

ANGELO STATE UNIVERSITY

Student Handbook

2022-23



HOLD TRUE TO OUR
COMMITMENT.

ANGELO STATE UNIVERSITY

Student Handbook 2022 - 2023

Table of Contents

| | |
|---|-----------|
| FORWARD | 3 |
| General Purpose..... | 3 |
| Membership in the Angelo State University Community | |
| Angelo State University Mission | 4 |
| Angelo State University Vision..... | 4 |
| Angelo State University Values | 4 |
| PART I: Code of Student Conduct..... | 5 |
| SECTION A: MISSION AND POLICIES FROM THE OFFICE OF STUDENT CONDUCT AND THE OFFICE OF TITLE IX COMPLIANCE | 5 |
| SECTION B: PROCEDURES FROM THE OFFICE OF STUDENT CONDUCT FOR STUDENTS..... | 17 |
| SECTION C: PROCEDURES FROM THE OFFICE OF STUDENT CONDUCT FOR STUDENT ORGANIZATIONS | 44 |
| SECTION D: PROCEDURES FROM THE OFFICE OF TITLE IX COMPLIANCE | 60 |
| Part II: Community Policies | 95 |
| SECTION A: ALCOHOL POLICY & INFORMATION | 96 |
| SECTION B: ACADEMIC INTEGRITY..... | 96 |
| SECTION C: ANTI-DISCRIMINATION POLICY | 98 |
| SECTION D: CLASS ABSENCES..... | 99 |
| SECTION E: COMPLAINT PROCESSES..... | 100 |
| SECTION F: FINANCIAL RESPONSIBILITY | 103 |
| SECTION G: FREEDOM OF EXPRESSION..... | 104 |
| SECTION H: HOUSING REQUIREMENTS..... | 104 |
| SECTION I: GENDER-BASED HARASSMENT, SEXUAL MISCONDUCT, DISCRIMINATION AND TITLE IX POLICY AND COMPLAINT PROCEDURE | 107 |
| SECTION J: SOLICITATIONS, ADVERTISEMENTS, AND PRINTED MATERIALS..... | 107 |
| SECTION K: STUDENT IDENTIFICATION | 111 |

| | |
|---|------------|
| SECTION L: STUDENT INVOLVEMENT & REPRESENTATION | 111 |
| SECTION M: STUDENT ORGANIZATIONS | 113 |
| SECTION N: STUDENT RIGHT TO KNOW | 118 |
| SECTION O: STUDENT RECORDS..... | 119 |
| SECTION P: USE OF UNIVERSITY SPACE | 122 |
| SECTION Q: WITHDRAWALS..... | 127 |
| APPENDIX A: DEFINITIONS | 131 |
| APPENDIX B: SANCTIONING GRID..... | 136 |
| APPENDIX C: CAMPUS RESOURCES..... | 151 |

FORWARD

General Purpose

A University, like any community, must have regulations and/or standards by which its members abide and procedures by which its organization functions. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook and the *Code of Student Conduct* contained within are intended to serve these purposes in the interest of all segments of Angelo State University. Angelo State University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, masters, and doctorate degrees. Contact the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Angelo State University.

The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and/or policies. Enrollment requires students to share this responsibility. Students are responsible for knowing the information, policies and procedures outlined in this document. Students agree to abide by the standards, rules and/or policies set forth in this Student Handbook, the Undergraduate Catalog and other official University publications, as well as the [Texas Education Code](#).

Student organizations also agree to follow these standards, rules, and/or policies. The University or its representative may amend this document at any time without notice.

The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online for the updated versions of all policies and procedures. Students are also informed of changes to the *Code of Student Conduct* by electronic notification outlets and/or official campus publications. The Student Handbook was approved by the Board of Regents on August 10, 2018 to be effective Monday, August 13, 2018.

Membership in the Angelo State University Community

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

Mission, Vision and Values

Mission

Angelo State University provides highly competitive graduates to the global marketplace by delivering quality programs in a values-focused and student- centered teaching and learning environment.

Vision

By the end of this decade, ASU will be known as an innovative leader in driving educational cultural, and economic initiatives to meet the needs, face the challenges, and grasp the opportunities for our region, state, and the global community.

Values

- **Integrity | Integridad**
- **Diversity & Inclusion | Diversidad & Inclusión**
- **Significance | Impacto**
- **Community | Comunidad**
- **Commitment | Compromiso**

Each member of the Ram Family is part of our journey as we continue to build a [values-based culture](#) at Angelo State. NOTE: The Angelo State University Mission, Vision and Core Values will be added once they are approved by the Texas Tech University Board of Regents in the August 11, 2022 meeting.

PART I: CODE OF STUDENT CONDUCT

SECTION A: MISSION AND POLICIES FROM THE OFFICE OF STUDENT CONDUCT AND THE OFFICE OF TITLE IX COMPLIANCE

As a values-based community, Angelo State University believes our core values of **Integrity, Diversity & Inclusion, Significance, Commitment, and Community** are the success to achieving our vision and mission. The Ram Fam experience is founded on these values, and for our Rams and Rambelles to be successful at ASU, we embrace and promote the core values as a symbol of membership in our community. The quality of our Ram Fam experience, personal development, and a thriving campus community depend on our students' responsibility to uphold these values. The five values help to guide and inform our individual and organizational behaviors, interactions, and decisions in the Ram Fam.

New, continuing, and returning undergraduate, graduate, and professional students must uphold their responsibilities as a member of the Ram Fam and, as such, will be afforded all the rights and responsibilities as an ASU community member.

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

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

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

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

The processes outlined in *Code of Student Conduct* exist to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to

help them bring their behavior into accord with our community expectations and values. When a student is unable to conform their behavior to community expectations, the processes outlined in *Code of Student Conduct* may determine that the student should no longer share in the privilege of participating in this community.

1. Disciplinary Authority

The authority to enact and enforce regulations of the University is vested in the Board of Regents. The responsibility for enforcing the regulations and imposing penalties is delegated to the President of the University and any University officials the President designates. The Office of the President is the principal agency for the investigation and adjudication of Title IX cases while the Office of the Vice President for Student Affairs is the principal agency for the administration of student conduct and non-Title IX cases

The Executive Director of Student Affairs, the Director of Title IX Compliance/Title IX Coordinator (Title IX Coordinator), and the Director of Housing and Residential Programs shall implement the student discipline procedures. All references to the officials listed above shall be interpreted to include persons designated to act on their behalf.

The Executive Director of Student Affairs, the Title IX Coordinator, or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

a. *Student Conduct Officer/Investigator*

A Student Conduct Officer/Investigator is a trained University staff member whose role is to conduct a thorough, reliable, and impartial investigation of alleged violations of the *Code of Student Conduct*. In most cases heard by a University Hearing Panel, the Student Conduct Officer/Investigator will present the information and evidence obtained through the investigation to the Hearing Panel, which will make a determination of responsible or not responsible and assign a sanction. In cases unrelated to Sexual Misconduct or Title IX that are heard through the Administrative Hearing process or completed via an Informal Conference, the Student Conduct Officer/Investigator may render findings and issue sanctions.

Investigators are assigned to cases by the Executive Director of Student Affairs, the Title IX Coordinator, the Assistant Director of Student Conduct, or designee. Investigators are trained University full-time employees.

b. *Administrative Hearing Officer*

An Administrative Hearing Officer is a trained University staff member whose role is to make a decision of responsibility and assign sanctions, as appropriate in an Administrative Hearing. The Administrative Hearing Officer may be the Student Conduct Officer/Investigator who completed the Investigation/Investigation Report or an Administrative Hearing Officer assigned by the Executive Director of Student Affairs or designee.

NOTE: Administrative Hearing Officers are not used in cases involving allegations of violations to the Title IX and Sexual Misconduct policy.

c. *Title IX and Sexual Misconduct Response Team*

The Title IX and Sexual Misconduct Response Team are ASU faculty and staff members specifically trained about Title IX and Sexual Misconduct policies, offenses, investigation procedures, due process requirements, impartiality, conflicts of interest, informal resolution processes, and other state and federal laws that related to Title IX and Sexual Misconduct. Members of the team may serve as Investigators or Hearing Panel Members in cases related to Title IX or Sexual Misconduct

In Hearings involving Title IX Sexual Misconduct, the Title IX Hearing Officer will be one of the four members of the Hearing Panel and will serve as the Hearing Panel's chair. The Hearing Panel will be the decision-maker that objectively evaluates all relevant evidence and renders a determination regarding responsibility after the hearing.

The determination regarding responsibility will be made by a majority vote of the Hearing Panel. The Hearing Panel has the right and responsibility to ask questions and elicit information from parties and witnesses on its own initiative to aid in obtaining relevant evidence both inculpatory and exculpatory.

d. Hearing Panel

The Hearing Panel will conduct disciplinary Hearings. The Panel pool will consist of a trained pool of full-time faculty, full-time staff, and full-time students according to the following guidelines:

1. Hearing Panel Appointments

The Executive Director of Student Affairs or Title IX Coordinator will be responsible for assembling and training the hearing panel annually. The Hearing panel will consist of full-time members of the University community. The Office of Student Conduct and Title IX and Sexual Misconduct Response Team. Panel appointments will be made as follows:

a. Student Recommendations:

The President of the Student Government Association is invited to make recommendations for full-time student Conduct Panel members. Upon recommendation and review, three (3) full-time student members will be appointed by the Executive Director of Student Affairs or designee. To be eligible for appointment, students must be considered full-time students, be in academic and disciplinary good standing, and have completed at least 15 hours of academic credit with a cumulative GPA of at least 2.0.

b. Faculty and Staff Recommendations:

The Vice President of each division and the President are invited to make recommendations for full-time faculty and/or staff Panel members. Upon recommendation and review, three (3) full-time faculty and/or full-time staff members from each division may be appointed by the Executive Director of Student Affairs, Title IX Coordinator, or designee.

2. Hearing Panel Terms

Each member will be appointed for a single one-year term. Panel members may be re-appointed for consecutive one-year terms but must complete Hearing Panel training annually.

3. Hearing Panel Composition

For each Hearing, a Hearing Panel will consist of three (3) members chosen from the available pool by the Executive of Student Affairs, Title IX Coordinator, or designee. Typically, the Hearing Panel will be comprised of

one student, one faculty member, and one staff member. Availability may determine a different composition for the Panel. Typically, Hearing Panel will be comprised of one student, one faculty member, and one staff member. For a hearing involving charges for Academic Misconduct, the Executive Director of Students or designee will appoint three (3) Panel members consisting of only students and faculty. The Hearing Panel composition may include only professional faculty and/or staff members in cases involving sensitive issues.

For a hearing involving Sexual Misconduct, See Section D.,

4. *Removal of Hearing Panel Member*

The Executive Director of Student Affairs, Title IX Coordinator, or designee may remove a member from this Panel when, in his/her judgment, the member has failed or refused to effectively serve and perform the duties and functions of this Panel. Additionally, the Complainant or Respondent may request the removal of a Panel Member whose ability to be impartial is in question. The Executive Director of Student Affairs, Title IX Coordinator, or designee will review and approve or deny student requests for removal of a Panel Member.

5. *Resource Person*

The Executive Director of Student Affairs, Title IX Coordinator, or designee will appoint a Resource Person. The Resource Person serves as a non-voting member of the Hearing Panel and assures that University procedures are followed throughout each Hearing. The Resource Person is responsible for composing the Panel's decision, rationale, drafting the decision letter, providing clarification on policy and procedure, and providing clarification on appropriate sanctions if assigned.

6. *Hearings*

The Executive Director of Student Affairs, Title IX Coordinator, or designee will establish hearing dates and times during which cases will be heard.

7. *Panel Quorum*

A quorum for the Panel Hearing consists of three (3) members. An Alternate is typically appointed and prepared to serve if needed.

