

TEXAS A&M UNIVERSITY-TEXARKANA



STUDENT CODE OF CONDUCT

2025-2026

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Student Code of Conduct

Texas A&M University-Texarkana (TAMUT) strives to protect its educational community and to maintain social discipline among its students and student organizations. The University endeavors to foster the development of students who are ethically sensitive and responsible community members. The *Student* outline behavioral expectations of all TAMUT students. The online version of the *Code*. The *Code* is available at <https://tamut.edu/student-affairs/student-conduct/index.html> and will always reflect the most updated rules and procedures for students. Copies are available at the beginning of the Fall term for students to pick up in the Office of Student Life, University Center, room 125.

The Vice President of Student Life (VPSL) is responsible for the management of the *Code*. The *Code* is reviewed on an annual basis and may be printed upon request. Any approved changes that would have an impact on the current *Code* will be published online at <https://tamut.edu/student-affairs/student-conduct/index.html>. The University will attempt to keep students informed of all relevant changes to this document via students' Ace email account. Students are expected to check their Ace email account on a regular basis, and students will be held accountable for knowledge of these revisions. All communications regarding the *Code* and student conduct issues will be sent to the students' Ace email account.

Since students serve as representatives of the University, inappropriate behavior, whether occurring on or off campus, may, at the discretion of the University, be investigated and. Consistent with this purpose, reasonable efforts will be made to foster the personal and social development of those students who are found in violation of university regulations and/or local, state, or federal law.

Article I. Jurisdiction

The *Code* defines a process for the efficient adjudication regarding alleged misconduct by students enrolled at Texas A&M University-Texarkana. The *Code* establishes standards of behavior, both scholastic and behavioral, for the student body of TAMUT and their guests. The *Code* applies to all student conduct, on and off campus.

The online version of the *Code* is the official document regarding student conduct policies, procedures, rules and regulations. The online version of the *Code* supersedes all previous conduct codes, policies, or procedures regarding student conduct. TAMUT Office of Student Life is under the umbrella and oversight of the Vice President of Student Life's office. The Office of Student Life oversees the adjudication of all cases of student misconduct governed by the *Code*. Action taken by the Office of Student Life regarding the *Code* does not preclude actions in civil or criminal court. Similarly, actions in civil or criminal court do not preclude action by Office of Student Life under the *Code*. In addition, the University reserves the right to exercise jurisdiction for events or actions occurring off-campus.

In addition to the *Code* as implemented through the Office of Student Life, students are subject to all other policies, regulations, and rules of TAMUT and the Texas A&M University System, including but not limited to policies, regulations, and rules involving:

1. **Academic Misconduct:** Academic misconduct is a violation of the *Code* and is resolved through the processes managed by Academic Affairs. The Office of Student Life serves as a record keeper to provide context to other academic or conduct cases where this information of prior misconduct may be relevant.
2. **Financial Disputes:** Disputes over financial concerns or complaints about university rules and regulations regarding the payment of bills and loans may be resolved through the office or department where the dispute originated.
3. **Motor Vehicle and Parking Violations:** Violations of the University parking policy regarding Motor Vehicle and Parking Regulations are handled by the University Police Department.
4. **Contractual Obligations:** Violations of contractual obligations, unrelated to violations of the *Code*, between students and the University and/or its affiliates are handled by the appropriate University office.
5. **All TAMUT Housing** is owned and operated by TAMUT. Therefore, all residents of University Housing are held to the behavioral expectations set forth in the Residence Life Handbook and this *Code*. The Residence Life Handbook details specific expectations based upon this *Code*. Residence Life staff will document potential violations and forward reports to the Office of Student Life for investigation and potential adjudication. Sanctions for violations of the *Code* that occur within University Housing may impact a student's standing with the University.
6. **Civil Rights Violations:** Alleged violations identified in TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and any other supporting 08.01 regulations including allegations of sexual harassment and sex-based misconduct and all other alleged violations based on an individual's protected class, may be processed under TAMUT and TAMUS Civil Rights Compliance Process in conjunction with the Title IX Coordinator and/or Civil Rights Coordinator, when appropriate.
7. **Student Organizations:** Student organizations that violate the *Student Organization Guidelines* may be addressed simultaneously through an investigation and adjudication by the Office of Student Life as well as by their National Organizations, if applicable.

Article II. Definitions

For the purpose of this document, the following definitions will be utilized:

Note: For definitions relevant to the sex-based misconduct, please also refer to the Student Sexual Misconduct Process.

1. **Appellate Body** is any person(s) authorized by the VPSL or designee to consider an appeal of the outcome from a hearing body. A person serving as an appellate body may not have a conflict of interest or the appearance of a conflict of interest.
2. **Charge** is an allegation of a violation of the *Code*. Charges are issued after a Hearing Officer has determined sufficient information exists to hold a hearing to determine whether a student has violated the *Code*.
3. **Complainant** is the individual(s) who is alleged to have been subjected to discrimination.
4. **Conduct Hearing** is a proceeding before a hearing body in which an individual accused of a violation is presented with evidence of an alleged violation of the *Code* or TAMUS Policy 08.01, *Civil Rights Protections and Compliance*, and/or TAMUS Regulation 08.01.01, *Civil Rights*

Compliance, and has an opportunity to respond to the alleged violations, including the opportunity to present relevant information. Additional individuals may have the opportunity to present information relevant to the alleged violation(s).

5. **Consent** is clear, voluntary, and ongoing agreement to engage in a specific sexual act as defined in TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *any other supporting 08.01 regulations*.
6. **Discrimination** is a materially adverse action or actions that intentionally or unintentionally excludes one from full participation in, denies the benefits of, or affects the terms and conditions of employment or access to educational or institutional programs because of an individual's race, color, sex, religion, national origin, age, disability, genetic information, veteran status, or any other classification protected by federal, state, or local law as defined in TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *any other supporting 08.01 regulations*.
7. **Faculty Member** is any person employed by the University to provide academic instruction, educational supervision and/or engage in scholarly activities.
8. **Failure to Comply Hold** is a restriction placed on a student's account by the Office of Student Life which may prevent a student from registering, obtaining enrollment, withdrawing and/or receiving an official transcript.
9. **Good Conduct Standing** is when a student does not currently have outstanding sanctions due, is not on conduct probation, suspension or expulsion resulting from academic and/or behavioral misconduct.
10. **Hearing Body** is any person or persons authorized to determine whether a student has violated the *Code*, as defined in TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *any other supporting 08.01 regulations*.
11. **Hearing Officer** is a University official authorized to initiate charge letters, articulate charges in hearings, present information to support charges, to conduct and facilitate hearings, and to impose or communicate sanctions upon any student(s) found to have violated the *Code*.
12. **Incident Report** is a written or electronic report indicating that an individual or group may have committed a violation.
13. **Investigation** is a process used by a Hearing Officer or designee to ascertain details and circumstances associated with an incident. Investigations may result in charges, or dismissal of the case.
14. **May** is a term used in the permissive sense.
15. **Member of the University Community** is any person who is a student, faculty member, resident, University official, guest of the University, person employed by the University or employed on University grounds or off-campus sites, including personnel employed by vendors. A person's status in a particular situation shall be determined by the Student Conduct Officer or designee.
16. **Notice/Notification** is verbal communication, electronic mail, letter delivered in person or to on-campus property, or correspondence sent by mail, addressed to the addressee at the location shown in University records. The Office of Student Life presumes that students are receiving all communication sent to their official University email address and/or other means of communication provided to Office of Student Life by the student.

