



# WTAMU Student Handbook 2025-2026

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## **WTAMU Student Handbook**

### **Welcome**

Welcome to the West Texas A&M University community! It is our hope that you find an environment that supports your success as a student, and to that end, this document outlines the community standards that, when upheld by all, will support that environment.

While this document outlines some general prohibitions of conduct contrary to the building of a positive learning environment, it also lays your rights as a student, and we hope you will pay close attention to those.

We seek a community of learners where mutual respect, between and among students, faculty, staff, and administration, allows for meaningful and productive dialogue, and this document represents our intent to balance those rights, responsibilities, and various levels of authority.

We encourage you to familiarize yourself with the processes and guidelines found within. If you have any questions along the way, please contact us in the Office of the Vice President for Student Affairs, located in Suite 102 of the Jack B. Kelley Student Center.

Good luck and Go Buffs!

**Dr. Chris Thomas**

Vice President for Student Affairs

### **Foreword**

West Texas A&M University is a community dedicated to personal and academic excellence. Choosing to join the community binds each member to a code of civilized behavior. The purpose of this handbook is to present the rules that govern the student conduct and student activities at West Texas A&M University and describe faculty and staff obligations in their work with students. These rules result from years of experience, and are the products of students, staff, and faculty thought. Each individual student and employee are expected to read this handbook carefully and observe its requirements.

No rule, no matter how carefully worded, can cover all eventualities completely. Beyond specific rules, we should all aspire to conduct ourselves with respect towards others, the highest ethical standards, and personal integrity. That is what Buff Spirit is all about.

## Part 1 | Academic Integrity Code

### 1.1 | Academic Dishonesty

1.1.A | Academic dishonesty includes the commission of any of the following acts. This listing is not exclusive to any other acts that may reasonably be called academic dishonesty. Clarification is provided for each definition by listing some prohibited behaviors.

- i. **Cheating**: Intentionally using or attempting to use unauthorized materials, information, notes, study aids, or other devices or materials in any academic exercise. Unauthorized materials may include anything or anyone that gives a student assistance and has not been specifically approved in advance by the instructor. Examples include:
  - a. During an examination, looking at another student's examination or using external aids (for example, books, notes, calculators, conversation with others, or electronic devices) unless specifically allowed in advance by the instructor.
  - b. Having others conduct research, or prepare work, without advance authorization from the instructor.
  - c. Acquiring answers for any assigned work or examination from any unauthorized source. This includes, but is not limited to, using the services of commercial term paper companies, purchasing answer sets for homework from tutoring companies, and obtaining information from students who have previously taken the examination.
  - d. Collaborating with other students in completing assigned work, unless authorized by the instructor teaching the course. It is safe to assume that all assignments are to be completed individually unless the instructor indicates otherwise; however, students who are unsure should seek clarification from their instructors.
  - e. Other similar acts.
- ii. **Fabrication**: Making up data or results and recording or reporting them; submitting fabricated documents. Examples include:
  - a. The intentional invention and unauthorized alteration of any information or citation in any academic exercise.
  - b. Using "invented" information in any laboratory experiment, report of results or academic exercise. It would be improper, for example, to analyze one sample in an experiment and then "invent" data based on that single experiment for several more required analyses.
  - c. Failing to acknowledge the source from which cited information was obtained. For example, a student shall not take a quotation from a book review and then indicate that the quotation was obtained from the book itself.
  - d. Changing information on tests, quizzes, examinations, reports, or any other material that has been graded and resubmitting it as original for the purpose of improving the grade on that material.
  - e. Providing a fabricated document to any university employee to obtain an excused absence or satisfy a course requirement: altering an official document such as a transcript.
  - f. Other similar acts.
- iii. **Falsification**: Manipulating research materials, equipment, or processes, or changing or omitting data or results, such that the research is not accurately represented in the research record. Examples include:



- a. Changing the measurements in an experiment in a laboratory exercise to obtain results more closely conforming to theoretically expected values.
  - b. Other similar acts.
- iv. Multiple Submissions: Submitting substantial portions of the same work (including oral reports) for credit more than once without authorization from the instructor of the class for which the student submits the work. Examples include:
  - a. Submitting the same work for credit in more than one course without the instructor's permission.
  - b. Making revisions in a paper or report (including oral presentations) that have been submitted in one class and submitting it for credit in another class without the instructor's permission.
  - c. Representing group work done in one class as one's own work for another.
  - d. Other similar acts.
- v. Plagiarism: The appropriation of another person's ideas, processes, results, or working without giving appropriate credit. Examples include:
  - a. Intentionally, knowingly, or carelessly presenting the work of another as one's own (i.e., without crediting the author or creator).
  - b. Failing to credit sources used in a work product in an attempt to pass off the work as one's own.
  - c. Attempting to receive credit for work performed by another, including papers obtained in whole or in part from individuals or other sources. Students are permitted to use the services of a tutor (paid or unpaid), a professional editor, or the University Writing Center to assist them in completing assigned work, unless the instructor explicitly prohibits such assistance. If the student uses such services, the resulting product must be the original work of the student. Purchasing research reports, essays, lab reports, practice sets, or answers to assignments from any person or business is strictly prohibited. The sale of such materials is a violation of both these rules and Texas State law (Penal Code 32.50).
  - d. Failing to cite the World Wide Web, databases, or other electronic resources if they are used as resource material in an academic exercise.
  - e. Other similar acts.
  - f. General Information pertaining to Plagiarism:
    - i. Style Guides: Instructors are responsible for identifying any specific style/format requirements for the course. Examples include but are not limited to: American Psychological Association (APA) style and Modern Language Association (MLA) style.
    - ii. Direct Quotation: Every direct quotation must be identified by quotation marks or appropriate indentation and must be properly acknowledged in text by citation or in a footnote or endnote.
    - iii. Paraphrase: Prompt acknowledgement is required when material from another source is paraphrased or summarized, in whole or in part, in one's own words. To acknowledge a paraphrase properly, one might state: "To paraphrase Locke's comment..." and then conclude with a footnote or endnote identifying the exact reference.
    - iv. Borrowed Facts: Information gained from reading or research, which is not common knowledge, must be acknowledged.
    - v. Common Knowledge: Common knowledge includes generally known facts such as the names of leaders in prominent nations, basic scientific laws, or basic historical

information (e.g., George Washington was the first President of the United States). Common knowledge does not require citations.

- vi. **Works Consulted:** Materials that add only to a general understanding of a subject may be acknowledged in the bibliography and need not be footnoted or end noted. Writers should be certain that they have not used specific information from a general source in preparing their work unless it has been appropriately cited. Writers should not include books, papers, or any other type of source in a bibliography, “works cited” list, or a “works consulted” list, unless those materials were used in the research. The practice of citing unused works is sometimes referred to as “padding.”
- vii. **Footnotes, Endnotes, and In-text Citations:** One footnote, endnote, or in-text citation is usually enough to acknowledge indebtedness when several connected sentences are drawn from one source. When direct quotations are used, however, quotation marks must be inserted, and acknowledgement must be made. Similarly, when a passage is paraphrased, acknowledgement is required.
- viii. **Graphics, Design Products, and Visual Aids:** All graphics, design products, and visual aids from another creator used in academic assignments must reference the source of the material.
- vi. **Generative AI:** Generative artificial intelligence (Generative AI) is computer-based technology that produces a variety of data, such as pictures, videos, music, or words, which may look or sound like a person made them. Generative AI tools appear to be created by humans because they are derived from deep machine learning routines and large language models based on algorithmic comprehension of materials created by humans. West Texas A&M University recognizes that generative AI presents challenges and simultaneously offers stimulating opportunities in higher education. West Texas A&M University offers faculty members the following choices of three distinct approaches to this complex challenge:
  - a. **No Use of Generative AI Permitted:** Because writing and critical thinking skills are part of the learning outcomes of this course, it is a violation of academic integrity to employ generative AI at any point in this course.
  - b. **Use of Generative AI Permitted Under Some Circumstances with Permission:** There are specific situations within the course where you will use generative AI to explore how technology can serve as a complimentary learning tool. The course faculty members will inform students when, where, and how students may employ these tools, along with guidance for attribution. Any use outside of faculty defined parameters constitutes a violation of academic integrity.
  - c. **Generative AI Permitted with Attribution:** The use of generative AI is permitted in this course to help prepare assignments and projects. When submitting work, students must clearly identify any generative AI content in contrast to student contributions (e.g., student citation of prompts, the generative AI platform used, the date the prompts were issued, and related). Using an AI tool without proper attribution qualifies as a violation of academic integrity.
- vii. **Complicity:** Intentionally or knowingly helping, or attempting to help, another commits an act of academic dishonesty. Examples include:
  - a. Knowingly allowing another to copy from one’s paper during an examination or test.
  - b. Distributing test questions or substantive information about the test without the instructor’s permission.



- c. Collaborating on academic work knowing that the collaboration will not be reported.
- d. Taking an examination or test for another student.
- e. Signing another's name on an academic exercise or attendance sheet.
- f. Conspiring or agreeing with one or more people to commit, or attempting to commit, any act of academic dishonesty.
- g. Other similar acts.

## **1.2 | Reporting Violations of WTAMU Academic Integrity Code**

1.2.A | As all members of the WTAMU community are responsible for maintaining the academic integrity of the University's mission, any member of the community may report and is responsible for reporting known violations of the academic integrity code to a faculty member, direct supervisor, academic dean, or Executive Vice President and Provost (EVPP). Violations shall be construed as any prohibited action outlined in the Student Handbook or the violation of any other university code or regulation that impacts the University's ability to meet the academic expectations that it has set forth in its mission.

1.2.B | Any student with knowledge of a violation who fails to report it shall be in violation of academic integrity. A student who believes their work has been stolen, copied, or inappropriately acquired by another student should report that information to the instructor. Also, any community member who reports themselves in violation of the Student Handbook before it is likely that another might consider this possibility will be understood as repentant and acting in good faith toward the community. Though the confession will not excuse the student from the violation, the act will be considered with great weight by all hearing/sanctioning bodies and the violation should not result in suspension or expulsion except in the most extreme cases.

1.2.C | Before reporting a suspected violation, the accusing party should make a reasonable attempt to collect evidence (eyewitnesses, material facts, etc.) to present the case at a hearing. Teaching faculty who suspects a violation should confer with the suspected violator(s) and attempt to resolve the case at that point. If the faculty member and student can mutually consent to a solution, the faculty member should complete an Academic Integrity Code Violation Review Form regarding the WT Academic Integrity Code. This form is to be signed by the student, faculty member, direct supervisor, and dean, then forwarded to the EVPP office for signature where it will be placed in the student's file.

1.2.D | A faculty member can choose to report to their direct supervisor. Additionally, if the faculty member and accused students cannot agree upon a resolution, or if the faculty member believes that suspension or expulsion is the only fair sanction, the case should immediately be reported, by the faculty member and in writing to the appropriate direct supervisor.

## **1.3 | Initial Finding of Fact and Review of Case**

1.3.A | In a case where a non-teaching member of the WTAMU community reports a suspected integrity violation, the case will be referred to the appropriate faculty member, direct supervisor, or dean for initial review. The referral will come from the WTAMU community member to whom the suspected act was first reported.

1.3.B | In a case where a resolution between the student and faculty member has been reached, an Academic Integrity Code Violation Review Form will be completed by the faculty member, signed by all parties, direct supervisor, and dean, and forwarded to the EVPP office to be placed in the student's file.

1.3.C | In a case where a resolution between the student and the faculty member cannot be reached, all materials will be presented to the direct supervisor who will then review the case (including evidence, students and professor testimony, any documents, etc.), determine if a violation occurred, and, in the case of a finding of violation, impose through their dean's office, then forward to the EVPP for the appropriate sanction. The direct supervisor will then notify the students and faculty of their decision and the student of their right to appeal to the College Integrity Committee (CIC).

1.3.D | Each college will create a CIC as needed. It will be comprised of the college dean (who will chair the committee and vote only in case of a tie), three students (appointed by Student Senate) and three faculty members from the college (one appointed by the dean for a two-year term, one chosen by the student, and one chosen by the dean). Should the dean feel that chairing the committee would present a potential conflict of interest, they may recuse themselves through the VPAA's office and have another dean appointed to chair the hearing.

1.3.E | In the case of the finding of guilt, the direct supervisor will forward this finding to the VPAA's office to be placed in the student's file. Upon any subsequent violation by the student (if another AICVRF, direct supervisor sanction or any combination is already present in the student's file), the EVPP office will notify the dean and have them examine the file to determine if a trend of violation needs to be addressed.

1.3.F | For undergraduate students, "dean" in this document refers to the dean of the college in which the most recent violation occurred. For graduate students, "dean" refers to the dean of the Graduate School. If the dean determines the presence of multiple violations, they will impose or request that the EVPP impose the appropriate sanction. The dean will then notify the student of their decision and their right to appeal to the CIC.

1.3.G | Should the student desire to appeal either to a direct supervisor's, or dean's decision, the student will notify the dean that they request an appeal hearing before a CIC. The notification must be in writing and delivered to the dean within ten (10) days of the student's initial notification of the direct supervisor's or dean's findings. Such an appeal must specify if the student is appealing for the finding of violation or the fairness of the sanction.

#### **1.4 | Hearings Before a College Integrity Committee (CIC)**

1.4.A | The CIC functions only as an appeal committee. This committee will hear the facts of the case to determine the appropriateness of the original finding and/or sanction.

- i. Once an appeal hearing has been requested, the dean's office will, at least seven (7) business days before the scheduled hearing, make a reasonable attempt to notify:
  - a. The appealing party and any accusing parties (as well as the accusing party's witnesses);
  - b. Any faculty member(s) involved; and
  - c. The selected members of the committee.
- ii. These time frames are contingent upon the academic calendar and the necessity of bringing closure to a situation and, at the dean's discretion, may be adjusted as deemed necessary.
- iii. If the student is appealing the finding of violation itself, the accuser has the burden of proving their case by the preponderance of the evidence (proof that leads a reasonable person to conclude that the facts in issue are more likely to have occurred than not).

- iv. If the student is appealing the sanctions, only facts presented to the committee or that are in the student's file may be considered in judging the fairness of the original sanction. The appealing student is responsible for offering evidence that supports a different sanction.
- v. The appealing party may have one person accompany them to the hearing. This person cannot act as a witness. The appealing party may obtain advice from a legal advisor at their own expense.
- vi. An opportunity will be provided for the appealing party to present their version of the facts and to present other evidence, including witnesses, in support of their appeal. Witnesses not having information directly pertaining to the appeal may not be allowed. The appealing student should notify their witnesses of their request that they present information at the hearing. The appealing student is responsible for making sure their witnesses attend the hearing and/or for providing any notarized written information or official university reports (the student may request these through the presiding dean's office) that they would like considered at the appeal. The appealing party, through the dean, will also have the right to hear and question evidence. The dean may impose reasonable limitations upon the presentation of evidence and the questioning of witnesses.
- vii. If the student chooses not to testify at the appeal, the process will continue in their absence with the information available. Evidence that the student was notified of the hearing should be entered into the record. If the student is late for the hearing, the CIC should make a good faith effort to inform the student of what occurred prior to their arrival.
- viii. Disorderly or disruptive behavior by any individual in the appeal process may, at the dean's discretion, result in the removal of that individual from the hearing, and the hearing may continue in their absence. The University will record these proceedings and retain a copy in its records. All educational content will be stored and destroyed based on the University's Records Retention schedule. Suspension/expulsion sanctions result in records being maintained permanently in the Office of Academic Affairs. The appealing party may, at their expense, make a personal recording of the hearing. Appeal hearings will be confidential except those directly hearing, or involved, in the case.

### **1.5 | Findings of a CIC**

1.5.A | The CIC is not bound by state or federal rules of evidence. The CIC will consider only the facts presented during the hearing and the facts already contained in the appealing student's academic file.

1.5.B | At the conclusion of the hearing, the CIC will meet to adjudicate in a closed session. The faculty and student members will first vote as to whether the original finding of violation -by faculty member, direct supervisor, or dean- has merit.

1.5.C | In the case that the CIC finds no violation, the student's file will be cleared of all documents that relate solely to this case. If the appropriateness of the sanction is under appeal, the CIC will vote on the original sanction fairness. If the CIC finds that the original sanction is not appropriate, the members will discuss alternative sanctions that may include more severe than those originally imposed.

1.5.D | The CIC may impose any of the sanctions described in the Student Handbook up to and including suspension or expulsion. The CIC can recommend to the dean of the college that suspension or expulsion is the appropriate sanction. In the case of such a recommendation, the case will immediately be referred to the dean and forwarded to the EVPP office, and all further action will be taken by the EVPP.

1.5.E | The CIC will convene privately to discuss, vote and determine applicable sanctions.

1.5.F | The CIC will, at the conclusion of the appeal, present its findings to the appealing party. Additionally, the dean's office will forward a written statement of the findings and the formal action to be taken by the University to the student within five (5) working days, as defined by the University.

## **1.6 | Registration and Enrollment**

1.6.A | Student Identification Cards: Upon initial registration, each student is issued a student identification card (more commonly called a Buffalo Gold Card or Buff ID). This card, designed to be a career identification card, is the property of West Texas A&M University and is validated each semester upon payment of fees.

- i. Possession, alteration, use or attempted use of an ID card for the purpose of identification or to receive services, by anyone other than the person whose name, ID number and photo appear on the card, is considered unauthorized use. The offender will be subject to penalties and confiscation of the ID card by University Officials.
- ii. A student must produce their identification card upon the request of a University Official.
- iii. It is a student's responsibility to report a lost or stolen identification card immediately by calling (806)-651-4653, Monday through Friday between 8am and 5pm. Students will be assessed a fee to replace the lost or stolen card.
- iv. The name as submitted at the time of the application to West Texas A&M University establishes the official record for the student at the University. This record is considered an official record for the State of Texas. Any change of name request must be accompanied by legal federal or state documentation. A social security card or driver's license cannot be used as documentation to request a change of name; a birth certificate, passport, court issued name change document, marriage license, or common-law certificate are acceptable.

1.6.B | Current Address: To avoid missing important communications from the University, it is the student's responsibility to keep the registrar informed of current, local, and permanent addresses. Communications mailed to either address of record, or to a student's official WT email account, will be deemed adequate notice.

- i. Every student must register upon admission to the University and each subsequent semester, as announced by the registrar.
- ii. Students who were previously enrolled at West Texas A&M but did not attend class through the official census date of the previous long semester must apply for readmission.
- iii. Registration is not complete until the student has paid their fees by the prescribed deadline.

1.6.C | Registration Holds: A student may be held from registering for future semesters by the following offices, for the following reasons. This is not inclusive of all offices that can hold students, or all types of holds. A student who wishes to resolve the problem that resulted in the hold, or wishes to appeal the placing of the hold, should go to the department that placed the hold on their record.

- i. Office of Graduate Studies, Academic Departments or Colleges – For scholastic deficiency or for disciplinary reasons related to scholastic dishonesty.
- ii. Transportation Services – For an accumulation of overdue, unpaid parking violation citations.
- iii. Student Business Services – For an outstanding bill owed to the University.
- iv. Office of Admissions and Records, Office of Graduate Studies, Academic Departments and Colleges – For students admitted provisionally or on probation, or for information lacking to complete the admission

process and for enrolled students who have submitted questionable records (such as transcripts or residency documents) to the registrar's office.

- v. Office of Title IX, Office of Community Standards, and Department of Residential Living – For disciplinary reasons.
- vi. Athletic Academic Affairs Office – To ensure compliance with NCAA regulations.
- vii. International Student Services – To ensure compliance with university procedures and I.N.S regulations.
- viii. Academic Success Center – To ensure compliance with Texas Success Initiative mandate.

1.6.D | Maximum Schedule: An undergraduate student with an overall grade point ratio of 3.0, or better, may register for a course load in excess of 19 hours in the fall or spring semester, or six (6) hours (seven [7] if part is laboratory) in a summer term with the approval of their advisor. An undergraduate student with an overall grade point ratio of less than 3.0 must obtain approval from their dean or designee before registering for a course load in excess of 19 hours in a fall or spring semester, or six (6) (seven [7] if part is laboratory) in a summer term.

1.6.E | Maximum Schedule for Graduate Students: Graduate students may enroll for a maximum of 15 hours during a regular semester, six (6) hours for a 5-week summer session and 12 hours for a 10-week summer session with approval of their college dean or designee. A graduate student may enroll in more than 18 hours (regular semester), nine (9) hours (5-week summer session), or 15 hours (10-week summer session) with approval of the Office of Graduate and Professional Studies.

1.6.F | Prerequisites: It is the responsibility of the student to be sure that course prerequisites are met. All prerequisites must be listed in the appropriate catalog or schedule of classes. A student may register for a course for which they have not met the prerequisites only with the consent of the head of the department in which the course is offered. Failure to meet course prerequisites could result in a student being dropped from the class.

1.6.G | Class Schedules: All classes will meet according to schedules prepared by the registrar. Modification in these schedules, including common night exams, may be made only when authorized by the registrar and approved by the dean or designee of the college in which the course is offered.

1.6.H | Scheduling of Courses: In case a section is dropped, because of insufficient enrollment, a student may substitute other courses approved by their advisor.

1.6.I | Priority Registration Eligibility: Outlined under the WT Catalog, students that meet the following eligibility requirements may be allowed to register during priority registration.

- i. Veterans: Students must notify Military and Veteran Services of eligibility.
- ii. Student Athletes: Students who participate in an approved University sport may be eligible.
- iii. Honors Program: Students who participate in the University's Honors Program may be eligible.
- iv. Parenting Student: Per Texas Senate Bill 459, students that identify as a "parenting student", which is a student enrolled at an institution of higher education who is the parent or legal guardian of a child under 18 years of age, are provided early registration for courses. Prior to the semester registration date, students that meet these requirements will need to contact the Registrar's Office at 806-651-4911 and notify them of their eligibility status.

## **1.7 | English Proficiency**

1.7.A | Any college may require an English Proficiency Examination of its students. Any student who fails the examination may be required to do remedial work in English, as recommended by the head of the student's department and approved by the dean, or designee, of the student's college.

## **1.8 | Student Drop Procedure**

1.8.A | Refer to the University calendar on Buff Connect for the last day to add or drop courses. Classes dropped on or before the 12<sup>th</sup> class day in regular semesters (fourth class day in summer sessions) will not be reflected on the student's transcript. Classes dropped prior to the last day to drop or withdraw will reflect a grade of "X" (drop passing). Restrictions will prevent dropping classes on Buff Advisor. For more information review the WTAMU Student Catalog for the current academic year.

1.8.B | If a faculty member charges a student in one of their classes with a violation of the Academic Integrity Code (AIC) and the student drops the class before the issue has been resolved, the faculty member may submit a grade change at the end of the semester to the Registrar's Office changing the student's grade from "X" to "XF", and indicating that the change is due to a violation of the Academic Integrity Code. This may only occur when the faculty member determines that the appropriate penalty for the AIC violation is a failing grade in the class.

