis.* Early diagnosis is important. Your healthcare provider may use a combination of clinical symptoms and laboratory tests to diagnose the disease. Seek medical attention immediately if one or more of these symptoms appear:

- i. High fever
- ii. Severe Headaches
- iii. Vomiting
- iv. Light sensitivity
- v. Stiff neck
- vi. Nausea
- vii. Lethargy
- viii. Seizures
- ix. Confusion and sleepiness
- x. Rash or purple patches on skin

d. *Possible Treatment and Consequences If NOT Treated.* Antibiotic treatment may be effective if exposure and disease is detected early. Possible consequences of the disease, include, but are not limited to:

- i. Permanent brain damage
- ii. Kidney failure
- iii. Learning disability
- iv. Gangrene
- v. Coma
- vi. Convulsions
- vii. Hearing loss
- viii. Blindness
- ix. Limb damage that may require amputation
- x. Death

e. *Prevention.* Vaccinations may be effective against 4 of the 5 most common bacterial types that cause 70% of the disease in the United States. Vaccinations typically take 7-10 days to become effective, with protection lasting 3-5 years. The vaccination is generally safe--most common side effects may include redness and minor pain at the

injection site for up to two days.

f. Information. If you have more questions contact:

- i. Your healthcare provider
- ii. Your local or regional Texas Department of Health
- iii. TTUHSC Family Practice Clinic at 806-743-2757
- iv. Visit these web sites for more information -
www.cdc.gov/ncidod/dbmd/diseaseinfo or www.acha.org

7. 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.

8. 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 may contact the ADA Compliance Officer for Students in the Office of Student Services. Any student seeking 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. For more information, visit www.ttuhs.edu/HSC/OP/OP10/OP1015.pdf

9. 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.

10. 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.

11. 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.

12. 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 will result in:

- a. Cancellations of the student's registration if tuition and registration fees are not paid by the 20th class day (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.

13. 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 long 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.

c. Cheating and other forms of academic misconduct are addressed in the Code of Professional and Academic Conduct.

14. 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 *Application for Degree and Diploma Name* form in the semester before anticipated graduation (the student's "diploma name" as requested in the *Application for Degree and Diploma Name* 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; and,
- 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.

c. Information on invitations, academic regalia and class rings is available through the Office of Student Services.

d. Individual photos of each graduate receiving her/his diploma or certificate will be taken at graduation ceremonies. Students will be mailed proofs from which they may order copies from the photography company.

15. Health Services and Health Insurance Information

a. The Family Practice Center of the Department of Family Medicine (Family Practice Center) provides certain health services at no charge to TTUHSC students who are currently enrolled and have paid the medical services fees as part of tuition and fees. Students must present a Student I.D. card at the time of the appointment.

b. The medical service fee covers only those routine office visit services provided in the Family Practice Center and charges for certain laboratory services performed at University Medical Center (UMC) and radiology services performed at Thompson Hall for Lubbock campus students. Students at regional campuses should check with the Office of Student Services for specific services covered and fees charged. **All other charges incurred are the student's responsibility.** The Student Health Fee does not cover the cost of medicine or supplies used in connection with the office visit. Charges for any laboratory study not on the approved list or for radiology studies performed at University Medical Center will be the student's responsibility. All covered laboratory and X-ray services must be ordered by the Family Practice physician. Any consultations that are ordered, visits to other departments in the Health Sciences Center, or visits to the Fast Track clinic or Emergency Room that generate a charge from either the Health Sciences Center or UMC will be the student's responsibility.

c. If the student receives a bill from the Health Sciences Center for services covered by the medical service fees, please contact the Family Practice Center immediately.

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 will make available information on student health insurance providers for all registered students in the University. Students may investigate other insurance plans. Insurance packets are available in the Office of Student Services

16. Publications

- a. Student Publications 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.

17. 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.
- 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.
- c. *Late Registration.* Students are expected to register at their earliest opportunity. A student who registers late is assessed a charge. Consult the Registrar's office for deadline dates for registration

18. 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.

19. 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. 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

20. Sexual Harassment Policy

Student concerns about sexual harassment which include faculty, staff, or students should be directed to the individual School's Dean, in accordance with TTUHSC OP 70.14, Sexual Harassment.

21. 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 and spring semesters using one of the following alternatives:

- i. Full payment of tuition and fees in advance of the beginning of the semester; or
- ii. One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.

b. TTUHSC shall develop procedures which will provide that students may elect to pay tuition and fees using the payment alternative.

c. TTUHSC is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.

d. If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The rates of the fee shall be approved by the Board of Regents.

e. If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.

f. TTUHSC shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

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 (TTUHSC) and Texas Tech University (TTU) students. The amounts to be collected are presented in a Global Fee Document to the Board of Regents for annually for approval.