17. **Notice of Charge(s)** is a written or electronic statement identifying the accused, the specific violations(s) that has/have allegedly occurred, and a short summary of information leading to the charges. The primary method of disseminating information about charges is through the student's Ace email account.
18. **On-Campus** - Any grounds or building(s) under University control, this includes but is not limited to athletic facilities at Springlake Park and on the Texarkana College Campus.
19. **Off-Campus** -Any location not on Main Campus or at the athletic facilities listed in 18 where the location is under the control of the University and/or a University event is occurring. This may include locations of University sponsored clinicals, internships, service opportunities, conferences, etc.
20. **Premises** are a building or a portion of a building. The term includes any public or private driveways, streets, sidewalks, walkways, parking lots, parking garages, or other parking area.
21. **Preponderance of Information** is a standard of proof used by the hearing body to determine whether the violation was more likely than not to have occurred.
22. **Presenter** is a University official who was appointed to investigate and/or present a case to the hearing body on behalf of the University.
23. **Procedure** is the written policy of the University as found in, but not limited to, the *Code*, Housing Contracts and Residence Life Handbook Guidelines, Student Organization Handbook Graduate/Undergraduate Catalogs, University Rules and Procedures, and Texas A&M University System Policies/Regulations.
24. **Reporter** is any person(s) who submits information indicating that a student may have violated the *Code*. Information brought forth by the individual may result in an investigation. This individual may or may not be a complainant of the alleged violation.
25. **Respondent** is an individual who has been alleged to have committed a violation of the *Code* or engaged in discriminatory conduct as defined in TAMUS Policy 08.01, *Civil Rights Protections* and *Compliance* and *any other supporting 08.01 regulations*.
26. **Sanction** is an outcome imposed for the violation.
27. **Student** means all persons admitted for enrollment at or through the University, both full-time and part-time, pursuing undergraduate or graduate degrees (including those enrolled at TAMUT who are seeking degrees from other institutions, or those individuals who are enrolled at the time of a violation of the *Code*, and individuals on University premises for any purpose relating to registration for enrollment), as well as certificate and other educational programs. Individuals are still considered students for the purpose of this *Code* between academic sessions, until such a time that a student's degree has been awarded. Once enrolled, students with interruptions in active enrollment may be subject to this *Code* until the point at which the student is required by the Office of Admissions to reapply for enrollment. [Note: RELLIS students must also comply with the RELLIS Student Code of Conduct.]
28. **Student Organization** is a group comprised of any number of persons who have complied with the formal requirements for University recognition, registration, or departmentally supported.

29. **Title IX Coordinator** is the designated University employee who is entrusted with oversight of all Title IX compliance at the University.
30. **Title IX Investigator** is an administrator designated by the Title IX Coordinator to investigate Civil Rights complaints (this includes Title IX, sexual misconduct, etc.).
31. **University** means Texas A&M University-Texarkana.
32. **University Official** is any person employed or authorized by the University to perform assigned administrative or professional responsibilities.
33. **University Function** is any activity on or off-campus that involves the University or University resources.

Article III. Violations of the *Code*

The following acts or omissions to act may constitute violations of the *Code*. These sections are not all inclusive, and students are subject to additional rules and regulations of Texas A&M University-Texarkana. Students who attempt to undermine or exploit the *Code* may be charged under the code accordingly.

Student Conduct in Relation to Federal, State and Local Law

The Office of Student Life may issue *Code* charges against a student charged with a violation of the law. (e.g., one incident may result in a student being held liable in both a criminal and student conduct process/proceeding.) Proceedings under this *Code* may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of their status as a student. However, if the alleged offense is also the subject of a *Code* proceeding the University may advise off-campus authorities of the existence of the *Code process* and of how such matters will be handled by the University. The University will cooperate with law enforcement and other agencies in the enforcement of civil and criminal law on campus. Individual students, staff and faculty members, acting in their personal capacities, may cooperate with governmental agencies representatives as they deem appropriate.

Prohibited Conduct

The following actions, or the aiding, abetting, inciting of, or attempt to commit these actions, may constitute violations of the *Code*. Any student found to have committed, or to have attempted to commit, aided or incited the following prohibited conduct is subject to the conduct sanction(s) outlined in Article VIII of the *Code*.

Specific violations of the *Code* include, but are not limited to:

- ❖ **Academic Misconduct:** engaging in an act that violates the standards described in the *course syllabus* and other System and University documents. Any behavior specifically prohibited by a faculty member in the course syllabus or class discussion may be considered as academic misconduct. Additionally, possessing, using, buying, stealing, transporting, selling or soliciting in whole or in part items including, but not limited to the contents of an unadministered test, test key, homework solutions or possession at any time of current or previous test materials without the instructor's permission will be considered academic misconduct. The following charges are examples of specific violations of Academic Misconduct under the *Code*:

- a. *Cheating*: using, attempting to use, or acquiring unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise.

Examples:

- Copying from another student's paper or receiving unauthorized assistance during a quiz, test or examination.
- Using books, notes or other devices (e.g., calculators, cell phones, or computers) when these are not authorized.
- The acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
- Unauthorized collaboration on assignments or exams.
- Selling, giving or exchanging completed exams to a student who has not yet taken the test.
- Soliciting another individual to complete coursework or exams on the student's behalf.

- b. *Plagiarism*: presenting the work of another as one's own without proper acknowledgement of the source or reusing your own work without citation. This can include the use of Artificial Intelligence (AI) without citation, where permitted by the course instructor. An exception exists for information that is generally accepted as common knowledge.

Examples:

- Using another's work from print, web or other sources without acknowledging the source.
- Quoting from a source without citation.
- Using facts, figures, graphs, charts or information without acknowledgement of the source.
- Using a past assignment(s) the student has completed as a portion of a new assignment(s), without providing citation. Please note that without instructor permission this is also considered a multiple submission violation.

- c. *Multiple Submissions*: submission of the same work (including oral reports) for credit more than once without authorization for which the student submits the work.

Examples:

- Submitting the same paper for credit in two courses without the current instructor permission.
- Making minor revisions in a credited paper or report (including oral presentations) and submitting it again as if it were new work.

- d. *Collusion*: Helping or attempting to help another to commit an act of academic misconduct. This includes, but is not limited to, the unauthorized collaboration with another individual in progressing forward on academic assignments.

Examples:

- Knowingly allowing another to copy from one's paper during an examination or test.
- Distributing test questions or substantive information about the material to be tested before a scheduled exercise.

- Working with another student on a take home test or other academic assignments without permission from the instructor.
- Discussing the contents of a completed exam or other assignments with a student who will take the exam or complete the assignment in the future.

e. *Fabrication, Falsification, or Misrepresentation*: Altering or inventing of any information or citation that is used in assessing academic work.

Examples:

- Inventing, counterfeiting or omitting data and/or results such that the research is not accurately represented in the research record.
- Falsely citing the source of information.
- Altering the record of or reporting false information about the practicum or clinical experiences.
- Altering grade reports or other academic records.
- Deliberately furnishing false information about an academic integrity investigation.

❖ *Endangerment:*

- a. Committing any act of violence or bodily harm or intentionally communicating a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals
- b. Intentional, Negligent, or unintentional action(s) that directly or indirectly endanger the health, safety, or well-being of oneself or others.