## **1.9 | Withdrawal Procedure**

1.9.A | Before Withdrawing, if there is anything that WTAMU can do to assist you in remaining enrolled, please contact The Office of the Registrar via email at [registrar@wtamu.edu](mailto:registrar@wtamu.edu). This office is available to advocate for your needs and to assist with any questions or concerns you may have.

1.9.B | Withdrawing from WT: Withdrawing is dropping all classes in a semester (with the option of returning). Withdrawing, or dropping your last class, cannot be accomplished through Buff Advisor. Deadlines to drop or withdraw are available in the University calendar (<https://www.wtamu.edu/about/calendar/index.html>). Withdrawing by the deadline can be done by:

- i. Completing and submitting the electronic withdrawal form (<https://www.wtamu.edu/student-support/registrar/registrar-drop-withdrawal.html>), or visiting the Office of the Registrar, located in Old Main Room 103.

1.9.C | Involuntary Leave: In the event that a student cannot safely remain at the University or meet academic standards, even with reasonable accommodations and other supports, the University may require the student to take a leave of absence.

- i. Decisions whether to impose an Involuntary Leave will be made by the University's Behavioral Intervention Team (BIT), a committee that includes members from the Office of the Vice President for Student Affairs, Counseling Services, Office for Academic Affairs, Office of Student Accessibility, Department of Residential Living, and the University Police Department.
- ii. The committee may impose an Involuntary Leave if it finds, after an individualized assessment, that the student's conduct:
  - a. Poses a significant risk to the health or safety of others.
  - b. Substantially interferes with the educational experience of others.
  - c. Causes a chronic and inordinate use of university resources.



- iii. Before making a decision, the committee will:
  - a. Notify the student that the committee is considering imposing Involuntary Leave and the basis for the committee's belief that the student may need to be placed on Involuntary Leave; and
  - b. Provide the student with an opportunity to appear personally before the committee and provide relevant information.
- iv. The BIT may inquire into a student's current condition, including requesting recent medical health information and records, but must confine its inquiry to information and records necessary to make a determination. The committee may not insist on unlimited access to confidential information or records.
- v. If the committee imposes Involuntary Leave, the committee may restrict the student's interactions with the campus community during the period of the leave as deemed necessary or appropriate. Such restrictions may include limits on the student's communications with faculty, staff, or other students and on the student's access to the campus.
- vi. **Request for Review:** A student placed on Involuntary Leave may request, within three (3) business days of being notified of the decision, a review by the Vice President for Student Affairs. The request should delineate the reason(s) why the student believes the decision is inappropriate and should include supporting materials. The Vice President for Student Affairs will have five (5) business days to review the petition and uphold, reverse, or alter the decision. The VP for Student Affairs will notify the student in writing and shall be considered final.
- vii. **Complaints:** Any student who believes they have been discriminated against on the basis of a disability should complete a Complaint Form, available at the University's website:  
<https://apps.wtamu.edu/complaint/>.
- viii. **Refunds:** The same arrangements for refunds of tuition or other costs will be available to a student who takes a leave of absence for mental health reasons, whether voluntary or involuntary, as are available for a student who takes a leave of absence for physical health reasons.
- ix. **Returning from Leave:** A student who wishes to return from Involuntary Leave must submit a written request to the Behavioral Intervention Team. The written request should contain relevant documentation from health professionals showcasing that the student is fit to return. The Behavioral Intervention Team will conduct an individualized, fact-specific assessment to determine whether the student no longer meets the standard set forth for imposing an involuntary leave. A student's request to return may be denied if the committee finds that the student will not be able, upon return, to meet academic standards or safely remain at the University, even with reasonable accommodations or other supports. A student who desires to return to the University after taking a leave of absence for mental health reasons will not be subject to more rigorous standards or procedures than a student who desires to return to the University after taking a leave for physical health reasons.

## **1.10 | Attendance**

1.10.A | Class attendance and participation is an individual student responsibility. Students taking traditional face-to-face courses are expected to attend class and to complete all assignments by stated due dates. Violation of this attendance policy is subject to disciplinary action through the Student Conduct process.

1.10.B | Individual instructors have the right to set reasonable and clearly explained attendance standards for their classes. If an attendance requirement is adopted because regular active participation is essential to satisfactory mastery of the course content, the requirement should be reasonable and clearly explained in the course syllabus. If a student wishes to contest the fairness of an instructor's attendance policy, a complaint

should be filed in accordance with the Student Grievance procedures. When an instructor believes that excessive absences have put a student's grade in jeopardy, the instructors should report this information to Advising Services who will contact the student and will attempt to resolve the problem.

### **1.11 | Notification of Absences**

1.11.A | Unless otherwise stated in this rule, to be considered for an excused absence the student must notify the instructor in writing (e-mail is acceptable) prior to the day of the absence. In cases where advanced notification is not possible, the student must provide notification by the end of the second business day after the last date of the absence. This notification must include an explanation of why notice could not be sent.

#### **1.11.B | Excused Absences Defined by State and Federal Regulations:**

- i. In accordance with Texas Education Code Section 51.911 Religious Holy Days, West Texas A&M University shall excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence. An instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.
- ii. In accordance with Texas Education Code Section 51.9111 Excused Absence for Active Military Service, WT shall excuse a student from attending classes or engaging in other required activities, including examinations, in order for the student to participate in active military service to which the student is called, including travel associated with the service. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to complete an assignment or take an examination from which the student is excused within a reasonable time after the absence. An instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.
- iii. In accordance with Title IX of the Education Amendments of 1972, WT shall treat pregnancy (childbirth, false pregnancy, termination of pregnancy and recovery there from) and related conditions as a justification for an excused absence for so long a period of time as is deemed medically necessary by the student's medical provider. Requests for excused absence related to pregnancy should be directed to the instructor. Questions about Title IX should be directed to the University Title IX Coordinator.

1.11.C | Excused Absences for a student that is a non-birthing parent, adoptive parent, or guardian of a child: Absences related to the birth of a child, adoption of a child or foster care placement of a child under three years of age will be excused as directed below.

1.11.D | In accordance with the Americans with Disabilities Act, West Texas A&M University shall provide equal access for students with disabilities. Some students with disabilities may qualify for an attendance policy modification and should provide the instructor with proper notification from the Office of Student Accessibility concerning this accommodation prior to a disability-related absence. Questions about a disability-related absence should be directed to the Office of Student Accessibility.

1.11.E | Student Absence Notification Request:

- i. Students who miss more than three (3) consecutive days of course content due to extenuating circumstances should contact the Division of Student Affairs for assistance. Circumstances such as:
  - a. Personal injury or illness that is too severe or contagious for the student to attend class. An absence for a non-acute medical service does not constitute an excused absence.
  - b. Death or major illness in a student's immediate family. Immediate family may include parents, siblings, grandparents, spouse, child, spouse's parents, spouse's grandparents, stepparents, stepsiblings, and others as deemed appropriate by faculty member or student's academic dean or designee.
  - c. Illness of a dependent family member. An absence for a non-acute medical service does not constitute an excused absence.
  - d. Participation in legal or governmental proceedings that require a student's presence and that cannot be rescheduled.
  - e. Graduate or professional school interviews which are mandatory, and fixed date by university/school policy, which cannot be rescheduled.
  - f. Mandatory interviews for permanent, full-time employment or full-time internships (including those that are part of cooperative education program) that have a duration of at least 10 weeks, provided that such interviews are related to the student's academic program and provided that the interviews are fixed date by employer policy and cannot be rescheduled. A student may not request excused absences for employment or internship interviews for more than one scheduled class meeting in one academic term.
  - g. Presentation of research or scholarship at a professional conference related to the student's academic program, provided that the student is a presenter.
  - h. Mandatory participation as a student athlete in NCAA-sanctioned competition.
  - i. Required pre-donation and donation activities for a student selected as a donor of a transplant such as bone marrow, stem cells (Peripheral Blood Stem Cell Donation), and organs, provided that it cannot be rescheduled. An absence for single visit donations such as blood donation, plasma donation, and platelet donation does not constitute an excused absence.
  - j. For compelling reasons not included in this section, the dean or dean's designee of the student's college with the support of the dean or dean's designee of the college offering the course may provide a statement (email is acceptable) that the dean or designee has verified the absence as excused.
- ii. The student is responsible for providing verifiable documentation substantiating the reason for the absence. Absence documentation may include, but is not limited to:
  - a. A medical confirmation note from the student's medical provider. The medical provider can provide a medical confirmation note only if medical professionals are involved in the medical care of the student. The medical confirmation note must contain the date and time of the medical assessment and the date at which the student may return to classes. Students cannot be required to provide detailed medical information.
  - b. A medical confirmation note from the medical provider involved in the care of the student's immediate family member or dependent. The medical provider can provide a medical confirmation note only if medical professionals are involved in the medical care of the

- immediate family member or dependent. Students cannot be required to provide detailed medical information.
- c. Death notice, obituary, or death certificate for a student's immediate family member.
  - d. Documentation regarding the scheduling of legal or governmental proceedings that require a student's presence and that cannot be rescheduled.
  - e. Documentation regarding the scheduling or mandatory admission interviews for professional or graduate schools. Documentation must be provided five (5) business days in advance.
  - f. Documentation regarding the scheduling of mandatory interviews. Documentation from the employer must be provided five (5) business days in advance.
  - g. Documentation regarding the scheduling of presentations of research or scholarship. Documentation for professional conference presentations must include confirmation of the student's role as a presenter. Documentation must be provided five (5) business days in advance.
- iii. Upon receipt of the documentation detailing the illness or emergency, Student Affairs will contact each instructor indicated by the student's submission, in writing, explaining the nature of the absence and requesting consideration making up missed work without penalty. Students can complete this request at [https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=8](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=8). Documents may be sent to the Office of Student Affairs via [www.wtamu.edu/absence](http://www.wtamu.edu/absence), [studentaffairs@wtamu.edu](mailto:studentaffairs@wtamu.edu), fax to 806-651-2926, call 806-651-2050, or dropped off in the JBK Suite 102. For additional information surrounding the Student Absence Notification request, visit <https://www.wtamu.edu/student-support/more-support/absence-notification-request.html#standards>.

**1.11.F | Absence Due to University Business:** Under the WT Catalog, students who miss classes for reasons of official University business will be given the opportunity to make up for the missed work without penalty, provided the student and/or the sponsor (for example, coach) of the official University activity informed individual professors prior to the absence.

**1.11.G | Active-Duty Students:** Students called to active duty should tell instructors and must withdraw from the University by notifying the Office of the Registrar of that intent in person, by email, by mail, or fax.

**1.11.H | Pregnant Students:** Any pregnant student(s), or student(s) planning to become pregnant, should consult their health care provider to determine what, if any, additional precautions and/or accommodations may be needed. It is the responsibility of the student to communicate their needs to the Division of Student Affairs as soon as possible for risk reduction to begin when it can be most effective, and to determine if additional modifications are needed. While the University cannot mandate that the student notify that they are pregnant or are planning to become pregnant, the University strongly recommends that students provide notification so appropriate steps can be taken to ensure the health of both parent and child. To communicate health circumstances or to request additional information contact the Division of Student Affairs.

## **1.12 | Grading System**

**1.12.A |** The accompanying grade chart indicates grade symbols and their numerical equivalents for evaluating course work outlined in the WTAMU Catalog:

- i. A | 4 – Excellent
- ii. B | 3 – Good

- iii. C | 2 – Average
- iv. D | 1 – Passing
- v. F | 0 – Failing
- vi. XF | 0 – Drop/Withdraw failing after midterm (calculated in GPA)
- vii. X | Drop/Withdraw after the official reporting date (12<sup>th</sup> class day fall/spring, and 4<sup>th</sup> class day summer - not calculated in GPA)
- viii. P | Pass grade for developmental courses prior to 2002 fall semester
- ix. U | Fail grade for developmental courses prior to 2002 fall semester
- x. I | Incomplete
- xi. S | Pass in CLEP, SAT, ACT and other specially approved courses
- xii. IP | Thesis/Dissertation progress

1.12.B | Incomplete Grade (“I”): A grade of Incomplete (I) indicates a portion of required course work has not been completed and evaluated in the prescribed time period due to unforeseen, but fully justified (for example, hospitalization, personal injury), reasons and that there is still a possibility of earning credit. See WT Catalog for the current academic term for additional information.

1.12.C | Grade Changes: Changes in grades after the final grade has been assigned are initiated by the faculty member via the Grade Change Form, found on the Office of the Registrar website. These changes, except for grades “I” or “N,” require review and approval of the appropriate direct supervisor. Grade changes must be made by the instructor of record, or in the absence of the instructor, by the direct supervisor. Requests for grade changes made more than 6 months after the grade is assigned require College Dean and Provost approval. Grade changes will not be made without sufficient justification.

1.12.D | Grade Challenges Procedure for Students Who Challenge Semester Grades:

- i. Academic Appeals Committee (Provost/EVPAA): The Academic Appeals Committee hears appeals involving disputes over final course grades. Membership consists of:
  - a. Chair – Faculty member (appointed by the Provost/EVPAA from among the elected members)
  - b. Six faculty (one from each college, elected by the colleges)
  - c. Six students (appointed by Student Government)
- ii. When the appeal is ready to be heard by the Academic Appeals Committee, the chair chooses a panel of two additional faculty members from the remaining five faculty members, and two students from among the six student members.

1.12.E | Challenge Procedure:

- i. Before a grade-challenge hearing can be scheduled with the committee, the student must make the initial appeal to the faculty member of that particular course; or if the faculty member is no longer with the University, the student must appeal to the head of the department that offered the course. If no resolution is reached at the department head level, the student may appeal to the dean of the college in which the course was offered. If at this point the problem has not been resolved to the satisfaction of the student, the student may file a formal appeal with the Academic Appeals Committee.
- ii. A student desiring a hearing before the Academic Appeals Committee must file a written request for an appeal hearing with the dean of the college in which the course was offered. The dean will forward the appeal to the EVPP.

- a. Deadline to file a formal grade challenge:
  - i. If the grade being challenged was given during the spring semester, spring intersession or a summer session – October 1.
  - ii. If the grade being challenged was given during the fall semester or winter intersession – March 1.
- b. The student must understand that the act of filing the written request is construed as authorizing all committee members to have access to all records, including academic, civil, and medical records where relevant and appropriate, that may have a bearing on deliberations.
- iii. The written request for an appeal hearing must be accompanied by a statement from the student outlining the basis for the appeal, copies of any evidence and supporting documents that will be introduced at the hearing, and the names of any witnesses who will be present. The faculty member also has the right to provide evidence or bring witnesses to the committee.
- iv. Upon receipt of the appeal, the EVPP shall notify the chair of the Academic Appeals Committee, who will, within three (3) business days, appoint the panel to hear the appeal. The chair will set a date for a hearing within ten (10) business days and inform the student, faculty member, the faculty member's department head, and the appropriate dean of the time and place for the hearing. All parties will be given notice five (5) business days before the hearing and the opportunity to confirm their attendance.
- v. Failure of the student to appear without justifiable cause terminates the right to appeal. The faculty member may waive the right to appear at the hearing, and a faculty member who has not waived the right to appear, but fails to appear without notice, will be deemed to have waived the right to appear. No hearing may take place in the absence of the faculty member unless the faculty member has specifically waived the right to appear or has failed to appear without notice.
- vi. The burden of proof shall be upon the student to prove their case by a preponderance of evidence. The student and the faculty member shall have the right to have counsel present, to present such witnesses. Legal counsel, if present, may offer counsel and advice, but may not participate in the hearing.
- vii. All parties shall be afforded the opportunity for reasonable oral argument.
- viii. Upon request, sufficiently in advance by either party, the chair shall cause testimony presented at the hearing to be recorded. A copy of the recording may be obtained from the chair at the expense of the requesting party.
- ix. Immediately after the appeal hearing, the panel will go into closed session to deliberate and render a decision that is approved by at least three members of the panel.
- x. The student and faculty member will be all interested parties, with a copy of the EVPP, will confirm the panel's decision.
- xi. If the panel finds that due to an arbitrary, capricious, or prejudiced action, a student received an unearned grade, the panel will recommend to the faculty member that the grade be changed. If the faculty member is no longer at the University, the department head or dean of the college will facilitate changing the grade.
- xii. Either party has the right to appeal the decision of the panel to the EVPP. Written notice of the appeal by either party will be given to the committee chair, who will notify the other party and the EVPP within three (3) working days. All documents and any recordings of testimony at the hearing will be forwarded to the EVPP who will review them and render a decision within five (5) working days.
- xiii. There will be no further appeal from the decision of the EVPP.



- xiv. In the event that the faculty member loses the appeal at either level, they will be given the opportunity to change the student's grade. If the faculty member refuses to change the grade, the EVPP will direct the Office of the Registrar to change the grade, without prejudice to the faculty member.

### 1.13 | Academic Standing

1.13.A | Scholastic Deficiency/Probation: Continued enrollment in an undergraduate program at WTAMU is dependent upon a student maintaining satisfactory academic progress toward attaining a degree.

- i. To assist students in maintaining satisfactory progress, WTAMU has adopted academic standards designed to provide early identification through academic advising and academic support programs.
- ii. Under 13.10.99-W1 Academic Probation and Suspension for Undergraduate Students, WT has outlined the delineation of levels of academic standing:
  - a. **Academic Warning:** Is the least severe of the levels in Academic Probation and Suspension, and does not appear on a student's official academic record. Academic Warning serves as an opportunity to address any academic difficulties with the goal of preventing a student from being placed on Academic Probation.
    - i. Students must meet with an advisor prior to each semester following inadequate performance to develop a plan and determine any necessary referrals to campus resources. Students must repeat this process every semester they are on Academic Warning.
    - ii. Students who have earned less than 30 hours must meet with an Advising Services advisor.
    - iii. Students who have earned 31 or more hours must meet with their departmental academic advisor. If the academic advisor is not available, the student should meet with the appropriate department head. If both the faculty advisor and department head are not available, the student should meet with the appropriate Associate Dean of the college.
    - iv. At the end of the semester in which a student is on Academic Warning, the student will either:
      1. Be removed from warning status by earning at least a 2.0 semester GPA and completing at least 75% of the courses in which they are officially enrolled; or
      2. Continue on academic warning (WRN2) by earning less than a 2.0 semester GPA or completing less than 75% of the semester credit hours in which they are officially enrolled, but maintaining a cumulative GPA of at least 2.0; or
      3. Be placed on Academic Probation by earning less than a 2.0 semester GPA and their cumulative GPA falls below 2.0; and
      4. A student remaining on Academic Warning must follow the procedures outlined in the University Catalog outlined in 2.3.1.1.
    - v. Students who have received three consecutive semesters of Academic Warning (WRN3) must consult with the Associate dean of their college.
  - b. **Academic Probation:** Is an indication of serious academic difficulty that may ultimately lead to suspension from the University. Probation appears on the student's academic record.
    - i. Students will be placed on Academic Probation at the end of any semester when their cumulative GPA falls below 2.0.

- ii. Students placed on Academic Probation are required to be re-advised (greenlighted) and complete a *Probation Conditions and Plan for Academic Improvement* form. Failure to comply may result in the deletion of future semester registrations.
  - 1. Students must complete the *Probation Conditions and Plan for Academic Improvement* form online. The online document should be submitted at least five (5) working days prior to the start of the semester.
  - 2. After the *Probation Conditions and Plan for Academic Improvement* form has been received, students will be contacted by Advising Services to complete the process.
- iii. At the end of the semester on which the student is on Academic Probation, the student will either:
  - 1. Be removed from Academic Probation by earning a cumulative GPA of 2.0 or above, or
  - 2. Continue on Academic Probation by earning at least a 2.0 semester GPA but the cumulative GPA remains below 2.0, or
  - 3. Be subject to Academic Suspension by failing to earn a semester GPA of 2.0 or higher.
- c. **Academic Suspension:** Is an indicator of severe academic difficulty and appears on the student's official academic record. Academic Suspension allows the student time to reassess academic and career goals and/or resolve other causes for continued academic failure.
  - i. Students on Academic Suspension may not take courses nor participate in any extracurricular/co-curricular activities.
    - 1. Students suspended for the first time may not enroll for two consecutive semesters.
    - 2. Students suspended for a second time may not enroll for three consecutive semesters (one calendar year).
    - 3. Students returning from a first or second suspension may not enroll in an intersession or summer session without approval from the Associate Dean of their college.
- d. **Academic Dismissal:** Following a second reinstatement after a second suspension, a student failing to fulfill the terms of their reinstatement contract will be dismissed.
  - i. Students dismissed by the University may only be reinstated by filing an appeal with the Academic Review Committee and receiving approval for reinstatement from said committee. See this year's publication of the University Catalog for information about Reinstatement.

## 1.14 | Classification

1.14.A | As defined in the University Catalog, student's class standing is measured by the number of college-level hours completed.

- i. 0 – 29 hours | Freshman
- ii. 30 – 59 hours | Sophomore
- iii. 60 – 89 hours | Junior
- iv. 90 plus hours | Senior

### 1.15 | Degree Requirements

1.15.A | Please see the degree checklist for the year of your first semester of college. A degree must be completed within six years, or a new catalog will be assigned.

### 1.16 | University Honors Program

1.16.A | Mission: The William H. And Joyce Attebury Honors Program is to provide intense individualized support and enriched academic experiences for the most promising and motivated students at West Texas A&M University. Unique opportunities, in and out of the classroom, create an exciting honors undergraduate experience focused on leadership, scholarship, and excellence. Honors students engage in honors courses, seminars, programs, and campus activities designed to further develop the high achieving student's intellectual, professional and personal potential. For more information contact Attebury Honors Program, Kilgore Research Center, Room 107, WTAMU Box 60247, Canyon, Texas, 79016, 806-651-2736, [honors.program@wtamu.edu](mailto:honors.program@wtamu.edu) or visit [wtamu.edu/honors](http://wtamu.edu/honors).

### 1.17 | Tuition Laws

1.17.A | Statutory Tuition: Statutory tuition rates are set by the Texas Legislature. The rate for Texas residents is \$50 per semester credit hour. The Non-Resident, Out of State rate is \$80 per semester credit hour after the TEC 54.0601 waiver is applied. Non-Resident, Out of State graduate students that fall below a 3.0 GPA are billed at a rate of \$465 per semester credit hour. Non-Resident, International students are billed at a rate of \$465 per semester credit hour.

1.17.B | Texas Education Code 56.014: Requires a portion of a Texas Resident student's designated and differential tuition be set aside as scholarship funds to provide financial assistance for students enrolled with the University. Texas residents are notified by Buff email of the specific amount of their bill designated and differential tuition that has been set aside each semester they are enrolled. This notification is not a bill for amounts due, nor is it a promise of scholarship funds to be awarded to that student. Each student must apply for, and meet eligibility requirements, for any scholarships they desire in order to be awarded.

### 1.18 | Payment of Fees and Charges

1.18.A | Students are required to pay tuition, fees, and charges to the University when they are due. Failure to do so may result in:

- i. The student's being administratively withdrawn and removed from the rolls of the University with loss of credit for academic work performed that semester.
- ii. Assessment of a reinstatement fee.
- iii. Denial of future registration in the University until all past due balances, including late charges, and reinstatement fees, are paid.
- iv. Denial of an official WTAMU transcript until all past due balances, including late charges, and reinstatement fees, are paid.
- v. Removal from on-campus housing.
- vi. Disclosure of the delinquent debt to any credit bureau, collection agency, or attorney.
- vii. Assessment of amounts actually incurred by the University as court costs, attorney's fees, and reasonable cost for collection.