23. Tuition and Fees Refund Policies

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.

a. Students who drop a course within the first 12 days of a fall or spring semester or within the first four days of a summer term, will receive a full refund of tuition and fees applicable to the course which is being dropped.

b. Students who withdraw from the institution (zero semester credit hours) will receive a percentage of the tuition and mandatory fees collected for each course based on their official withdrawal date. The percentage refund will be as follows:

Fall and Spring Semesters

Prior to the first class day	100 percent
During the first five class days	80 percent
During the second five class days	70 percent
During the third five class days	50 percent
During the fourth five class days	25 percent
After the fourth five class days	None

Summer Terms

Prior to the first class day	100 percent
During the first, second, or third class day	80 percent
During the fourth, fifth, or sixth class day	50 percent
Seventh day of class and thereafter	None

c. Students who are receiving Title IV Financial Aid funds, may be required to return a portion of these funds at the time of their withdrawal from the institution.

CONTACT INFORMATION:

Graduate School of Biomedical Sciences	743-2556
Office of the Bursar	743-1880
Office of Student Services	743-2300
Office of Student Financial Aid	743-3025
Office of the Registrar	743-2300
School of Allied Health Sciences Admissions and Student Affairs	743-3220
School of Medicine Student Affairs	743-3005
School of Nursing Student Affairs & Admissions Graduate Program	743-3063 or 1-800-851-8240
Undergraduate Programs	1-800-493-3957
Traditional	806-743-2737
RN-BSN	806-743-4843
2 nd Degree	806-743-4844
School of Pharmacy Student Services	806-354-5463

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC)
Code of Professional and Academic Conduct**

Complaint of Misconduct

This form serves as an official charge against a TTUHSC student or student organization for alleged violations of the Code of Professional and Academic Conduct (referred to as the "Student Code") in the TTUHSC Student Affairs Handbook. This form is to be submitted to the Student Conduct Administrator for the applicable TTUHSC School. A separate Complaint of Misconduct must be completed for each student or student organization accused of violations of the Student Code.

Please complete the following:

Name of Accused Student/Registered Student Organization: _____
School, Department and Program of Accused Student (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 alleged misconduct. 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 Student allegedly violated. _____

What remedy are you seeking for your complaint (e.g., 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 of Complainant Date

Complainant's Signature Contact Information (Address/Email/Phone Number)

Refer to the TTUHSC Student Affairs Handbook for more information regarding the Student Code, which is available through the TTUHSC Office of Student Services or at http://www.ttuhsu.edu/student-services/doc/student_handbook.pdf.

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 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 correct information that is incorrect in accordance with TTUHSC policies and procedures.

Form Approved by _____ [Insert proper authority] [Insert date]

ATTACHMENT A

Sample Letter from Student Conduct Administrator

Date

Name of Accused Student
Address
Anywhere, Texas XXXXX

PRIVILEGED & CONFIDENTIAL
CERTIFIED MAIL# _____
RETURN RECEIPT REQUESTED &
REGULAR MAIL

[In the alternative, "HAND DELIVERY"]

Re: Complaint of Misconduct

Dear Accused Student:

The Texas Tech University Health Sciences Center (TTUHSC) School of _____ has initiated an investigation based upon allegations that you have violated the Code of Professional and Academic Conduct (Student Code) in the TTUHSC Student Affairs Handbook, as more fully described below. This investigation was initiated based on the Complaint of Misconduct, which is attached hereto.

On or about *[Provide date; detailed circumstances & conduct; time(s); location(s); individual(s) involved]*.

Under Part II.F of the Student Code, you are required to meet with me within five (5) business days from the date of this letter. It is your responsibility to call my office to schedule an appointment at your earliest convenience. If you fail to meet with me within this time period, you will be in violation of the Student Code and disciplinary action may be taken against you on that basis.

A copy of the Student Code, which is annually published in the TTUHSC Student Affairs Handbook, is attached and is available at _____ *[Insert website]* for your review. Until the Student Conduct Board has selected a Chair, I will be your contact for all matters concerning these proceedings. All information concerning this matter is regarded as confidential to the extent allowed by law.

I look forward to meeting with you about this matter.

Sincerely,

Student Conduct Administrator
School of _____

xc: Complainant
Dean

Enclosures:

ATTACHMENT B

GUIDELINES FOR STUDENT CONDUCT BOARD HEARING

The following should be used as guidelines for conducting Student Conduct Board Hearings under the Code of Professional and Academic Conduct (Student Code) in the TTUHSC Student Affairs Handbook. These are not mandatory procedures. The Chair may develop other procedures that fit the particular situation, as long as the procedures do not contradict the provisions of the Code of Professional and Academic Conduct.