❖ *Harassment*: Conduct that may be construed as rising to the level of a true threat, materially & substantially disruptive, or inciting unlawful activity that is sufficiently severe, pervasive, or persistent to unreasonably interfere with, deny or limit someone's ability to participate in or benefit from the University's educational programs, services and/or activities. For harassment based on a protected class, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and other supporting 08.01 regulations.

❖ *Stalking*: engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (a) fear for the person's safety or the safety of others; or
- (b) suffer substantial emotional distress. For the purposes of this definition:
 - a) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - (b) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - (c) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. [34 CFR 668.46(a)]

For stalking based on a protected class, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *other supporting 08.01 regulations*.

- ❖ **Retaliation:** Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege as a member of the TAMUT community because the individual has opposed a discriminatory practice, files a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation, nor does the filing of a mandatory report as required by Section 2.1 of TAMUT 08.01.01.H1. In addition, a University official who files a mandatory report or charges an individual with making a materially false statement in the course of an investigation has not engaged in prohibited retaliation. Aiding another in the commission of retaliation is also prohibited.

For retaliation based on a protected class, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *other supporting 08.01 regulations*.

- ❖ **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (a) The existence of such a relationship will be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

(1) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(2) Dating violence does not include acts covered under the definition of domestic violence.

[34 U.S.C. 12291(a)(10)]

Aiding another in the commission of dating violence is also prohibited. Dating violence is a form of sexual harassment or sex-based misconduct.

For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *other supporting 08.01 regulations*.

- ❖ **Domestic Violence:** A felony or misdemeanor crime of violence committed by:
 - a. a current or former spouse or intimate partner of the victim;
 - b. a person with whom the victim shares a child in common;
 - c. a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. a person similarly situated to the spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - e. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 U.S.C. 12291(a)(8)]

For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and *other supporting 08.01 regulations*.

- ❖ **Sexual Harassment:** A form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct; and 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; or (2) sexual assault or dating violence, domestic violence, or stalking based on sex. For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance and other supporting 08.01 regulations*.

- ❖ **Sex-based Misconduct:** Unwelcome conduct based on sex that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct is explicitly prohibited under the Code and TAMUS Civil Rights Regulation 08.01.01. Aiding another in the commission of sex-based misconduct is also prohibited under this regulation. Sex-based includes, but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking based on sex. For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance and other supporting 08.01 regulations*.

- ❖ **Sexual Assault:** An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent. These offenses are defined as:
 - **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of the victim's age or because of the victim's temporary or permanent mental incapacity.
 - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance and other supporting 08.01 regulations*.

- ❖ **Sexual Exploitation:** A situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking, invasion of sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct. For additional information, see TAMUS Policy 08.01, *Civil Rights Protections and Compliance and other supporting 08.01 regulations*.

- ❖ **Hazing:** Any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization, as defined by Texas Education Code 51 Chapter 37 Section 37.152.

The Stop Campus Hazing Act requires the reporting of statistics of hazing related to any person, regardless of status as student, who is subjected to the behavior, regardless of their willingness to participate, in activity that is (1) committed in the course of an initiation into, affiliation with, or the maintenance of membership in, a student organization; and (2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical participation necessary for participation in an athletic team), of physical or psychological harm. A “student organization” for the purpose of defining hazing is defined as an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

The term Hazing includes, but is not limited to:

- a. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
- b. Involves sleep deprivation, exposure to the elements, and confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- c. Involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by paragraph (e) that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- d. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code or
- e. Involves coercing as defined by Texas Penal Code 1.07, the student to consume
 - i. a drug; or
 - ii. an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Texas Penal Code Section 49.01.

The consent or cooperation of the hazing recipient, will not constitute a defense.

The University may charge an individual and/or the officers of a recognized organization with responsibility for the hazing act(s) occurring on and/or off-campus.

In addition to constituting a violation of the Code, hazing may also result in criminal liability under Subchapter F, Chapter 37 of the Texas Education Code. Subchapter F provides the definition of hazing and violations that constitute hazing, similar to the definitions and prohibitions within this Code, as well as potential penalties for organizations engaging in

hazing, and information regarding immunity from prosecution or civil liability under certain circumstances.

An individual who encourages hazing, permits hazing, or has knowledge of the planning of hazing incidents and fails to report this knowledge to the VPSL can also be found in violation of the prohibition of hazing.

Note: *Texas law provides any person who voluntarily (before being contacted by authorities) reports a specific hazing incident to the Dean of Students, University Police Department or other appropriate institutional official is immune from civil and criminal liability under certain circumstances stated in Section 37.155 of the Texas Education Code. Additionally, students are not immune if they report their own hazing behavior or reports an incident of hazing in bad faith or with malice.* Reports can also be filed online at <https://tamut.edu/student-affairs/student-conduct/index.html>

- ❖ *Concealed Handguns:* Any violation of University Rule 34.06.02.H1 or other federal, state, or local law regarding carrying concealed handguns on campus, including, but not limited to, display of the handgun, carrying in a prohibited area, leaving the handgun unattended, and/or possession of the handgun when its placement is not on your person.
- ❖ *Unauthorized Firearms, Weapons, and Explosives:* Intentionally, knowingly, or recklessly possessing a firearm, illegal knife or prohibited weapon on the physical premises of the University, except for firearms carried in compliance with University Rule 34.06.02.H1 and any applicable federal, state, or local laws, to include any buildings or passenger transportation vehicles owned, contracted, or leased by the University. Prohibited weapons include, but are not limited to, firearms carried in ways that do not comply with University Rule 34.06.02.H1 or federal, state, and local, federal laws, fireworks, pellet guns, bb guns, air-soft guns, tasers, stun guns, slingshots, martial arts devices, illegal knives, swords and clubs.
- ❖ *Fire and Safety:*
 - a. Improper use or possession of hazardous substances including, but not limited to, firearms, explosives, and propellant devices.
 - b. Knowingly, recklessly, or negligently setting or attempting to set an unauthorized fire on University property.
 - c. Creating a fire hazard that endangers the safety of persons or property.
 - d. False reporting of a fire.
 - e. Intentionally activating a fire alarm when no emergency exists.
 - f. Interfering with the response of University or city officials to emergency calls.
 - g. Misuse or removal of damage to or tampering with fire prevention or other emergency equipment and/or signage.
 - h. Use or possession of any electrical appliance that is not authorized.
 - i. Refusing to comply with fire alarm and fire drill procedures.
- ❖ *Drugs:*
 - a. Any of the following: knowing or intentional possession, purchase, use, manufacture, sale, distribution, being in proximity or being under the influence of any illegal drug(s).

- b. Improper or illegal use, knowing or intentional possession, distribution, sale, transfer, or manufacture of controlled substances; to include, but not limited to, prescription drugs.
- c. Knowing or intentional possession or being in proximity to any paraphernalia associated with the use and/or possession of any illegal drug(s) with the intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance.