- viii. If a check accepted by the University is returned by the bank on which it is drawn, the person presenting it will be required to pay a returned check service charge. If the check is for tuition or fees, the student's registration for that semester or term may be cancelled.
- ix. A student whose registration is cancelled for failure to redeem an unpaid check, or checks within a specified grace period, will be assessed a \$50 reinstatement fee prior to being reinstated.

1.18.B | Students whose fees are billed to a sponsor, including, but not limited to, a government agency, will be held responsible for those fees should the sponsor fail to pay.

### **1.19 | Tuition Refunds**

1.19.A | Students that choose not to complete a class for the semester but intend to remain enrolled in other courses for the remainder of the semester should follow the Drop Procedure. Dropping a course is not appropriate for students enrolled in only one course for the semester. If the student is enrolled in one course and does not wish to complete it, the student should follow the Withdrawal Process.

1.19.B | Tuition and Fee Refund Procedure is covered under the WTAMU University Catalog under the current academic year. The refund is calculated on the total cost of tuition and mandatory fees charged for the courses in which the student was enrolled. If a student drops a class on or before the census date of the semester (12<sup>th</sup> class day for fall and spring semesters, 4<sup>th</sup> class day for summer terms) and remains enrolled in at least one course for that term, the tuition and mandatory fees for the dropped class will be refunded to the student.

1.19.C | Petition for Waiver of University Regulations: Students who have experienced extenuating circumstances and were unable to withdraw or drop a course within the allotted timeframe may complete a Petition for Waiver of University Regulations. You can complete a Petition at the following link: [https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=9](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=9). The general rules surrounding the Petition process are:

- i. Petitions must be submitted by the last class day of the following semester – for example: if you wish to Petition Fall 2023, your submission must be received before the last class day of Spring 2024.
- ii. Documentation of the extenuating circumstances must be provided for your Petition to be reviewed.
- iii. A full cancellation/refund of your bill is not guaranteed by the approval of a Petition.
- iv. The committee will convene to review Petitions as they are received. Therefore, a response may take up to 2-3 weeks to be reviewed.
- v. Decisions made by the committee are final.

### **1.20 | Classroom Behavior**

1.20.A | West Texas A&M University supports the principle of freedom of expression for both instructors and students. The University respects the rights of instructors to teach and students to learn. Maintenance of these rights requires classroom conditions that do not impede their exercise. Classroom behavior that seriously interferes with either (1) the instructor's ability to conduct the class, or (2) the ability of other students to profit from the instructional program will not be tolerated. An individual engaging in disruptive classroom behavior may be subject to disciplinary action through the Student Conduct process.

1.20.B | When a student's action is not so serious as to require immediate removal from the class, these steps are to be followed:

- i. The instructor responsible for the class or activity where the alleged disruptive behavior occurred will inform the student what specific behavior has been inappropriate. The instructor will describe to the student specific needed changes in the student's behavior. The student will be provided an opportunity to modify specific behavior in accordance with the changes identified. The instructor will provide the student with an emailed summary of this discussion with the student, and the instructor will retain a file copy of this summary.
- ii. If a student believes the instructor's expectations are unreasonable, the student may confer with the instructor's department head or designee about this matter. The department head or designee may choose to support the guidelines developed by the instructor or may work with the instructor to develop a modified set of expectations. If there are changes in the instructor's original set of expectations, an emailed copy will be provided by the department head or designee to both the student and the instructor.
- iii. Should a student's behavior continue to be outside of established expectations, the instructor will apprise their department head or designee of what has occurred and will share with the department head or designee the written summary of the discussion with the student. The department head or designee may wish to initiate additional discussion with the instructor and/or the student. If the department head concurs with the instructor's view that the problem has not been resolved, the situation may be referred to the Office of Community Standards. A summary or incident report describing the student's behavior, as well as a copy of all relevant communications should be forwarded to the Office of Community Standards for consideration.

1.20.C | When a student's behavior in a class is so seriously disruptive as to compel immediate action, the instructor has the authority to remove a student from the class on an interim basis. A student who has been removed from a class on an interim basis is entitled to a meeting with the course faculty within five working days of the removal. The instructor may either:

- i. Approve an agreement of expectations between the student and the instructor and reinstate the student to the class, or,
- ii. Extend the removal of the student from the class and refer the case to the Student Conduct Office for adjudication. A copy of all material sent to Student Conduct should be provided to the instructor's academic dean or designee and to the academic Dean or designee of the student's major.

1.20.D | In a laboratory course covered by a laboratory safety acknowledgement form, students are required to electronically acknowledge their agreement to follow safety rules. Any student who has not completed this acknowledgement by the second lab period will be asked to leave the laboratory until the acknowledgement is completed. The student will be readmitted to the laboratory session immediately upon completion of the acknowledgement. Students in violation of safety rules will be prohibited from participating in lab activities.

1.20.E | Members of the faculty and staff may outline responsible dress and grooming standards in their syllabus within their respective classrooms, laboratories, and offices, to ensure safety for specific activities.

### **1.21 | Computing Services: Rules for Responsible Computing**

1.21.A | Misuse of Computing Resources: Failure to comply with University rules and procedures, license agreements, and contracts governing network, software and hardware use; abuse of communal resources; use of computing resources for unauthorized commercial purposes or personal gain; failure to protect your

password or use of your account; breach of computer security resources including, but not limited to: Use of another individual's identification and/or password.

- i. Use of computing facilities and resources to send obscene or threatening messages.
- ii. Use of computing facilities and resources in violation of copyright laws.

1.21.B | Use of university computing resources and facilities is a privilege and requires that individual users act in compliance with university rules. The University provides users with an account that permits use of computing resources and facilities within guidelines established by WTAMU. Users must respect the integrity of computing resources and facilities, respect the rights of other users, and comply with all relevant laws (local, state, federal, and international), University rules and contractual agreements. The University reserves the right to limit, restrict or deny computing privileges and access to its information resources for those who violate University rules and/or laws. As an institution of higher learning, WTAMU encourages, supports, and protects freedom of expression and an open environment to pursue scholarly inquiry and to share information. Access to networked computer information in general and to the Internet, in particular, supports the academic community by providing a link to electronic information in a variety of formats and covering all academic disciplines. As with any resource, it is possible to misuse computing resources and facilities and abuse access to the internet. The following statements address, in general terms, WTAMU's philosophy about computing use.

- i. **Freedom of Expression:** Censorship is not compatible with the goals of WTAMU. The University should not limit access to any information due to its content when it meets the standards of legality.
- ii. **Privacy:** The general right to privacy is extended to the electronic environment to the extent possible. Privacy is subject to the Texas Public Information Act, administrative review, and computer system administration. Contents of electronic files will be examined or disclosed only when authorized by their owners, approved by an appropriate university official or required by law.
- iii. **Intellectual Property:** All members of the University community should be aware that property laws apply to the electronic environment. Users should assume that works communicated through a network are subject to copyright unless specifically stated otherwise. Unless permission of the author is obtained, utilization of any electronically transmitted information must comply with the "fair use" principle.
- iv. **Criminal and Illegal Acts:** Computing resources of the University, which include the hardware, software, and network environment, shall not be used for illegal activities. Any such use of these resources will be dealt with by appropriate university authorities and/or other legal and law enforcement agencies. Criminal and illegal use may involve unauthorized access, intentional corruption, or misuse of computing resources, theft, obscenity, child pornography, and racial, ethnic, religious, or sexual harassment.
- v. **Authorized Use:** Computing resources are provided by the University to accomplish tasks related to the University's mission. Some computers may be dedicated to specific research or teaching missions that limit their use. Computing resources may not be used for unauthorized commercial activities or any illegal activities.



## **Part 2 | Student Life Rules**

### **2.1 | Students' Rights and Responsibilities**

#### **2.1.A | Students' Rights:**

- i. A student shall have the right to participate in a free exchange of ideas, and there shall be no University rule or administrative rule that in any way abridges the rights of freedom of speech, expression, petition, and peaceful assembly as set forth in the U.S. Constitution.
- ii. Each student shall have the right to participate in all areas and activities of the University, free from any form of discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status in accordance with applicable federal and state laws.
- iii. A student has the right to personal privacy except as otherwise provided by law, and this will be observed by students and University authorities alike.
- iv. Each student subject to disciplinary action arising from violations of the WTAMU Student Handbook shall be assured a fundamentally fair process.

#### **2.1.B | Students' Responsibilities:**

- i. A student has the responsibility to respect the rights and property of others, including other students, the faculty, and University officials.
- ii. A student has the responsibility to be fully acquainted with the published WTAMU Student Handbook and to comply with federal, state, and local laws.
- iii. A student has the responsibility to recognize that student actions reflect the individual involved and the entire University community.
- iv. A student has the responsibility to maintain a level of behavior which is consistent in supporting the learning environment of the institution and to recognize the University's obligation to provide an environment for learning.

### **2.2 | Reporting Violations of the WTAMU Student Handbook**

2.2.A | To file allegation(s) of violation(s) against student(s) or student organization(s), individuals should complete an Online Incident Report form, which can be found at:

[https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=0](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=0). The written allegation should describe the action or behavior in question, include a list of involved parties, and, when possible, contain documentation such as photos or official paperwork that supports the reporter's allegations. Individuals may also file a report in person at the Office of Community Standards in the Jack B. Kelley Student Center, Suite 102.

### **2.3 | Community Standards**

2.3.A | The Office of Community Standards enforces behavioral standards developed by the University community for students, student organizations, and the related procedures for addressing misconduct. Students should be aware that the Student Conduct process is not a criminal or civil court proceeding.

2.3.B | The attendance of a student at a university is a voluntary entrance into the academic community. By such entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the University. These obligations are generally much higher than those imposed on all citizens by civil and

criminal law. A university may discipline students to secure compliance with these higher obligations as a teaching method or to remove the student from the academic community.

2.3.C | Students and student organizations are responsible for actions that constitute misconduct, and violate rules outlined within the Student Handbook. Any student or student organization found responsible for misconduct may be subject to Student Conduct sanctions. The University provides a fair and equitable Student Conduct process, utilizing a thorough, neutral, and impartial investigation, from which a prompt resolution is generated.

2.3.D | The Office of Community Standards, and related offices, seek to educate students about their rights and responsibilities while prompting holistic development, self-worth, and mutual respect for all members of the University community. Freedom of discussion, inquiry, and expression is also fostered by an environment in which the privileges of citizenship are protected, and the obligations of citizens are understood.

2.3.E | The Office of Community Standards is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community. No student will be found in violation by university policy, procedure, or rule without sufficient information, and evidence showing that it is more likely than not that a violation occurred. Any sanctions will be proportionate to the violation's severity and to the student's cumulative conduct history.

2.3.F | The Office of Community Standards exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our rules. Sanctions are intended to challenge students' moral and ethical decision-making, and to help bring their behavior into accord with our community expectations and values. When a student is unable to conform their behavior to community expectations, the Student Conduct process may determine that the student should no longer share the privilege of participating in this community.

2.3.G | Disciplinary Authority: The authority to enact A&M System policy is vested in the Board of Regents. The responsibility for implementing and enforcing System policy and regulations and imposing penalties is delegated to the President of the University and any university officials and President designates. The VP for the Division of Student Affairs is the principal agent for the administration of Student Conduct. The VP for Student Affairs, or designee, shall implement the student discipline procedures. The VP of Student Affairs, and Assistant VP of Student Affairs, or designee, will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

2.3.H | Jurisdiction: The Student Handbook shall apply to conduct that occurs on university premises, at university-sponsored activities, or at any other activity which adversely affects the University community and/or the pursuit of its objectives and mission. This action may be taken for either affiliated or non-affiliated activities.

- i. Using their sole discretion, the VP of Student Affairs, or designee, shall decide whether the Student Handbook shall be applied to conduct occurring outside of university premises.
- ii. The University may act in situations occurring off university premises involving:
  - a. Student misconduct demonstrates flagrant disregard for any person.
  - b. When a student's or student organization's behavior is judged to threaten the health, safety, and/or property of any individual or group.

2.3.I | Timeline: It is recommended that reports of alleged violations of the Student Handbook should be received by the Office of Community Standards within ten (10) university working days of the alleged incident to initiate Student Conduct procedures.

- i. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information and evidence regarding the incident(s).
- ii. Incident(s) should be resolved within sixty (60) days of notice regarding the incident, not including appeal. This timeline may vary depending on the availability of students to participate in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

2.3.J | Notice: Notice is deemed to have been properly provided when written notification is sent to the student's official assigned WTAMU email address, placed in First Class U.S. Mail, campus mail, or personally delivered to the student no less than five (5) university working days prior to the scheduled appearance. The failure of a student to receive notice which is properly delivered does not prevent the Student Conduct proceedings from being carried out. After proper notice has been given to the student, the Student Conduct officer or designee may proceed with the review process and may issue a Failure to Comply violation against the student. Note: Students are required to keep their most current email address, local address, permanent address, and cell phone number updated in the student records system at:

<https://www.wtamu.edu/webres/File/Reg%20Change%20of%20Stu%20Info%20Form%202019.pdf>

2.3.K | Family Educational Rights and Privacy Act (FERPA): In compliance with TAMU System Rule 16.01.02.M1 FERPA Compliance, and WT Rule 16.01.02.W1 Privacy, West Texas A&M University annually informs students of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended. This act, with which the institution intends to comply fully, was designated to protect the privacy of education records, to establish the right of students to inspect and review their education records, to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings, and to submit an explanatory statement for inclusion in the education record if the outcome of the hearing is unsatisfactory.

- i. Students have the right to file complaints with the Family Educational Rights and Privacy Act Office of the Department of Education in Washington, D.C., concerning alleged failures by the University to comply with the act. Written complaints should be directed to:
  - a. Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-5920.
- ii. Local rules/procedures explain in detail the procedures to be used by the institution for compliance with provisions of the act. Copies of the policy may be obtained at the Office of the Registrar, located in Old Main, Room 103 on the WTAMU Campus. Students have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests.
- iii. A school official is:
  - a. A person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff).
  - b. A person or company with whom the University has contracted (such an attorney, auditor, or collection agent).

- c. A person serving on the Board of Regents.
  - d. A student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.
- iv. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill their professional responsibility. Upon request, the University discloses education records without the consent of officials of another school in which a student seeks or intends to enroll.
- v. According to FERPA, the University may release information without the students' written consent to the following:
  - a. School officials, as identified by the University, are determined by the University to have a legitimate education interest.
  - b. Officials of the other institutions in which the students seek to enroll.
  - c. People or organizations providing to the student financial aid or determining financial aid decisions.
  - d. Parents of the student who have established that student's status as a dependent according to IRS code of 1986, Section 152.
  - e. Persons in compliance with judicial order or a lawfully issued subpoena.
  - f. People in an emergency, if the knowledge of information, in fact, is necessary to protect the health or safety of the student and/or others.
  - g. Directory information may be disclosed unless the students or parents' request, in writing, that specific information not be divulged. Requests must be filed with the Office of the Registrar by the twelfth (12<sup>th</sup>) class day of each semester. For more information go to: <https://www2.ed.gov/policy/gen/guid/ferpa/index.html>. Directory information includes a student's name, gender, local, and permanent address, telephone number, date, and the place of birth, marital status, major field of study, classification, enrollment status (full-time, part-time, undergraduate, graduate), participation in recognized activities and sports, height and weight (if a member of an athletic team), date of attendance, degrees, awards, and honors received, the most recent educational institution attended, and other information which would make the student's identify easily traceable.

**2.3.L | Reporter:** While WT maintains the individual confidentiality of reporters, the Office of Community Standards can disclose the source who reported the alleged misconduct. Reporters are broken down into one of the following sources:

- i. Student
- ii. Staff/Faculty/University Police Department
- iii. Alumni
- iv. Community Member

## **2.4 | Standard of Evidence**

**2.4.A |** The standard of proof used in WTAMU Student Conduct proceedings is the preponderance of evidence, or "it is more likely than not that it occurred." All Conduct Officers will make decisions regarding their cases based on this standard.

## 2.5 | Amnesty

2.5.A | Amnesty relating to sexual harassment, sexual assault, dating violence, and stalking. West Texas A&M University will “not take any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the student of the institution’s rules of conduct occurring at, or near, the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution’s disciplinary process regarding the incident, if any.” This amnesty does not apply in situations where:

- i. A student “reports the student’s own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking”; or
- ii. A student’s behavior occurring near or at the time of the incident could result in a suspension or expulsion from the University. For the purposes of this rule, suspension or expulsion may be possible outcomes when the student’s behavior:
  - a. Threatens or endangers the physical or mental health or safety of other individuals.
  - b. Causes significant property damage or loss.
  - c. Causes significant burden on the University and/or community members to repair the harm caused by the behavior.
  - d. Would cause a reasonable person similarly situated to fear for their safety or suffer substantial emotional distress.
  - e. Causes significant disruption that limits others’ ability to access the academic, co-curricular, or work environment.
  - f. Has demonstrated a pattern of failure to comply with university behavioral expectations.
- iii. Staff in the Office of Community Standards “may investigate to determine whether a student report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith” (Texas Education Code Sec. 51.284(b)). A determination by the VP for Student Affairs or designee responsible for oversight of the student conduct processes that a student is entitled to amnesty is final and may not be revoked. All questions of implementation of this amnesty rule are subject to the decision of the Vice President for Student Affairs or designee responsible for oversight of the Student Conduct processes.

2.5.B | Amnesty Pertaining to Alcohol and Other Drugs: A student who calls 9-1-1 or takes an individual to receive emergency treatment for possible alcohol and/or drug overdose will not be charged under this code for possession or use of alcohol or other drugs. This amnesty only applies if:

- i. This student stays with the individual needing treatment until emergency services arrive.
- ii. The student takes reasonable measures to assist the individual needing treatment.
- iii. The student is cooperative with emergency services and university processes.

## 2.6 | Student Conduct Proceedings

2.6.A | Student Conduct proceedings will address behavioral misconduct outlined in the Student Handbook. This process does not apply to Title IX or sex based/civil rights cases.

2.6.B | Upon notice of an alleged violation of the Student Handbook, the Office of Community Standards will review allegations of misconduct and assign a Conduct Officer to the case. The Conduct Officer will inquire, gather, and review information about the reported student misconduct and will investigate the for factual

sufficiency. Incidents will not be forwarded for an Initial Conference unless there is reasonable cause to believe a rule or procedure has been violated.

2.6.C | If an initial report of misconduct is filed but does not identify the victim, or the victim is not available, the Conduct Officer will fully investigate the reported incident with the information provided. Unsupported allegation(s) with no credible information will not be forwarded for an Initial Conference.

2.6.D | A student will be given notice via their WT email of their involvement in an alleged violation of the Student Handbook. When preliminary information indicates that a student is associated with the reported incident, the student will be asked to meet with a Conduct Officer.

2.6.E | In order to train Conduct officials in their role, the Office of Community Standards may assign staff to shadow or observe an Initial Conference, Formal Hearing, Evidence Review or other component of the Conduct proceeding.

2.6.F | Student Responsibilities:

- i. Failure of an alleged party to comply with, or respond to, a notice issued as part of the Student Conduct proceedings and/or failure to appear, may result in a hold placed on the student's account, additional alleged violations and a charge of Failure to Comply.
  - a. Case Resolution Form Completion: In the Informal Process, following the Initial Conference, the Conduct Officer assigned to that case will make a determination of Responsible or Not Responsible for each alleged violation. A Case Resolution Form will be sent to the student. The student has three (3) business days to either Accept or Reject this Initial Finding.
  - b. Without good cause shown, if the student is late to their designated hearing, the Conduct Officer or Hearing Body may make a determination in their absence, and is not responsible for beginning the hearing over, recalling witnesses, or re-entering any evidence into record.
  - c. Disorderly or disruptive behavior by any individual during the Conduct Process may result in the removal of the individual from the Conduct Process, at the discretion of the Student Conduct Officer.
  - d. When information on more than one student is contained in a single education record, each student may inspect the information specifically related to themselves. If a student requests their case documents sections may be redacted to protect confidentiality. If a student requests a recording, and the recording pertains to only the requesting student, arrangements may be made to review the recording.
  - e. Conduct proceedings will be open only to those parties and witnesses involved in the Case. Hearings will not be open to the public, or any form of media or live feeds.
  - f. At the University's discretion, notices and Student Conduct correspondence will be issued to the student via email to their university email account, to their local and/or permanent address or record, delivered by staff, and shall constitute full and adequate notice. It is the student's responsibility to keep the address of record current or provide a forwarding address. The refusal to accept/receive a letter (sent either by first class mail or certified mail or by staff delivery), or failure to check university email shall not constitute good cause for failure to comply with the content of the official university correspondence. Disciplinary action may be taken against a student for failure to appear after proper notice.



2.6.G | Student Conduct Proceedings: All Student Conduct proceedings will adhere to the following procedures. Student Conduct cases that involved allegations of misconduct begin with the Informal Process. If a student receives a determination through the Informal Process and they reject that decision, their case will move onto the Formal Process. Cases that involve allegations of weapons violations and repeat offenders will go straight to the Formal Process. Student Conduct cases that contain complaints or incidents of misconduct involving a registered Student Organization of WT will result in the Office of Community Standards initiating the Student Organization Accountability Process (SOAP).

- i. Informal Process: The student will be informed in writing of the allegations made and the date, time, and place of the Initial Conference with their assigned Conduct Officer. This information will be sent to the accused student's WTAMU email address. For university-related correspondence, it is the student's responsibility to check their university email account, check it regularly, and provide an accurate local mailing address.
  - a. Evidence Review: (optional) Prior to the Initial Conference, a student may request to schedule an Evidence Review meeting with the Conduct Officer, or designee. This provides an opportunity for the student to review the evidence, excluding official University Police Department reports on cases pending action in the district attorney's office or while the case is still under investigation. An appointment must be set up with the Office of Community Standards, or designee, located at the Jack B. Kelley Center 102 and available by phone at (806)-651-2389. The following rules apply to Evidence Reviews:
    - i. Protected information may be redacted from the documents provided. This could include reporter(s) identity, victim information, and/or other information made confidential under state and federal law.
    - ii. During the Evidence Review case materials will be provided to the student. The student is allowed to take notes but may not take photographs or record images of the materials, and all materials will be collected by staff prior to the end of the meeting.
  - b. Initial Conference: The Initial Conference will be conducted by the Conduct Officer assigned to the case. The Conduct Officer is responsible for collecting information from all involved parties, including their perspective and any evidence to support their narrative. The Conduct Officer will explain the Student Conduct process and answer any remaining questions from the involved parties.
    - i. **Election of an Advisor**: Students may elect to bring an advisor of their choice to the Initial Conference. An advisor, in this context, is an individual selected by the student involved to provide support. An advisor can be a family member, friend, teacher, or attorney. Students are responsible for contacting their assigned Conduct Officer not later than two (2) business days prior to their scheduled Initial Conference to elect an advisor to be present. An advisor may advise the student but may not actively participate in the Initial Conference. Advisors who impede or disrupt the Student Conduct process may be removed.
  - c. Informal Resolution: After the assigned Conduct Officer has met with all involved parties the Officer will have three (3) business days to issue a determination for each party on whether a student is Responsible or Not Responsible for each alleged violation. When circumstances warrant, the three business-day deadline may be extended. If a student is found Responsible for

one or more violations they will be issued a Sanction, and if applicable, Condition(s) and/or Restriction(s). The Conduct Officer will issue notifications to each party via their WT email.