A. INTRODUCTION BY CHAIR

The Chair should do the following.

1. Begin tape recording. (The recorder should be tested prior to the beginning of the hearing so that the recorder will capture the voices of all present.)
2. Introduce himself/herself and identify his/her role (i.e., to oversee the Student Conduct Board Hearing).
3. Notify parties present that the Hearing is being tape recorded and that the recording is the property of TTUHSC.
4. Ask Board members, the Accused Student (and advisor, present), and the Complainant (and advisor, if present) to identify themselves.
5. If the Complainant or the Accused Student has an advisor, read the following statement:
 - The role of the advisor during this Student Conduct Board Hearing is limited. It reflects that this process is not a courtroom proceeding but is part of TTUHSC's program designed to provide a good learning environment for all members of our academic community.
 - An advisor may not question witnesses or make statements before the Student Conduct Board. The only appropriate role for the advisor is to provide advice to the student who has requested his/her presence in a manner which does not disturb the proceedings of the Student Conduct Board.
 - If an advisor fails to act in accordance with the procedures of the Student Conduct Board, he/she may be barred from these proceedings by the Chair.
6. Remind all persons participating in the Hearing that falsification, distortion, or misrepresentation before the Student Conduct Board is a violation of the Student Code and that any person who abuses the Student Code System in this way may face disciplinary charges for the violation.
7. Advise that witnesses, other than the Accused Student and the Complainant, are present in the Student Conduct Board Hearing only while offering their information. All witnesses, other than the Accused Student and the Complainant, shall be instructed to leave the Student Conduct Board Hearing room and wait outside. Witnesses may be asked to affirm that they are presenting the truth before information is provided.
8. Address whether the Accused Student or the Complainant challenged any member of the Student Conduct Board for reasons of bias at least 3 days prior to the hearing in accordance with Section F.2.d and whether any new member(s) has been appointed to replace the challenged member.

9. State the allegations that have been brought against the Accused Student and the provisions of the Student Code which have been violated.
10. Explain that the Board will receive information, interview the parties and any witnesses for the parties or the Board, and review documents. At the conclusion of the hearing, the Board will confer privately and issue Findings and Recommendations to the Dean.
11. Advise that the proceedings are not intended to follow courtroom or judicial procedures and are part of an educational process by which the University applies its values to establishing the best possible learning environment for its students. Rules of procedure and evidence applicable to trials will not apply in this hearing. Hearsay evidence may be admitted with consideration given to the source, its credibility, and the nature of the evidence.
12. Remind the parties that professional decorum will be maintained at all times by the participants. Any person may be requested to leave at the discretion of the Chair.

B. COMPLAINANT'S AND ACCUSED STUDENT'S OPENING REMARKS

The Chair should do the following:

1. Chair may allow questions before proceeding with introductory remarks.
2. Ask whether the Accused Student admits or denies the allegations.
3. Both Complainant and Accused Student shall have an opportunity to present opening remarks, not to exceed 5 minutes each. Further time may be allowed in the Chair's discretion. (Opening remarks are not required, and there shall not be a negative assumption should Accused Student and/or Complainant elect not to do so.) If either party has prepared a written Impact or Position Statement or wishes to make an oral statement, he/she may do so within the prescribed time frame.
4. Complainant makes opening remarks.
5. Accused Student makes opening remarks.

C. COMPLAINANT'S WITNESSES

The Chair should do the following:

1. Provide the Complainant an opportunity to call his/her witnesses. For each witness, the Student Conduct Board will first question the witness, followed by the Complainant, and then the Accused Student. Questioning by the Complainant and the Accused Student may be limited in the sole discretion of the Chair of the Student Conduct Board TO such things as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.
2. Before a witness is excused, will ascertain whether members of the Student Conduct Board, the Complainant and the Accused Student have any final questions of the witness.

3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.
4. After the Complainant has called his or her witnesses, if any, inform the Complainant of his/her responsibility to provide information regarding the allegations. He or she initially will be questioned by the Student Conduct Board. The Accused Student will then be given the opportunity question the Complainant. The Chair will then ascertain whether members of the Student Conduct Board and the Accused Student have any final questions for the Complainant.