8. *Panel Deliberation*

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

9. *Additional Panel Members*

The Executive Director of Student Affairs, Title IX Coordinator, or designee may appoint additional members of the Hearing Panel to expedite the orderly disposition of cases and/or to aid in the administration of the

conduct process within the University. The additional members of the Hearing Panel will complete the same training, have the same composition of membership, the same duties, and the same authority as the original Hearing Panel member(s).

10. Panel Orientation and Training

Prior to serving on a Hearing Panel, members of the Hearing Panel will be required to participate in an orientation and training program facilitated by the Executive Director of Student Affairs and/or the Title IX Coordinator, or designee. Members are encouraged to attend additional trainings throughout their service on the Hearing Panel.

e. The Code of Student Conduct Review Committee

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

1. Committee Appointment

The *Code of Student Conduct* Review Committee members are appointed by the Vice President for Student Affairs or designee who will invite recommendations by the Faculty Senate, Staff Senate, and the Student Government Association.

2. Committee Composition

The *Code of Student Conduct* Review Committee will include a member from the following classes of Angelo State University community members:

- A Representative from the Office of Title IX Compliance
- Full-time faculty
- Full-time staff
- Full-time undergraduate student(s)
- Full-time graduate student(s)

3. Committee Removals

The Vice President for Student Affairs or designee may remove a member from this committee when, in his/her judgment, the member has failed or refused to serve and perform the duties and functions of this committee.

4. Committee Meetings

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

5. *Committee Quorum*

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

6. *Additional Committee Members*

The Vice President for Student Affairs or designee may appoint additional members of the *Code of Student Conduct* Review Committee to expedite the review process of the Code.

2. Jurisdiction

Students at the University are provided an electronic copy of the *Code of Student Conduct* annually in the form of a link on the Student Affairs website:

(<https://www.angelo.edu/current-students/student-handbook/>). Students are responsible for having read and abiding by the provisions of the *Code of Student Conduct*.

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

The *Code of Student Conduct* and the processes included therein apply to the conduct of individual students, both undergraduate and graduate, and all registered student organizations. For the *Code* to apply, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University.

The *Code of Student Conduct* applies to behaviors which occur on University premises, at University-sponsored activities and events, and may apply to off-campus behavior when the Vice President for Student Affairs, the Executive Director of Student Affairs, Title IX Coordinator, or designee determines that the off-campus conduct affects a substantial University interest, such as situations where a student’s conduct may present a danger or threat to the health or safety of him/herself or others; situations that infringe on the rights of other students; situations causing significant disruption to the educational community; or are detrimental to the educational mission of the University. Proceedings under the *Code of Student Conduct* may be carried out prior to, independent of, concurrent with, or following civil or criminal proceedings.

The University retains jurisdiction related to this *Code* over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student’s ability to re-enroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student’s degree or any other penalty that

may be deemed appropriate. The University reserves the right to address and adjudicate behavior of previously enrolled students when there is a continued University interest.

The *Code of Student Conduct* may be applied to behavior conducted online, via e-mail, or other electronic medium. This activity may fall outside of protected speech, and may, in some cases, constitute *Code of Student Conduct* violations. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are often not private. While the University does not typically search for this activity, it may be brought to the University's attention. If the activity rises to the level of a *Code of Student Conduct* violation, disciplinary action may be taken.

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

3. Notice

Notice is deemed to have been properly provided when written notification is sent to the student's official assigned Angelo State University e-mail address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University e-mail is the University's primary means of communication with students. Students are responsible for all communication delivered to their University e-mail address. Students will be given a reasonable amount of time to respond to requests to meet with University officials. Prescheduled meetings are scheduled around a student's published academic schedule and include the opportunity to reschedule in the event of unavoidable conflicts. Should a student wish to reschedule an appointment, he/she should contact the sender of the message in a timely manner. The University will make all reasonable efforts to accommodate student scheduling conflicts but will not permit unreasonable delays in the conduct process. After proper notice has been given to the student, the Student Conduct Officer/Investigator or designee may proceed with the conduct process. Should a student fail to comply with the requests of a Student Conduct Officer/Investigator or designee, the Executive Director of Student Affairs, the Title IX Coordinator, or designee may issue a "Failure to Comply" *Code of Student Conduct* allegation to the student. Students are advised to keep their most current local address, permanent address, and primary telephone number updated in the student records system at:

http://www.angelo.edu/services/registrar_office/registrar_forms.php.

4. Timelines

It is recommended that reports of alleged violations of the *Code of Student Conduct* should be reported as soon as possible after the alleged incident to initiate conduct procedures. There is no time limit on reporting violations; however, the longer someone waits to report an offense, the more difficult it becomes to obtain information

and evidence regarding the incidents. The Office of the Executive Director of Student Affairs will make every effort to complete the process as quickly as possible. Timelines may vary depending on the availability of individuals participating in the process, availability of evidence, delays for concurrent criminal investigations, breaks between academic semesters, and other delays.

The Grievance Process utilized for Sexual Misconduct will be concluded within a reasonably prompt timeframe of one hundred and twenty days (120) days. There may be certain circumstances that allow for limited extensions of this timeframe for good cause. For such extensions of time or delays, written notice will be provided to the Complainant and Respondent of the delay or extension and the reasons for the action. A Grievance Process that exceeds one hundred and twenty days (120) days, shall be reviewed by the University, and justification for the extended or delayed investigation must be documented. The Complainant, Respondent, and other persons deemed appropriate by the University will be provided an update on the progress of the Grievance Process after the review.

5. Standard of Evidence

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

6. Reporting Allegations of Misconduct or any Concerns Related to Student Behavior

To report allegation(s) of misconduct against student(s) or student organization(s), individuals should complete an online [Incident Reporting Form](#). The online reporting form can be utilized to report any behaviors of concern to the appropriate individuals at Angelo State University including but not limited to: potential violations of the *Code of Student Conduct*, reports to the Behavioral Intervention Team (BIT), concerns related to possible violations of Angelo State's Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy, academic misconduct, and any other concerns related to student behavior. For specific directions related to reporting allegations of Sexual Misconduct please see Section D: Procedures from the Office of Title IX Compliance.

When submitting an online report, please include as many details as possible, including name, CID, title, and contact information. Please note that submitting the report anonymously may greatly limit the institution's ability to address your concern. Upon receipt of this report, the appropriate Angelo State Administrator will review the matter and take proper steps to investigate, stop, prevent, and remedy prohibited conduct in accordance with Angelo State policies.

Individuals may also file a report in person with the Executive Director of Student Affairs or designee, located in Suite 112 of the Houston Harte University Center, or the Title IX Coordinator located in the Mayer Administration Building, Room 210. The Executive Director of Student Affairs, Title IX Coordinator, or designee regularly review reports submitted from the Angelo State University community, Housing and Residential Programs, University Police Department, and non-University community members.

As it relates to Student Organizations, leaders of organizations may self-report organization or member behavior that may be considered a violation(s) of Angelo State University policy. When an organization is able to quickly identify a concern, address it, and report it, the organization is less likely to be held responsible for behavior that may be a policy violation. The self-report allows the University, in conjunction with the student organization, to collect information, begin individual student conduct processes, and ensure that behavior has ceased and does not recur. When incidents are unreported by organizations and instead come to the attention of the University via a Complainant, the options for resolution are more limited. Self-reporting allows the University to work collaboratively with the organization to address the situation and can allow for lower-levels of sanctioning for misconduct. Sometimes organization leaders may become aware of organization or member activities that may result in violations of policy but have not occurred yet. In these cases, the organization leadership is encouraged to work directly with the Executive Director of Student Affairs or designee to intervene and address the concern. This type of pre-report has the highest likelihood of lowering the risk of potential conduct violations and sanctions for the organization. Organization leaders may self-report misconduct or potential misconduct by utilizing the online [Incident Reporting Form](#).

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

7. Confidentiality

Angelo State University is committed to ensuring confidentiality during all stages of the student conduct process. The confidentiality of the Complainant, the Respondent, the Reporting Party, any individuals who have sought guidance about this policy or have participated in an investigation or incident will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of misconduct, to protect the University Community, and to the extent allowed by law. Unless waived in writing by the individual, the identity of aforementioned individuals:

- a. Is confidential and not subject to disclosure under Chapter 552, Government Code; and
- b. May be disclosed only to:
 - i. University Employees or individuals under contract with the University to which the report is made who are necessary for an investigation of the report or other related hearings;
 - ii. A law enforcement officer as necessary to conduct a criminal investigation of the report;
 - iii. A health care provider in an emergency, as determined necessary by the University;
 - iv. The Respondent, to the extent required by other law or regulation and

- v. Potential witnesses to the incident as necessary to conduct an investigation of the report and to the extent required by other law or regulation.

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

However, because the University also has an obligation to maintain an environment free of Sex Discrimination and Sexual Misconduct, all University employees have mandatory reporting and response obligations and may not be able to honor a Complainant's request for confidentiality. The Title IX Coordinator or designee will evaluate requests for confidentiality. The willful and unnecessary disclosure of confidential information by anyone, including the Complainant or Respondent, may affect the integrity of the investigation.

Students may make confidential reports to the University Counseling Center. All Complainant Parties may also make confidential reports to local rape crisis centers, or to other licensed clinical and/or mental health professionals acting in their professional role of providing those services, including medical providers employed by the university. Information may be shared by the clinical and/or medical provider only with the Complainant's or Respondent's consent.

8. Anonymity

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

If the Complainant of an alleged incident of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking reported to the University requests the University not to investigate the alleged incident, the University may investigate the alleged incident in the same manner an anonymous complaint may be investigated. The University shall inform the Complainant whether the University will conduct an investigation. In determining whether to investigate the alleged incident, the University shall consider:

- a. The seriousness of the alleged incident;
- b. Whether the University has received other reports of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking committed by the alleged perpetrator or perpetrators;
- c. Whether the alleged incident poses a risk of harm to others; and
- d. Any other factors the University determines relevant.

9. Family Educational Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to:

- a. School officials with legitimate educational interest.
- b. Other schools to which a student is transferring.
- c. To comply with a judicial order or lawfully issued subpoena.
- d. To parents when there is a health or safety emergency involving the student.
- e. To parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure.
- f. To the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing.

Additional information on Student Records is available in The Student Handbook, Part II, Section O: (Student Records) or at: (www.angelo.edu/ferpa).

10. Student Organizations

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

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

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

11. Reporting Criminal Behavior

Some instances of student misconduct may also constitute a violation of state, federal, and/or local law. Students have the option to report misconduct to the University, to local law enforcement, or to both. Angelo State University administrators are available to assist students in making a report to law enforcement and will even accompany the student if he or she wishes.

See Section D.3 for more information on reporting Sexual Misconduct to law enforcement.

12. Amnesty

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

- a. Victims of or witnesses to misconduct who were engaging in policy violations, such as underage drinking or drug use at the time of the incident.
 - In investigations into matters of Actions Against Members of the University Community and Others, all involved parties may fall under this amnesty provision.
- b. Students who offer assistance to others by calling medical personnel or law enforcement.
- c. Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.

The University will not take any disciplinary action against a student who, in good faith, reports being the victim of, or witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the *Code of Student Conduct* occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the disciplinary process regarding the incident.

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

Abuse of amnesty provisions can result in a violation of the *Code of Student Conduct*. Amnesty does not preclude students from being charged with allegations of misconduct related to Part I, section B.1.b. (Actions Against Members of the University Community and Others). The *Code of Student Conduct* amnesty provisions do not impact criminal proceedings or charges. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling and alcohol assessments, but the final determination regarding amnesty will be made by the Executive of Student Affairs, Title IX Coordinator, or designee.

13. Withdrawal

The Complainant or Respondent who are the subjects of an alleged incident of sexual harassment, sexual assault, dating violence, or stalking will be allowed to drop a course in which they are both enrolled without any academic penalty.