- d. Case Resolution Form: A student will receive a Case Resolution Form via their WT email. The Case Resolution Form will contain the Conduct Officer's determination of Responsible or Not Responsible for each alleged violation, along with any applicable rationale for their decision. Upon receipt of the Case Resolution Form the student will have three (3) business days to select one of the following:
  - i. I accept the decision made as a result of my Initial Conference and agree to adhere to all sanctions, conditions, and/or restrictions assigned as a result of a Responsible finding.
  - ii. I reject all or part of the decision made as a result of my Initial Conference and request a Formal Hearing as outlined in the Student Handbook.
    1. If a student rejects all or part of the decision made in their Informal Resolution, their case will be assigned to a new Conduct Officer by the Office of Community Standards and referred through the Formal Process.
- e. In-Abstentia: If the student chooses not to appear at the Initial Conference, no inference may be drawn from this decision. The Initial Conference will proceed, and a decision will be made based on the facts presented. If a Conduct Officer completes an In-Abstentia Initial Conference they will issue the student notification of their determination via a Case Resolution Form within the specified three (3) business day period.
- ii. Formal Process: The student will be informed in writing that their case has been forwarded to the Formal Process. The assigned Conduct Officer will send notification to the students' WT email no less than five (5) business days prior to the date and time of the Formal Hearing.
  - a. Election of Advisor: For the Formal Hearing process, the student may elect to be accompanied by an advisor. An advisor can be a family member, friend, teacher, or attorney at their own expense. The advisor may advise the student privately but may not present or participate in the case. The advisor cannot be a witness to the proceeding. Students must notify their assigned Conduct Officer no later than two (2) business days prior to the Hearing of their election to have an advisor. Advisors who impede or disrupt the Student Conduct process may be removed.
  - b. Formal Hearing: The Formal Hearing will be conducted by the assigned Conduct Officer and recorded. The recording will remain the property of the institution. Deliberations will not be recorded. The University will present evidence supporting the allegations first and has the burden of proving its case by the preponderance of evidence. A determination of the facts will be based only on the evidence as presented. Rules of evidence applicable to civil and criminal cases do not apply. An opportunity will be provided for the student to present their own version of the facts and to present other evidence in support of the current case, including witnesses. Witnesses will also have the right to hear evidence and question the Student Conduct Officer. The Conduct Officer may impose reasonable limitations upon the presentation of evidence and questioning of witnesses. A student may not be compelled to testify. If the student chooses not to testify during the Hearing, no inference may be drawn from this action. The Hearing will proceed, and a decision will be made based on the facts presented. Suspension/Expulsion sanction records will be maintained in the VP of Student Affairs.
  - c. Formal Resolution: Upon conclusion of the Hearing, the assigned Conduct Officer will provide a written statement of the findings, the formal action to be taken by the University, and a

description of the Appeal process. This will be sent to the students' WT email within five (5) business days of the date of the Formal Hearing.

- d. **Appeal Procedure:** A student may appeal the decision, or the sanction(s), condition(s) and/or restriction(s) imposed by the Office of Community Standards by submitting a written petition to the VP of Student Affairs within five (5) business days of receiving the Formal Hearing decision. The Appeal form can be completed at:  
[https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=4).

- i. The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The Office of Community Standards has ten (10) business days to make a decision on the appeal. The only proper grounds for appeal are as follows:
1. A procedural (or substantive error) occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
  2. The discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
  3. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

- iii. **Student Organization Accountability Process (SOAP Case):** All complaints and reported incidents of misconduct will be investigated by the Office of Community Standards. All evidence and case materials will be provided to the Student Organization Accountability Board (SOAB) who will issue a determination of Responsible or Not Responsible, and any Sanctions or Conditions included in the finding.

- a. **Hearing Body:** The SOAB will be comprised of:
- i. Chair – a current organization advisor.
  - ii. Two faculty/staff member seats.
  - iii. Three trained student board member seats.
- b. **Notification:** The president or chief student leader of the organization and the organization advisor will be notified via WT email of the report and applicable process. This notification will be issued via email to their university account, the student's local and/or permanent address on record, or delivered by staff, and shall constitute full and adequate notice. It is the student's responsibility to keep the address of record current. The refusal to accept/receive a letter (sent either by first class mail, certified mail, email, or by staff delivery) shall not constitute good cause for failure to comply with the content of the official university correspondence.
- c. **Investigations:** The Office of Community Standards will conduct a preliminary investigation and may meet with selected members or associated individuals to gather information pertaining to the incident(s) and allegation(s). The Office of Community Standards will create a Summary Report, which will include all the evidence collected and case materials available. If the report contains information that supports alleged violations to the Student Handbook, the case will be sent onto the SOAB for a Hearing date, time and location to be scheduled.
- d. **Interim Measures:**

- i. ***Interim Suspension of Recognition:*** Based upon a student organization's alleged behavior, the VP for Student Affairs, or the Office of Community Standards may impose an interim disciplinary action prior to the initiation of investigation. Interim Suspension of a Student Organization can include, but is not limited to:
  - 1. Barring or limiting some, or all of the organization's activities and/or privileges, including but not limited to: social activities, intramural competitions, organizational competitions, eligibility to receive any leadership or responsibility in any university student organization, governing body, publication, or activity, and the ability to represent the University in an official capacity or position.
- e. ***SOAB Hearing:*** Following the receipt of the investigation report, the SOAB will notify the student organization president of the Hearing time, date, and location at minimum five (5) business days prior to the date of the Hearing. The organization president can elect to have an Advisor present (see WTAMU Student Handbook section 2.6.G.b.i Election of an Advisor for more information). The University will present evidence supporting the allegations first and has the burden of proving its case by the preponderance of evidence. A determination of the facts will be based only on the evidence as presented. Rules of evidence applicable to civil and criminal cases do not apply. An opportunity will be provided for the organization to present their own version of the facts and to present other evidence in support of the current case, including witnesses. The SOAB may impose reasonable limitations upon the presentation of evidence and questioning of witnesses. A student may not be compelled to testify. If the student chooses not to testify during the Hearing, no inference may be drawn from this action. The hearing will proceed, and the decision will be made based on the facts presented.
- f. ***Determinations:*** Following the SOAB Hearing, the SOAB will have three (3) business days to issue a determination. Determinations will be based upon a preponderance of the evidence and must include:
  - i. A finding of either Responsible or Not Responsible for each alleged violation.
  - ii. Sanction(s), condition(s), and/or restriction(s) for each allegation determined to be a violation.
- g. ***SOAB Appeal:*** Organization presidents may appeal a finding of responsibility, or the sanction(s), condition(s) and/or restriction(s) imposed by SOAB by submitting a written petition to the VP of Student Affairs within five (5) business days of receiving the determination. The Appeal form can be completed at: [https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=4).
  - i. The petition must clearly set forth the grounds for the appeal, together with any evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The VP of Student Affairs has ten (10) business days to make a decision on the appeal. The only proper grounds for appeal are as follows:
    - 1. A procedural (or substantive error) occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
    - 2. The discovery of new evidence, unavailable during the original hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

3. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

## **2.7 | Interim Measures and Sanctions**

2.7.A | Interim Measures: The University may take immediate action to prevent misconduct, its recurrence, and address any effects on members of the community. This includes immediate steps to protect parties before the final outcomes of the investigations. These steps will attempt to minimize the burden on a reporter, witness, or alleged, while respecting the due process rights of all. The implementation of interim measures does not replace the conduct process, which shall proceed on the normal schedule. Interim measures can include, but are not limited to:

- i. A hold placed on a student's account, limiting their ability to register for courses, pull transcripts, etc.
- ii. Revocation of access to on campus buildings/areas/halls.
- iii. No Contact Order placed between two parties, which prohibits individuals from contacting one another through any means.
- iv. Interim Suspension of a Student: At any point in the process, an alleged may be subject to removal from WT or the program/activity on an emergency basis, provided that an individualized safety and risk analysis (conducted by, or in conjunction with a WTAMU's Behavioral Intervention Team member) has determined that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies immediate removal. The interim suspension does not replace the conduct process, which shall proceed on the normal schedule. The student should be notified in writing of this action and the reasons for the interim suspension.
  - a. Conduct, on or off campus, which may result in interim suspension:
    - i. A significant and articulable threat to the health or safety of a student or other member(s) of the University community.
    - ii. Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that create a hostile environment for the victim, and the remedy for the harassment requires a temporary separation. All sex based and civil rights-based cases will be adjudicated through the Title IX and Civil Rights process according to TAMUS Regulation and WTAMU Rules, which can be found here:
      1. TAMUS Regulation 08.01.01: <https://policies.tamus.edu/08-01-01.pdf>
      2. WT Rule 08.01.01.W1: <https://www.wtamu.edu/files/docs/about/rules-procedures/08-01-01-W1-Civil-Rights-Compliance.pdf>
    - iii. Criminal felony charges related to weapons, drugs, aggravated assault, and/or terroristic threats.
    - iv. Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests.
    - v. Violation of a No Contact determination.
    - vi. Retaliatory harm, discrimination, or harassment.

2.7.B | Resources and Referrals: Referrals and/or resources may be offered to students involved in the Conduct Process. These can include, but are not limited to:

- i. Counseling Services appointment

- ii. Victim's advocate assistance
- iii. Modifications to on-campus housing
- iv. Modifications to academic schedule

2.7.C | Interim Suspensions of a Student Organization: If it is determined that a student organization's actions or activities are detrimental to the educational purposes of the University, and/or not in accordance with the Student Handbook, the student organization will lose its official registration with the Office of Student Engagement and Leadership. The registration of a student organization may be temporarily suspended while an investigation is pending involving an alleged violation of registered student organization's rules and regulations, as outlined in the Student Handbook. The Student Organization will be afforded all due process guidelines as described in the Student Handbook. Conduct, on or off campus, of members of a Student Organization that may result in interim suspension can include, but are not limited to:

- i. Violent or harassment-type behavior.
- ii. Organization events and activities resulting in allegations against individual students that may result in individual student interim suspension.
- iii. Cease and desist directives from regional or national entities.
- iv. Alcohol/drug rule/procedure violations during recruitment or social events.

2.7.D | Not in Good Standing: A student who is not in good standing is subject to the following restrictions:

- i. Ineligible to hold an office in any student organization recognized by the University or to hold any elected or appointed office of the University.
- ii. Ineligibility to represent the University in any way, including representing the University at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation. This includes events taking place both on and off of the University campus.
- iii. Eligibility to receive a university administered scholarship may be affected when the length of the period of not in good standing is greater than one semester. Some scholarships adhere to more strict guidelines, and, therefore, ineligibility may result from a lesser length of not in good standing.
- iv. Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

2.7.E | Student Conduct Findings: A student conduct officer may impose sanctions, conditions, and/or restrictions as a result of an Informal Resolution or Formal Resolution where a student is found Responsible.

- i. Sanctions: Sanctions are defined as the primary outcome of the alleged violation.
  - a. **Disciplinary Reprimand**: An official warning that the student's, or student organization's, conduct is in violation of the WTAMU Student Handbook.
  - b. **Social Probation** (for organizations): A period of time during which a student group or organization will not be allowed to have, host, or attend social gatherings as an entity of their organization.
  - c. **Conduct Review**: An official warning that the student's, or student organization's, conduct is in violation of the WTAMU Student Handbook, but is not sufficiently serious to warrant expulsion, suspension, or disciplinary probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate the nature and seriousness of the misconduct.



Students and student organizations placed on this sanction remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the WTAMU Student Handbook during this period of time, more severe sanctions may be administered.

- d. ***Disciplinary Probation:*** An official warning that the student's conduct is in violation of the WTAMU Student Handbook but is not sufficiently serious to warrant expulsion or suspension. A student on disciplinary probation is deemed "not in good standing" with the university. If there is a finding of Responsibility for subsequent violations of the WTAMU Student Handbook during this period of time, more severe sanctions may be administered.
  - e. ***Suspension:*** A period of separation of the student from the University. The student is not guaranteed readmission at the end of the suspension but is guaranteed a review of the case and a decision regarding eligibility for readmission. Suspension takes effect upon exhaustion of the disciplinary process. Suspensions may be implemented in one of two ways: immediate implementation of suspension or deferred implementation of suspension. A student who has been issued a suspension sanction is deemed "not in good standing" with the University. At the end of the suspension period, the student is eligible for re-enrollment. Actual admission to the University will be determined by the academic rules in place at the time of application for re-enrollment.
    - i. ***Immediate Suspension:*** Separation of the student or student organization from the University for a definite period of time.
    - ii. ***Deferred Suspension:*** The sanction of suspension may be placed in deferred status. If the student or student organization is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional sanctions appropriate to the new violation also may be applied.
  - f. ***Expulsion:*** Separation of the student from the University whereby the student is not eligible for readmission to West Texas A&M University.
- ii. **Conditions:** Conditions are additional components of a disciplinary sanction. A condition is usually an educational element that is to occur in conjunction with the assigned sanction. Some examples of conditions include, but are not limited to:
- a. Personal and/or academic counseling intake session. This condition is attached to the outcome of the intake requiring a certain number of follow-up sessions to be determined by the intake administrator.
  - b. Educational programming, interventions, restorative practice, or workshops determined to help develop the student or organization. For example, Anger Management course, Substance Abuse module, Hazing Education workshop, etc.
  - c. Residence hall relocation and/or contract review/cancellation of Residence Hall contract and/or use of dining facilities.
  - d. Restitution or compensation for loss, damage, or injury, which may take the form of appropriate service and/or monetary or material replacement.
  - e. Structural sanctions applied to student organizations, which are changes related to the structure, membership, or governance of the organization.
  - f. **No Contact Order:** This is an official directive from WT that two parties do not have any contact with one another. This mutual No Contact Order asks both students to refrain from

communicating in person, through electronic communications, or contacting one another via a third party.

- iii. **Restrictions:** The withdrawal of specified privileges for a defined period of time, but without the additional stipulations contained in the imposition of a sanction which results in a student being not in good standing. The restrictions involved will be clearly defined. Some examples of restrictions include, but are not limited to:
  - a. Revocation of parking privileges.
  - b. Denial of eligibility for holding office in registered student organizations.
  - c. Denial of participation in extracurricular activities.
  - d. Prohibited access to university facilities and/or prohibited direct or indirect contact with members of the University community.
  - e. Loss of privileges on a temporary or permanent basis.

## **2.8 | Student Conduct Files and Retention**

2.8.A | **Record Retention:** Student records, disciplinary records, and other reporting records will be retained and removed per the current and approved TAMU System SAP 13.02.99.M0.01, Records Retention Schedule, which can be found at: <http://www.tamus.edu/legal/records-management>. Disciplinary records resulting in suspension or expulsion are maintained permanently in the Office of Community Standards.

2.8.B | **Personal Records Request:** A student may examine their own Student Conduct records by making an appointment with the Office of Community Standards and detailing their request in writing. Any records that contain other students' protected information as outlined under the Family Educational Rights and Privacy Act (FERPA) will be redacted. The student will have an opportunity to review the contents of the record and submit a request for amendments or additions. The student may not retain copies or take photos of the records.

2.8.C | **Public Records Request:** Texas Government Code Chapter 552 gives individuals the right to access government records. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Individuals can make an Open Records Request in the WT Portal, found here: <https://wt-texasam.mycusthelp.com/WEBAPP/rs/supporthome.aspx>.

## **2.9 | Departure from Campus Following Suspension or Dismissal and Request for Reinstatement**

2.9.A | Students who have been required to withdraw from the University by Involuntary Withdrawal or Student Conduct determinations shall leave the premises within three (3) days after being notified, or sooner, if directed by the Office of Community Standards, or the VP for Student Affairs.

2.9.B | Students who have been required to withdraw from the University for Student Conduct reasons, and who desire to be reinstated, shall present their requests in writing to the Office of Community Standards.

- i. If a student was removed with a Criminal Trespass Warning (CTW), the student must first contact UPD in order to be escorted to the Office of Community Standards.

2.9.C | Students who have been required to withdraw from the University by Involuntary Withdrawal, and who desire to be reinstated shall follow reenrollment procedures obtained from the Office of the Registrar.

2.9.D | After obtaining clearance, students must comply with all deadlines and/or requirements of the current university catalog for readmission.

## **2.10 | Parental Notification**

2.10.A | Violations of alcohol beverages, narcotics, or drugs standard may result in notification to the parents/guardians of dependent students under the age of 21. Typically, parental notification will only take place after a second violation, however, the VP of Student Affairs and their delegate in the Office of Community Standards reserves the right to notify parents based on the severity of an offense, or when there is a concern for the safety or wellbeing of a student, or the campus community.

## **2.11 | Abuse of the Student Conduct System**

2.11.A | Abuse of the Student Conduct, disciplinary, or legal processes including, but not limited to, investigations, conferences and appeals. Prohibited behavior includes, but is not limited to:

- i. Failure of a student to respond to a notification to appear before a student Conduct Officer during any stage of the conduct process.
- ii. Falsification, distortion, or misrepresentation of information in Conduct Proceedings.
- iii. Filing an allegation known to be without merit or cause.
- iv. Disruption or interference with the orderly conduct of an investigation, conference, or an appeal process.
- v. Discouraging, or attempting to discourage, an individual's proper participation in, or use of, the Conduct Process, disciplinary proceedings, etc.
- vi. Intentionally initiating, or causing to be initiated, any false report.
- vii. Influencing, or attempting to influence, the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceedings.
- viii. Influencing, or attempting to influence, another person commits an abuse of the discipline system.
- ix. Failure to comply with the sanction(s), condition(s), and/or restriction(s) imposed by a Student Conduct Officer under the Student Handbook.

## **2.12 | Alcohol Beverages**

2.12.A | In accordance with TAMU Rule 34.03, alcohol use, possession, sale, delivery, manufacture, and/or distribution of alcoholic beverages (except as expressly authorized by university rules), is prohibited. In addition, use, possession, or distribution of alcohol beverages while driving or riding in or on a vehicle on university premises is prohibited. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.

2.12.B | Individuals may not be in a state of public intoxication or drunkenness. Individuals may not operate motor vehicles or another form of transportation while intoxicated or while under the influence of alcohol.

## **2.13 | Animals on Campus**

2.13.A | Animal Cruelty: Intentionally, knowingly, or recklessly torturing or in a cruel manner killing or causing serious bodily injury to an animal, failing to provide necessary food, water or care for an animal in the person's custody, abandoning unreasonably an animal in the person's custody, transporting or confining an animal in a cruel manner, causing bodily injury to any animal without the owner's consent, causing one animal to fight with another animal, or seriously overworking an animal. Intentionally, knowingly, or recklessly attacking, injuring or killing an assistance animal or inciting another to attack, injure, or kill an assistance animal.

- i. This policy is not intended to prohibit:
  - a. Killing or injuring an animal within the scope of a person's employment or furthering the goals of legitimate educational curriculum as designed and approved by the University.
  - b. Killing or injuring an animal when the actor had a reasonable fear of bodily injury to self or another person by that animal.

2.13.B | Emotional Support Animals (ESAs): In accordance with federal and state law (Fair Housing Act), emotional support animals are permitted within university controlled on-campus housing and those areas immediately surrounding the residential facilities for approved students with disabilities on a case-by-case basis. Emotional support animals are not permitted in other university buildings, without prior approval as a reasonable accommodation through the Office of Student Accessibility. Emotional support animals are not considered service animals and improperly representing an emotional support animal as a service animal is in violation of the State of Texas Human Resources Code Section 121.006(a), and a violation Dishonesty.

- i. ESAs in University Housing: Students seeking approval for the use of an emotional support animal within university controlled on-campus housing will be required to submit a written request to the Office of Student Accessibility and be approved for an ESA prior to the animal coming to campus. Applications can be found here: [https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=7](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=7).
  - a. **ESA Approval Status**: After receiving final confirmation from the Office of Student Accessibility approving your ESA to be housed in your assigned Residence Hall room, you can bring your animal to campus. ESA approval status is contingent upon maintenance of owner responsibilities and animal behavior (see section 2.14.E of this Handbook). Any animal, regardless of purpose, service or emotional support, may not cause a disruption to the campus community.
    - i. Disruption: ESAs that cause significant disruption to the community, damage to university property, or pose a safety risk will be subject to documentation through Student Conduct. Students found Responsible for one or more violations as a result of the actions of their ESA may be subject to revocation of their approval status by the Office of Student Accessibility.

2.13.C | Service Animals: A service animal is permitted on campus grounds and within the administrative buildings with limited exceptions and restrictions. This practice follows the Americans with Disabilities Act (ADA), as amended. The service animal must have been trained as a service animal in the specific work or tasks directly related to the person's disability. Students requiring the use of a service animal within university controlled on-campus housing should go through the Office of Student Accessibility (OSA) to complete an application for this accommodation. Under TAMU SAP 08.01.02.M0.02, employees are permitted to ask two (2) questions of the owner:

- i. Is this a service animal required because of a disability?
- ii. What work or task has the service animal been trained to perform?

2.13.D | Approved Animals on Campus: Students who apply through the Office of Student Accessibility for a Service Animal or ESA to reside with them in the residence halls, must obtain approval from the Director of OSA prior to the animal coming to campus. The approval status of a student to have an ESA or Service Animal is reliant upon both animal and handler behavior, see Handler's Responsibilities for more information.

2.13.E | Owner Responsibilities and Animal Behavior: Under TAMU SAP 08.01.02.M0.02, an approved ESA or Service Animal has one owner, the student who applied for the accommodation. That is the person responsible for the animal's behavior and the only person authorized to handle the animal. If a Service Animal or ESA is found to be disruptive or violating any of the rules surrounding approval status, the student will be documented through Student Conduct, which may result in the approval status being revoked. The owner is required to:

- i. Follow any departmental/unit rules and/or restrictions.
- ii. Maintain control of the animal at all times (e.g., voice control, signals, or other effective means). The animal shall have a harness, leash or other tether. Exemptions:
  - a. When the owner is unable to use the harness, leash, or other tether because of a disability; or
  - b. The use of a harness, leash or other tether would interfere with the animal's safety and/or effective performance of work or tasks for the disabled owner.
- iii. Ensure the animal is licensed, registered, and immunized as applicable and in accordance with the laws, regulations, and ordinances of the State of Texas and county and city authorities.
- iv. Ensure the animal is in good health and care. This includes, but is not limited to feeding, grooming, and veterinary care. The care and supervision of the animal is solely the responsibility of the owner. Animals that are ill must not be taken into public areas. An owner with an ill animal may be asked to remove the animal from the premises.
- v. To clean up after the animal relieves itself. An owner with a disability who physically cannot clean up after their animal shall make all necessary arrangements for assistance.
- vi. Maintain care and supervision of the animal, as well as for loss of services or any damage or injury caused by the animal while on university property. The owner may be billed for the expense of any damage to buildings, furnishings, and/or grounds caused by the animal.