D. ACCUSED STUDENT'S WITNESSES

The Chair should do the following:

1. Provide the Accused Student with the opportunity to call his or her witnesses. For each witness, the Student Conduct Board will first question the witness, followed by the Accused Student, and then the Complainant. 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 things, as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.
2. Before a witness is excused, the Chair will ask members of the Student Conduct Board and the Complainant and the Accused Student if they have any final questions for the witness.
3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.
4. Ask the Accused Student to provide information regarding the allegations. He or she initially will be questioned by the Student Conduct Board. The Complainant will then be given the opportunity to submit written questions to the Chair, who, in his or her discretion, may ask the questions of the Accused Student. The Chair will then ask members of the Student Conduct Board and the Complainant if they have any final questions for the Accused Student.

E. STUDENT CONDUCT BOARD'S WITNESSES (IF ANY)

1. If the Student Conduct Board requires further witnesses, it may call them at this time. The witnesses initially will be questioned by the Student Conduct Board. The Complainant and the Accused Student will then be given the opportunity to question the 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 things, as preserving the educational tone of the hearing, avoiding redundant and irrelevant questioning, and/or providing for efficient administration of the Hearing.
2. Before a witness is excused, the Chair will ascertain whether members of the Student Conduct Board and the Complainant and the Accused Student have any final questions of the witness.

3. Instruct the witness not to discuss with other potential witnesses the information the witness shared with the Student Conduct Board.
4. If the Board intends to visit a location where the alleged violation occurred, the Accused Student and Complainant shall accompany the Board to the location and be allowed to participate in discussion by the Board. All discussions regarding the matter made the subject of the Hearing will be “on hold” while traveling to and from a location. Members of the Board should not independently visit the location to investigate the allegations, without the Accused Student and Complainant present.

F. CONCLUDING REMARKS

The Chair should do the following:

1. Provide the Complainant an opportunity for concluding remarks.
2. Provide the Accused Student an opportunity for concluding remarks.
3. Opening remarks are not required and there shall not be a negative assumption should Accused Student and/or Complainant elect not to do so.

G. DELIBERATIONS

The Chair should do the following:

1. Inform the parties that the written Findings and Recommendations of the Student Conduct Board (“Findings”) will be forwarded to the Dean, the Complainant, and the Accused Student. The Accused Student(s) or Complainant(s) may request reconsideration of the Findings and Recommendations of the Student Conduct Board within five (5) business days from the date of the decision.
2. The Findings and Recommendations may be appealed only on the following grounds:
 - Whether the Student Conduct Board Hearing was conducted fairly in light of the charges and the information presented, and in conformity with procedures herein, giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to the allegations. Deviations from the procedures herein will not be a basis for reconsideration unless **significant** prejudice results.
 - Whether the Findings regarding the Accused Student were based on substantial information, that is, whether there were facts in the case that, if believed by the Student Conduct Board, were sufficient to establish that a violation of the Student Code occurred.
 - Whether the sanction(s) imposed were appropriate for the violation of the Student Code which the student was found to have committed.
 - 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.

3. Refer the parties to the Code of Professional and Academic Conduct in the TTUHSC Student Affairs Handbook if they have further questions. Any further questions regarding the Student Code or the Findings and Recommendations should be directed to the Student Conduct Administrator, _____. Questions should not be directed to any member of the Student Conduct Board.
4. Caution members of the Student Conduct Board not to discuss this matter with anyone in order to respect the privacy of all persons involved.
5. Excuse the Complainant, Accused Student, and their advisors (*if any*) from the Student Conduct Board Hearing room so that the members of the Student Conduct Board may determine if the Accused Student is responsible for any of the violations of the Student Code with which he/she has been charged.
6. Disengage the tape recorder.
7. After the parties have left the Hearing site, deliberate regarding appropriate sanctions, if any.

H. FINDINGS AND RECOMMENDATIONS

The Chair is responsible to prepare the Student Conduct Board's Findings and Recommendations. If the Findings and Recommendations are not unanimous, minority opinion(s) may be written by those who differ with the majority's Findings and Recommendations. The Chair will forward the written Findings and Recommendations, including minority opinion(s), to the Dean, the Accused Student and the Complainant.

ATTACHMENT C

Sample Hearing Notice

Date

PRIVILEGED & CONFIDENTIAL

Name of Accused Student
Address
Anywhere, Texas XXXXX

CERTIFIED MAIL# _____
RETURN RECEIPT REQUESTED

Name of Complainant
Address
Anywhere, Texas XXXXX

CERTIFIED MAIL# _____
RETURN RECEIPT REQUESTED

**TTUHSC School of _____
Notice for Student Conduct Board Hearing**

A Student Conduct Board Hearing will begin on _____ *[Insert date]* at _____ *[Insert time]* in room _____. The purpose of this Hearing is to review the Complaint of Misconduct filed against you. The Complaint alleges that on or about *[provide date, time(s) and location(s); summarize circumstances & conduct]*.