Note: *The presence of any prohibited item in a location which is under a student's control, such as an apartment, residence hall space, backpack, purse, vehicle, or on your person may be considered possession.*

❖ **Alcohol:** Any of the following

- a. Knowingly or intentional possession, purchase, use, consumption, manufacture, sale, distribution, being under the influence or in proximity of alcohol and/or empty alcohol containers by anyone under 21 years of age.
- b. Providing alcoholic beverages to an individual who is under the age of 21.
- c. Any use or knowingly or intentional possession of alcohol and/or empty alcohol containers in on-campus housing.
- d. Behavior that may pose a health or safety risk or that causes a public or private disturbance based on alcohol use. Indicators of this may include slurred speech, loud and/or inappropriate behavior, loss of coordination, and/or glassy or bloodshot eyes.
- e. Knowingly or intentional possession or use of keg(s) or other congregant serving container in any building, facility or property under University control.

Note 1: *The presence of any prohibited item in a location which is under a student's control, such as an apartment, residence hall space, backpack, purse, vehicle, or on your person s may be considered possession.*

Note 2: *For information regarding the 911 Lifeline Law please see Article VI.*

❖ **Tobacco and Vaping Products:** Any of the following:

- a. Knowing or intentional possession, purchase, use, manufacture, sale, and/or distribution, of cigarettes or tobacco related products by anyone under 21 years of age*.
- b. Knowingly or intentional possession of any paraphernalia associated with the use and/or possession of any tobacco products by anyone under 21 years of age*.
- c. Any of the following: knowing or intentional possession, use, manufacture, sale, and/or distribution, being in proximity of vape devices, e-cigarettes or related devices and/or paraphernalia by anyone under 21 years of age*,
- d. The use of any tobacco or vape, e-cigarette, or related devices in any capacity on-campus per University Procedure 34.05.99.H1

Note 1: *The presence of any prohibited item in a location which is under a student's, such as an apartment, residence hall space, backpack, purse, vehicle, or on your person may be considered possession.*

***Note 2:** Any individual aged 18 and above with a valid active military identification card from the U.S. or state military forces is exempt from sections a. and b. above.

❖ *Throwing Objects:* Throwing objects out of windows, roofs, stairwells, balconies, etc. of any building on University property where there is a reasonable threat of injury involved.

❖ *Property:* Any of the following

- a. Unauthorized use, possession or removal of property from a designated area under the control of the University and/or its community members, guests or vendors.
- b. Unauthorized entry to property under University control. This includes, but is not limited to, entry into private offices, work areas, storage areas, individual residence hall rooms or any other place where an individual has a reasonable expectation of privacy without authorization. Additionally, no student shall remain in a University facility beyond its normal operating hours unless duly authorized by a University official. Damage, destruction, or defacement of property, including unauthorized painting or staining, that is under the control of the University, residences and/or any of its community members, guests or vendors.
- c. Unauthorized possession, duplication of or use of key, student ID cards, parking permits, etc.
- d. Unauthorized use of University property, facilities (including on campus housing), and resources to conduct business.

Note: *The maintenance and preservation of the resources of the University, including its grounds, academic buildings, residences, dining facilities, and other structures are obligations of all members of the Texas A&M University-Texarkana community.*

❖ *Theft:*

- a. Stealing services, products and/or food.
- b. Removal or knowing and intentional possession of property without permission or keeping items beyond permitted timelines.
- c. Passing a worthless check, money order, or counterfeit currency or the fraudulent use of credit card against the University or a member of the University community.

❖ *Technology Misuse:*

- a. Unauthorized access or use, misuse and/or abuse of computer equipment, technology, programs or data belonging to, or under the control of the University or any of its members or guests.
- b. Any attempted or successful transport, access or copy of programs, records and/or data belonging to, or under the control of the University or any of its members or guests without authorization.
- c. Any attempted or successful breach of the security of an account belonging to, or under the control of the University or any of its members or guests or to deprive anyone of authorized access to the University's computing resources.

- d. Using the University's computer resources for personal financial gain or in any way that violates System Policy or Regulation or University Rules or Procedures regarding Information Resources.
- e. Any unauthorized attempted or successful destruction or modification of programs, records and/or data belonging to, or under the control of the University or any of its members or guests.
- f. Copy, installation and/or use of any copyright material (e.g., books, software or data files) in violation of applicable copyrights or license agreements including, but not limited to, downloading and/or distributing music, movies, or any media using the University's information resources.
- g. Use of any University information resources that constitutes or results in a violation of the *Code, University rule or procedure, or law*.
- h. Accessing any university information resources using another individual's credentials or providing your credentials to another individual so that they may access University information resources.
- i. The use of Artificial Intelligence or Prohibited Technologies in ways that are in violation of any published Federal, State, System, or University regulation.

❖ *Information and Identification:*

- a. **Personal Misrepresentation:** Intentionally misrepresenting oneself and/or another either in person, verbally, in writing or through means of electronic communication, to obtain a benefit, to injure, or defraud.
- b. **Unauthorized Representation:** Purporting to represent the University or any of its organizations without specific prior consent of the respective officials to obtain a benefit or to injure or defraud.
- c. **Inaccuracy of Records and Information:** Intentionally falsifying, altering, forging, or misusing any University record or official document or knowingly supplying false or misleading information to University officials.
- d. **Registration Tampering:** Tampering with the registration or records of another student or one's own including, but not limited to, dropping and/or adding courses.
- e. **Election and Referendum Tampering:** Altering election or referendum information by tampering with the process or data conducted and/or collected by any University entity or recognized student organization.
- f. **Fabrication, Falsification or Misrepresentation Before a University Official:** Intentionally misleading a University Official regarding the nature of events, information, and/or the identity of any individual.
- g. **False reports:** Falsely reporting a crime, a conduct violation, and/or safety threat.

❖ *Failure to Comply:*

- a. Failure to follow the reasonable instructions given by any properly identified University official including residence life personnel and other partners of the University.
- b. Failure to present a student ID, state ID or other official photo identification upon request to a properly identified University official including residence life personnel.
- c. Failure to comply with any published University rules or procedures not otherwise addressed in the *Code*.

❖ *Breach of Peace:*

- a. **Disruptive Behavior:** Any action that impacts and/or interferes with the operations, processes and/or functions of the University or any of its members. This may include, but is not limited to disruption of learning, instruction, study, sleep or work. With regard to speech, only disruptions that are material and substantial may be punished. I recommended modifying for disruptive speech in order to comply with First Amendment principles.
- b. **Obstruction of University Activities:** Obstructing classes, research, administration, conduct proceedings, or authorized activities under the control of the University or inciting others to do the same.
- c. **Expressive Activity:** Any action that unduly interferes with an individual or organization's right to engage in expressive activities. For more information, please see University Rule 08.99.99.H1 on *Expressive Activity on Campus*.

❖ *Accessory Responsibility:*

- a. **Accessory to a Violation:** Aiding or abetting another individual in the commission of an offense as defined by the *Code*. A person may be charged under this section even if the individual originally accused is not charged or is found 'not in violation'.
- b. **Guest Responsibility:** Students may be held responsible for their guests' actions if they knowingly and intentionally commit actions that in violation of *the Code*. Students should always accompany their guests inside of controlled access campus spaces (i.e. residence halls, Patterson Student Center, etc).

Note: *Students may also be responsible for the activities that occur in their rooms and the shared living space in their on-campus housing. Students are expected to properly secure their living area(s) at all times. All assigned occupants of a room or suite may be subject to the same sanctions under the Code as the actual violators.*

❖ *Traffic Obstruction:* Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised activities.