2.13.F | Animal Removal: West Texas A&M University may require an individual to remove their animal from the premises under the following circumstances:

- i. The animal's owner cannot or does not take effective action to control it. Examples of uncontrolled behavior from an animal includes, but is not limited to, continuously barking, approaching or jumping on people, or trying to get away from the handler.
- ii. The animal is not housebroken.
- iii. The animal poses a direct threat to the safety of others.

2.13.G | Unattended Animals: An animal left unattended in a vehicle or other area and is perceived to be in distress is to be reported to the University Police Department at 806-651-2300 or 911 in case of emergency. Any animal found unattended in, or on any campus facility may be impounded. Owners of the impounded animal will be held responsible for payment of any impoundment and/or license fees required to secure the release of their animal.

2.13.H | Wild, Feral, or Stray Animals: Wild animals will be left alone if no immediate threat to human safety or property is evident. Violations include, but are not limited to attempting to capture, harm, or engaging with undomesticated animals on university property will be subject to disciplinary action. If an animal is exhibiting dangerous or destructive behavior or posing an immediate threat, UPD must be notified immediately. If the animal is deemed a threat and immediate intervention is required, UPD may elect to remove the threat. Individuals are discouraged from feeding wild, feral, and stray animals. This includes domesticated or feral cats, raccoons, opossums, skunks, squirrels, and any/all of the fauna which occur either naturally or unnaturally on

WT campus. This shall not apply to food left out as bait for purposes of capturing or attracting animals for animal control or for educational purposes as approved and monitored for research purposes. Any person who vandalizes, removes, or deactivates an animal trap that has been set by Animal Control will be in violation of this procedure and will be responsible for replacement costs and/or subject to disciplinary action.

**2.13.I | Exclusions:** This rule does not apply to the following animals:

- i. Animals involved in authorized research.
- ii. K-9 animals (police dogs).
- iii. Official university mascots.
- iv. Animals utilized under approved academic programs and research projects.

## **2.14 | Behavior Intervention Team (BIT)**

**2.14.A |** The Behavior Intervention Team (BIT) exists to help promote the development of a healthy campus community at WT. The BIT will be comprised of university staff and faculty appointed by the VP of Student Affairs. BIT's mission is to provide early intervention and support to students who display behavior that causes reason for concern for the welfare of the individual, or the University community. BIT will meet on a regular basis throughout the regular academic year. During these meetings, cases will be reviewed, and determinations will be made on student referrals and intervention plans, as appropriate. In cases where the safety of a student or others is at risk, or when there is significant disruption, or potential disruption, to the learning environment at the University, the BIT has the authority to require a student to complete an intervention plan. To report an incident to the BIT team, use the Incident Reporting Form:

<https://cm.maxient.com/reportingform.php?WestTexasAMUniv>. Types of actions made on behalf of the Behavioral Intervention Team can include:

- i. Referral to University and/or Community Counseling, or Other Resources: The BIT may refer the student to Counseling Services for intervention and connection with appropriate university and community resources.
- ii. Referral to Student Conduct: The BIT will refer cases to Student Conduct that involve behavior that is in violation of the WTAMU Student Handbook.
- iii. Involuntary Leave: The BIT may impose an Involuntary Leave for safety reasons, if it finds, after an individualized assessment, that there is significant risk that a student will harm themselves or another, substantially interfere with the educational experience of others, or causes a chronic and inordinate use of university resources.
- iv. Threat Assessment: WT is licensed to use the WAVR-21 to assess a student's level of threat to the campus community. Students found to be at high risk for danger to self or others will be required to participate in a Behavioral Intervention Plan.
- v. Behavioral Intervention Plans (BIPs): BIT may work directly with the student to create an Improvement Plan. These will be developed individually and created with the purpose of educational development and student support.



**2.15 | Campus Security Report**

2.15.A | In accordance with the Higher Education Act of 1998 and The Clery Act, West Texas A&M University publishes an annual Campus Security and Fire Safety Report. The Campus Security and Fire Safety Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements in accordance with the Clery Act. This document is available in the Division of Student Affairs, University Police Department, or online at: <http://www.wtamu.edu/reports>.

**2.16 | Damage to Property**

2.16.A | Behavior that damages, destroys, tampers with, vandalizes or litters any property of this, or another educational institution, or of another person or entity on university premises, or at university-sponsored activities.

**2.17 | Dishonesty**

2.17.A | Acts of dishonesty are prohibited, including but not limited to the following:

- i. Withholding material information from the University, misrepresenting the truth during a university investigation or Student Conduct conference, and/or making false statements to any University official or law enforcement officer, in the course of their duties.
- ii. Furnishing false information to and/or withholding information from any university official, faculty member, office, or law enforcement officers in the course of their duties.
- iii. Forgery, alteration, possession, or misuse of any university document, record, or instrument of identification.
- iv. The submission of false information.

**2.18 | Expressive Activity**

2.18.A | In accordance with WT Rule 08.99.99.W1 and TAMU Rule 08.99.99.M1, any person is allowed, subject to limitations described in this rule and reasonable time, place, and manner restrictions, to engage in expressive activities on campus, including by responding to the expressive activities of others. Students enrolled at, and employees of, the university must present proof of identity and status at the university on request by a university official on campus engaging in an official duty.

2.18.B | Student organizations and employees are allowed to invite speakers to speak on campus subject to the restrictions outlined in this rule. In determining the amount of a fee to be charged for use of the University's facilities for purposes of engaging in expressive activities, the University may consider only content-neutral and viewpoint-neutral criteria related to the requirements of the event, such as the proposed venue and the expected size of the audience, any anticipated need for campus security, any necessary accommodations, and any relevant history of compliance or noncompliance by the requesting student organization or employee with this rule and other relevant rules. The University may not consider any anticipated controversy related to the event.

2.18.C | The University may not act against a student organization or deny the organization any benefit generally available to other student organizations at the University on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization.

2.18.D | The University may take disciplinary or remedial action against individuals or groups that engage in expressive activity not protected by WT Rule 08.99.99.W1, Expressive Activity, or the First Amendment. Sanctions which may be imposed include all those identified in section 2.8 of this Student Handbook. Expressive activities which may result in sanctions and are not protected by this rule or the First Amendment include:

- i. Defamation.
- ii. Obscenity.
- iii. Physical abuse or assault.
- iv. True threats.
- v. Disruption of the academic environment or a university sponsored extracurricular event.
- vi. Inciting or producing imminent lawless action.
- vii. Unlawful harassment.

2.18.E | Conduct described in 2.18.D may be reviewed and adjudicated under TAMU System Regulation 08.01.01 Civil Rights Compliance, including those related to actional discrimination or harassment based on race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity, or any other classification protected by federal, state, or local law. Additionally, such conduct may also be reviewed and adjudicated by the Office of Community Standards using the Student Conduct Process when the conduct does not rise to the level of a civil rights violation.

2.18.F | The common outdoor areas of the University's campus are deemed traditional public forums. Any person is permitted to engage in expressive activities in these areas freely, as long as the person's conduct:

- i. Is not unlawful; and
- ii. Does not materially and substantially disrupt the functioning of the institution.

2.18.G | Any person is allowed to assemble or distribute written material in common outdoor areas without a permit or other permission from the institution, subject to the restrictions outlined in this rule.

2.18.H | West Texas A&M University may require advance reservation of events in certain circumstances to ensure safety and to promote an environment conducive to study. There are areas such as residences and the Cornette Library that have distance requirements, crowd placement restrictions, and security concerns that may vary depending on security needs, terror alerts, and other factors. Additionally, security needs, terror alerts, local and national events may affect the availability of spaces that would otherwise be routinely available. Information about existing requirements, restrictions, or security concerns will be discussed at the time a reservation request is processed.

2.18.I | The university reserves the right to have policies that are reasonable time, place, and manner restrictions in common outdoor areas if the restrictions:

- i. Are narrowly tailored to serve a significant university interest;
- ii. Employ clear, published, content-neutral, and view-point neutral criteria;
- iii. Provide ample alternative means of expression; and
- iv. Allow all persons to assemble or distribute written material without a permit or other permission from the university.

2.18.J | The Texas A&M University Board of Regents, by review and approval of this rule, have sole authority to designate the areas on member campuses that are public forums (including both traditional public forums and designated public forums.), in a manner consistent with the First Amendment to the U.S. Constitution and Section 8 Article I of the Texas Constitution.

2.18.K | Nothing in this rule should be interpreted or construed as:

- i. Prohibiting faculty members from maintaining order in the classroom.
- ii. Limiting or infringing on a person's right to freedom of speech or expression protected by the First Amendment to the U.S. Constitution or by Section 8, Article I, Texas Constitution.
- iii. Prohibiting the university from having rules differentiating between the rights of students and employees to engage in expressive activities on campus and the rights of those individuals who are not students or employees.

2.18.L | This rule categorically prohibits the following expressive activity on campus:

- i. Using a device to amplify sound that, as determined by the university:
  - a. Intimidates others;
  - b. Interferes with campus operations; or
  - c. Interferes with a university employee's or a peace officer's lawful performance of a duty.
- ii. During the last two weeks of a semester, engaging in the following expressive activities in a manner that materially and substantially disrupts the functioning of the university:
  - a. Having events in the common outdoor areas;
  - b. Inviting speakers to speak on campus;
  - c. Using a device to amplify sounds; or
  - d. Using drums or other percussive instruments.
- iii. At any time, camping or erecting tents or other living accommodations on campus.
- iv. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities on campus with the intent to:
  - a. Obstruct the enforcement of the university's rules or the law by avoiding identification;
  - b. Intimidate others; or
  - c. Interfere with a university employee's or peace officer's lawful performance of a duty.
- v. Lowering the university's U.S. flag, Texas flag, or university flag, with the intent to raise a flag of another nation, state, or a flag representing an organization or group of people.
- vi. Engaging in expressive activity between the hours of 10:00 p.m. and 8:00 a.m. in a manner that materially or substantially disrupts the functioning of the university.

2.18.M | **Advance Registration Requirements:** In an effort to ensure safety and to promote an environment conducive to study, advanced reservation for expressive activity is required (in the form of an approved Reservation Request for Space) for events or activities that are promoted in advance, or sponsored by student organizations, or expected to draw a crowd of more than 25 people. Advance reservation is also required for activities near intersections, in close proximity to academic buildings anytime classes or study activities, and research is taking place.

2.18.N | **Reservations Procedures:** Individuals or groups who are either required to make advance reservation or those individuals or groups who otherwise wish to make advance reservations on campus must request use of

the space through the university's reservation process, which can be found here:

<https://reservations.wtamu.edu/>. If advance reservation is required, requests must be made at least five business days in advance of the event. Additional collaboration and coordination may be required from a building/space proctor. Usually, the use of the space will be assigned to the person or organization that requests the area first. University sponsored events have first priority on the use of campus facilities. The university reserves the right to locate any assembly so as to ensure that the activity does not interfere with the normal operation of the university or the rights of others. The decision to confirm a request for space will be based on proper and timely completion of the reservation process, compliance with applicable sound and sign requirements, and availability of space. The decision to confirm will be based on the foregoing criteria, and in no circumstance will any decision be based on the content or viewpoint of the expressive activity or upon the expected reaction of others. If a request is denied, the rationale for the decision will be provided in writing. The denial of a reservation request can be appealed to the Vice President for Student Affairs or a designee. At the time of the request, the following information will be required:

- i. Name information of the person or organization sponsoring the event. Contact information for one individual who will be present during the course of the event.
- ii. Location, date, and time requested for the event.
- iii. General purpose of the event.
- iv. List of planned activities (i.e., speech or rally, march with signs, distribution of literature, sit-in).
- v. Special equipment requested.

2.18.O | For recognized student organizations, an officer of the sponsoring organization must be present at the event, and during the entire course of the event.

2.18.P | Guidelines for Expression:

- i. Disruptive Activity: Obstruction, disruption, or interference with classes, research, administrative functions or other university activities is not permitted. Likewise, infringement on the rights of others is prohibited.
- ii. Reasonable Access: It is important to provide reasonable access to, and exit from, any office, classroom, laboratory, or building. Likewise, vehicular and pedestrian traffic should not be obstructed.
- iii. Picketing: Picketing in an orderly manner outside of university buildings may be permitted. Such activities should not become disruptive, nor should they impede access. Picketing is not permitted inside campus buildings.
- iv. Literature: Literature may be distributed in traditional designated public forums. Such activities should not become disruptive, nor should they impede access.
- v. Symbolic Protest: Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible unless it is a disruptive activity or impedes access. In addition, such acts should not block the audience's view or prevent the audience from being able to pay attention.
- vi. Noise: Making sustained or repeated noise in a manner that substantially interferes with speakers' ability to communicate their message is not permitted. Noise levels should not interfere with classes, meetings, or activities in progress or the privacy of residence hall students.
- vii. Force or Violence: Any attempt to prevent a university activity or lawful assembly by the threat or use of force or violence is not permissible.

- viii. **Presenting Identification:** In accordance with Texas Education Code 51.209, it is unlawful for any persons on any property either owned or controlled by the university to refuse to identify themselves to a university official in response to a request. For the purpose of this rule people identify themselves by presenting student or faculty/staff ID card or government issued ID card.
- ix. **Damage to Property:** Any damage to university or personal property in the course of, or as a result of, an expressive activity is prohibited. Care should be taken to ensure that university and personal property is not damaged or destroyed. This includes the campus lawns, shrubs, and trees.
- x. **Aesthetics:** Exterior-facing messages, including but not limited to signs, posters, flags, or banners, on the windows of any West Texas A&M University building, other than a student's room in the residence halls, are prohibited.
- xi. **Other University Rules:** All applicable University Rules and Student Rules should be followed whenever engaging in activities on campus. Consult the WTAMU Student Handbook for further information.

2.18.Q | All individuals participating in expressive activity are expected to comply with state and federal law, municipal ordinances, and the above guidelines. Failure to do so may result in immediate removal from the campus and any other appropriate action by university officials or University Police.

2.18.R | **Complaint Procedure:** Any person who believes that their campus expressive activity rights have been unduly interfered with by a student, student organization, or employee has the right to file a complaint. Complaints should be filed on the university's online complaint form, found at: [www.wtamu.edu/complaint](http://www.wtamu.edu/complaint). Any acts that are disruptive to the normal operations of the university, including classes and university business, or that invade the rights of others will not be tolerated. A student, student organization, or employees who is found to have unduly interfered with another person's expressive activity rights, as recognized by this rule, is subject to disciplinary action in accordance with the university's applicable rules and procedures. Any participant in a disruptive activity may also face criminal charges. All complaints will be administered by the university complaint process found on the complaint website: [www.wtamu.edu/complaint](http://www.wtamu.edu/complaint). If a violation of this rule is found to occur the report will be referred to the appropriate office for further action. The referral office will be determined by the status of the offending individual, for example, complaints concerning:

- i. A faculty will be referred to the Office of the Provost.
- ii. Students will be referred to the Office of Community Standards.
- iii. Staff and third parties will be referred to Human Resources.

## **2.19 | Failure to Comply and Disorderly Conduct**

2.19.A | **Disruptive Activity:** Activity that interferes with teaching, research, administration, disciplinary proceedings, residential communities, academic mission or pursuits, free flow of pedestrian or vehicular traffic on university premises, or other university missions, processes, or functions, including public service functions or other university activities.

2.19.B | **Disorderly Conduct:** Public behavior that is disruptive, lewd, or indecent; breach of peace; or aiding or procuring another person to breach the peace on university premises or at functions sponsored by the University or participated in by members of the University community.

2.19.C | **Harmful, Threatening, or Endangering Conduct:** Intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of self or others, including but not limited to:

- i. **Physical Assault:** Assault is threatening someone with imminent bodily injury, intentionally causing bodily injury, or intentionally causing physical contact when the person knows such contact will be considered offensive.
- ii. **Threats:** Communication of a serious expression of an intent to harm a specific person or group of people. Action that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.

2.19.D | **Failure to Comply:** Failure to comply with a reasonable directive and/or request, or to present student identification, or identify oneself, to any University official acting in the performance of their position. Fleeing a university official or law enforcement officer when the person knows, or reasonably should have known, the University official or law enforcement officer is attempting to confront, arrest, or detain.

## **2.20 | Firearms, Ammunition, and Weapons**

2.20.A | **Firearms and Ammunition:** The use, or threatened use, of firearms or ammunition on university property or at university function is prohibited. The possession of these items outside of a locked, privately owned, or leased, motor vehicle, unless the person is authorized to carry by the State of Texas, is prohibited. Concealed handguns must be carried in accordance with University Rule 34.06.02.W1. These items, or those similar in nature, may not be used for display or decoration in university buildings.

- i. Students living in the Residence Halls:
  - a. In accordance with Texas SB 11 (Texas Government Code 411.2031), the “Campus Carry” law and WTAMU Rule 34.06.02.W1, only residents who have a license to carry a concealed handgun will be permitted to have their handgun and ammunition in their Residence Hall room. The aforementioned law allows WTAMU to establish rules, regulations, or other provisions concerning the storage of handguns in the Residence Halls. Any student who has a license to carry a concealed handgun and will store the weapon in the Residence Halls must rent a university owned safe. The use of personal safes for this reason is not permitted.
  - b. For more information, visit Carrying Concealed Handguns on Campus 34.06.02.W1: <https://www.wtamu.edu/about/campus-concealed-carry.html>

2.20.B | **Explosives and Fireworks:** Illegal or unauthorized use, possession, or storage of fireworks or explosives, or dangerous chemicals on university premises or at any university sponsored activity is prohibited. In addition, use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear for others is prohibited.

2.20.C | **Weapons:** The term weapon is defined as any object or substance designed or used to inflict a wound, to cause or threaten injury, or to incapacitate. Weapons may include, but are not limited to, all firearms, pellet guns, tasers, stun guns, slingshots, martial arts devices, switchblade knives, clubs, paint ball guns, Orbeez guns, blow guns, air-powered guns, nun chucks, brass knuckles, projectiles, bow and arrows, axes, and swords. These items, or those similar in nature, may not be used for display or decoration in university buildings. The possession of key chain pepper sprays, or kubatons, is allowed; however, misuse of such items may result in disciplinary action, as these are considered deadly weapons.



## **2.21 | Fire Safety**

2.21.A | Persons who jeopardize the security or safety of any resident will be subject to severe disciplinary action. Tampering with fire equipment, or acts of arson, can result in civil prosecution, disciplinary measures, and/or possible fines.

2.21.B | When a fire alarm sounds, all individuals in the area are expected to proceed to the nearest exit, stand at least 100 feet from the building and should never impede emergency responders' ability to reach the building. Failing to evacuate a building, or to take the first opportunity to evacuate a building, anytime a fire alarm is sounded will result in a disciplinary sanction. Additionally, causing the fire alarm to sound due to negligence, by tampering with equipment, or unsafe practices (i.e., overloading circuits, use of unauthorized cooking appliances, negligence, use of inappropriate extension cords, power taps, etc.) may result in disciplinary action including, but not limited to, renumeration of fees assessed by local authorities.

2.21.C | Fire Drills: The University will hold fire drills to acquaint the people with fire evacuation procedures. All people are required to follow directions during the drills. Failure to evacuate the building may result in disciplinary action, a monetary fine, and/or a possible suspension.

2.21.D | Fire Equipment: It is imperative that fire and safety equipment function properly when it is needed, the following acts are prohibited:

- i. Tampering or playing with fire extinguishers, smoke detectors, exit lights, emergency lights, door and door frame fire-rating labels.
- ii. Tampering with or pulling a fire alarm under false pretense.
- iii. Removing smoke detector batteries or otherwise rendering a smoke detector inoperable.
- iv. Propping open or impeding fire doors.
- v. Obstructing halls and stairwells with furniture, debris, and other materials.
- vi. Hanging objects from smoke detectors and sprinklers.
- vii. Presence on fire escapes in non-emergency situations.

2.21.E | Smoke Detectors: All rooms and offices are equipped with smoke detectors. People that see a problem with their smoke detector should contact the maintenance staff or building staff immediately. Disciplinary action will result if the smoke detector is removed or otherwise renders the detector inoperative. Disciplinary action could also result for people who cause potential fire hazards through unsafe practices (i.e., overloading circuits, use of inappropriate extension cords, power taps, use of unauthorized cooking appliances, etc.).

2.21.F | Sprinkler Systems: The University is not responsible for damage caused by the sprinkler system. Residents who cause the system to activate will be held accountable for any damage caused to their personal property, other residents' property, and to university property. Residents tampering with the system will be fined based on state regulations and will face disciplinary and possible legal action. Sprinkler systems are very sensitive. Please be aware of the following:

- i. Never cover a sprinkler head.
- ii. Do not hang items from the sprinkler head or pipe.
- iii. Sprinkler heads may never be obstructed or altered.
- iv. Nothing may be stored within 18 inches of the sprinkler's head.
- v. Any items that hit the sprinkler head may cause it to activate.

- vi. The sprinkler system is activated by contact or heat, not smoke.

2.21.G | Open Flames: Under TAMU SAP 24.01.01.M7.02, candles, incense burners, oil lamps or other personal items that have open flames or that smolder, are prohibited in work areas (individual or group), conference rooms, restrooms, and in all campus buildings. This restriction applies to such items regardless of whether the item has been lit. Such items may be confiscated immediately by staff. Exceptions apply to candles, flame effects or pyrotechnics used for banquets, ceremonies, science demonstrations, theatrical production, indoor fireworks or other entertainment.

2.21.H | Micro-mobility Devices: Any electronic transportation device that houses a lithium battery poses a fire hazard and is not permitted inside university buildings. This includes, but is not limited to, hover boards and electric scooters.

## **2.22 | Food and Beverages**

2.22.A | The sale of food and beverages is prohibited without the appropriate, and prior, approval from necessary university officials is prohibited. The consumption of food and beverages in academic buildings and libraries shall be confined to the concession's area and designed common areas.

## **2.23 | Hammocks**

2.23.A | Attaching rope, wire, or other material, or device, to any tree, shrub, bush, or plant is prohibited on university property. Designated hammock areas exist in multiple locations on campus. Hammocks must not be attached to anything other than the established posts in these designated areas.

## **2.24 | Harassment**

2.24.A | Behavior that is severe, pervasive, or persistent, to a degree that a reasonable person similarly situated would be prevented from accessing an educational opportunity of benefit. This behavior includes, but is not limited to, verbal or written abuse, threats, intimidation, coercion, or violence and other forms of harassment against any member of the university community. In addition, harassment may be conducted by a variety of mediums, including but not limited to, physical verbal, graphic, written, or electronic.

## **2.25 | Hazing**

2.25.A | In accordance with the Campus Hazing Act (H.R. 5646), any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a registered student organization or student group (e.g., a club, athletic team, fraternity, or sorority) and causes or creates a risk above the reasonable risk encountered in the course of participation in the IHE or the organization, of physical or psychological injury. Examples of physical and psychological injury can include, but are not limited to:

- i. Misuse of authority by virtue of one's class rank or leadership position, such as assigning acts of servitude.
- ii. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity.