A Responding Student facing an alleged violation of the *Code Student of Conduct* may have a hold placed on their transcript requiring them to contact the Executive Director of Student Affairs, the Title IX Coordinator, or designee to request permission to withdraw from the University. While a student may be permitted to withdraw from the University, the hold will remain on the student's transcript until all allegations are resolved. The investigation into alleged conduct violations may continue regardless of the student's withdrawal or choice to participate in the investigation. The institution shall expedite the disciplinary process as necessary to accommodate both the Complainant and Respondent's interest in a speedy resolution.

SECTION B: PROCEDURES FROM THE OFFICE OF STUDENT CONDUCT FOR STUDENTS

Upon notice of an alleged violation of the *Code of Student Conduct*, the Executive Director of Student Affairs or designee will appoint a Student Conduct Officer/Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather, and review information about the reported student misconduct and will evaluate the accuracy, credibility, and sufficiency of the information.

Incident reports will be forwarded for investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or the Complainant's statement. If it is determined that the information reported does not warrant an allegation, a Policy Clarification may be issued to the involved parties to clarify the policy that was in question.

When an initial report of misconduct by a third party does not identify the Complainant or the Complainant is not available, the Student Conduct Officer/Investigator will investigate the reported incident to the fullest extent of the information available.

When a Complainant is identified but is reluctant to participate in the investigative process and/or the student conduct process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing conduct action with respect to the named Respondent, the University will proceed with the student conduct process to the extent of the information available. If the Complainant does not want the University to pursue the report in any respect, the University will investigate

further only if there is reason to believe that a significant continuing threat to the campus community exists.

NOTE: The Executive Director of Student Affairs or designee may proceed with the conduct process (even if the Complainant[s] choose not to participate) on a case-by-case basis if the alleged behavior involves pattern, predation, threat, or violence (PPTV) that may significantly impact the campus community and others.

1. Misconduct addressed by the Office of Student Conduct

a. Academic Misconduct

Academic misconduct includes cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, violations of published professional ethics/standards, and any act or attempted act designed to give unfair academic advantage to oneself or another student.

Additional information about academic misconduct is available in the Angelo State University Part II: Community Policies section.

1. Cheating

- a. Copying from another student's academic work, test, quiz, or other assignment.
- b. Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.
- c. The use or possession of materials or devices during academic work, test, quiz or other assignments which are not authorized by the person administering the academic work, test, quiz, or other assignment.
- d. Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an un-administered test, test key homework solution, or computer program/software.
- e. Possession, at any time, of current or previous course materials without the instructor's permission.
- f. Obtaining by any means, or coercing another person to obtain items including, but not limited to, an un-administered test, test key, homework solution or computer program/software, or information about an un-administered test, test key, homework solution, or computer program.
- g. Transmitting or receiving information about the content of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority.
- h. Substituting for another person or permitting another person to substitute for oneself in order to take a course, take a test, quiz, or other assignment or sign in/register attendance.
- i. Taking, keeping, misplacing, damaging, or altering the property of the University or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.

- j. Falsifying research data, laboratory reports, and/or other academic work offered for credit.
- k. Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment.

2. *Plagiarism*

- a. The representation of words, ideas, illustrations, structure, computer code, other expression, or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials.
- b. The submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.

3. *Collusion*

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

4. *Falsifying Academic Records*

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

5. *Misrepresenting Facts*

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

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

6. *Violation of Professional Standards*

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

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

7. *Unfair Academic Advantage*

Any other action or attempted action that may result in creating an unfair academic advantage for oneself or may result in creating an unfair academic advantage or disadvantage for another student that is not enumerated in items 1-6 above.

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

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

1. *Disruptive and/or Obstructive Conduct*

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

2. *Harmful, Threatening, or Endangering Conduct*

Intentional or reckless behavior that harms, threatens, or endangers the health or safety of others., including but not limited to:

3. *Assault*

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

4. *Threats*

Any act or communication (written, oral, or otherwise) a reasonable person would interpret as a serious expression of intent to injure the health, safety, or property of a person(s) and/or inflict bodily harm upon a person(s).

5. *Intimidation*

An implied threat or act that causes a reasonable fear of harm.

6. *Bullying/Cyber Bullying*

Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of speech will not be considered violations of the *Code of Student Conduct*.

7. *Mutual Combat*

Any incident between two or more individuals in which violence or the threat of violence is mutual. NOTE: Claims of self-defense will be evaluated as a mitigating factor on a case-by-case basis and may still be investigated by the Office of Student Affairs.

NOTE: Information related to the freedom of expression policy is available in Part II, Section G.

8. *Hazing*

Intentional, knowing, or reckless act, occurring on or off the campus of the University, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose membership consists primarily of students. Consent and/or acquiescence by a student or students subjected to hazing is not a reasonable defense in a disciplinary proceeding. Hazing includes, but is not limited to:

- a. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
- b. Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as humiliation, sleep deprivation, exposure to the elements, confinement in a small space, personal servitude, calisthenics, or other similar activity.
- c. Any activity that involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by item 4 below, which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.
- d. Any activity that induces, causes, or requires the student to perform a duty or task that involves coercing a student to consume a drug, an alcoholic beverage, or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.
- e. Any activity in which a person solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing; intentionally, knowingly, or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred or may occur; witnesses or participates in a specific hazing incident, and knowingly fails to report the incident in writing to the Office of Student Affairs.
- f. Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates, or alumni of the organization of committing or assisting in the commission of hazing.
- g. Any activity that involves coercing a student to consume an alcoholic beverage, liquor, or drug, or creates an environment in which the student reasonably feels coerced to consume any of those substances.

NOTE: See [Texas Education Code](#), Sections 37.151-37.155 and Section 51.936.

NOTE: Discrimination, Discriminatory Harassment, and Retaliatory Discriminatory Harassment will be addressed by the Special Assistant to the President and Title IX Coordinator in conjunction with the Chief Diversity and Inclusion Officer. The process of resolving complaints is outlined in [ASU Operating Policy 16.02 Non-Discrimination and Ant-Harassment Policy and Complaint Procedure](#).

9. *Discrimination*

Conduct directed toward an individual that subjects the individual to treatment that adversely affects their employment or education because of their race, color, religion, national origin, sex (including pregnancy), age, disability, protected veteran status, genetic information, sexual orientation, gender identity, or gender expression.

10. *Discriminatory Harassment*

Conduct based on a student's race, color, religion, national origin, sex (including pregnancy), age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics, when such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's education or creating an intimidating, hostile, abusive, or offensive educational environment. Examples of inappropriate behavior include, but are not limited to, the following, if related to an individual's protected category, class or characteristic:

- a. Derogatory, disparaging, or disrespectful remarks, comments, slurs, or jokes about a particular person or protected category, class, or characteristic of persons based on, about, or because of a protected category, class, or characteristic;
- b. Display of explicit or offensive posters, pictures, drawings, cartoons, calendars, correspondence, digital or broadcast content (including images, videos, or audio), or any other physical, digital, or multimedia materials in any form that reflect disparagingly upon a category, class, or characteristic of persons or a particular person in a protected category or class;
- c. Loud or angry outbursts or obscenities in the workplace directed toward a member of the University Community;
- d. Disparate treatment without a legitimate business reason; or
- e. other threats, discrimination, hazing, bullying, stalking, or violence.

11. *Retaliatory Discrimination or Harassment*

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

12. *Complicity or Knowingly Present*

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

NOTE: Actions involving free expression activities are covered in Part II: Community Policies, Section H (Freedom of Expression).

c. *Alcoholic Beverages*

1. Use, possession, sale, delivery, manufacture, or distribution of alcoholic beverages that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.
2. Being under the influence of alcohol and/or intoxication as defined by federal, state, local law, and/or Angelo State University policy.

d. *Narcotics or Drugs*

1. Use, possession, sharing, furnishing, sale, delivery, manufacture, or distribution of any narcotic, drug, and/or prescription medications contrary to a valid prescription, chemical compound, or other controlled substance or drug paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.
2. Possession of drug-related paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.
3. Being under the influence of narcotics, drugs, prescription medications contrary to a valid prescription, chemical compound, or other controlled substance, that would constitute a violation of any federal, state, local law, and/or Angelo State University policy.

e. *Smoking/Vaping/Tobacco*

Smoking, vaping, or use of smokeless tobacco products in unauthorized areas on University property as designated by the Angelo State University [Smoke/Tobacco-Free Environment policy \(OP 34.23 Smoke/Tobacco-Free Environment\)](#).

f. *Firearms, Weapons, and Explosives*

Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, Tasers, or explosive or noxious materials on University premises that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. ([University Operating Policy 02.10 Concealed Carry of Handguns on Campus](#)).

NOTE: See RESIDENCE HALL HANDBOOK (Housing and Residential Programs webpage/Living on Campus/Current Students/Documents/Rates) for specific approved devices allowed in the residence halls.

g. Flammable Materials/Arson

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

h. Theft, Damage, Littering, or Unauthorized Use

1. Attempted or actual theft of property or services of the University or of another.
2. Possession of property known to be stolen or belonging to another person without the owner's permission.
3. Attempted or actual damage to property owned or leased by the University, by other University students, other members of the University community, or campus visitors.
4. Littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University, by other University students, other members of the University community, or campus visitors.
5. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, OneCard account information and/or personal check, or other unauthorized use of personal property or information of another.
6. Alteration, forgery, or misrepresentation of any form of identification.
7. Possession or use of any form of false identification, not belonging to the student or used for the purpose originally issued.
8. Failure to meet financial obligations owed to the University, or components owned or operated by the University, including but not limited to, issuing payment to the student's financial account from accounts with insufficient funds.
9. Selling items including but not limited to: stolen items, student identification cards, and/or any item which may be used as a form of false identification.

i. Gambling, Wagering, Gaming, and/or Bookmaking

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

j. False Alarms, Emergency Equipment, and/or Terroristic Threats

1. Intentional sounding of a false fire alarm, falsely reporting an emergency in any form, and/or filing false police reports.
2. Destruction or activation of fire sprinklers or improperly possessing, tampering with, or destroying fire equipment or emergency signs on University premises.
3. Threats to commit any offense involving violence to any person or property with intent to:
 - Cause a reaction of any type to the threat by an official or volunteer agency organized to deal with emergencies;

- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the University Community has access, place of employment or occupation, University automobile, or other place of use to the University Community;
- Cause impairment or interruption of University communications, University transportation, or other University service; or
- Place the University in fear of serious bodily injury.

k. Unauthorized Entry, Possession, or Use

1. Unauthorized entry into or use of University premises or equipment including another student's room.
2. Unauthorized possession, use, duplication, production, or manufacture of any key or unlocking device, University identification card or access code for use on University premises or equipment.
3. Unauthorized use of the University name, logo, registered marks, or symbols; however, registered student organizations are permitted to use the complete statement "a registered student organization at Angelo State University."
4. Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University.

l. Failure to Comply

1. Failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties.
2. Failure to present student identification on request or identify oneself to any University official acting in the performance of his or her duties.
3. Failure to comply with the sanctions imposed by the University under the *Code of Student Conduct* or the Student Handbook.

m. Abuse, Misuse, or Theft of University Information Systems

Unauthorized use of University information systems is prohibited and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the *Code of Student Conduct*. Use of Angelo State University information systems may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information systems is also subject to Information Technology policies ([OP Section 44](#)), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information systems includes, but is not limited to, the following:

1. Unauthorized use of University information systems including, but not limited to, private information and passwords, including the unauthorized sharing of private information or passwords of individuals who otherwise have no authority to access University information systems.
2. Use of University information systems for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual

unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).