❖ *Abuse of Student Conduct Proceedings:*

- a. Falsification, distortion and/or misrepresentation of information before a Hearing Body.
- b. Substantial and material disruption or interference with the orderly conduct of any student conduct proceeding.
- c. Attempting to discourage or influence an individual's proper participation in, or use of, reporting options and/or conduct proceedings.
- d. Attempting to influence the impartiality of a member of a Hearing Body or Hearing Officer.
- e. Harassment and/or intimidation of a member of a Hearing Body.

❖ *On-Campus Housing Violations:*

- a. **Restricted Behavior:** Behavior that is prohibited in Housing Contract and Residence Life Handbook.
- b. **Restricted Possession:** Possession of an item that is prohibited in Housing Contract and Residence Life Handbook.

- c. **Violation of Agreement:** Failure to adhere to the Housing Contract and Residence Life Handbook.

❖ *Violation of Privacy*

Accessing another individuals private information, private health information, educational record, photos or video, computer records, or other information without permission with or without the intent to distribute or otherwise utilize that information for personal benefit.

❖ *Animal Cruelty*

- a. The mistreatment of a domesticated animal through physical or emotional abuse, neglect, or abandonment.
- b. The mistreatment or harassment of wildlife on campus in any way. This also includes the disturbance of nesting sites.
- c. This does not include the legal conduct of catch and release fishing in University controlled bodies of water.

❖ *Unauthorized entry to bodies of water on campus*

- a. All wading, swimming, boating, and any other entry of natural bodies of water on campus is prohibited without prior administrative approval.
- b. Use of pool facilities located in residence halls is limited to the authorized use of the residents as outlined in the Residence Life Handbook. Use for University activities may be authorized for special events.

❖ *Other violations:*

Violation of federal, state or local law, occurring on or off campus.

Article IV. Authority

The Hearing Officer or designee shall determine the composition of the Hearing Bodies and Appellate Boards, in accordance with Article XIII and will determine which Hearing Body and Appellate Board shall be authorized to hear each case. To avoid the appearance of a conflict of interest, individuals on appellate boards should not report to individuals on hearing bodies. The Chief Student Conduct Officer/Hearing Officer or designee oversees the administration of the conduct program and procedural rules for the conduct hearings which are consistent with the provisions of the *Code*. Decisions made by a Hearing Body and/or Hearing Officer shall be final, pending the normal appeal process, when applicable. A Hearing Body may be designated as mediator of disputes within the student community in cases which do not involve a violation of the *Code*. If all parties wish to engage in mediation and mediation is permitted by TAMUT, all parties must agree to be bound by the decision with no right of appeal.

Article V. Parental Notification for Alcohol and Drug Violations

The VPSL office may notify parents/legal guardians of students who, during the time of the incident in question, were under the age of 21 and have been found in violation of the *Code*. This notification is only applicable if the violation(s) involved alcohol or illegal substances. This notification is permitted by the Family Educational Rights and Privacy Act, (as amended).

Article VI. Amnesty

1. **911 Lifeline Law:** In 2011 the Texas Legislature passed a law providing a partial amnesty program for individuals who are under the age of 21 and call 911 or 903-334-6611 on campus because someone might have alcohol poisoning. Texas A&M University-Texarkana holds student safety as the number one priority. In order to ensure that students can call for help when needed, The Office of Student Life may not issue charges for alcohol possession or consumption by a minor in certain circumstances. This amnesty may be applied when a student is the first person to contact emergency personnel (911 or 903-334-6611 on campus), remains on the scene until medical personnel arrives and fully cooperates with Emergency Medical Services (EMS) and law enforcement. Charges may still be filed if other code allegations and/or violations of law occurred.
2. **Amnesty for Students Reporting Sexual Misconduct:** Section 51.284 of the Texas Education Code prohibits institutions from taking any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being a victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violations by the student of the institution's code 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. A postsecondary educational institution may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith. Amnesty will not be granted to a student who reports the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking. For additional information please review the *Reporting and Investigation* subsection at <https://tamut.edu/title-ix/index.html>.
3. **Amnesty from Other Conduct Proceedings:** Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University may be offered amnesty for their minor violations. Educational options may be explored. However, if amnesty is granted no conduct proceedings or record will result. Abuse of amnesty requests can result in a decision by the VPSL not to extend amnesty to the same person for repeated requests.

Article VII. Student Conduct Proceedings

Unless stated otherwise, the student conduct proceedings will govern alleged violations of the *Code* which are investigated and adjudicated by the Office of Student Life. If the alleged Code violations involve sexual harassment or sex-based misconduct, then the student conduct proceedings will defer to the *Reporting and Investigation Process* which is investigated by the Title IX Office and adjudicated by specifically trained staff. Allegations of academic misconduct will be adjudicated through the appropriate academic department but may be documented in Student Life for record keeping and consideration in future conduct or academic misconduct incidents.

Initiation of Disciplinary Procedures:

- a. The University Conduct Officer or designee shall investigate reported student or organizational misconduct. The investigator will gather, evaluate, and assess the evidence for accuracy, credibility, and sufficiency. Investigations may proceed regardless of whether the alleged conduct also constitutes civil or criminal violations of law.

- b.** Upon receipt of a complaint, the accused student or organization will be required to meet with a conduct officer to discuss the allegations, the conduct process, rights and responsibilities, and possible outcomes and sanctions.
- c.** The initial meeting allows the respondent to review the allegations, ask questions about the Code of Conduct, and explore available options.

Notification

When a complaint is filed, notification is sent electronically to the respondent's official University email. Respondents are responsible for regularly checking this account.

- d.** The notification shall include:
 - i. A description of the alleged misconduct
 - ii. A citation of the relevant Code of Conduct standards
 - iii. A requirement for the respondent to schedule an initial meeting with the conduct officer within a specified timeframe
 - iv. The possible range of sanctions if the student or organization is found responsible for a violation of the Code of Conduct or other applicable TAMUT or TAMUS policy, regulation, or rule.
- e.** If contact cannot be made within the specified timeframe via email or phone, a written notice will be mailed to the respondent's address on record.
- f.** If the violation alleged has the potential to result in suspension or expulsion if the respondent is found to be responsible for the violation, the Conduct Officer, or designee, shall contact the Registrar's office to have the respondent's transcript held until the completion of the conduct process.

Due Process

- g.** The Office of Student Conduct shall ensure compliance with University policies and state and federal law.
- h.** Respondents have the right to sufficient notice of the allegations against them and an opportunity to respond.
- i.** If the allegations are disputed by the respondent, the respondent has the right to review all evidence considered by the decision maker. .

Interim Action

- j.** The Student Conduct Officer, or designee, may impose interim action if a student's presence on campus poses an immediate threat to the physical health or safety of any student or other individual after conducting an individualized assessment that is based on reliable objective evidence. , substantially and materially disrupts the academic process.
- k.** Interim actions may include restrictions or interim suspension.
- l.** A student involved in an active conduct process may remain in good standing with the University at the discretion of the Office of Student Life.

Support Persons in the Conduct Process

- m.** Respondents may have a support person present at all conduct meetings.
- n.** The support person may provide advice but may not speak on behalf of the respondent. Failure to comply may result in removal from the meeting.
- o.** Respondents may designate an attorney as a support person. The designation must be submitted at least 48 hours prior to the meeting. The University reserves the right to have legal representation present when an attorney is acting as a support person.