- iii. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity.
- iv. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances.
- v. Causing, coercing, or otherwise inducing another person to perform sexual acts.
- vi. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct.
- vii. Any activity that requires a violation of the WTAMU Student Handbook.
- viii. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

2.25.B | For purposes of this definition, a 'student group' means an organization at an institution of higher education in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution. This is in alignment with the Campus Hazing Act (H.R. 5646).

2.25.C | In alignment with WT's Amnesty policies, students who are recipients and/or victims of hazing (and who have not perpetrated hazing behavior on others involved in the fact pattern for which they are reporting) and who report the activities to the VP for Student Affairs or designee responsible for oversight of the student conduct processes and/or the University Police Department, will not be charged with a violation of the hazing rule.

2.25.D | Having firsthand knowledge of the planning or occurrence of a hazing incident and failing to report it to appropriate university officials (e.g., the Vice President for Student Affairs, at JBK Suite 102, 806-651-2389, Human Resource Office, 806-651-2114, or the University Police Department, 806-651-2300) is a violation.

2.25.E | The hazing rule is not intended to prohibit the following conduct:

- i. Customary public athletic events, contests, or competitions that are sponsored by the University or the organized and supervised practices associated with such events; or
- ii. Activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program as defined and approved by the University.

2.25.F | Hazing is a violation of Federal law (H.R. 5646), Texas state law under Texas Education Code Sections 37.151 and 51.936, and TAMU System Policy 07.01 – Ethics.

## **2.26 | Illegal Substances**

2.26.A | In alignment with TAMU Rule 34.02.01.M1, the act of using, possessing, being under the influence of, manufacturing, or distributing, Illegal drugs or illegally obtained/possessed controlled substances is prohibited.

2.26.B | Abusing legally obtained drugs by failing to take the drug as directed. Except as expressly permitted by law, use, possession, manufacturing, or distributing or being party thereto of tetrahydrocannabinol (THC), heroin, narcotics, or other controlled and/or prescribed substances and/or drug paraphernalia and/or dangerous drug is also prohibited. Individuals may not operate a motor vehicle or another form of transportation while under the influence of drugs or while intoxicated.

2.26.C | Possession of drug-related paraphernalia, except in accordance with federal, state, or local law, is prohibited.

2.26.D | Smoking and Use of Tobacco and Vape Products: No tobacco products, including smokeless tobacco (e.g., vapes, nicotine pouches, chew, and hookahs), legal and illegal smoking products will not be allowed inside university buildings or on university property. This includes the use of these products in personal vehicles while on campus. Possession, purchase, or consumption of tobacco products under the age of 21 is illegal, under Texas Health and Safety Code 161.252.

## **2.27 | Lost, Found, or Abandoned Property**

2.27.A | The WTAMU Police Department is the central depository for all lost and found property on campus. This is established in WTAMU Rule No. 21.99.04.W1 in 1998.

2.27.B | Lost and Found collects, accepts, stores, releases, and disposes of abandoned and found property. Diligent attempts are made to reunite the property with the proper owner. Lost and Found maintains custody of all abandoned/found property until properly disposed of in accordance with TAMUs Regulations and University rules. Found items are held for a minimum of 90 days, at which time they are disposed of in accordance with TAMUs Policy 21.99.04 and WTAMU Rule No. 21.99.04.W1. People claiming property must present valid government-issued identification, or their Buff Gold Card.

2.27.C | The Lost and Found is located in Room 104 across the hall from the University Police Department and Parking Services in the Old Sub Building at 301 23<sup>rd</sup> Street, Canyon, Tx 79016. The hours of operation are 7:30am to 5:00pm, Monday through Friday. Closed weekends and holidays.

## **2.28 | Misuse of Transportation**

2.28.A | Reckless Driving: Driving in a manner that recklessly endangers the health and/or safety of oneself or others.

2.28.B | In accordance with WT Rule 24.01.01.W0.03, use of skateboards, rollerblades, scooters, bicycles, or other similar modes of transportation in university buildings is prohibited. In addition, use of such transportation on university premises in such a manner as to constitute a safety hazard or cause damage to university, or personal property, is prohibited. Exceptions to this include motorized vehicles that are approved ADA accommodations. Contact the Office of Student Accessibility for more information.

2.28.C | The use, possession, charging, or storage of self-balancing boards, or similar personal devices, within university buildings, including the Residence Halls, is prohibited.

2.28.D | Bicycles and scooters need to be secured to university provided bike racks, or designated university scooter/charging stations. Any property in violation of these rules will be impounded by the University Police Department. These items are not permitted in any university buildings.

2.28.E | Micro-mobility Devices: Electric scooters are available for campus visitors, students, staff, and faculty in outdoor sections of the WT campus. Those who utilize electric scooters must operate them according to campus rules. The following rules apply to the use of electric scooters on campus:

- i. Scooters are not allowed inside any university-owned buildings.

- ii. Users are responsible for following all traffic laws. This includes, but is not limited to, stopping at stop signs and stoplights, yielding, and not surpassing the speed limit.
- iii. Scooters should be operated in areas where bicycle traffic is allowed.
- iv. Scooters must be operated in a safe manner and may be subject to Student Conduct sanctions if operated in a manner that is determined to be reckless.
- v. Scooters are meant for single riders only.
- vi. Scooters should be parked in preferred designated scooter parking spaces/areas when possible.
- vii. Be mindful not to impede pedestrian and ADA access. Do not park on sidewalks, ADA ramps, curb cuts, or staircases.
- viii. Access to electric scooters may be limited by the University or the City of Canyon, at any time.

2.28.F | WTAMU has the right to revoke scooter privileges on campus for anyone found in violation of the WTAMU Student Handbook.

2.28.G | If you see a battery-powered scooter/bike/hover board inside a building, please ask the individual to take it outside. The lithium batteries could pose a fire hazard inside the buildings.

2.28.H | Reckless riders should be reported to the Office of Community Standards at [studentconduct@wtamu.edu](mailto:studentconduct@wtamu.edu).

2.28.I | Drones: All drone flights on the WTAMU campus must be approved by the University Police Department (UPD), which works in conjunction with the Environmental Health and Safety and Risk Management offices; unless the flight has an approved flight plan in a designated location prior to the flight taking place. FAA guidelines for all drone flights can be found at [www.knowbeforeyoufly.org](http://www.knowbeforeyoufly.org). The TAMU system is also finalizing a drone policy which can be found at [www.tamus.edu/legal/policy](http://www.tamus.edu/legal/policy).

2.28.J | Parking Barricades: The University Police Department and Physical Plant often have to block off spaces for special events, construction projects, and routine maintenance. Students caught tampering with cones, barricades, or signs could be subject to disciplinary action.

## **2.29 | Photography and Recording of Students and Employees**

2.29.A | West Texas A&M University reserves the right to photograph and record (through the use of still, video, audio, or other medium) students and employees on campus and at university-sponsored functions and events. The university reserves the right to use, broadcast, distribute, and/or publish any part of such images, likenesses, voices, appearances, and/or performances for promotional, advertising, educational or other honorable purposes.

2.29.B | Unauthorized recording: Any unauthorized use of electronic or other devices to make an audio, video, still frame or photographic record of any persons without their prior knowledge, or without their effective consent when the person or persons being recorded have a reasonable expectation of privacy and/or such recording is likely to cause injury or distress. If a recording is made that captures a violation of the WTAMU Student Handbook or law, the Student Conduct administrator may elect not to enforce this section of the rules against the student making the recording. Unauthorized recordings include, but are not limited to:

- i. Surreptitiously taking pictures of another person in the gym, locker room, or restroom.
- ii. Recording administrative meetings with university officials.

### **2.30 | Sexual Misconduct**

2.30.A | For the definition of sexual misconduct see Texas A&M University System Regulation [08.01.01 Civil Rights Compliance](#), and University Rule [08.01.01.W1 Civil Rights Compliance](#) which governs Title IX, sex-based misconduct, and all other civil rights cases

2.30.B | **Sexual Contact**: Attempting or making sexual contact, including but not limited to, inappropriate touching without the person's consent (see "consent" definitions), or in circumstances where the person is physically, mentally or legally unable to give consent when the behavior is not so severe, pervasive, or persistent to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive or sexual exploitation as defined in Texas A&M University System Regulation 08.01.01.

2.30.C | **Sexual Harassment**: A form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise):

- i. By an employee of the member who conditions the provision of aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct.
- ii. Determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member's education program or activity.
- iii. Sexual assault or dating violence, domestic violence, or stalking based on sex.

2.30.D | **Sexual Exploitation**: Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- i. Photography or video recording of another person in a sexual, intimate, or private act, without that person's full knowledge and consent.
- ii. Purposeful distribution or dissemination of sexual or intimate images or recordings of another person, without that person's full knowledge and consent.
- iii. Sexual voyeurism.
- iv. Inducing another to expose one's genitals, or private areas.
- v. Prostituting another student.
- vi. Engaging in sexual activity while knowingly infected with an STD.

2.30.E | **Public Indecency**: Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to, exposing one's genitals or private area(s), public urination, defecation, and/or public sex acts.

2.30.F | **Nonconsensual Sexual Contact**: Intentional sexual touching, however slight, and with any object or part of one's body, of another's private areas without consent. Private area includes buttocks, breasts, mouth, genitals, groin areas, or other bodily orifice.

### **2.31 | Soliciting on Campus**

2.31.A | Any solicitation on campus must have the approval of the University through the JBK Information Desk, whether such solicitation is by an officially recognized student organization, university organization, governmental agency or other.



**2.32 | Student Organizations**

2.32.A | Student organization leaders must meet minimum requirements, as outlined herein, in order to maintain the recognition of their student organizations. Should they fail to meet these requirements, a student leader will be ineligible to hold an office in the student organization.

2.32.B | The Office of Student Engagement and Leadership (OSEL) acknowledges that self-governing student organizations contribute significantly to the educational, social, and personal development of students, as well as the vibrant culture of the institution. The University further recognizes that students may freely establish and participate in these organizations within the context of local, state, and federal law, as well as University rules outlined in the WTAMU Student Handbook. In order to receive and retain official recognition, student organizations must be granted approval by OSEL and must meet annual requirements. Privileges associated with the status of being officially recognized by the University include the use of university names, logos, and trademarks. To be recognized and/or maintain their recognized status, student organizations must:

- i. Have an approved faculty or staff advisor, employed at a level consistent with the categorization of the organization and committed to upholding the expectations of an advisor as defined in the Student Organization Handbook.
- ii. Annually renew their recognition with OSEL. An organization's annual recognition cycle should begin in the month that the organization elects or selects leadership, as defined by the organization's constitution. Each organization must provide contact information from all advisors and officers of the group; an up-to-date profile of the student organization; and a current constitution and by-laws that comply with the provisions outlined in the Student Organization Handbook. Student leader and advisor training must also be completed during the renewal period. West Texas A&M may identify the required expectations for organizations with a specialized/higher degree of risk or affiliation with the University.
- iii. A student organization must maintain a name and mission that distinguishes it from other existing organizations. Organizations may not be formed for the purpose of participating in illegal activities.

2.32.C | Students selected, elected, or appointed as officers in officially recognized student organizations shall:

- i. Be in good standing with the University and enrolled:
  - a. At least half time (six or more credits), if an undergraduate or first professional student (unless fewer credits are required to graduate in the spring and fall semesters) during the term of office.
  - b. At least half time (five or more credits), if a graduate level student (unless fewer credits are required in the final stages of their degree) during their term of office.
- ii. Student organizations and their advisors are responsible for compliance with the WTAMU Student Handbook and local, state, and federal laws, as well as expectations and additional guidelines outlined in the Student Organization Handbook.
- iii. More information and guidelines concerning recognized student organizations are available in the Student Organization Handbook.
- iv. Actions of recognized student organizations are subject to review. Failure to abide by the WTAMU Student Handbook may result in organizational disciplinary hearings by the Student Organization Accountability Board. Sanctions may range from a warning to revocation of recognition privileges. Disciplinary procedures are outlined in the Student Conduct section of the WTAMU Student Handbook.
- v. Individuals who are not a student of West Texas A&M University are ineligible for membership and may not participate in regular activities of the recognized student organization.

2.32.D | All organizations will be held to the Student Handbook as well as guidelines given by the OSEL.

### **2.33 | Unauthorized Areas**

2.33.A | Unauthorized access to university facilities, entry into or use of university premises without permission, unauthorized entry into another person's residence, vehicle or business, and unauthorized entry into maintenance rooms is prohibited. Building roofs and exterior walls are considered restricted university property and are off limits to students. If something is lost on a roof, contact an area office to have it recovered.

### **2.34 | Violation of Federal, State, Local Law and/or University Procedures**

2.34.A | Misconduct which may constitute a violation of federal, state, local laws, and/or WTAMU rule/procedure will be considered a violation of this rule/procedure and will be investigated and adjudicated through the University conduct system. A lack of conviction in any criminal proceeding will not, in and of itself, serve as evidence in a university conduct proceeding.

2.34.B | University Housing Requirement: Full-time students enrolled in 12 or more semester hours who are under the age of 20 by the first-class day are required to live in university housing during the first two (2) years following their high school graduation. In order to reside on campus in the residence halls during the fall or spring semesters, an undergraduate student must be enrolled for a minimum of nine hours.

### **2.35 | Violation of Published University Rules or TAMU System Regulations**

2.35.A | Violation of any published university policy, rule or system regulations that govern the student body or student organizations behavior. Information pertaining to each department or office can be found on their university website pages:

- i. Parking Services Regulations: [http://wtamu.edu/university\\_police/upd-parking-services.aspx](http://wtamu.edu/university_police/upd-parking-services.aspx).
- ii. Residential Living Handbook: <http://wtamu.edu/student-life/residential-living.aspx>.
- iii. Virgil Henson Activities Center Policies: <https://www.wtamu.edu/student-life/recreational-sports/vhac-policies.html>.
- iv. West Texas A&M Operating Rules and Procedures: <https://www.wtamu.edu/about/rules-and-procedures.aspx>.
- v. System Operating Policies: <http://www.tamu.edu/legal/policy>.
- vi. Acceptable Use Policy: <https://www.wtamu.edu/it/files/PDFs/acceptable-use-standard.pdf>.
- vii. NCAA Regulations: [https://gobuffsgo.com/sports/2010/5/13/COMPLIANCE\\_MAIN.aspx](https://gobuffsgo.com/sports/2010/5/13/COMPLIANCE_MAIN.aspx).
- viii. WT Catalog: Search the applicable academic term here: <https://catalog.wtamu.edu/index.php?catoid=34>.

## **PART 3 | Civil Rights and Title IX**

### **3.1 | Title IX, Sex-Based Misconduct and Civil Rights Adjudication Process**

3.1.A | West Texas A&M University prohibits physical abuse, threats of violence, physical assault, and any form of sexual harassment, sexual violence, or other sex-based misconduct, including, but not limited to, sexual assault, domestic violence, dating violence, and/or stalking based on sex. In addition, such acts of sexual violence are considered forms of sexual harassment covered under Title IX of the Education Amendments of 1972 and related regulations. For more information regarding the process for Title IX, sex-based misconduct, and civil rights complaints, see University Rule 08.01.01.W1 [Civil Rights Compliance](#) and Texas A&M System Regulation 08.01.01 [Civil Rights Compliance](#).

3.1.B | Upon receipt of a complaint, and if deemed to be a Title IX discrimination complaint, the Office of Civil Rights & Title IX will assign the complaint for investigation. Upon conclusion of the investigation, the investigative report and exhibits will be submitted to the Executive Director of Civil Rights & Title IX (EDCRTIX) for adjudication and sanctioning considerations. The EDCRTIX will then assign the case to a hearing body consisting of one to three (1-3) members, also referred to as Hearing Panel Officers. A Hearing Panel is a decision-making entity who determines whether allegations of misconduct rise to the level of a violation based on the evidence provided.

3.1.C | The EDCRTIX will provide the final investigative report and exhibits, which may be redacted, to the parties. The EDCRTIX will also provide written notice to the complainant(s) and respondent(s), which will include an acknowledgement of receipt of the complaint along with a description of the adjudication process.

3.1.D | The case will then be submitted to the selected hearing body for adjudication and resolution. Hearings will be conducted in accordance with the Formal Hearing Procedures set forth in this document, and in accordance with the TAMUS Regulation 08.01.01 and University Rule 08.01.01.W1.

3.1.E | The complainant(s) and respondent(s) will be informed in writing of the date, time, and location of the hearing. This information will be sent to the student's WT email address. For university-related correspondence, it is the student's responsibility to check their university email account, check it regularly, and to provide an accurate local mailing address.

3.1.F | A complainant and a respondent must have an advisor with them at a hearing. In cases in which a party does not have an advisor, the University will provide a trained advisor to assist them in the hearing process.

3.1.G | The burden of proof for the formal hearing will be based on a preponderance of the evidence, which means proof that leads a reasonable person to find that the facts in issue are more likely to have occurred than not. A determination of the facts will be based only on the evidence as presented. The technical rules of evidence applicable to civil and criminal cases shall not apply.

3.1.H | Cross-examination of the complainant, respondent, and any witnesses may not be conducted by the opposing party but must be conducted by their advisor. Questions are to be directed to the hearing panel chair, who will determine whether each question will be admitted into the hearing. If a question is deemed repetitious, or non-relevant, the decision-maker(s) must explain the decision to exclude it. When parties are subject to cross-examination, the advisor may not answer on behalf of the party.

3.1.I | If a complainant or respondent is late to the hearing, the hearing body reserves the right to make the determination on participation in the hearing, and the hearing body is not responsible for beginning the hearing over, recalling witnesses or re-entering any evidence into the record. If no parties participate in the hearing, a decision will be reached based on evidence gathered prior to the hearing.

3.1.J | Disorderly or disruptive behavior by any individual during the hearing process may result in the removal of that individual from the hearing process, at the discretion of the hearing body and the hearing process may continue.

3.1.K | Attendance at a hearing may be in person or may be conducted through remote means, provided that all parties and the hearing panel can see and hear one another in real time during the course of the hearing.

3.1.L | The hearing body will record the hearing and that recording remains the property of the institution. Deliberations will not be recorded. FERPA provides that when information on more than one student is contained in a single education record, each student may inspect only the information specifically related to that individual. If the recording pertains to only the requesting student, arrangements may be made to review the recording. An appointment will be required to review the recording, if applicable.

3.1.M | Upon conclusion of the hearing, a written statement of the findings, the formal action to be taken by the University, the rationale for those actions, and a description of the appeals process will be provided to both the complainant(s) and respondent(s) within ten (10) business days.

3.1.N | Formal hearings will be closed except for those directly involved in the hearing. Proceedings will not be open to the media, social media, or any form of live streaming (outside of the online hearing platform).

3.1.O | All cases involving sex-based misconduct that do not fall under Title IX parameters are to be investigated and adjudicated under the Title IX procedures previously stated, noting that; the process is to determine whether the allegations are substantiated and, if substantiated, created a hostile environment.

## **3.2 | All Other Civil Rights Complaints (Non-Sex Based)**

3.2.A | The following applies to all civil rights complaints based on race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, and/or gender identity:

- i. The investigative authority will review each complaint, interview witnesses (if applicable), review relevant documentation, and provide an initial draft report of their investigation to OGC for review within 30 business days.
- ii. The investigative authority will have five (5) business days to create a final draft report and share that document electronically with both the complainant and the respondent.
- iii. The complainant and respondent will have ten (10) business days to review the report and submit responses and/or written relevant questions that the party wants to ask of any other party or witness.
- iv. The investigative authority will provide each party with the other party's questions and answers, and allow for the additional, limited follow-up questions from each, provide each party with the questions and answers and allow for additional, limited follow-up questions from each party.
- v. The investigative authority will have ten (10) business days to complete this process.

3.2.B | The investigative authority must explain to the party proposing the questions any decisions to exclude a question as repetitious or not relevant. The investigative authority will then have five (5) additional business

days to prepare a final report for review by OGC and SECO. Once approved by OGC and SECO, the final report shall be submitted directly to the Designated Administrator by the EDCRTIX.

### **3.3 | Decisions (Non-Sex Based Cases) Involving Employees as Respondents**

3.3.A | For a complaint against an employee, or third party, the Designated Administrator will review the investigation report and provide a draft decision to OGC for review within five (5) business days after receiving the investigative authority's report. OGC will coordinate with SECO and provide its review of the draft decision within five (5) business days to finalize the decision and provide it to the complainant(s), and respondent(s), and the investigative authority. In cases in which the allegations are substantiated, the final decision will be provided to the respondent's supervisor.

3.3.B | When the respondent(s) is an employee, both the complainant(s) and the respondent(s) may review a copy of the investigation report and exhibits, with admonishments regarding privacy, after the decision is rendered. The report will be redacted in accordance with state and/or federal law.

### **3.4 | Appeal of Decisions or Sanctions of Allegations of Sex Discrimination**

3.4.A | With respect to allegations of sex discrimination, including sexual harassment and sex-based misconduct, the Hearing Panel's decision and the sanction(s) imposed by the Hearing Panel can be appealed by the complainant(s) and/or the respondent(s), but only on the following bases, as applicable:

- i. A procedural irregularity that affected the outcome.
- ii. New evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome. The new evidence must be provided at the time of the appeal with the appropriate member appeals form.
- iii. The Executive Director of Civil Rights & Title IX, investigator(s), or decision-maker(s) had a conflict of interest, or bias for or against complainant(s) or respondent(s) generally or the individual complainant or respondent that affected the outcome.
- iv. The appropriateness or severity of the sanctions.

3.4.B | The appeal will be confined to a review of the written documentation and record of the investigation and/or hearing, and pertinent documentation regarding the grounds for appeal. The appeal does not create an entitlement to a new investigation or a full re-hearing. A request for an appeal must be submitted in writing, within five (5) business days to the EDCRTIX after the final decision and sanction have been issued.

3.4.C | Members must notify the other party in writing when an appeal is filed and implement appeal procedures equitably for both parties. Parties will be given three (3) business days to review the appeal and submit any written response in support of, or challenging, the outcome to the appellate authority.

3.4.D | If the respondent is an employee or third party, the appellate authority will provide a draft decision to OGC for review within five (5) business days after receiving the appeal(s). OGC will coordinate with SECO and provide its review of the draft decision within five (5) business days. The appellate authority will have five (5) additional business days to finalize the decision and provide it to the complainant(s), the respondent(s), and the investigative authority simultaneously, to the extent possible. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed. Circumstances may warrant extensions to the timeframes in this

section. The appellant authority should send extension requests, if needed, to the office, or individual(s) who appointed them. Both the complainant(s) and the respondent(s) must be notified of any extensions in writing.

3.4.E | For student cases, the appellant authority has ten (10) business days to reach the decision and provide it to the complainant(s), the respondent(s), and the investigative authority simultaneously to the extent possible. Appellant authorities are exempt from obtaining OGC review of the decision prior to issuance but may request assistance from OGC and SECO when needed.