In this connection, it is alleged that _____ *[Insert name of Accused Student]* violated *[Identify section of Student Code and quote section]* of the Code of Professional and Academic Conduct (Student Code) in the TTUHSC Student Affairs Handbook, a copy of which was made available to you by the Student Conduct Administrator.

If the Hearing is not concluded by _____, the session may be adjourned and continued until a later date to be determined by the members of the Student Conduct Board.

The following individuals will serve on the Student Conduct Board and will make a finding on whether a violation has occurred and recommend appropriate sanctions, if any:

- *[List members of the Board.]*

You may challenge the impartiality of any member of the Student Conduct Board up to three (3) days prior to the Hearing by providing in writing to the _____ *[Insert name]* Student Conduct Administrator, _____, those reasons for the challenge.

At least (5) business days prior to the Student Conduct Board Hearing, you must submit the following information to me:

- All pertinent records, exhibits and written statements (including Impact or Position Statements);
- A list of all witnesses, if any, who will be speaking on your behalf, including a brief summary of the testimony to be given by each; and,
- The name of your advisor, if any, who may be present only in an advisory capacity at the Hearing. The advisor must be a member of the TTUHSC community and may not be an attorney, unless you are also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances.

After receiving the above information from each party, I will exchange the information with the respective parties prior to the Hearing. At the Student Conduct Board Hearing, you will be provided an opportunity to make opening remarks, call witnesses, question witnesses, be present when testimony/evidence is being presented, respond to questions of the committee and make closing remarks after all evidence is presented.

At the conclusion of the Student Conduct Board Hearing, I will notify you in writing regarding the Findings and Recommendations of the Student Conduct Board. In accordance with the Student Code, you may request reconsideration of the Findings and Recommendations of the Student Conduct Board within five (5) business days from the date of this decision.

Please be advised that if you do not appear before the Student Conduct Board at the above-referenced date and time, the information in support of the Complaint shall be presented and considered even if you are not present.

Sincerely,

Chair, Student Conduct Board

xc: Members of the Student Conduct Board
Dean
Student Conduct Administrator

ATTACHMENT D

Sample Findings and Recommendations

Date

PRIVILEGED & CONFIDENTIAL

Name of Accused Student
Address
Anywhere, Texas XXXXX

CERTIFIED MAIL# _____
RETURN RECEIPT REQUESTED

Name of Complainant
Address
Anywhere, Texas XXXXX

CERTIFIED MAIL# _____
RETURN RECEIPT REQUESTED

TTUHSC School of _____
Findings and Recommendations

The Student Conduct Board met on _____ *[Insert date]* at _____ *[Insert time]* in room _____ to review the Complaint of Misconduct filed against _____ *[Insert name of student]*. The Complaint alleges that on or about *[Provide date, time(s) and location(s); summarize circumstances & conduct]*. It is further alleged that _____ *[Insert name of Accused Student]* violated *[Identify section of Student Code and quote section]* of the Code of Professional and Academic Conduct (Student Code) in the TTUHSC Student Affairs Handbook.

[Identify names and titles of the Student Conduct Board members present at the meeting and whether or not they were challenged by any of the parties. Identify all other individuals present at the meeting.]

[Identify whether hearing was taped. If so, indicate that the tapes were delivered to the Office of the Dean.]

[Identify whether the parties submitted written evidence prior to the hearing and on what date. Attach written evidence.]

[Identify whether Accused Student admitted or denied the allegations.]

[Identify any witnesses and the substance of their testimony.]

[Describe evidence that supported and/or refuted the Complaint.]

[Identify findings of the Committee and the vote numbers.]

[Identify recommended sanctions, if any.]

[Identify whether there are any dissenting opinions and attach the opinions.]

In accordance with the Code of Professional and Academic Conduct in the TTUHSC Student Affairs Handbook, you may request reconsideration of the Findings and Recommendations of the Student Conduct Board within five (5) business days from the date of this decision. Any request for reconsideration must be in writing and delivered to the Student Conduct

Administrator or his or her designee. A copy of the request must also be sent to the other affected party, along with the Dean, the Student Conduct Administrator and the Chair of the Student Conduct Board.

Please direct any further questions that you may have to the Student Conduct Administrator.

Sincerely,

Chair, Student Conduct Board

xc: Members of the Student Conduct Board
Dean
Student Conduct Administrator

Enclosures: Written evidence presented by the parties

ATTACHMENT E