Informal Resolution

- p. Respondents may waive a formal process and resolve allegations through an information resolution process with the conduct officer through an administrative disposition. The University reserves the right to require a formal process if necessary.
- q. Administrative disposition applies when the respondent:
 - i. Does not dispute the allegations
 - ii. Accepts responsibility for the conduct
 - iii. Is not subject to suspension, dismissal, or expulsion
- r. If a violation is confirmed the respondent will be found responsible and assigned appropriate sanction through administrative disposition.
- s. A respondent resolving allegations through an administrative disposition may appeal only the assigned sanctions. The appeal process is outlined in Article XI.
- t. Respondents who do not participate in an administrative disposition will have the case resolved by the conduct officer based on available evidence.

Formal Conduct Hearing Process

In cases where a student is alleged to have violated the Student Code of Conduct and the circumstances warrant a formal resolution, the University may conduct a Formal Conduct Hearing.

a. Purpose

The purpose of the Formal Conduct Hearing is to:

- Provide a fair, impartial, and educational opportunity for the student to respond to allegations.
- Review relevant evidence and information related to the incident.
- Determine responsibility using a preponderance of the evidence standard.
- Assign appropriate educational and/or disciplinary outcomes if necessary.

b. Applicability

The Formal Conduct Hearing may be used in situations where:

- The alleged violation is more serious or complex than informal resolution allows, as determined by the Chief Conduct Officer.
- Outcomes may include probation, loss of privileges, suspension, or other significant sanctions.
- The student contests the allegations or the facts require further review.

c. Participants

- Judicial Officer (JO): A designated University staff member who facilitates the hearing, evaluates the case, and renders a decision.
- Respondent: The student alleged to have violated the Code of Conduct.
- Advisor (optional): The respondent may bring one advisor (e.g., faculty mentor, parent, attorney). Advisors may not speak on behalf of the student.
- Witnesses (if applicable): Witnesses may be invited to provide relevant testimony, as needed.

d. Hearing Notification

- The student will receive a Notice of Hearing at least five (5) business days before the scheduled hearing.
- The notice will include:
 - The specific code violations alleged
 - A brief summary of the incident sufficient to allow the respondent with the opportunity to fully respond
 - The date, time, and location of the hearing

- Information about student rights and the hearing process
- The range of possible sanctions if the respondent is found responsible for the alleged violation

d. Hearing Procedures

The hearing will proceed as follows:

- Introduction and Rights Review
The Judicial Officer will review the purpose of the hearing, explain the student's rights, and answer procedural questions.
- Presentation of Allegations and Evidence
The JO will summarize the alleged violations and present relevant documentation, including reports, statements, or media.
- Respondent Statement
The student may respond to the allegations, provide context, submit additional information, and address the presented evidence.
- Witnesses (if applicable)
Witnesses may offer brief, relevant statements at the discretion of the JO.
- Judicial Officer Questions
The JO may ask questions to clarify information or determine credibility.
- Closing Remarks
The student may make a final statement before the conclusion of the hearing.

f. Decision and Outcome

The Judicial Officer will determine whether the student is responsible or not responsible for each alleged violation using a preponderance of the evidence standard.

The student will receive a written outcome letter within three to five (3–5) business days of the hearing.

- The outcome letter will include:
 - The decision and rationale for whether the respondent was found to be responsible or not responsible
 - Any assigned sanctions and the rationale for any assigned sanctions
- Instructions on how to appeal

g. Student Right to Appeal

Students may appeal the outcome of the Formal Conduct Hearing within five (5) business days of receiving the decision letter. Reference Article XI for procedural guidelines for the appeals process.

- Appeals may be submitted on the basis of:
 1. Procedural error or conflict of interest that affected the outcome
 2. New evidence not available during the original hearing
 3. Sanctions that are clearly disproportionate to the violation
 4. Appeals will be reviewed by an Appeal Officer who was not involved in the original hearing.

Case Resolution Without a Formal or Informal Hearing

If a respondent fails to participate in the conduct process after receiving reasonable notice, the Conduct Officer may proceed with a review of the available evidence, make a determination of responsibility, and assign appropriate sanctions in the respondent's absence.

- u. Respondent will be notified of the decision and applicable sanctions, if any, in writing.

Article VIII. Sanctions

Sanction(s) may be assigned to a student after being found in violation of the *Code*. Failure to comply with assigned sanctions may result in *Code* violations, additional sanctions, and a registration hold may be placed on the student's account. The hold will remain on the student's account until sanction(s) are completed. (NOTE: Registration holds prevent students from registering for or dropping classes). Students found in violation of the *Code* may still be held accountable for financial obligations including, but not limited to tuition, fees, and housing.

The following considerations will be made in determining appropriate sanctions:

- The nature of the violation
- The student's role in the incident
- The impact on the University community
- Previous history of misconduct
- The student's current conduct status
-

The sanctions listed below are not exhaustive but merely serve as guidelines and may be levied in any combination.

1. **Education:** Involvement in educational activities designed to increase self-awareness such as self-directed research, online courses, referrals to campus resources, and any other assignments deemed appropriate.
2. **Conduct Warning:** A letter of reprimand stating the student violated the *Code* and indicating that any future violation of the *Code* will subject the student to further conduct proceedings, in which the original violation will be considered when determining the sanctions to be imposed.
3. **Community Service:** The location of the service must be approved by the Hearing Officer prior to any hours being completed.
4. **Restitution/Monetary Fine:** Payment for damage to University and/or campus housing property or fees imposed for behavior (significant and/or repeat incidents) which violate the *Code*. Monetary fines will be used for prevention programming and student leadership development. Restitution amounts are determined by the cost of materials to repair the item(s) damaged, including any labor needed to replace or restore the item(s).
5. **Restricted Access:** Restriction from entering certain designated areas and/or use of specific equipment or services as defined by the Hearing Officer for a specified period. Restriction may include, but is not limited to, access to a University owned, controlled or operated facility and/or services, academic related programs and/or opportunities, internships, access to on campus housing, participation in University-sponsored activities, or contact with a specified University community member(s).
6. **Conduct Probation:** A written reprimand that defines a student as "not in good conduct standing" for a specific period as a result of academic and/or behavioral misconduct. If a student is found in violation of the *Code* while under Conduct Probation, that student may be subject to additional sanctions than what would normally be imposed for the new offense alone.

7. **No Contact Order:** A directive in which a student may be temporarily or permanently prohibited from contacting another student, students, or other members of the campus community by any means (written, verbal, electronic, etc.). This includes attempts to make contact through a third party.
8. **Housing Eviction:** Permanent separation of the student from University on-campus residence facilities. A student who is removed from on-campus housing as the result of this sanction may be required to pay charges and fees that are owed as stipulated in the lease contract by University Housing.
9. **Suspension:** Temporary loss of the privilege of being enrolled as a student at Texas A&M University-Texarkana, for a definite period. Once the student is eligible to return, conditions for readmission may apply. Suspended students may not reside in on-campus housing and will be considered “not in good conduct standing”. Suspension will commence immediately following the denial of an appeal or failure to request an appeal by the communicated deadline, unless otherwise noted by the Hearing Body. Suspension due to conduct will be noted on the student’s transcript, see Article XII.
10. **Expulsion from the University:** Permanent loss of the privilege of being enrolled as a student at Texas A&M University-Texarkana. The student will be considered “not in good conduct standing.” Expulsion will commence immediately following the denial of an appeal or failure to request an appeal by the communicated deadline, unless otherwise noted by the Hearing Body. Expulsion due to conduct will be noted on the student’s transcript, see Article XII.
11. **Banned from Campus:** Prohibition from entering the grounds and/or facilities owned and maintained by the University, including on-campus housing facilities. Individuals who violate this sanction may be issued a criminal trespass warning, arrested, and/or have additional charges filed against them under the *Code*.
12. **Interim Suspension:** Refer to Article X for definition and procedural guidelines.