3.4.F | The appellate authority may reach one of the following outcomes:

- i. Affirm the original finding and sanction.
- ii. Affirm the finding and modify the sanction.
- iii. Remand the case to a new officer for review.

### **3.5 | Appeals – Allegations of Discrimination Not Based on Sex**

3.5.A | Any employee disciplined pursuant to this regulation may appeal that action in accordance with System Policy 12.01, Academic Freedom, Responsibility and Tenure; System Policy 32.01, Employee Complaint and Appeals Procedures; System Regulation 32.01.02, Complaint and Appeal Process for Non-faculty Employees; and/or other system policies or regulations as appropriate.

3.5.B | Any student receiving a sanction of separation (expulsion or suspension) pursuant to this regulation may appeal the sanction in accordance with the member rule and/or code of conduct for student complaints.

3.5.C | Employees appealing sanctions issued pursuant to this regulation will receive an unredacted copy of the investigation report and exhibits, upon request, with admonishments regarding privacy.

3.5.D | During business hours, you are strongly urged to contact the Executive Director of Civil Rights & Title IX in Old Sub Building Room 108, or by phone (806) 651-3199.

3.5.E | In order to report an alleged violation of the Title IX Sexual Misconduct Policy, you may report directly to the EDCRTIX at (806) 651-3199, University Police Department at (806) 651-2300, or you may complete the online complaint form at: <https://apps.wtamu.edu/forms/complaint.php>.



## Part 4 | Residential Living Handbook

### 4.1 | Residence Hall Rights and Responsibilities

4.1.A | The University has some basic expectations that govern the special nature of interpersonal relationships in residence halls. These are reasonable expectations that students should have for one another while sharing space in the Residence Halls. The rights and responsibilities of students in the Residence Halls are as follows:

- i. Rights associated with living in the Residence Halls are:
  - a. To sleep in one's room free of noise and distractions during quiet hours.
  - b. Access to one's room and facilities during the duration of the academic term.
  - c. To feel secure against physical or emotional harm.
  - d. To host guests, when they will not disturb your roommate's right to sleep or study, and in adherence to all guest related procedures.
  - e. The right to privacy.
  - f. The right to redress complaints.
- ii. Responsibilities associated with living in the Residence Halls are:
  - a. To keep assigned room clean and free of prohibited items.
  - b. To keep common areas free of trash and personal items.
  - c. To avoid damaging assigned room and university issued furniture, and obligation to compensate the University for any damages incurred during stay.
  - d. To report work orders to hall staff immediately.
  - e. To know, understand, and follow all published community expectations and rules within each Residence Hall.
  - f. To report any concerning or prohibited behavior to hall staff immediately.

### 4.2 | Alcohol Containers

4.2.A | The possession of any alcohol containers within the Residence Halls is prohibited. Alcohol containers are defined as any container with alcohol in them at the time of purchase. This includes any alcohol containers used for decorative purposes.

### 4.3 | Animals

4.3.A | With the exception of fish (limited to a 20-gallon aquarium), those approved by the University and trained for work, or emotional support animals, residents are not allowed to keep animals or pets in the Residence Halls. Such authorization must be obtained in writing from the Office of Student Accessibility.

4.3.B | Fish: Aquariums must be unplugged, and all animals must vacate the Residence Halls anytime their owner leaves for longer than 3 days.

4.3.C | Approved Service Animals or Emotional Support Animals: Students who have obtained official approval from the Office of Student Accessibility to have a Service Animal or Emotional Support Animal in their Residence Hall are required to abide by the rules surrounding their ownership (see section 2.13.E of this Handbook). Owners are also expected to:

- i. Crate their animal when the owner is not present in the room.
- ii. Remove their animal from campus if the owner is gone for longer than 24 hours.

4.3.D | The use of university bathroom facilities to wash an animal is strictly prohibited.

#### **4.4 | Balconies**

4.4.A | No item should be thrown, pushed, dropped, or allowed to fall from any balcony. Residents should not spit, pour, or drop any materials, including liquids, from a balcony. Residents are not permitted to climb in, or out of, balconies. Residents must use doors to gain access to the balconies. No personal items can be stored on balconies (bicycles, chairs, grills, laundry, etc.).

#### **4.5 | Business Operations**

4.5.A | Babysitting, Hair Care/Salon, or running any other type of business is not allowed in the Residence Halls.

#### **4.6 | Candles and Incense**

4.6.A | In accordance with TAMU SAP 24.01.01.M7.02, candles, candle warmers, incense, oil lamps, and other devices which use an open flame (including potpourri pots) are prohibited in residence halls. This restriction applies to such items regardless of whether the item has been lit. Such items may be confiscated immediately by staff. Confiscated items will be disposed of at the end of each semester if they go unclaimed.

4.6.B | “Scentsy” or similar type products are permitted if it is Underwriters Laboratories (UL) or FM Global (FM) approved, and utilizes a light bulb. Anything that burns, or smolders, is not permitted. Confiscated items will be disposed of at the end of each semester if they go unclaimed.

#### **4.7 | Car Washing**

4.7.A | Residents may not wash vehicles in the campus parking lots.

#### **4.8 | Card Access System**

4.8.A | Residents are required to use their university issued identification card, or Buffalo Gold Card, to enter all residence halls. Non-residents will not be given access to residence halls. Convenience phones are located at the main entrance of each hall for guest use.

#### **4.9 | Chalking**

4.9.A | The use of chalk on any buildings is prohibited. Students are able to use chalk on campus, under the following conditions:

- i. The use of powdered, temporary chalk.
- ii. Chalking is only on the sidewalk or ground.

4.9.B | Any use of liquid chalk, non-removable materials, or use of profanity will be considered damage to university property and be adjudicated through Student Conduct.

#### **4.10 | Community Living**

4.10.A | For a community atmosphere to develop, each resident must show respect and courtesy towards each other. Residents must comply with noise reduction or other reasonable requests in a prompt and considerate manner. Disregarding the rights of others or creating circumstances that could jeopardize life, limb or property may be cause for contract termination and/or university disciplinary action. Examples include maintaining

cleanliness in common areas by removing all trash and personal items upon your leave, ensuring furniture does not create a tripping hazard or block routes of egress, and reporting damaged property or repairs needed to building staff immediately.

#### **4.11 | Cooperation with University Officials**

4.11.A | Your residence hall staff are University officials. Residents must immediately comply with any lawful directions from any University official. Verbal and/or physical abuse directed toward any University staff member will not be tolerated and violations may result in disciplinary action being taken.

#### **4.12 | Cleaning**

4.12.A | Residents are expected to keep their assigned room reasonable neat and clean at all times. The staff reserves the right to ask residents to clean their room for safety, health, or roommate concerns. Custodial services are not provided after a resident has moved into their room. Residents should report common area cleaning concerns to a staff member. Buff Hall residents are responsible for maintaining a reasonably neat and clean bathroom. Residents of Centennial Hall and Founders Hall are responsible for keeping their sinks reasonable clean. Food and trash attract insects, students who discover insect problems should report the problem to residence hall staff so that their rooms may be treated by a professional.

#### **4.13 | Damages or Theft of Property**

4.13.A | Theft: Unauthorized removal or stealing and/or attempted removal or stealing of property of a member of the University community or other personal or public property is prohibited. This also includes theft of services and/or misuse of another's property including, but not limited to, unauthorized use of another's property, unauthorized selling of subsidized tickets, and use of a forged parking permit. Please assist in protecting the community by reporting suspicious behavior and securing exterior and room doors.

4.13.B | Damage: Behavior that destroys, damages, or litters any property of the University of a University community member, or another institution, or of another person, on or off campus is prohibited under this rule. Residents are responsible for keeping the premises (room/hall) and their contents in good order, free from damage, both by themselves and their guests. Residents will be held accountable for any damage they cause in common areas, university property, and resident rooms.

4.13.C | Damage to, or littering on, University property is not permitted. Damage will be billed to individual or groups of residents as necessary and may also result in university discipline and/or criminal charges being pursued. Your assistance in properly utilizing the grounds outside the Department of Residential Living facilities is expected. This is best accomplished by avoiding large scale activities on the grounds during wet or rainy periods when the turf is likely to be damaged.

4.13.D | In situations where no individual can be held accountable for damages, the Office of Residential Living reserves the right to "group bill" all residents that may have been associated with damages. Each resident understands and agrees that they are responsible for the replacement cost for any insurance for loss or theft of personal items.

#### **4.14 | Decorations**

4.14.A | Pictures, posters, and other items used to decorate a student's room, are encouraged, as long as they do not create a health, fire hazard, or cause damage to the room. Residents may not make alterations to their room. Alterations could include but are not limited to nail or screw holes in walls, window frames and door frames, or installation of tile/carpet squares, adhesive carpet and painting, or plumbing devices. The alterations will be corrected by maintenance staff and the resident charged to return the room to its original condition.

4.14.B | No decorations may hinder use of or restrict access to hallways, breezeways, doorways, stairs, corridors, or fire safety equipment. No one should attach anything to or tamper with light fixtures, sprinklers or exit signs. Staff may remove decorations, and resident(s) may be billed for cleaning or damage.

4.14.C | To maintain compliance with Fire Safety rules, decorations may not take up more than 20% of the wall on which they are attached and must not cover or block access to emergency equipment such as fire alarm pull stations or notification appliances. Decorations may not be hung from the ceiling.

4.14.D | Appropriate adhesives: Residents may not nail or drill into the walls. Use of command strips is allowed; however, students are responsible for correct application and removal. If removal causes damage to the wall, cost will be assessed and charged to the student upon check-out.

4.14.E | Public View: All decorations visible through the window or on the door should be appropriate. Pictures and other materials that may be considered objectionable should not be displayed in areas that may be visible outside the student's room.

4.14.F | Painting: Residents are not permitted to paint any section of their Residence Hall room. Students will be charged for altering any portion of their room, and/or the cost of repainting.

4.14.G | Lights: Miniature holiday string lights, or rope lights, may be used year-round if: they are appropriately hung/attached to the wall, are Underwriters Laboratories (UL) or FM Global (FM) approved, and are plugged directly into the wall outlet, or approved surge protector.

4.14.H | Holiday Decorations: If students decorate their rooms for the holidays these guidelines must be followed:

- i. Trees and other greenery must be artificial and must have proof of flame resistance.
- ii. Fire alarm pull stations, fire extinguisher cabinets, smoke detectors, sprinkler heads, and exit signs must not be covered, and exits must not be impeded.

4.14.I | Street/Road Signs: Street/Road signs are considered the property of the respective government agencies where the sign is located and any inappropriate removal or possession by authorized individuals may result in judicial or legal action. Individuals possessing street/road signs may be requested to provide proof of ownership.

4.14.J | Wallpaper and Border: The use of wallpaper and/or border is not permitted within the Residence Halls.

#### **4.15 | Early Arrivals**

4.15.A | An Early Arrival is defined as a student who would like to move into on-campus housing earlier than the official opening/move-in date in their lease agreement/contract. Approval must be obtained prior to arrival and

move-in, and there is a fee assessed for each day they are living on campus before the official opening/move-in date.

4.15.B | Residence halls have an official date every semester when they open for occupancy. If a resident needs to arrive to move in before the official opening date, approval must be obtained. Once the resident has their assignment, they may apply to be an Early Arrival online by logging into myHousing Portal and clicking on Early Arrival Request.

4.15.C | All Early Arrivals must complete a mandatory Early Arrival Agreement prior to moving into their room and agree to abide by rules applicable to Early Arrivals.

#### **4.16 | Emergency and Safety Equipment**

4.16.A | Tampering, damaging, or inhibiting the use of emergency/safety equipment, including exterior Residence Hall doors is prohibited. Residents may not use emergency equipment for any purpose other than emergency use. This regulation includes, but is not limited to, fire extinguishers, heat and smoke detectors, exit signs, fire alarm pull stations, automatic door closures, and locked exterior doors. It is a violation to cover, hang items from, throw things at or tamper with sprinkler heads. Residents involved in such activities will be subject to disciplinary action and may be removed from University Housing.

4.16.B | Each student room has an evacuation map fixed to the backside of the door. This map is an essential safety measure and should not be removed for any reason. Removal of this material may result in restitution assessed to the student.

#### **4.17 | Exterior Door Locking**

4.17.A | The exterior doors with card access are always locked. Residents are expected to carry their keys and university identification card to gain access to locked halls. Propping of exterior doors and/or tampering with locks are considered serious security violations. Residents are expected to aid in maintaining the security of their hall. ID cards are never to be given to another person to gain entry into the hall. Residents involved in such activities may be removed from university housing.

4.17.B | “Tailgating” is defined as allowing another student, or individual, to enter the building ahead of, or behind you, without swiping their university identification card. Tailgating is prohibited. The card access system is in place for the a of residents of each building; allowing individuals to enter without swiping their ID puts the safety of the community at risk. Additionally, residents providing their ID card to a guest will be subject to disciplinary action.

4.17.C | Room keys and outside door keys will be issued to each resident at check-in. Outside door keys will not be issued to residents in halls with card access systems. If a key is lost or broken students are expected to report that information to a Residence Hall staff member as soon as possible. Students will be charged a minimum of \$200 per lost key (\$300 for Buff Hall, which requires a lock change of the main suite door and private room door). The room key charge will cover the cost of lock replacement and printing the new set of keys. Residents failing to return their keys at the time of check-out or during vacation periods will be charged the replacement fee. Excessive lockouts may result in disciplinary action, or fines. Duplication of university keys is prohibited. Possession of university keys other than those assigned is not permitted.

4.17.D | Tampering with a room lock to gain or prevent entry into a resident's room is strictly prohibited and may result in a facility-damage related assessment of lock and/or door handle assembly which can result in a resident being billed for damages. Room obstruction and/or lock tampering is a direct violation of the WTAMU Student Handbook and will result in disciplinary action.

#### **4.18 | Furniture**

4.18.A | Furniture must remain in its designated space. Students may not leave any type of furnishings or property outside of their room or in the hallway. No university property may be moved or taken from the hall without written authorization from the Hall Coordinator.

4.18.B | Room furnishings are to remain in the rooms at all times. Any damages incurred during an official occupant's stay in their assigned Residence Hall room may result in damage fees being charged at the time of check-out.

4.18.C | No university furniture should be moved to an outside or balcony location, as outdoor elements can damage the furniture.

4.18.D | University furniture is not to be altered or lofted. Students may be responsible for repair or replacement costs for damaged furniture.

4.18.E | When rearranging furniture, students should not block access to windows, air vents, air conditioning or heating units.

4.18.F | Lounge furnishings must remain in their designated areas. If lounge furniture is missing and attempts to locate it fail, the Department of Residential Living reserves the option to do a Residence Hall room search. Any such searches will be publicized at least 24 hours in advance. Students who are found in possession of public area furniture will be subject to university disciplinary action. Any lounge furniture not accounted for will be assessed as a group billing. Do not move lounge furniture.

#### **4.19 | Guests**

4.19.A | A guest is defined as a person who is not assigned to the room and/or hall they are visiting. Students living on campus are allowed to host guests in their rooms according to the rules outlined below. However, violating a roommate's right of entry into the room, or hindering a roommate's ability to study and/or sleep within their room is considered a violation of guest's privileges. Roommates have the right to deny guests. Guests are not to enter, or be present in a room, suite, or lobby area without their host being present.

4.19.B | Host Responsibilities: Hosts are responsible for the behavior of their guest(s) at all times and are obligated to inform the guest(s) of all university and Residence Hall rules. Any violation of rules or regulations by a guest may result in disciplinary action being taken against both the host and guest.

4.19.C | Overnight Guests: Overnight guests are visitors who will be staying past quiet hours. Overnight guests must be officially registered through Roompack (see instructions below). Overnight guests are allowed to spend the night in a student's Residence Hall room, if they have permission from all official occupants within that space. Guests may stay not longer than three (3) consecutive nights and no more than six (6) nights within a semester. Official occupants are students assigned to that room by the Department of Residential Living.



- i. Guest Registration: On-campus residents are required to officially register their overnight guests in Roompack. Contact Residence Hall staff for the link, the form will collect the following information: guest's full name, gender, permanent address, email, phone number, vehicle information (make, model, license plate number), date of arrival and date of departure.

4.19.D | Escorting Guests: Guests must be escorted by their host at all times within the Residence Halls. Guests are required to wait for their escort before proceeding to their host's room. Guests should be escorted completely out of their host's Residence Hall. Escorting must also take place in enclosed courtyards. Never escort anyone who is not your guest. Violating this policy will result in disciplinary action.

4.19.E | Visitation Hours: 24-hour visitation is permitted in the Residence Halls; however, this does not supersede the overnight guest policy or necessity of permission from all official occupants of the Residence Hall room.

#### **4.20 | Hall Sports**

4.20.A | Hall sports are prohibited within the Residence Halls. Hall sports are defined as activities involving projectiles, sticks, rackets, rope, and/or miscellaneous sports equipment inside the Residence Halls.

4.20.B | Darts/Dartboards: Due to the potential danger to both persons and property, darts and dartboards are prohibited in the Residence Halls, without permission from the Senior Director of Residential Living, or designee.

4.20.C | Projectiles: For reasons of health and safety, propelling devices such as rockets, paint guns, water balloons/launchers, catapults, slingshots, or any homemade device for the purpose of launching an object, are prohibited. Objects may not be thrown into or out of windows or off of balconies.

4.20.D | Rappelling: Rappelling off of any university building is prohibited.

4.20.E | Running/Roughhousing: Residents must refrain from running, rollerblading, skateboarding, skating, roughhousing, scuffling, use of water guns, use of scooters, use of motorized vehicles/cycles, throwing, bouncing, or kicking of objects in halls, stairwells, and other common areas.

4.20.F | Hover Boards: Hover boards are not allowed to be used, stored, or charged in any campus buildings including Residence Halls due to the significant fire hazard posed by these devices.

4.20.G | Water Fights: Water fights, water balloons, or any activities historically associated with water fights (throwing mud, rocks, or use of scalding water) are not allowed in or near the Residence Halls. Water shall not be thrown inside the hallways, onto or from balconies, stoops, or windows. Additionally, instigation or participation in such activities could result in disciplinary action and/or billing of damages.

#### **4.21 | Health and Safety Checks**

4.21.A | Health and safety checks occur a minimum of two times each semester and notification will be posted at least 48 hours in advance of the week the health and safety checks will take place. The purpose of these checks is to ensure student rooms are clean, free of prohibited items or damage, and all work orders have been reported to maintenance personnel. Residential Living staff are permitted to confiscate prohibited items found during these checks, and students may retrieve them upon notification from staff.

**4.22 | Identification**

4.22.A | All West Texas A&M University students are required to have their University ID (Buffalo Gold Card) in their possession at all times. Failure to identify yourself to a University staff member upon request is a violation of the WTAMU Student Handbook and Texas Education Code 51.209, and could result in disciplinary action.

**4.23 | Laundry, Ice, or Vending Machines**

4.23.A | Abuse of laundry, ice, or vending machines only aggravates whatever problem the machine may have and is prohibited.

4.23.B | Only residents of the hall are permitted to use laundry machines. Laundry machines are for residents' personal use only. Residents using machines for non-personal use may face disciplinary sanctions and have their laundry privileges removed.

**4.24 | Lost or Found Property**

4.24.A | The Office of Residential Living and its staff are not responsible for any student property left in residence hall rooms or public areas of residence halls. In the event that student property is left in residence halls after the housing contract period is over, the property will be removed at the owner's expense. Abandoned property will be stored for 30 days and then will be disposed of, donated, or turned over to UPD. Residential Living is not responsible for mailing/shipping personal property to residents.

**4.25 | Lounge Use**

4.25.A | Lounges are community spaces and are considered public areas. Lounges have been provided so that residents may study, work on class assignments, watch TV, hold community events, and visit with friends.

4.25.B | Lounges are not intended for such uses as sleeping, weekly club meetings, gaming or other such activities that dominate the lounge for long periods of time and prevent use by the greater community, unless they are Department of Residential Living sponsored. Please properly dispose of trash in these lounges.

**4.26 | Maintenance and Repair Request**

4.26.A | Maintenance requests or other room concerns should be reported to your Residence Hall Director or Area Coordinator in a timely manner through the Work Order form located in your myHousing Portal. For emergency repairs, contact a staff member immediately. If repairs are not completed to your satisfaction (within one week for regular repairs or within a day for emergencies), notify your Residence Hall Director immediately. It is helpful if you report maintenance problems early and with as much detail as possible. Maintenance personnel work between 8am and 5pm on weekdays and may not always be able to arrive at hours most convenient for students.

**4.27 | Minor Supervision and Endangerment**

4.27.A | Residents who host guests that are minors (under the age of 18) are responsible for proper supervision of their guest at all times. If minors are found without proper adult supervision, staff will make reasonable attempts to contact the parent or caregiver. The parent or caregiver should be prepared to show identification. If the parent or caregiver cannot be located, the University Police Department will be contacted.

4.27.B | Minors who are disruptive, display inappropriate behaviors or require excessive staff attention may be asked to leave.

4.27.C | All staff members are required to abide by the Texas reporting laws for abusive and neglectful supervision.

4.27.D | The Texas Family Code defines neglectful supervision as placing a minor in or failing to remove a minor from a situation that requires judgment or actions beyond the minor's level of maturity, physical condition or mental abilities.

#### **4.28 | Noise**

4.28.A | Sound carries easily. Voices, stereos, televisions and large indoor gatherings can often be heard next door, above and below you. Remember that while you have a right to listen to music of your choice, other residents have a right to sleep, study or listen to music of their choice without disturbance. You may be asked by other residents or staff to adjust the sound/noise level to reduce the disturbance to others around you. Please be considerate and flexible.

4.28.B | The playing of musical instruments is permitted within your room as long as it does not disturb others.

4.28.C | Quiet hours are maintained to help provide an atmosphere that is conducive to academic success and to promote an environment where individuals can learn from the experience of group living. The enforcement of quiet hours is the responsibility of each resident, with the assistance of the hall staff as needed. Each living area must observe quiet hours from:

- i. Sunday to Thursday: 10pm to 8am.
- ii. Friday and Saturday: midnight to 8am.

4.28.D | Each living area may vote to extend these hours. The Office of Residential Living reserves the right of final approval for such hours.

4.28.E | Quiet Hours During Finals: To help promote an intense study period, there will be 24-hour quiet hours in effect during final exams in all Residence Halls. Students remaining in the halls after their last final exam and alleged to be responsible for causing a disturbance may be required to leave the Residence Halls immediately.

#### **4.29 | Offensive Odor**

4.29.A | An offensive odor is any odor, or aroma, of such intensity that it becomes apparent and is offensive or disruptive to others. Any odor can become offensive when it is too strong. Some examples are perfume, air freshening spray, or large amounts of dirty laundry. Hall staff will address offensive odors when complaints are received. Residents identified as being responsible for the offensive odor will be asked to eliminate the cause of the odor.

#### **4.30 | Posting Notices**

4.30.A | There are bulletin boards located in or around all residence life facilities that are for use by the Department of Residence Life staff and other groups as approved by the department. If you would like to disseminate information through the use of these boards, please visit Residential Living located on the southwest corner of Centennial Hall, Monday through Friday between the hours of 8am and 5pm.