3. Using University information systems to violate Part I, Section B.2. (Actions Against Members of the University Community and Others).
4. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Angelo State University information systems, compromising the privacy of another user or disrupting the intended use of Angelo State University information systems.
5. Attempted or actual use of the Angelo State University information systems for unauthorized political or commercial purposes, or for personal gain.
6. Access, creation, storage, or transmission of material deemed obscene (as defined by [Chapter 43 of the State of Texas Penal Code](#) on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the written consent of the Department Chair. Discovery of obscene material, including child pornography, on any Angelo State University information resource must be reported to the Chief Information Officer immediately.
7. Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University or another user or destruction of the integrity of computer-based information using Angelo State University information systems.
8. Attempted or actual use of Angelo State University information systems to interfere with the normal operation of the University.
9. Intentional "spamming" of students, faculty or staff (defined as the sending of unsolicited and unwanted electronic communications including, but not limited to, e-mails and text messages to parties with whom the sender has no existing business, professional or personal acquaintance) using Angelo State University information systems.

n. Providing False Information or Misuse of Records

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

o. Skateboards, Rollerblades, Scooters, Bicycles, or Similar Modes of Transportation

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

NOTE: Refer to University Parking Services regulations at:

http://www.angelo.edu/services/parking_services/

p. *Interference with Expressive Activities*

Unduly interfering with the expressive activities of others on campus resulting in the inability for expressive activities to occur or to continue. Consistent with TTUS Regulation 07.04, students who unduly interfere with the expressive activities of others on campus will be subject to the disciplinary policies and procedures outlined in the *Code of Student Conduct*. The terms of such Regulation shall control in the event of any conflict between the provisions set forth in this Handbook and the terms of such Regulation. NOTE: See also *Code of Student Conduct* Part II, Section G – Freedom of Expression Activities.

q. *Violation of Published University Policies, Rules, or Regulations*

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

1. [University Parking Services](#)
2. [Housing and Residential Programs](#)
3. [Student Life](#)
4. [Multicultural and Student Activities Programs](#)
5. [University Recreation](#)
6. [ASU Student-Athlete Handbook](#)
7. [Texas Tech University System Board of Regents' Rules](#)
8. [Angelo State University Operating Policies and Procedures](#)
9. [Community Policies of the Student Handbook \(Part II\)](#)

r. *Violation of Federal, State, and/or Local Laws*

Misconduct which may constitute a violation of federal, state, and/or local laws may be considered a violation of University policy and may 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 or resolve a University conduct proceeding.

s. *Abuse of the Discipline System*

1. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
2. Disruption or interference with the orderly conduct of a disciplinary proceeding.
3. Filing an allegation known to be without merit or cause.
4. Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.
5. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during and/or after the disciplinary proceeding.
6. Influencing or attempting to influence another person to commit an abuse of the discipline system.

3. Remedies and Resources

The University will take immediate action to eliminate hostile environments, prevent recurrence, and address any effects on the Complainant and community prior to the initiation of conduct procedures. These immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to, counseling services, modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

a. Resources

Angelo State University has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to, assistance in reporting criminal behavior to the University Police Department or the San Angelo Police Department, counseling services, medical assistance, academic support referrals, and other support services including the Office of Title IX Compliance. The Executive Director of Student Affairs or designee are also available to help students understand the student conduct process and identify resources.

b. Interim Actions

Under the *Code of Student Conduct*, the Executive Director of Student Affairs or designee may impose restrictions and/or separate a student from the community pending the completion of the conduct process on alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others, that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property, and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community pending the completion of the conduct process on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Executive Director of Student Affairs or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, a student may be denied access to Housing and Residential Programs and/or the University campus/facilities/events. As determined appropriate by the Executive Director of Student Affairs or designee, this restriction may include classes and/or all the other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Executive Director of Student Affairs designee and with the approval of, and in collaboration with, the appropriate Instructor(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent. Students are informed of interim actions by the official notice procedures outline in Part I, Section A.3. in the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action is preliminary in nature; it is in effect only until the conduct process

has been completed. However, violations of interim administrative action may result in additional allegations of the *Code of Student Conduct*.

1. *No Contact Order*

When initial inquiry indicates persistent and potentially escalating conflict between two members of the University community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Executive Director of Student Affairs or designee via the student's official Angelo State University e-mail. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, e-mail, text message, or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Executive Director of Student Affairs or designee. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order may result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension pending the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

2. *Immediate Temporary Suspension – Students*

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the Executive Director of Student Affairs designee, or on recommendation of a Student Conduct Officer/Investigator, the physical or emotional well-being of a student or other students or members of the University community could be endangered or if the presence of the student could significantly disrupt the normal operations of the University. The Executive Director of Student Affairs or designee will initiate appropriate conduct procedures to address the disruptive behavior within five (5) University business days from the date of Temporary Suspension.

Upon Immediate Temporary Suspension, the student may no longer attend classes, use University services and/or resources, and is not allowed to be on campus until the conduct proceedings have been concluded. Any instances whereby the student should need to return to campus must be coordinated through the Executive Director of Student Affairs or designee and the University Police Department. Conduct, on or off-campus, that typically results in immediate temporary suspension:

- A significant and articulable threat to the health or safety of a student or other member(s) of the University community that is deemed a continuous threat;

- Sexual assault, other forms of Sexual Misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;
- Criminal felony charges related to weapons, drugs, aggravated assault, and /or terroristic threats;
- Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests;
- Violation of a No Contact Order;
- Retaliatory harm, discrimination, or harassment.

In the event an Immediate Temporary Suspension is issued, a student may request a review of the Immediate Temporary Suspension by the Executive Director of Student Affairs or designee. At the discretion of the Executive Director of Student Affairs or designee, modifications can be made that impacts off-campus courses and/or activities on a case-by-case basis.

3. *Other Interim Actions*

In the event that the physical or emotional well-being of a student, other students, or members of the University community could be endangered, or if the presence of the student could significantly disrupt the normal operations of the University, other interim actions may be taken to protect the educational environment. These actions include, but are not limited to, temporary removal from University student housing, temporary changes in a student's academic schedule, and temporary restrictions from University activities, services and/or buildings, and representing the University.

In the event an Interim Action is issued, a student may request a review of the Interim Action by the Executive Director of Student Affairs or designee. At the discretion of the Executive Director of Student Affairs or designee, modifications can be made that impacts off-campus courses and/or activities on a case-by-case basis.

4. *Non-Student Interim Actions*

Any guest to the University who is alleged to have violated the *Code of Student Conduct* and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members or the University community and/or the presence of an individual could significantly disrupt the normal operations of the University, the Executive Director of Student Affairs or designee, in conjunction with the University Police Department, will issue a Criminal Trespass Warning to that individual(s). NOTE: Students of Angelo State University may be held responsible for actions of their guests.

5. *Withdrawal of Consent*

1. Grounds for Removal

The Student Conduct Officer/Investigator or another University agent acting in accordance with his/her duties may recommend to the Executive Director

of Student Affairs or designee that, in accordance with the [Texas Education Code](#), the student have his/her consent to remain on the campus withdrawn if, in the judgment of the Executive Director of Student Affairs or designee, it is determined that:

- The student has willfully disrupted the orderly operation of the premises, and;
- The student's presence on the campus or facility constitutes a substantial and material threat to the orderly operation of the premise

If the Executive Director of Student Affairs or designee concurs with the Student Conduct Officer/Investigator's recommendation, permission for the student to be on University premises will be withdrawn. This Withdrawal of Consent will not be longer than fourteen (14) calendar days and a Hearing must be held within these fourteen (14) calendar days to determine the student's status at the University. Permission to be on University premises must be coordinated through the Executive Director of Student Affairs or designee and the University Police Department. The Executive Director of Student Affairs or designee will notify all parties of the final decision using the written notification procedures outlined in Part I, Section A.3. within five(5) University business days.

6. Registration Hold Following Withdrawal of Consent

When a student is withdrawn under this section, an administrative hold will be placed on the student's readmission to the University. This administrative hold will remain on the student's record until the student is readmitted.

NOTE: [See Texas Education Code, Sections 51.233-51.244](#)

c. Referral Meeting

A University official may request a meeting with a student in order to discuss a referral made to the Office of Student Conduct or other administrative department when the referral may not be deemed a violation of the *Code of Student Conduct*, but when the Investigator or designee determines the referral warrants a discussion. The purpose of the discussion is to clarify concerns of the involved parties, to offer assistance to all involved parties, and to explain to the student that repeated referrals may warrant an Investigation which may warrant adjudication.

d. Voluntary Resolution

In any matter governed by the *Code of Student Conduct*, the parties (usually the Complainant and Respondent) may mutually agree to attempt to resolve the matter prior to conclusion of the conduct process through a Voluntary Resolution process. The procedures utilized in the Voluntary Resolution process must be agreed upon by the parties with concurrence from the Executive Director of Student Affairs, or designee. The parties must mutually agree in writing to all aspects of any resolution reached through the Voluntary Resolution process, including any restrictions, sanctions, or conditions as may be agreed upon by the parties with concurrence from the Executive Director of Student Affairs or designee, and any such resolution will be binding and final with no opportunity to appeal. Either party may withdraw from the Voluntary Resolution process at any time prior to final resolution, at which time the matter will proceed through the student conduct process as set forth in the *Code of Student Conduct*. Voluntary Resolution agreements will be maintained in accordance with University policies.

e. The Conduct Process

1. Notice of Investigation/Notice of Involvement/Notice to Appear

A student will be given notice of his or her investigation in an alleged violation of the *Code of Student Conduct* by the receipt of a "Notice of Investigation/Notice of Involvement" Letter. [**Note: In cases involving Part I, Section B.1.a. (Academic Misconduct), the instructor of record will notify the student of the allegations*]. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Student Conduct Officer/Investigator or the instructor of record for allegations of Academic Misconduct. In the event a student fails to respond to written notification, an administrative hold may be placed on the student's record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Student Conduct Officer/Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of this conduct procedure and/or failure to appear will not prevent a Student Conduct Officer/Investigator from proceeding with the conduct process. Likewise, failure of a student to respond may result in additional alleged violation and result in a charge of Failure to Comply.

2. Rights and Responsibilities

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview with the Student Conduct Officer/Investigator. The Students Rights and Responsibilities document informs the student of his or her rights to be exercised before and during the investigative process. Information gathered during the course of the investigation and student conduct process may be shared only with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

A student has the right to:

- a. A prompt, fair, and equitable process.
- b. Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student not otherwise involved in the case), a parent or legal guardian, a relative, or an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student and does not have an active, participatory role in the conduct process. If an advisor for the student is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend the Hearing on behalf of the University. Students are responsible for presenting their own information;

therefore, advisors are not permitted to speak or participate directly in any Hearing unless authorized by a Student Conduct Officer/Investigator. The Student Conduct Officer/Investigator will not accept investigative materials, statements, evidence, etc. directly from an advisor and will not communicate with the advisor on behalf of the student. The Executive Director of Student Affairs or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an Advisor during their suspension, and students who have been expelled may not serve as an advisor. Students should select an advisor whose schedule allows attendance at the scheduled date and time for the Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of Conduct Officer/Investigator.

- c. Refrain from making any statement relevant to the investigation. If a student chooses not to provide information or provides only limited information during the investigation, they will not be allowed to provide new information during the Hearing. The student will only be permitted to speak to the information that they provided with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigation process which could disadvantage the other party. ***A student's choice not to participate in the investigation process will not stop the investigation or hearing process.***

NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigate process.

- d. The opportunity to provide information and evidence in support of their case.
- e. Know if they have been issued any allegations of misconduct.
- f. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred.
- g. Know the Angelo State University conduct policies and procedures and where to find them.
- h. Know that any information provided by the student may be used in a conduct proceeding.
- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

It is the student's responsibility to:

- a. Be responsive to all correspondence from the University.
- b. Provide information relevant to the incident or situation.
- c. Be honest and provide true and accurate information during the investigation.
- d. Review the *Code of Student Conduct* in order to fully understand all aspects of the student conduct process.