Student Conduct Sanctioning Matrix

This matrix provides general guidance to ensure consistency and fairness in the student conduct process. Sanctions may vary depending on the nature of the incident, its impact, and the student’s conduct history.

Category	Example Violations	Possible Sanctions (First Violation)	Possible Sanctions (Repeated/Severe)	Notes
Academic Integrity	Cheating, plagiarism, unauthorized collaboration	Educational workshop, warning, grade impact, reflection assignment	Probation, suspension, referral to academic affairs	Often coordinated with faculty or academic departments
Alcohol Violations	Underage possession, public intoxication	Online alcohol education, warning, probation	Parental notification, disciplinary	Escalates with repeated behavior or harm to others

			probation, suspension	
Drug Violations	Possession or use of illegal substances	Drug education, probation, loss of privileges	Suspension, removal from housing, expulsion	Distribution or manufacturing leads to stronger sanctions
Disruptive Behavior	Classroom disruption, excessive noise, refusal to comply	Warning, restorative meeting, reflection paper	Probation, removal from class or housing, suspension	Consider behavioral health or support referrals
Harassment or Bullying	Intimidation, stalking	Probation, no-contact order, educational project	Suspension, expulsion	Sanction varies by frequency, severity, and impact
Physical Violence/Threats	Fighting, assault, physical intimidation	Probation, behavioral contract, counseling referral	Suspension, expulsion	May require threat/risk assessment
Theft or Property Damage	Campus theft, vandalism	Restitution, community service, probation	Suspension, legal referral, housing termination	Consider value and intent
Sex based misconduct	Non-consensual contact, sexual harassment	Handled under Title IX process; possible interim measures	Suspension, expulsion	Must follow Title IX/sexual misconduct policy
Hazing	Forced activities, physical or emotional harm during initiation	Educational sanction, probation, suspension	Expulsion, student organization penalties, legal referral	Mandatory reporting may apply
Failure to Comply	Ignoring directives, failing to attend conduct meeting	Warning, registration hold, educational meeting	Probation, loss of privileges, possible suspension	Escalates with repeat behavior or interference
Misuse of Technology	Hacking, unauthorized access, cyberbullying	Warning, IT restrictions, probation	Suspension, expulsion, referral to IT and/or law enforcement	Refer to Acceptable Use Policy
Weapons on Campus	Possession of firearm or prohibited weapon	Immediate removal, referral to law enforcement, suspension	Expulsion	Must comply with state and federal law
Unauthorized Entry/Use	Trespassing, misuse of keys or ID cards	Warning, probation, restitution	Housing termination, suspension	Risk level determines severity

Retaliation (non-civil rights compliance related)	Against complainant or witness in a conduct case	Probation, no- contact directive	Suspension, expulsion	Serious threat to community integrity
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Sanctioning Guidelines:

- **Educational Emphasis:** First time violations often include reflective or restorative components. Whenever possible, sanctions should aim to educate and restore, not just punish
- **Consistency with Flexibility:** This matrix offers standard guidance but allows case-by-case judgment.
- **Progressive Discipline:** Repeat violations or more severe incidents may result in elevated sanctions. Sanctions are based on the severity of the incident, intent, impact, and conduct history
- **Due Process:** All students are entitled to a fair hearing and appeal process before final sanctions are enforced.

Article IX. Student Organizations

All students who engage in activity with any student organization are expected to abide by the governing documents as applicable. Texas State Law contains additional regulations within the Texas Education Code, sections 37.151 – 37.158 and section 51.936, which should be reviewed as well.

Should a student organization violate any of the listed prohibited behaviors in the *Code or the Student Organization Guidelines, the Residence Life Handbook, Fraternity and Sorority Life Handbook, the Intramural Handbook, or any other TAMUT or TAMUS policy, regulation, or rule, or an federal, state, or local laws*, the appropriate University official or Hearing Body may apply one or more conduct measures within the restrictions provided in the *Student Organization Conduct Process, the Student Sexual Misconduct Process, the procedure for Student Academic Misconduct Cases, or other TAMUT or TAMUS procedure if applicable* as determined by the VPSL or designee. Past misconduct is heavily considered when determining appropriate action.

Organization conduct sanctions shall not be made part of the individual student's record, but may become part of the student organization's record. However, students may be charged individually based upon their involvement in a Student Organization Conduct incident when an alleged violation of the *Code* or another applicable policy occurred. Those students may also be found in violation of the *Code* and subject to the appropriate sanctions.

Student organizations may face additional conduct actions from their national organizations, if applicable, which could include removal of recognition and/or charter revocation.

Article X. Authority and Procedures Related to Exigent Circumstances and Public Safety on Campus

The University may utilize either one of the following procedures to ensure the safety of members of the campus community and University property. The discretion as to which procedure to utilize rests solely with the University.

1. *Interim Suspensions*: Disciplinary sanctions or other actions that are not supportive measures may not be imposed on respondents prior to a determination of responsibility except in cases meeting the requirements for removal on an emergency basis. Removal of a student on an emergency basis will be determined by the VPSL or designee through an individualized safety and risk analysis and consultation with Title IX Coordinator, University Police Department, and other approved administrators as appropriate. If a student is removed, the student respondent must be granted a hearing within five (5) business days. The hearing authority for this purpose is the VPSL or designee.
 - a. Interim suspension may be imposed only:
 - i. If the student's presence on campus poses an immediate threat to the physical health or safety of any student or other individual after conducting an individualized assessment based on reliable objective evidence,
 - ii. If the student's presence poses an ongoing material & significant threat of disruption of the normal operations of the University.
 - b. During the interim suspension, a student may be denied access to University Housing and/or the campus and/or all other University activities or privileges for which the student might otherwise be eligible, as the VPSL may determine to be appropriate.
 - c. The University may impose an interim suspension without notice or hearing, if the notice and hearing follow as soon as practicable (but not less than three business days unless extenuating circumstances exist). The interim suspension does not replace the Student Conduct Process, which shall proceed on the normal schedule, up to and through a hearing, if required. After imposing an interim suspension, the student should be notified in writing (hard copy or electronic) of this action and the reasons for the interim suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why the suspension should be lifted (and at which they may contest whether a campus rule was violated.) An interim suspension shall not typically last longer than 10 class days.
2. *Maintaining Campus Order During Periods of Disruption*: The Texas Education Code (TEC §§ 51.231-.244) permits the president of a state University to suspend a student for up to 14 days during periods of disruption whenever the president believes there is reasonable cause to demonstrate the student has willfully disrupted the orderly operation of the campus and the student's presence on the campus will constitute a substantial and material threat to the orderly operation of the campus. The statute defines a period of disruption as "any period in which it reasonably appears that there is a threat of destruction to institutional property, injury to human life on the campus or facility, or a threat of willful disruption of the orderly operation of the campus of facility". If invoked, the statutory process will govern.