#### **4.31 | Prohibited Items**

4.31.A | Air Conditioners: For safety, and electrical concerns, no student may install an air conditioner or water cooler in their room. This includes portable air conditioning systems. Fans are permitted.

4.31.B | Appliances: Electrical appliances must be plugged directly into a wall outlet and are not permitted to be plugged into a power strip. Electrical appliances that are not allowed include, but are not limited to: heat lamps, camping stoves, ceiling fans, electric skillets or woks, griddles, “Insta-pot” or similar multi-cooker, pressure cooker, deep fryers, convection cooker, “George Foreman” type grills, any halogen torchiere lamp or lamps that use halogen bulbs, potpourri pots, hot oil popcorn poppers, hot plates, oven broilers, power tools, any appliance with an open coil, space heater, toaster ovens, or chest freezers. Allowed appliances include coffee pots, rice cookers, blenders, and crock pots.

4.31.C | Only university issued refrigerators and microwaves are permitted. The hall staff will confiscate unauthorized or misused appliances, and the individual(s) responsible will be subject to Student Conduct proceedings. If additional refrigerators or microwaves are medically needed, students can apply through the Office of Student Accessibility for special approval to have these items. It is the resident’s responsibility to seek approval for any appliance in question prior to bringing it on campus.

4.31.D | Electrical Power Strips: Multiple plug adapters and extension cords are not permitted under Fire Safety rules. When additional electrical outlets are needed, residents must use United Laboratories (UL) approved electrical power strips with built-in circuit breakers.

4.31.E | Extension Cords: Extension Cords of any type are not permitted in the halls. Only Underwriters Laboratories (UL), Electrical Testing Laboratories (ETL) or FM Global (FM) rated surge protectors are permitted. The UL/ETL/FM sticker on the surge protector must note “surge protected device.” They must be plugged directly into the wall. Those listed as “relocatable power taps” or otherwise are not permitted. Daisy chaining (connecting multiple surge protectors together) is a fire safety hazard and prohibited.

4.31.F | Electronic Transportation: Hover boards, electric scooters and other electronic transportation devices that contain lithium batteries may not enter the Residence Halls or any university buildings.

4.31.G | Heat Producing Devices: For safety and electrical concerns, no portable heating units, heat lamps, or light fixtures with halogen lamps are allowed within the Residence Halls.

4.31.H | Electric Power Tools: Electric power tools are not allowed in the Residence Halls, with the exception of those being stored for use of university property. Gas power tools are not allowed in the Residence Halls, even if they are not in use.

4.31.I | Waterbeds: Waterbeds are not permitted in any student room, due to safety and maintenance concerns.

#### **4.32 | Room Entry**

4.32.A | The University recognizes residents’ desire for privacy, particularly in the context of their group living situation, and will do all it can to protect and guarantee their privacy. However, the university, through the Department of Residential Living staff members, reserves the right to enter a resident’s room at any time for the following purposes:

- i. To determine compliance with all relevant health and safety regulations.
  - a. Health and Safety checks will be conducted routinely each semester.
- ii. To provide cleaning, maintenance work and/or pest control.
- iii. To conduct an inventory of university property.
- iv. To silence unattended loud alarms or music.
- v. If there is an indication of imminent danger to life, health and/or property.
- vi. If there is a reasonable cause to believe that a violation of university or housing rules is occurring.
- vii. To search for missing university property.

4.32.B | A room search by a designated Department of Residential Living staff member is possible but rare. For a search to take place, the conditions for room entry must exist. Permission for a room search is determined at the Associate Director of Residential Living level and above.

4.32.C | Items that violate university or housing rules will be confiscated. A room search by law enforcement officials must be accomplished through the use of a valid search warrant or with the explicit consent of the resident.

#### **4.33 | Solicitation**

4.32.A | Solicitation of commercial products or services within Residence Halls is prohibited. This includes but is not limited to solicitation/sales within student rooms, common areas, and entry areas (inside or outside) of the Residence Halls. If sales personnel approach you, do not allow them to enter your room and inform UPD, or your hall staff immediately.

#### **4.34 | Storage**

4.34.A | Residents cannot store personally owned property outside of their designated Residence Hall room, except for bicycles, which should be stored in designated areas.

#### **4.35 | Trash**

4.35.A | Trash totes are provided either inside or outside of each building for residents' trash disposal. Personal trash left in halls or in restrooms will be considered improper trash disposal and subject to disciplinary action. Please deposit personal trash in the totes.

#### **4.36 | Unauthorized Areas**

4.36.A | Student's paying the double room rate have access to one set of furniture (bed, desk, dresser, chair). Any student paying the double room rate who utilizes both sets of furniture or monopolizes the majority of the room's space may be found in violation of this rule and charged the private room rate by Residential Living.

4.36.B | Unauthorized areas include, but are not limited to, mechanical rooms, rooftops, opposite sex community restroom, another student's room without permission, tunnels/crawl spaces, etc. Students found in, or having been in, unauthorized areas, are subject to disciplinary action.

**4.37 | Vandalism**

4.37.A | Residents who remove, destroy, or deface any property or area related to the University or Residential Living (including vandalism of the elevators, ceilings, and grounds surrounding the buildings) are subject to disciplinary action and will be required to pay any damages, and any criminal charges as outlined by Texas law.

**4.38 | Windows and Window Screens**

4.38.A | Windows are not to be used as a room exit unless residents do so for emergency purposes. Window screens should not be removed. Residents will be charged for damage to screens and for the reinstallation of any removed screens. Throwing, hanging, or spitting objects from windows or balconies is prohibited. Excessive window coverings are not allowed (including paper or foil).



## Part 5 | Student Complaints & Appeals

### 5.1 | Complaints

5.1.A | Types of complaints may include, but are not limited to:

- i. General Complaints:
  - a. This form is administered by the Office of Human Resources/Payroll, which provides an entry point for any type of complaint. Complaints initiated through this general form are monitored by the Office of Human Resources/Payroll and then forwarded to the appropriate Vice President for process and resolution.
- ii. Discrimination:
  - a. West Texas A&M University students, employees, faculty, vendors, visitors, or others with an online method to file a formal complaint or report specific information related to an alleged incident(s) of discrimination, harassment, or retaliation can complete a Complaint Form located here: <https://apps.wtamu.edu/complaint/>.
- iii. Accessibility Accommodation:
  - a. Students with accessibility-related complaints may utilize this process. Students must demonstrate that they have made a good-faith effort to resolve the complaint with the parties involved. If the complaint is not resolved satisfactorily, the student may visit with the Assistant Vice President for Student Affairs. The Assistant Vice President may take up to five working days to determine an appropriate resolution. During this process, informal discussions will take place with all parties involved in an attempt to resolve the complaint. If no informal resolution is determined within five working days, the student may request the complaint be referred to the Accessibility Accommodations Appeals Committee. Recommendations of the Accommodations Appeals Committee will be forwarded to the University President for final approval and implementation. More information about this process can be found here: <https://www.wtamu.edu/student-support/student-accessibility/index.html>.
- iv. Civil Rights and Title IX:
  - a. In compliance with TAMU System Regulation 08.01.01, Civil Rights Compliance and WTAMU Rule 08.01.01.01.W1, Civil Rights Compliance, students can submit a complaint or report an incident through the online reporting form, found here: [https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=0](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=0). Upon receipt of a complaint that falls within the scope of Civil Rights or Title IX, the Civil Rights and Title IX Compliance Director (CRTIXCD) will assign the complaint for investigation. The complainant will be contacted by CRTIXCD to ensure safety, support, and be informed of the administrative process.

### 5.2 | Appeals

5.2.A | Certain departments require an appeal to resolve specific issues. The following offices have standard procedures for formal resolution of issues within their scope.

- i. Discrimination/Civil Rights and Title IX Appeals:
  - a. Students who have been found Responsible through the Title IX process may appeal the decision only on the basis of a procedural irregularity that affected the outcome, new evidence not

reasonably available at the time of the determination regarding responsibility or dismissal that could affect the outcome, the Title IX Coordinator, investigator, or decision maker can a conflict of interest or bias that affected the outcome, or to challenge the appropriateness or severity of the sanctions. This criteria is outlined in the Texas A&M University System Policy 08.01.01. The Appeal form can be found here:

[https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=4).

ii. Grade Challenges:

- a. Students wishing to challenge a semester grade can do so by following the established procedures outlined in section 1.12 of this Handbook.

iii. Academic Suspensions and Holds:

- a. WTAMU Rule 13.01.99.W1 outlines the University's procedure in regard to Academic Probation and Suspension for Undergraduate students. A student may appeal an Academic Suspension in accordance with the deadlines established by the Registrar and should complete the following form:

<https://www.wtamu.edu/files/docs/registrar/Request%20for%20Reinstatement%20After%20Serving%202nd%20Suspension%20Form%20May%2022%202020.pdf>.

iv. Student Conduct Appeals:

- a. Student(s) and/or student organizations who are found Responsible after a Formal Hearing in the Student Conduct process can appeal the determination using the steps outlined in 2.7.E.d Appeal Procedure. The Appeal Form can be found online at:

[https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?WestTexasAMUniv&layout_id=4).

v. Parking Citation Appeals:

- a. Students may appeal a parking citation within 20 days of their issued citation date and can do so through the University Police Department, Parking Services website. The appeal will be assigned to the next appeal hearing and will be reviewed by the Student Appeals Committee, which is comprised of judicial members from Student Government. More information can be found in the WT Parking Rules document, which can be found on the Parking Services webpage here:

<https://www.wtamu.edu/university-police/parking-services/index.html>.

### **5.3 | Grievance Process**

5.3.A | In the event a compliance or appeal is not resolved at the department level, it can be elevated to a formal grievance. The formal grievance process provides final authority to resolve any complaint or appeal. All parties must make a good-faith effort to resolve the complaint prior to the formal grievance procedure.

5.3.B | A formal grievance is defined as a complaint that has not been resolved at a department level through an informal process. The grievance process can be initiated directly with an appropriate academic or non-academic office. Grievances reported through the online Compliance Form are routed to the appropriate department to initiate the formal and applicable process.

5.3.C | The grievance process is resolved by the Student Grievance Committee. This committee is comprised of two tenured faculty drawn from a pool of members appointed by Faculty Senate, two students appointed by Student Government, and two staff members appointed by Staff Council. The chair will be a faculty or staff member from the committee, elected by the membership. Upon receipt of a grievance, the Executive Vice

President and Provost (EVPP) and the Vice President for Student Affairs (VPSA) will consult and appoint an appropriate committee from this pool.

#### **5.4 | Rule and Policy Resources**

##### **5.4.A | Resources:**

- i. Human Resources | HR Information – <https://www.wtamu.edu/business-finance/human-resources/index.html>
- ii. Residential Living: <https://www.wtamu.edu/student-life/residential-living/rl-handbook/index.html>
- iii. Texas A&M University System Policy Manual: <https://www.tamus.edu/legal/policy/policy-and-regulation-library/>
- iv. Office of Community Standards: <https://www.wtamu.edu/student-support/student-judicial-affairs/index.html>
- v. Parking: <https://www.wtamu.edu/university-police/parking-services.html>
- vi. WT Catalog: Search the applicable academic year here: <https://catalog.wtamu.edu/index.php?catoid=34>.

## **Part 6 | Propose Revisions**

### **6.1 | The Student Handbook Rule Revision Process**

6.1.A | The Student Handbook Committee is charged with reviewing proposals for revisions to the West Texas A&M University Student Handbook. Only current faculty, staff, or students may submit a rule change to the WTAMU Student Handbook.

6.1.B | Federal, state, and local education law updates, that directly impact the Student Handbook, will be posted to the Rule Additions, Changes, and Deletions page. If you would like to propose a revision to any WTAMU Student Handbook, please follow the steps below:

- i. Use the following link to access the Proposed Revision Form:  
<https://baseline.campuslabs.com/wtau/handbookrevision2526>.
- ii. Complete the form and submit.
- iii. The Student Handbook Committee will confirm receipt of the submission.
- iv. The committee will follow up with the individual once a decision on the revision has been made.

### **6.2 | Rule Additions, Changes, and Deletions**

6.2.A | Additions, deletion, and changes may occur over the course of the academic year. Significant revisions will be communicated through WT's Community Standards website.

## Definitions Section

**Alleged:** This role defines an individual who is believed to have broken a policy or rule.

**Arbitrary:** No reasonably factual basis for reaching the conclusion or taking the action.

**Assertion:** A contention or theory about the existence of some state of being. An assertion is established or disproved by information.

**Breach of Security:** Unauthorized access to information resources or information resources technologies and/or release of password or other confidential information related to computer security.

**Capricious:** Unpredictable and subject to whim.

**Chairperson:** An Office of Community Standards administrator who is authorized by the Vice President for Student Affairs or designee to take the lead role in conducting conferences when there is more than one person serving as a Panel and/or more than one Student Conduct Administrator present.

**Charge:** An allegation of a potential violation of the WTAMU Student Handbook. Charges are issued after a Student Conduct Officer has determined sufficient information exists to hold a conference to determine whether any student(s) has violated any rule(s).

**Classification:** A student's classification refers to the number of years they have been enrolled in higher education. This is measured by the number of college-level hours completed.

**College Integrity Committee:** The Appeal committee for Academic Dishonesty cases.

**Complainant:** This role defines an individual who submits a formal complaint against another party.

**Conduct Officer:** A University official authorized by the VP for Student Affairs or designee to collect information, initiate notification letters, articulate charges in conferences, present information to support charges, conduct meetings, and impose sanctions upon any student(s) found to have violated the Student Handbook.

**Conference/Hearing:** A process that provides an opportunity for an alleged student to respond to a specific charge or charges. The purpose of a conference or hearing is to determine responsibility and appropriate sanctions. Only information presented during the designated conference or hearing can be used to determine if there is a finding of responsibility.

**Consent:** Solely for the purposes of sexual misconduct, means clear, voluntary, and positive verbal or non-verbal communication that all participants have agreed to the activity. Consent must occur prior to or at the same time as the activity. Consent must remain clear, voluntary, and positive throughout the activity. Consent must be given for the current activity. The existence of a prior relationship or prior activity does not automatically ensure consent for current or future activity. Consent must be given by each participant involved. A person must be 17 years of age or older to be able to consent to a sexual activity if the other participant(s) involved are more than three (3) years of age older than that person. A person who is clearly or visibly incapacitated is not able to give consent to sexual activity.

**Controlled Substances:** Those drugs and substances whose possession, sale, or delivery results in criminal sanctions under the Texas Controlled Substances Act (Texas Civil Statutes, Article 4479-15), as well as substances that possess a chemical structure similar to that of a controlled substance (e.g., “designer drugs”).

**Credible:** Believable by a reasonable person.

**Day:** Means Monday through Friday during regular University business hours (8am to 5pm).

**Direct threat:** A significant risk of causing substantial harm to the health or safety of a student or other members of the University community that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations.

**Directory of Information:** Information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The University has designated the following items as directory information, thus they may be made public unless the student submits a request to withhold any or all of this information: the student’s name, UIN (Universal Identification Number), local address, permanent address, email address, local telephone number, permanent telephone number, dates of attendance, program of study, classification, previous institution(s) attended, degrees, honors, and awards received, participation in officially recognized activities and sports, and medical residence specialization (Health Science Center students).

**Education Records:** Any records (in handwriting, print, tapes, film or other medium) maintained by the University, an employee of the University or agent of the University that are directly related to a student.

**Emotional Support Animal:** Under TAMU System SAP 08.01.02.M0.02, an Emotional Support Animal is defined as any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability, as defined by the ADA.

**Expressive Activity:** Under WT Rule 08.99.99.W1, expressive activity means any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech.

**Faculty:** An individual holding a position in which the primary title includes the word “professor,” “lecturer,” or “librarian” regardless of other rank of appointment qualifiers associated with the title. Appointments with the word “dean” or “provost” with or without a specified faculty rank higher than assistant professor are normally tenured faculty appointments.

**Feral Animal:** Under TAMU SAP 08.01.02.M0.02, a feral animal is defined as a non-domesticated animal that is in or has reverted to an untamed state.

**Final Grade:** A grade assigned by the instructor at the end of the academic term. This does not include other grade designations of I, X, Q, W and NG.

**Fraud:** Any intentional act or omission designated to deceive others and resulting in the victim suffering a loss and/or the perpetrator achieving a gain (i.e., willful or deliberate act or failure to act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means). Fraud and fraudulent activities include, but are not limited to: theft of any university asset including money, tangible



property, time, trade secrets, and intellectual property; embezzlement; bribery/rebate/kick-back; misappropriation, misapplication, destruction, removal or concealment of university property; forgery, alteration, or falsification of documents and/or conflicts of interest.

**Full-Time Graduate Student:** One who is registered for nine (9) semester hours during a Fall or Spring semester, or eight (8) in a summer semester.

**Full-Time Undergraduate Student:** One who is enrolled in at least 12 semester hours during a Fall or Spring semester, or eight (8) in a summer semester.

**Hazing:** Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a registered student organization or student group (e.g., a club, athletic team, fraternity, or sorority) and causes or creates a risk above the reasonable risk encountered in the course of participation in the IHE or the organization, of physical or psychological injury.

**Hold:** A hold can be applied to a student's account, this would limit the person's ability to register for upcoming courses or receive a transcript from the University.

**Incapacitation:** The physical and/or mental inability to make informed, rational judgements. States of incapacitation include, but are not limited to sleep, unconsciousness, and brownouts or blackouts (where an individual is awake but is not forming memories). Where alcohol or other drugs are involved, incapacitation is defined with respect to how the substance consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgements.

**Information Resources:** The procedures, computer equipment, computing facilities, software and data which are purchased, designed, built, operated and maintained to collect records, process, store, retrieve, display, report, and transmit information.

**Intoxication:** Is either 1) not having the normal use of mental or physical faculties due to the introduction of alcohol or other drugs into the body; or 2) having an alcohol concentration of 0.08 or more. Penal Code, 49.01.

**Investigation:** The follow-through on a report to ascertain details and circumstances associated with the report. Investigations may result in charges, a form of alternative dispute resolution, or closure of the report. This determination is made at the sole discretion of the Office of Community Standards, responsible for the oversight of the Student Conduct process.

**Letter:** In the context of Student Conduct proceedings, a Letter is defined as the official notification sent to the student via the Office of Community Standards. This Letter will go to the students' WT email account and will require the student to sign in with their university credentials.

**Member of the University Community:** Any person who is a student, faculty member, staff, University official, or any other person employed by the University or by a company contracted to provide services for the University.

**Minor:** Is defined as a person who is under the age of 18 and does not possess the legal rights and responsibilities of adults.

**Non-Student:** An individual who has not been admitted into West Texas A&M University, or a former student that does not have a current or upcoming course schedule.

**Stray Animal:** Under TAMU System SAP 08.01.02.M0.02, a stray animal is defined as any domestic animal on campus that is not under physical restraint, i.e., leashed or caged, whether accompanied by a person or not.

**Student Organization:** Any number of people who meet any single or combination of the following criteria:

- Belong to a group whose members are primarily West Texas A&M University students including but not limited to academic, athletic, recreational, religious, performance, political, and social or similar groups.
- Have complied with the formal requirements for university recognition.
- Are advised by a university official whose position description designates them as an advisor.
- Are advised by a university official who has volunteered as an advisor; and/or
- Are otherwise considered by the University to be an organization.

**Pledge:** Any person who has been accepted by is considering an offer of membership from, or is in the process of qualifying for membership in an organization.

**Prejudicial:** Irrational attitude of hostility directed against an individual. This does not include hostility on the basis of any legally protected status that is addressed through Civil Rights violations.

**Preponderance of Evidence:** The greater weight of credible evidence submitted to the University. For a fact to be established by a preponderance of the evidence the judicial officer must find the fact is more likely true than not true.

**Respondent:** This role defines an individual who was named in a Formal Complaint submitted in reference to alleged misconduct.

**Retaliation:** Any adverse action taken against a person for making a good faith report of a violation of the WTAMU Student Handbook, and/or the law, or for participating in any proceeding related to the investigation or resolution of such report. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a decision of “Not Responsible” on the allegations. Retaliation does not include good faith actions lawfully pursued in response to a report. Violation of an interim, remedial, or protective measure will be considered retaliation.

**Sanction:** Responses or requirements given by the University to a student during adjudication in response to a violation of a rule. University sanctions include all items listed in Section 27 of this Student Conduct Code.

**Service Animal:** Under TAMU System SAP 08.01.02.M0.02, a Service Animal is defined as a dog that is individually trained to do work or perform tasks for a person with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting/protecting a person who is having a seizure. The provision of emotional support, well-being, comfort, or companionship does not constitute a work or tasks for the purposes of defining a service animal. Under certain circumstances, miniature horses may also be trained as a service animal and be permitted within university buildings, where reasonable.

**Service Animal in Training:** Under TAMU System SAP 08.01.02.M0.02, a Service Animal in Training is defined as a dog undergoing training by a trainer and/or their handlers. Under certain circumstances, miniature horses may also be trained as a service animal. For the purpose of this procedure, Service Animals in Training have the same rights and responsibilities as applicable to Service Animals.

**School Official:** A school official is a person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff), a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent), a person serving on the Board of Regents, or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.

**Significant Risk:** A high probability of substantial harm that is not just a slight increase, speculative or remote risk.

**Student:** All persons who have accepted their offer of admission, or who are taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies and who are either currently enrolled, were enrolled the previous semester, or are registered for a future semester. Persons who withdraw after allegedly violating the Student Handbook, or who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered students. In addition, persons who are living in University Residence Halls, although not enrolled in this situation, are subject to the rules outlined in their housing contract.

**Student Identification Cards:** More commonly called “Buffalo Gold Card” or “Buff ID”, a student identification card is the personal identifier issued to the student upon initial registration with the University.

**Student of Concern:** This role defines an individual who is exhibiting behavior outside the typical scope, which leads others to worry about their safety and/or wellbeing.

**Victim:** A role that defines an individual as a person who was negatively impacted by the actions of another.

**Waste:** Intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use or squandering of resources to the detriment of the organization. Waste also includes incurring unnecessary costs as a result of inefficient or ineffective practices, systems or controls.

**Wild Animal:** Under TAMU SAP 08.01.02.M0.02, a wild animal is defined as a non-domesticated animal living in its natural habitat.

**Withdrawal:** When a student is no longer enrolled in current or upcoming courses with the University.

**Witness:** This role defines an individual who witnessed the incident being reported.

### **Common Acronyms:**

AIC | Academic Integrity Code

BIP | Behavioral Intervention Plans

BIT | Behavioral Intervention Team

CIC | College Integrity Committee

CTW | Criminal Trespass Warning

DA | Designated Administrators

DSA | Division of Student Affairs

EDCRTIX | Executive Director Civil Rights and Title IX

EVPP | Executive Vice President and Provost

FERPA | Family Educational Rights and Privacy Act

OSA | Office of Student Accessibility

SOAB | Student Organization Accountability Board

SOAP | Student Organization Accountability Process

VP | Vice President

VPSA | Vice President of Student Affairs