3. *Investigation*

The Executive Director of Student Affairs or designee will appoint a Student Conduct Officer/Investigator who will conduct a thorough, reliable, and impartial investigation of the reported allegation. In cases involving Part I, Section B.1.a. (Academic Misconduct), the instructor of record will conduct the initial inquiry/investigation. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary.

When an initial inquiry indicates a concurrent police investigation is occurring, the Student Conduct Officer/Investigator will, where possible, collaborate with the University Police Department during the investigation. Elements of this collaborative investigation may include the Student Conduct Officer/Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Student Conduct Officer/Investigator will never take physical custody of any physical or electronic evidence but will work closely with the University Police Department to inspect, analyze, and incorporate physical or electronic evidence into the Investigative Report and/or investigative materials.

During the investigative process, Complainant Parties and Responding Parties are responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the Student Conduct Officer/Investigator may compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Student Conduct Officer/Investigator will document any physical or electronic evidence in a manner that is conducive and un-obstructive to concurrent or forthcoming police investigations. A student will have access to review the completed Investigation Report and/or investigative materials relevant to the investigation after the Investigative process has concluded.

Charges of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the investigative process at which point the Student Conduct Officer/Investigator explains the options for resolution to the involved parties. Should students not participate in the investigative process, the conduct process may continue without their participation, including the assignment of charges, along with decisions regarding the finding(s) and sanction(s).

4. *Informal Conference*

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the *Code of Student Conduct* which may be outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Conference Process, the Student Conduct Officer/Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Conference process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal. In cases involving Part I, Section B.1.a. (Academic Misconduct), the instructor of record can assign sanctions in Part I, Section B.3.e.7.h. Additional sanctions in Part I, Section B.3.e. can also be assigned on a case-by-case basis by the Executive Director of Student Affairs or designee.

In cases involving another student (a Complainant) and/or a violation of Part I, Section B.1.b. (Actions Against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent must agree to both the finding and the sanctions as recommended by the Student Conduct Officer/Investigator. The case will only be reopened if new material, previously unavailable, is presented.

Written notification of the outcomes and sanctions, if applicable, of the Informal Conference will be provided to the student and appropriate University Administrators within five (5) University business days of the effectuation of the Informal Conference. All cases involving Part I, Section B.1.a. (Academic Misconduct) will be reported to the Executive Director of Student Affairs or designee by the instructor of record using the online [Incident Reporting Form](#).

5. *Pre-Hearing Process*

In cases involving an Administrative Hearing, the Pre-Hearing Process will be followed. Once the investigative process is complete, the Complainant and Respondent will be given notice of a Pre-Hearing Meeting scheduled outside of the student's academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of charges and the completion of an Administrative or Panel Hearing. During this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and/or other documents/materials to be used in the Administrative or Panel Hearing. Other documents/materials reviewed may include notification of the Respondent's allegations, Panel composition, and Hearing Script.

Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in Part I, Section A.3., of a date, time, and location of the Hearing.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative Hearing or Hearing Panel, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative Hearing or Hearing Panel.

The student conduct process is designed to be non-adversarial. Students will be permitted to question the statements and evidence presented by the other involved parties but may not do so directly. After reviewing the investigation report, during the Pre-Hearing, Complainant Parties and Responding Parties will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

NOTE: Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Student Conduct Officer/Investigator may be rejected.

Students may indicate whether an Administrative Hearing, Hearing Panel or Sanction Only Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing, Hearing Panel or Sanction Only Hearing will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Student Conduct Officer/Investigator will share the list of Panel members which consists of faculty, staff, and students trained for Hearing Panels. Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Executive Director of Student Affairs or designee will schedule the Panel Hearing.

At the discretion of the Executive Director of Student Affairs or designee, a review of the conduct case may occur at any point during the investigation or conduct process

for clarification of procedural processes and may remand to investigation or adjudication if deemed necessary.

6. *Hearings*

Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student, the University may proceed to conduct either an Administrative Hearing or a Hearing Panel and issue a finding and accompanying sanctions, if applicable. The Administrative Hearing or Hearing Panel may be held and a decision made, regardless of whether the student responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student fail to attend the Administrative or Panel Hearing, the Student Conduct Officer/Investigator or the Hearing Panel may consider the information contained in the Investigation Report, relevant evidence, and/or other documents/materials and render a decision. If the student accepts responsibility for the allegations issued in the Investigation Report, the student may request a Sanction Only Hearing.

Hearings are closed to the public. In cases involving another student (a Complainant) and/or a violation of Part I, Section B.1.b. (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent have the right to be present at the Hearing; however, they do not have the right to be present during deliberations. Arrangements can be made so that Complainant and Responding Parties do not have to physically be in the Hearing room at the same time. To request changes in the scheduled Hearing time, students should contact the Office of Student Affairs prior to the scheduled Hearing.

The University will attempt to facilitate reasonable questioning of involved parties throughout the investigation and conduct process.

An In Absentia decision may be rendered by the appointed hearing body after proper notice has been given to the student, and the student has failed to respond within the allotted timeframe to meet with a Conduct Officer/Investigator.

a. *Administrative Hearing*

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report or Administrative Hearing Officer assigned by the Executive Director of Student Affairs, or designee. In cases involving Part I, Section B.1.a. (Academic Misconduct), the Administrative Hearing Officer will be the Academic Dean of the college housing the course where the violation occurred or designee with assistance from the Executive Director of Student Affairs or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, as appropriate.

Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University business days of the conclusion of the

Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section B.3.e.8.

b. Hearing Panel

For each Hearing Panel three (3) Hearing Panel members will be chosen from the available pool by the Executive Director of Student Affairs or designee. Typically, the Hearing Panel will be comprised of one student, one faculty member, and one staff member. Availability may determine a different composition for the Panel. For allegations involving Part I, Section B.1.a. (Academic Misconduct), the Hearing Panel will be comprised of only students and faculty members. All Hearing proceedings, excluding deliberations of the Hearing Panel, will be recorded by the University.

During the Hearing, a designated non-voting Resource Person will facilitate the Hearing process.

The Executive Director of Student Affairs or designee will appoint a Panel Resource Person to serve as a non-voting participant in the Panel Hearing. The Panel Resource Person will be a trained University staff member who may:

- Prepare the Panel Hearing materials;
- Record the Panel Hearing proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the Panel Hearing;
- Ensure the procedural soundness of the Panel Hearing;
- Provide student conduct history as well as any documented Policy Clarifications issued to the Respondent, during the sanctioning phase, if necessary;
- Transcribe the findings of the Hearing Panel;
- Compile the post-Hearing documentation;
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. Both the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Hearing Panel may question the Student Conduct Officer/Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the Resource Person removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged

misconduct will be forwarded to the Executive Director of Student Affairs or designee.

Following the Hearing, the Hearing Panel will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, if applicable. Should the Hearing Panel have any questions for the Student Conduct Officer/Investigator, the Complainant, and/or the Respondent, the Hearing Panel will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the Hearing Panel will be provided simultaneously to the student(s) in writing within five (5) University business days of the conclusion of the Panel Hearing. Decisions made through the Hearing Panel may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section B.3.e.8.

c. **Sanction Only Hearing**

If the student accepts responsibility for the allegations issued in the Investigation Report, the student may request a Sanction Only Hearing, by either a Hearing officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing Panel by the Investigator. During presentation of the Investigation Report and finding, the Complainant and Respondent are not allowed to dispute the facts or details of the case. Both the Complainant and Respondent may be present and both the Complainant and Respondent may provide impact statements prior to sanctioning. Mitigating factors as well as a character statement may also be presented by the Respondent and may be considered by the Hearing Panel. Written notification of the outcome of the Sanction Only Hearing will be provided to the student(s) within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section B.3.e.8. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions." *A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.*

7. **Sanctions**

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or Hearing Panel may impose sanctions as a result of an Informal Conference, Administrative Hearing, or Hearing Panel, when a student is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid in Appendix B. The grid, is provided only as a guideline for administering sanctions by the Student Conduct Officer/Investigator, Administrative Hearing Officer, or the Hearing Panel. The Student Conduct Officer/Investigator, Administrative Hearing Officer, and/or the Hearing Panel may deviate from the grid for sufficient reason.

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Conference Process are final upon effectuation of the Informal Conference. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Upon the judgment of the Executive Director of Student Affairs or designee, some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process. Findings and sanctions agreed upon through the Informal Conference Process are final and cannot be appealed.

All records related to the disciplinary process will remain on file in Room 112 of the Houston Harte University Center for a minimum of seven (7) years from the date the case is completed through an Informal Conference, Administrative Hearing, Hearing Panel, Sanction Only Hearing, and/or Disciplinary Appeal Procedures in Part I, Section B.3.e.8. All records related to the disciplinary process resulting in suspension and/or expulsion will remain on file indefinitely.

If a student is found responsible for violating the *Code of Student Conduct*, sanctions may be imposed and can include, but are not limited to, the following:

- a. Disciplinary Reprimand
The Disciplinary Reprimand is an official written notification using the notice procedures outlined in Part I, Section A.3. (Notice) to the student that the action in question was misconduct.
- b. Disciplinary Probation
Disciplinary Probation is a period of time which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional conditions, restrictions, and/or sanctions.
- c. Deferred Disciplinary Suspension
Deferred Disciplinary Suspension is a period of time where a Disciplinary Suspension may be deferred for a period of observation and review, but in no case will the Deferred Disciplinary Suspension be less than the remainder of the semester. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.
- d. Time-Limited Disciplinary Suspension
Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class, University related activities, or be present on campus property. The status of disciplinary suspension will be shown on the student's academic record, including the transcript. Time-Limited Disciplinary Suspension is noted on the student's transcript by the phrase "Disciplinary

Suspension” and will include the period of time in which the student is/was suspended from the University. In most cases, the notation of disciplinary suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: (1) the student is eligible to reenroll in the institution or (2) the Executive Director of Student Affairs or designee determines that a good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Student Conduct Officer/Investigator may deny a student’s readmission, if the student’s misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any sanction that was imposed prior to application for readmission, the Executive Director of Student Affairs or designee may deny readmission of a student. On denial of a student’s readmission, the Executive Director of Student Affairs or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student’s record to prevent registration during the Disciplinary Suspension.

e. Disciplinary Expulsion

Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. The status of Disciplinary Expulsion will be shown permanently on the student’s academic record, including the transcript. Disciplinary Expulsion is noted on the student’s transcript by the phrase “Disciplinary Expulsion” and the date in which the student’s expulsion was effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student may petition in writing to remove a Disciplinary Expulsion notation in the following instances: (1) the student is eligible to reenroll in the institution or (2) the Executive Director of Students or designee determines that good causes exists to remove the notation. An administrative hold will be placed on the student record by the Executive Director of Student Affairs or designee to prevent future registration.

f. Conditions

A condition is an educational or personal element that is assigned by Student Conduct Officer/Investigator, Administrative Hearing Officer, or Hearing Panel. Costs associated with conditions may be the responsibility of the student and will be billed to the student’s account. Some examples of conditions include, but are not limited to:

- Personal and/or academic assessment/counseling intake session.
- Discretionary educational conditions and/or programs of educational service to the University and/or community.
- Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities.
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement.