Article XI. Appeals

1. Cases which result in sanctions of restricted access, housing eviction, suspension, expulsion and/or banned from campus are eligible for appeal. Assigned sanctions will go in effect at the expiration of the appeal period.
2. A request for appeal must be made within five business days of the dated, written notification (hard copy or electronic) of the decision rendered during the student conduct proceeding. Any decision that does not receive a request for appeal within the designated timeline will be considered final and binding upon all involved.
3. Requests for appeals must be in writing, addressed and delivered to the Student Life Office in University Center Room 125 or via email to student.life@tamut.edu. Students must follow the appeal procedures including completion of necessary forms attached to the student's outcome letter.
4. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the following purposes:
 - a. **Procedure:** To determine whether the hearing was conducted in conformity with the prescribed process. Deviations from the designated procedure will not be a basis for sustaining an appeal unless substantial prejudice to the alleged violator or complainant can be shown.
 - b. **New Information:** To consider new information sufficient to alter a decision, not brought out in the original hearing because such information could not have been known to the alleged violator and/or complainant at the time of the original hearing.
 - c. **Conflict of Interest:** The Hearing Body or investigator(s) had, or appeared to have, a conflict of interest for or against a individual that affected the outcome,
 - d. **Sanction:** the severity of the sanction was inappropriate.
5. Once a request for appeal is received, appropriate parties will be notified of receipt of the appeal and provided a description of the next steps in the process. The Appellate Board will review all appeal requests along with all relevant materials regarding the case. Appeals may be heard within 5 business days from notification of the hearing outcome.
6. If an appeal request has been received before the communicated deadline, all assigned sanctions will be placed on hold until the outcome of the appeal has been decided by the appellate body.
7. If the Appellate Board overturns the decision or sanctions of the Hearing Body, the matter shall be returned to the original Hearing Body for re-opening of the hearing to allow reconsideration of the original determination. Upon rehearing, the outcome of the case may be overturned and/or if applicable a lesser, or a greater sanction may be assigned. If the Appellate Board upholds the decision of the Hearing Body, the matter shall be considered final and binding upon all involved. The Appellate Board may also choose to modify the sanctions imposed by the original Hearing Body. Appellate Boards may not impose sanctions that are greater than those previously assigned.

Article XII. Conduct Records

Conduct records are maintained by The Office of Student Life in the following manner:

1. Records included in the federally required Campus Safety Report may be purged seven (7) years after the student's last enrollment date.
2. Other records may be purged five (5) years following the student's last enrollment date.

NOTE: *The records may be retained permanently if the student was expelled, suspended, or blocked from reenrollment and/or in situations that may result in future litigation.*

These retention periods may change based on the Texas A&M University System, federal and/or state mandated requirements.

Disclosure of Records: Student Conduct Records may fall under the federal regulations described in the Family Educational Rights and Privacy Act (FERPA) (as amended). Accordingly, The Office of Student Life may only release conduct records in a manner consistent with FERPA

Transcript Notation: Transcripts of students with pending conduct investigations that could result in expulsion or suspension of one (1) semester or greater, will be held until the conduct process is complete.

When a sanction of suspension or expulsion is levied as a result of a violation of the *Code, TAMUT and TAMUS policies, regulations, and rules related civil rights violations, including sexual harassment and sex-based misconduct* a notation will be made on the student's academic transcript. The notation will differentiate between academic and conduct violations that led to the assigned sanction. The notation will also include the department responsible for issuing the separation. Finally, the notation will include the dates of separation from the University (if applicable).

Request for Transcript Notation Removal: Notations for expulsion, dismissal, and suspension of one (1) semester or greater will remain on student transcripts and may only be removed upon request by the student, if:

- (a) The student is eligible to reenroll in the institution (i.e., suspensions and dismissals only); and
- (b) The institution determines that good cause exists to remove the notation.

Requests for removal must be in writing and addressed and delivered to the VPSL in the Office of Student Life.

NOTE: For additional information see System Rule <http://policies.tamus.edu/11-99-02.pdf> *Conduct Requirements for Admissions Applications and Transcripts.*

Access to conduct records is provided in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974. A student may request their individual student conduct records via written request by emailing student.life@tamut.edu.

Article XIII. Hearing Bodies

The following are possible individuals or groups who may be assigned to adjudicate conduct hearings.

1. *Chief Student Conduct Officer:* The VPSL is the University Chief Student Conduct Officer and they or designee(s) shall have responsibility for the administration, implementation, and efficient coordination of the Code and will determine, on an individual basis, which appointee or group will adjudicate each case.

2. *Judicial Officer (JO)*: Hearing Officer(s) Student Hearing Officers have administrative responsibilities for assembling panels.

Article XIV. Students with Disabilities

Any student with a disability has the right to request reasonable accommodations in order to ensure full and equal participation in the conduct process. Students wishing to request reasonable accommodations should make those requests in advance (3 business days prior to the date that the request is needed) directly to The Office of Student Life. Students are not required to be previously registered with the office in order to request accommodations for the conduct process; however, review of supporting documentation of the disability may be required. The Accommodations are determined on an individual, case-by-case basis.

Individuals who utilize a Service Animals or Emotional Support Animals are encouraged to be familiar with the University Procedure regarding these accommodations. Service Animals, which are trained to do work or perform tasks for a person with a disability, are allowed anywhere on campus. Emotional Support Animals are only permitted, with approval, in Residential Life. More information can be found in the University Procedure 08.01.02, *Service and Emotional Support Animals on Campus*.

Article XV. Distance Delivery Methods

Students who do not reside in Texarkana during their conduct proceedings may request that meetings and/or hearings be held by alternative modes (e.g., telephonic, video conferencing). Requests must be made 3 business days in advance to be considered by the Hearing Officer. Determinations shall take into consideration benefits and burdens to the parties and the University.

At any time, the University may deem it necessary to host one or all the student's proceedings remotely via web or phone.

Article XVI. Interpretation & Revision

1. Any questions of interpretation regarding the *Code* shall be referred to the VPSL for final determination.
2. The *Code* shall be reviewed annually under the direction of the VPSL. The code may then be reviewed by TAMUT's President's Cabinet and the Office of the General Counsel at TAMUS. In keeping with normal University policy approval processes, the *Code* may, at the sole discretion of the University, be amended at any time. Any approved changes that would have an impact on the current *Code* will be published online at <https://tamut.edu/student-affairs/student-conduct/index.html>. The online version of the *Code* will always reflect the most updated rules and procedures for students.

Article XVII. Student Rights and Responsibilities

As members of the Texas A&M University–Texarkana community, students are entitled to certain rights and are expected to uphold corresponding responsibilities. These principles help ensure a campus environment that is respectful, safe, and conducive to learning.

Student Rights

Each student has the right to:

- Pursue an education in an environment free from unlawful discrimination.
- Privacy of educational and personal records as protected under FERPA and University policy.
- Freedom of inquiry and expression of protected speech
- Access University resources and opportunities that support academic, personal, and professional growth.
- Be informed of University rules, regulations, and procedures that affect their standing as students.
- Receive fair and impartial processes in cases involving alleged violations of University policies.

Student Responsibilities

With these rights come the responsibility to:

- Follow established University rules, policies, and the Code of Conduct, including compliance with constituted authority.
- Respect the rights and property of others, including students, faculty, staff, and the broader community.
- Protect and care for both personal and University property, including facilities, equipment, and public spaces.
- Be truthful in all communications and dealings with University officials and community members.