- Monetary assessment owed to the University.
- Completion of an alcohol or drug education program.
- Referral to the Alcohol & Drug Abuse Council for the Concho Valley (ADACCV) for assessment, <http://www.adaccv.org/>.

g. Restrictions

A restriction is an additional component of a disciplinary sanction. A restriction is usually an educational component that is to occur in conjunction with the sanctions and will usually be time specific. Some examples of restrictions include, but are not limited to:

- Revocation of parking privileges.
- Denial of eligibility for holding office in registered student organizations.
- Denial of participation in extracurricular activities.
- Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University community.
- Loss of privileges on a temporary or permanent basis.

h. Academic Penalties

In cases involving violations of Part I, Section B.1.a. (Academic Misconduct) an academic penalty may be imposed by the referring party. Academic penalties include, but are not limited to:

- Assignment of a grade for the relevant assignment, exam, or course;
- Relevant make-up assignments;
- No credit for the original assignment;
- Reduction in grade for the assignment and/or course;
- Failing grade on the assignment;
- Failing grade for the course;
- Dismissal from a departmental program;
- Denial of access to internships or research programs;
- Loss of appointment to academically-based positions;
- Loss of departmental/graduate program endorsements for internal and external fellowship support and employment opportunities; and/or
- Removal of fellowship or assistantship support.

i. Parental Notification

Violations of Part I, Sections B.1.c. (Alcoholic Beverages) or B.1.d. (Narcotics or Drugs) may result in notification to the parents/guardians of dependent students under the age of 21.

8. *Disciplinary Appeal Procedures*

A student may appeal the finding or the sanction(s) imposed in an Administrative Hearing or Hearing Panel by submitting a written petition to the designated appeal

officer within five (5) University business days of the delivery of the written decision. An appeal may not be filed on behalf of the student by a third party.

The Vice President for Student Affairs or designee will be the designated appeal officer in each conduct case. The Provost and Vice President for Academic Affairs or designee will be the designated appeal officer for cases involving Academic Misconduct. The designated appeal officer will be a trained University staff or faculty member who did not serve as the Student Conduct Officer/Investigator or the Administrative Hearing Officer in the original Conduct Process and will render a neutral, impartial, and unbiased decision.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- a. A procedural or substantive error that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- b. The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
- c. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

In cases involving alleged misconduct involving Part I, Section B.1.b. (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Hearing Panel.

The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final. The Hearing Body may provide a response to the appeal upon request of the appellate officer.

If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error, or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Hearing Panel. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, he or she may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- Remand the case to the original Hearing Panel;

- Remand the case to a new Hearing Panel.

The Office of the Vice President for Student Affairs, Academic Dean, or designee shall make all reasonable efforts to notify the student(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) of the result of their appeal using the written notification procedures outlined in Part I, Section A.3. (Notice) within ten (10) University business days. If necessary, the designated appeal officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

If the designated appeal officer remands the decision to a new Hearing Panel, the decision of that Hearing Panel is final and may not be appealed.

9. *Former Student Conduct & Readmission*

A former student who engages in conduct that is a violation of the *Code of Student Conduct* may be subject to conduct procedures prior to reenrollment, a bar against readmission, revocation of a degree, and withdrawal of a diploma.

A student who has had an administrative hold placed on his or her records under this section must request readmission from the Vice President for Student Affairs or designee at least three (3) weeks prior to any Angelo State University Office of Admissions application deadlines for the semester or summer session in which the student wishes to re-enroll. The student may be required by the Vice President for Student Affairs or designee to submit evidence in writing supportive of his or her present ability to function properly and effectively in the University community. The University will evaluate the student's request and supporting documentation with primary consideration given to satisfying all conditions specified at the time of suspension or withdrawal. If approval is granted by the Vice President for Student Affairs or designee for the removal of the administrative hold, the student must then complete the regular University readmission procedures.

SECTION C: PROCEDURES FROM THE OFFICE OF STUDENT CONDUCT FOR STUDENT ORGANIZATIONS

Upon notice of an alleged violation of the *Code of Student Conduct* by a student organization, the Executive Director of Student Affairs or designee will appoint a Student Conduct Officer/Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather and review information about the reported student organization misconduct and will evaluate the accuracy, credibility, and sufficiency of the information.

Incidents will be forwarded for investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or

Complainant's statement. If it is determined that the information reported does not warrant an allegation, a Policy Clarification letter may be issued to clarify the policy in question.

1. Initial Inquiry

An initial inquiry would occur to review information about the alleged misconduct and to evaluate the accuracy, credibility, and sufficiency of the information. When an initial report does not identify victims of misconduct or victims are not available, it can limit the ability to investigate the incident. When the Complainant is identified but is reluctant to participate in the investigation process or student conduct process, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of continuing inappropriate behavior and threat to the community. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing the conduct process, the University will proceed to the extent of the information available.

2. Decision to Document the Incident without Further Investigation

If it is determined that the information reported and available does not warrant an allegation of a conduct violation, a Policy Clarification letter may be issued to clarify the policy in question. This may happen in situations where reports received are from anonymous sources with no ability to validate the credibility of the concern and the initial inquiry identifies little to no other information to support the report.

3. Remedies & Resources to Complainant Parties/Responding Parties

- a. The University will take immediate action to eliminate hostile environments, prevent recurrence and address any effects on the Complainant and community prior to the initiation of formal investigation and/or formal conduct processes. These immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to, counseling services, modifications to on-campus housing, modifications to parking permission, and modification to academic schedule. Remedies will be evaluated on a case-by-case basis.
- b. Assistance and resources are provided to the Complainant in order to help them understand the options available to them when making a report, to determine what resolution the Complainant is seeking, to identify university and community resources to support the Complainant, and to stop any current inappropriate behavior. Resources include, but are not limited to, assistance in reporting criminal behavior to the University Police Department or San Angelo Police Department, counseling services, medical assistance, academic support referrals, and other support services. This is handled by the Executive Director of Student Affairs or designee taking the initial report. This staff member may or may not be the person to investigate the complaint.

4. Interim Actions

Under the *Code of Student Conduct*, the Executive Director of Student Affairs or designee may impose restrictions and/or temporarily suspend the registration of a student organization pending the scheduling of a campus Hearing on alleged violation(s) of the *Code of Student Conduct* when the student organization represents a threat of serious harm to others, that is deemed a continuous threat, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Examples of conduct or incidents that may result in interim suspension are hazing; conduct or incidents at organization events and activities resulting in allegations of Sexual Misconduct; behavior that results in criminal felony charges, severe disruption, and/or retaliatory harassment; alcohol/drug policy violations occurring during recruitment or social events; and cease and desists directives from inter/national or regional organizations. A student organization who receives an interim suspension may request a meeting with the Executive Director of Student Affairs or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of the meetings, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, the student organization is not able to access the benefits of being a registered student organization during this time period, and organization activities should cease in order to prevent additional misconduct. Student organizations are informed of interim actions by the official notice procedures outlined in Part I, Section A.3. of the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and other members of the University Community, the University, and/or property. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim actions may result in additional allegations of violations of the *Code of Student Conduct*.

5. Notice of Investigation/Notice of Involvement

A student organization will be given notice of the organization's investigation in an alleged violation of the *Code of Student Conduct* by receipt of a "Notice of Investigation/Notice of Involvement" letter or direct contact by the Executive Director of Student Affairs or designee.

6. Initial Contact to the Student Organization Leadership and Advisor

In most cases, the appropriate Student Organization or Greek Life, Student Affairs, or staff will ask the student organization President and Faculty/Staff Advisor or Alumni Advisor for an initial response to the information received within a prompt timeframe. At this time, student organization officers and members accused of conduct violations will also receive information about resources that can assist them during the investigation process. Organization leaders are expected to be prompt, cooperative, and forthcoming with information for review by the Executive Director of Student Affairs or designee. Organizations should be aware that information gathered during this initial contact is documented for use during the investigation process. Organizations that fail to comply with or respond to a notice issued as part of investigation process and/or fail

to appear at a Hearing will not prevent the continuation of the conduct process. Likewise, a student organization that ignores requests for information, misrepresents information, or conceals information can face additional allegations of misconduct and increased sanctions.

7. Notification of the International or Regional Headquarters (if relevant)

In most cases (with the exception of low-level concerns), Greek Life staff will notify representatives of the international or regional headquarters of the complaint received and of the process for reviewing the complaint. Angelo State University believes in an active partnership with international and regional organization staff to resolve concerns. These international and regional staff and volunteers are often better able to identify opportunities to address concerns and may be conducting their own investigation and conduct process. Angelo State University staff will specifically contact international and regional organizations when recurring concern indicates a climate issue for the organization, when the response of the organization is not compliant or timely, when there is an immediate threat to member or other's safety, or when the organization has already participated in conduct processes for concerns.

8. Rights & Responsibilities

Prior to the formal investigation process, a student organization will be provided a Students Rights & Responsibilities document to review and sign prior to an interview with the appointed Student Conduct Officer/Investigator. The Rights & Responsibilities document informs the student organization of rights to be exercised before and during the conduct process. Those rights include the right to:

- a. A prompt, fair, and equitable process;
- b. Be accompanied by an advisor at any meeting or Hearing. An advisor can be any one of the following: a member of the Angelo State University Community (faculty, staff, or student not otherwise involved in the case), a parent or legal guardian, a relative, or an attorney. An advisor's role is that of support – he or she may not speak on behalf of the student organization and does not have an active, participatory role in the conduct process. If an advisor for the student organization is an attorney, an attorney from the Texas Tech University System Office of General Counsel and/or General Counsel for Angelo State University may attend any meeting or Hearing on behalf of the University. Student organizations are responsible for presenting their own information; therefore, advisors are not permitted to speak or participate directly in any meeting or Hearing unless authorized by a Student Conduct Officer/Investigator. The Student Conduct Officer/Investigator will not accept investigative materials, statements, evidence, etc. directly from an advisor and will not communicate with the advisor on behalf of the student organization. The Executive Director of Student Affairs or designee has the discretion to remove an advisor at any point during the conduct process. A witness, anyone who may have a conflict of interest, or anyone who may have any participatory role in the process may not be allowed to serve as an Advisor. Students who have been suspended may not serve as an Advisor during their suspension and students who have been

expelled may not serve as an advisor. Student organizations should select an advisor whose schedule allows attendance at the scheduled date and time for meetings and the Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of a Student Conduct Officer/Investigator.

- c. Refrain from making any statement relevant to the investigation.
If a student organization chooses not to provide information or provides only limited information during the investigation, they will not be allowed to provide new information during the Hearing. The student organization will only be permitted to speak to the information that they provided with no additional commentary. The rationale for this policy is to prevent either party from presenting new evidence at the Hearing that was available during the investigation process which could disadvantage the other party. ***A student's choice not to participate in the investigation process will not stop the investigation or hearing process.***

NOTE: See Pre-Hearing Process, below, for details on inclusion of new, previously unavailable information after conclusion of the investigative process.

- d. The opportunity to provide information and evidence in support of the case;
- e. Know if they have been issued any allegations of misconduct;
- f. Know the range of sanctions that may be imposed for a conduct violation, if one is alleged and found to have occurred;
- g. Know the Angelo State University conduct policies and procedures and where to find them;
- h. Know that any information provided by the student organization may be used in a conduct proceeding:
 - Any information provided by a student during an investigation may be used in formal conduct processes related to allegations against the student organization, the student, or other students.
 - Student and student organization records are subject to the Federal Education Rights & Privacy Act (FERPA). Information collected during an investigation will be compiled into an investigation report and is considered student or student organization records. The investigation report may be shared with the assigned student conduct hearing panel members or administrative officers assigned to adjudicate concerns as officials with legitimate educational interest and without written consent for release. Student and student organization records can be subpoenaed in accordance with criminal processes which could include the release of the investigation report to law enforcement officials. The investigation report may also be shared with the international or regional organization headquarters staff to assist with collaborative investigations.

- i. Know that if a student makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.

Student organization responsibilities include:

- a. Be responsive to all communications from the University;
- b. Provide information relevant to the incident or situation;
- c. Be honest and provide true and accurate information during the investigation;
- d. If a student or student organization needs additional time to gather information, please inform your Student Conduct Officer/Investigator;
- e. Review the *Code of Student Conduct* in order to fully understand all aspects of the student conduct process.

9. Investigation

- a. The Executive Director of Student Affairs or designee will appoint a Student Conduct Officer/Investigator to conduct a prompt, thorough, reliable, and impartial investigation of the reported allegation.
- b. Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary. In student organization incidents there is potential for three or more separate investigations to be occurring in a similar time frame:
 - Angelo State University Student Organization Conduct Investigation.
 - Angelo State University Sexual Misconduct and Title IX Office Investigation
 - Criminal Investigation by the University, San Angelo, or Other Police Departments.
 - International or Regional Headquarter Investigation.
 - Local Student Organization Advisory Board Investigation.
- c. When initial inquiry indicates that another concurrent investigation is occurring alongside the Angelo State University student conduct investigation, the appointed investigator(s) will, where possible, collaborate with the other entities conducting investigations. Elements of a collaborative investigation may include coordinated or joint interviews, evidence sharing, and investigation report sharing within the limits of student records policies.
- d. Investigations of student organization conduct may include the requirement for student organization members to attend an investigation meeting as a group or as individuals. Students may be asked to complete written questionnaires related to the investigation. Regardless of the nature of the investigation, students and student organizations should be aware of their rights and responsibilities in the conduct process and recognize that any information shared during the course of the student conduct investigation may be used in formal conduct processes against the student

organization or the individual student. Students can always decline to participate in a collaborative investigation meeting and meet only with the student conduct investigator instead of meeting together with other investigators.

- e. During the investigation process, student organization representatives are responsible for providing all information or evidence that they believe should be considered. Once the investigative process is complete, the Student Conduct Officer/Investigator may compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from the interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Investigator will document any physical or electronic evidence in a manner that is conducive and unobstructed to concurrent or forthcoming police investigations.
- f. Student organizations will be asked to provide information about any actions occurring voluntarily by the organization and/or to address concerns or actions occurring related to other conduct processes (international or regional actions, local alumni board actions). This information is used to afford the opportunity for an organization to be eligible for Informal Conference processes or the sanctioning portion of a formal hearing if an organization is found responsible for a policy violation.
- g. A student organization will have access to a completed Investigation Report and/or investigative materials relevant to the allegation(s) after the investigative process has concluded.

10. Investigation Report is Completed by Conduct Officer/Investigator and Pre-Hearing Scheduled

- a. Once the investigation report is completed, the President and his/her advisors for the student organization will be given notice of a Pre-Hearing Meeting. During this meeting, the representatives will be given an opportunity to review the Investigation Report and other documents or evidence that would be used in a formal hearing. If new or previously unavailable information is now available, the Investigator will make a determination about the inclusion of the information in the report.
 - If there is not sufficient evidence to proceed to a hearing, a Policy Clarification will be issued to the organization and the file will be closed.
 - If there is sufficient evidence to proceed to a hearing, the investigation report will outline the formal allegations against the student organization.
 - A discussion will occur around the opportunity for an Informal Conference or a formal Hearing.
- b. In cases proceeding to a formal hearing, the President and his/her Advisor(s) for the student organization will review the formal hearing script and the pool of faculty, staff, and students trained for the Hearing Panel.

11. Informal Conference

- a. Upon review of the investigation report and the investigation process, the organization may have the opportunity to resolve the issue informally. The Conduct Officer/Investigator would provide an Informal Conference in writing to the organization representatives for their consideration. The organization would agree to the outlined findings of responsibility for misconduct and the outlined sanctions. If there is a complaint, the Reporting Party must also agree to the informal conference. To participate in the Informal Conference process, the President and his/her Advisor(s) for the student organization must accept both the finding and the sanction. There is no appeal of signed informal conferences. Once completed, the Informal Conference completes the conduct process. The case will only be reopened if new materials, previously unavailable, are presented.

12. Pre-Hearing Process

- a. In cases involving an Administrative Hearing or Hearing Panel, the Pre-Hearing Process will be followed. Once the investigative process is complete, the student organization will be given notice of a Pre-Hearing Meeting. Should student organizations not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative Hearing or Hearing Panel. During this meeting, student organizations will be given the opportunity to review the Investigation Report, relevant evidence, and/or other documents/material to be used in the Administrative Hearing or Hearing Panel. Other documents may include notification of Respondent's allegations, Panel composition, and Hearing Script. Following the Pre-Hearing, the President and his/her Advisor for the student organization will be notified, via the notification procedures outlined in Part I, Section A.3. (Notice) of a date, time, and location for the Hearing.
- b. While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Student Conduct Officer/Investigator, was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative Hearing or Hearing Panel, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or Panel Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative Hearing or Hearing Panel.
- c. The conduct process is designed to be non-adversarial. Student organization representatives will be permitted to question the statements and evidence presented by the other involved parties, but may not do so directly. After reviewing the Investigation Report, during the Pre-Hearing, the Complainant and Respondent will have the opportunity to question the statements and evidence presented by the

other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report.

NOTE: Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Student Conduct Officer/Investigator may be rejected.

- d. Student organizations may indicate whether an Administrative Hearing, Hearing Panel, or Sanction Only Hearing is preferred. However, the Student Conduct Officer/Investigator has the sole discretion in all cases to designate whether an Administrative Hearing, Panel Hearing, or Sanction Only Hearing will be held notwithstanding the student's preference.
- e. In cases requiring a Hearing Panel, the Student Conduct Officer/Investigator will share the list of faculty, staff, and students trained for Hearing Panels. Student organization representatives will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student organization representative must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Executive Director of Student Affairs or designee will schedule the Panel Hearing.
- f. At the discretion of the Executive Director of Student Affairs or designee, a review of the conduct case may occur at any point during the investigation or conduct process for clarification of procedural processes and may remand to investigation or adjudication if deemed necessary.

13. Hearings

Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student organization, the University may proceed to conduct either an Administrative Hearing or Hearing Panel and issue a finding and accompanying sanctions, if applicable. The Administrative Hearing or Hearing Panel may be held and a decision made, regardless of whether the student organization responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student organization fail to attend the Administrative Hearing or Hearing Panel, the Student Conduct Officer/Investigator or the Hearing Panel may consider the information contained in the Investigation Report, relevant evidence, and/or other documents/materials and render a decision. Student organization conduct processes are typically adjudicated by a Panel Hearing. If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing.

Hearings are closed to the public. In cases involving another student (a Complainant) and/or a violation of Part I, Section B.1.b. (Actions Against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and Respondent have the right to be present at the formal hearing; however, they do not

have the right to be present during deliberations. Arrangements will be made so that the Complainant and Respondent do not physically have to be in the Hearing room at the same time. To request changes in the scheduled Hearing time, students should contact the Office of Student Affairs or designee.

The University will attempt to facilitate reasonable questioning of involved parties throughout the investigation and conduct process.

An In Absentia decision may be rendered by the appointed hearing body after proper notice has been given to the student organization, and the student organization has failed to respond within the allotted timeframe to meet with an investigator.

Student organizations are typically represented by the current President and an advisor.

In situations where the organization no longer has a current student representing the organization, the conduct process will continue with the information available at the time. Organizations with international regional, or local advisory staff or volunteers with a long-term interest in the organization's recognition at the University may be allowed to participate in the resolution of conduct processes when a current student is no longer able to represent the organization.

a. *Administrative Hearing*

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report, or an Administrative Hearing Officer assigned by the Executive Director of Student Affairs, Title IX Coordinator, or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns a sanction, as appropriate.

Written notification of the outcomes of the Administrative Hearing should be provided to the student within five (5) University business days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section C.15.

b. *Panel Hearing*

For each Panel Hearing a panel of three (3) Hearing Panel members will be chosen from the available pool by the Executive Director of Student Affairs, the Title IX Coordinator, or designee. Typically, the Hearing Panel will be comprised of one student, one faculty member, and one staff member. (**Note students are not utilized in a Title IX Hearing Panel*). Availability may determine a different composition for the Hearing Panel. For allegations involving Part I, Section B.1.a. (Academic Misconduct), the Panel will be comprised of only students and faculty members. For cases involving Part I, Section B.1.b. (Actions Against Members of the University

Community and Others) or other sensitive issues, the Title IX Coordinator or designee will appoint three (3) Administrative Hearing Officers from the pool of available members for the Hearing Panel.

Administrative Hearing Officers who served as Investigators for the case being heard by a Hearing Panel may not serve as either a voting member of the Hearing Panel or as the non-voting Resource Person and will only participate as the Investigator in the Panel Hearing.

All Hearing proceedings, excluding deliberations of the Hearing Panel, will be recorded by the University.

During the Panel Hearing, a designated Resource Person will facilitate the Hearing process.

The Executive Director of Student Affairs, Title IX Coordinator, or designee will appoint a Panel Resource Person to serve as non-voting participant in the Panel Hearing. The Panel Resource Person will be a trained University staff member who may:

- Prepare the Panel Hearing materials.
- Record the Panel Hearing proceedings.
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials.
- Ensure proper decorum throughout the Panel Hearing.
- Ensure the procedural soundness of the Panel Hearing.
- Provide student conduct history as well as any documented Policy Clarifications issued to the Respondent, during the sanctioning phase, if necessary.
- Transcribe the findings of the Hearing Panel.
- Compile the post-Hearing documentation.
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. Both the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Hearing Panel may question the Student Conduct Officer/Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the Resource Person of the Hearing Panel removes a student due to misconduct (Complainant, Respondent, or

witnesses), the alleged misconduct will be forwarded to the Executive Director of Student Affairs or designee for additional processing as appropriate.

Following the Hearing, the Hearing Panel will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, if applicable. The Investigator will provide information during sanctioning related to any previous conduct history, self-sanctioning occurring with the organization, and general information about the organization's activities and participation at Angelo State University to help the panel determine appropriate sanctioning.

Should the Hearing Panel have any questions for the Student Conduct Officer/Investigator, the Complainant, and/or the Respondent, the Hearing Panel will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the Hearing Panel will be provided simultaneously to the student(s) in writing within five (5) University business days of the conclusion of the Panel Hearing. Decisions made through the Hearing Panel may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section C.15.

c. *Sanction Only Hearing*

If the student organization accepts responsibility for the allegations issued in the Investigation Report, the student organization may request a Sanction Only Hearing, by either a Hearing Officer or a Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing body by the Student Conduct Officer/Investigator. During presentation of the Investigation Report and finding, the Complainant and Respondent are not allowed to dispute the facts or details of the case. Both the Complainant and Respondent may provide impact statements prior to sanctioning. Mitigating factors as well as character statements may be presented by the student organization spokesperson and may be considered by the Hearing body. Written notification of the Sanction Only Hearing will be provided to the student organization within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the student organizations by utilizing the Disciplinary Appeal Procedures outlined in Part II, Section C.15. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions." A student organization may choose a Hearing Panel for Sanction Only Hearing for potentially separable offenses.

14. Sanctions

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a Hearing Panel may impose sanctions as a result of an Informal Conference, Administrative Hearing, or Panel Hearing, when a student organization is found responsible. The potential sanctions are listed in the Sanctioning Grid in the Student Handbook, Appendix B. The grid is provided only as a guideline for administering sanctions by the Student

Conduct Officer/Investigator, Administrative Hearing Officer, or the Hearing Panel. The Student Conduct Officer/Investigator, Administrative Hearing Officer, and/or the Hearing Panel may deviate from the grid for sufficient reason.

The cooperation of an organization during the investigation and conduct process as well as any self-sanctioning or other required sanctioning will also be considered in the determination of sanctions.

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Conference Process are final upon effectuation of the Informal Conference. When sanctions are final, appropriate University Administrators may be notified of the student organization's sanctions. Upon the judgment of the Executive Director of Student Affairs or designee some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process. Findings and sanctions agreed upon through the Informal Conference Process are final and cannot be appealed.

If a student organization is found responsible for violating the *Code of Student Conduct*, sanctions may be imposed and can include, but is not limited to the following:

a. *Disciplinary Reprimand*

The Disciplinary Reprimand is an official written notification that the action in question was misconduct. The disciplinary status of the organization is still good-standing.

b. *Disciplinary Probation*

Disciplinary Probation is a period of time during which the organization's conduct will be observed and reviewed. The organization must demonstrate the ability to comply with University policies and any other conditions/requirements stipulated for the period of probation. Further instance of misconduct during this time period may result in additional sanctions, conditions, and/or restrictions.

c. *Deferred Disciplinary Suspension*

Deferred Disciplinary Suspension is a period of time where a Disciplinary Suspension may be deferred for a period of observation and review, but in no case will the Deferred Disciplinary Suspension be less than the remainder of the semester. Further instances of misconduct under the *Code of Student Conduct* during this time period may result in immediate temporary suspension of organization activities and often result in suspension or expulsion. Deferred suspension often includes multiple conditions and restrictions for the organization to continue recognition with the University.

d. *Time-Limited Disciplinary Suspension*

Time-Limited Disciplinary Suspension is a specific period of time in which a student organization's registration with the University is suspended as well as privileges

and benefits of registration. Suspended student organizations may not hold events or activities on campus, may not solicit or utilize University grounds or services to promote organizations or events or to recruit members, and may not utilize any other benefits or services provided to registered student organizations. If an international or regional organization suspends the charter of an organization, this results in a sanction no less than time-limited suspension for the time period of the suspended charter. Notification of disciplinary suspension of a student organization will indicate the date on which it begins and the earliest date the student organization's application for registration will be considered. The Student Conduct Officer/Investigator may deny an application for registration if the organization's misconduct during suspension would have warranted additional disciplinary action. If the student organization has failed to satisfy any sanction that was imposed prior to application for registration, the Student Conduct Officer/Investigator may deny registration to the student organization. On a denial of student organization registration, the Student Conduct Officer/Investigator, the Executive Director of Student Affairs or designee will set a date when another application for registration may again be made.

e. Disciplinary Expulsion

Disciplinary Expulsion occurs when the student organization is permanently separated from the University with no opportunity for future registration as a student organization

f. Conditions

A condition is an additional component of a disciplinary sanction, usually an educational element assigned to occur in conjunction with a period of probation or deferred suspension or assigned to occur prior to returning from time-limited suspension. Examples include, but are not limited to:

- Hosting educational programs or initiatives for the organization or community related to the misconduct.
- Requirements for additional training or advisement from Angelo State University staff, advisory boards, or other appropriate parties.
- Requirements for community service or other activities beneficial to the membership and associated with remedying the impact of behavior on the community.
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement.
- Requirements for completion of membership reviews and providing updated rosters.
- Requirements to submit information about updated and improved organizational processes such as new member education plans or social event plans.

g. Restrictions

A restriction is an additional component of a disciplinary sanction, usually an educational restriction on organization activities that occurs during a time period of probations or deferred suspension or upon return from time-limited suspension. Examples include, but are not limited to:

- Revocation of organization benefits such as eligibility for funding, eligibility to reserve rooms, and eligibility to solicit or hold events on campus; or
- Denial of participation or restrictions associated with participation in University activities as a student organization such as homecoming, recreational activities, and recruitment activities.

h. Required Notifications

Some organization misconduct requires additional notifications. [Texas Education Code, Chapter 51.936](#) indicates that institutions of higher education shall distribute to each student enrolled at the institution, no later than the 14th day before the first class day of each fall or spring semester, a copy of, or an electronic link to a copy of, a report on hazing committed on or off campus by an organization registered with or recognized by the institution.

Each postsecondary educational institution shall develop and post in a prominent location on the institution's Internet website a report on hazing committed on or off campus by an organization registered with or recognized by the institution.

The report must include:

- i. Information regarding each disciplinary action taken by the institution against an organization for hazing, and each finding of responsible of hazing by an organization, during the three years preceding the date on which the report is issued or updated, including:
 - A. The name of the organization disciplined or found responsible;
 - B. The date on which the incident occurred or the citation was issued, if applicable;
 - C. The date on which the institution's investigation into the incident, if any, was initiated;
 - D. A general description of:
 - The incident;
 - The violations of the institution's *Code of Student Conduct*;
 - The findings of the institution;
 - Any sanctions imposed by the institution on the organization;
 - E. The date on which the institution's disciplinary process was resolved;
- ii. The report must be updated to include information regarding each disciplinary process not later than the 30th day after the date on which the disciplinary process is resolved; and
- iii. The report may not include personally identifiable student information and must comply with the Family Educational Rights and Privacy Act of 1974 (FERPA).

Each postsecondary educational institution shall provide to each student who attends the institution's student orientation a notice regarding the nature and availability of the report required under Texas Education Code, Chapter 51.936 and include the Internet website address to access the report.

A student organization spokesperson may, at any time, request a review of the sanctions in place in writing to the Executive Director of Student Affairs or designee.

15. Disciplinary Appeals Procedures

- a. A student organization may appeal the decision of a hearing or the sanction(s), condition(s), and restriction(s) imposed following a formal hearing by submitting a written petition for appeal to the designated appeal officers within five (5) University business days of receiving the written decision.
- b. The Vice President for Student Affairs or designee will select an appeal officer in each case. The designated officer will be a trained University staff or faculty member who was wholly uninvolved in the original Conduct Process and will render a neutral, impartial, and unbiased decision.
- c. Petitions for appeal must clearly identify the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal.
- d. The only proper grounds for appeal are as follows:
 - i. A procedural [or substantive] error occurred that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
 - ii. The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
 - iii. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- e. In cases involving alleged misconduct involving Part I, Section B.1.b. (Actions Against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Hearing Panel. In such cases, the Office of the Vice President for Student Affairs or designee will provide the request for appeal to the other party and provide opportunity for response.
- f. The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.

- g. If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or Panel Hearing. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, they may:
 - i. Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
 - ii. Remand the case to the original Hearing Panel;
 - iii. Remand the case to a new Hearing Panel.
- h. The Vice President for Student Affairs or designee shall make all reasonable efforts to notify the student organization of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student organization of the result of their appeal using written notification procedures outlined in Part I, Section A.3. within ten (10) University business days. If necessary, the designated appeal officer will notify the student organization should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.
- i. If the designated appeal officer remands the decision to a new Hearing Panel, the decision of that Hearing Panel is final and may not be appealed.

16. Student Organization Records

- a. All records concerning a student organization related to conduct processes will remain on file with the University for a minimum of seven (7) years from the date of the completion of the case via informal conference, formal hearing, and/or conduct appeal processes.
- b. Student organization records do not impact the content of individual student records for student organization members. A finding of responsibility of misconduct for student organizations does not indicate a finding of responsibility for individual students. Individual students are subject to their own conduct processes separate from the student organization process.
- c. Student organization conduct decisions and findings are shared with the international or regional headquarters or organizations as appropriate.

SECTION D: PROCEDURES FROM THE OFFICE OF TITLE IX COMPLIANCE

This section provides information regarding the University's policies on sex discrimination, sexual harassment, sexual exploitation, public indecency, Sexual Misconduct, interpersonal violence, and stalking.

1. Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policies at Angelo State University

The University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. The University prohibits discrimination based on sex, which includes pregnancy, sexual orientation and gender identity, gender expression, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal (dating, domestic, or family) violence, sexual violence, and any other misconduct based on sex. Any acts that fall within the scope of this policy hereinafter are referred to as Sexual Misconduct. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

Policies outlined in this section may be found in Angelo State's **Operating Policy 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure** and in [TTU System Regulation 07.06 Sexual Misconduct](#).

These policies apply to all University students and University employees, visitors, applicants for admission to or employment within the University, as well as University affiliates and others conducting business on the University campus. The University will take all reasonable steps to respond to complaints of Sexual Misconduct and restore or preserve equal access to the University's Education Programs or Activities, as appropriate.

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

For complaints relating to discrimination, other than gender discrimination or discrimination based on sex, see Angelo State [Operating Policy 16.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#) or Part II, Section C.

The Title IX Coordinator or designee will assume responsibility for determining which policy should be utilized to address a report of Sexual Misconduct and will coordinate the appropriate processes. The following [flowchart](#) will be utilized to assist the Title IX Coordinator determining what policy will apply to the alleged misconduct.

All investigations and procedures will be conducted in a prompt timeframe and in an equitable and impartial manner. Investigations conducted under these policies are not criminal investigations. For all complaints related to Sexual Misconduct, the burden of proof shall be a preponderance of the evidence, which means more likely than not.

a. *The Office of Title IX Compliance*

The University has an Office of Title IX Compliance which includes the Title IX Coordinator who oversees the University's compliance with Title IX and other state and federal laws related to Sexual Misconduct with the help of the Title IX Officer. The University has also designated Title IX Deputy Coordinators and a Title IX and Sexual Misconduct Response Team that works alongside the Title IX Coordinator

| CONTACT | PHONE | ADDRESS | EMAIL |
|---|--------------|--|----------------------------|
| ASU Title IX Coordinator Michelle Miller | 325-486-6357 | Mayer Administration Building, 210 Office of Title IX Compliance ASU Station #11044 San Angelo, TX 76909 | michelle.miller@angelo.edu |
| ASU Title IX Deputy Coordinator for Employees Kurtis Neal | 325-942-2168 | Hardeman Student Services Center, Room 202 ASU Station #11009 San Angelo, TX 76909 | kurtis.neal@angelo.edu |

| | | | |
|---|--------------|--|--|
| Director of Human Resources | | | |
| <i>Texas Tech University System</i> Title IX Deputy Coordinator for Employees Dawn Payne Assistant Vice-Chancellor and Director of Equal Opportunity | 806-742-3627 | Office of Equal Opportunity (OEO) TTUS Administration Building, 1508 Knoxville Ave., Suite 309 Box 41073 Lubbock, TX 79409 | eeo@ttu.edu |
| ASU Title IX Deputy Coordinator, Athletic Equity Scottie Moler Assistant Athletic Director of Compliance | 325-486-6072 | Junell Center/Stephens Arena, Room 250 Angelo State University 2235 S. Jackson Street San Angelo, TX 76904 | scottie.moler@angelo.edu |

b. The Title IX and Sexual Misconduct Response Team

The Title IX and Sexual Misconduct Response Team are ASU faculty and staff members specifically trained about Title IX and Sexual Misconduct policies, offenses, investigation procedures, due process requirements, impartiality, conflicts of interest, informal resolution processes, and other state and federal laws that relate to Title IX and Sexual Misconduct. Members of the team may serve as Investigators or Hearing Panel Members in cases related to Title IX or Sexual Misconduct.

1. *Sexual Misconduct and Title IX Investigators (Investigators)*: Two members of the Title IX and Sexual Misconduct Response Team may be designated to conduct a thorough, reliable, and equitable investigation of the reported Sexual Misconduct or Title IX allegation and compile the information gathered into an Investigative Report.
2. *Sexual Misconduct and Title IX Hearing Panel Members (Hearing Panel Members)*: Three members of the Title IX and Sexual Misconduct Response Team (who did not serve as Investigators on the case) may be designated to serve as Hearing Panel Members during Hearings involving charges of Sexual Misconduct or Title IX violations. Hearing Panel Members are responsible for objectively evaluating all relevant evidence and rendering a determination regarding responsibility after a hearing is held. The Hearing Panel has the right and responsibility to ask questions and elicit information from parties and witnesses to aid in obtaining relative evidence both inculpatory and exculpatory. If a responsible finding is rendered, the Hearing Panel will determine sanctions.

2. Definitions

For purposes of this policy, the definitions below apply. However, some of these terms are also defined under state law. If a person would like to file criminal charges for any alleged violations of criminal law, the definitions as set forth in state law may apply. Additionally, illustrative examples of some of these defined terms may be found at <http://www.angelo.edu/titleix>.

a. ***Common Terms Related to Title IX and Sexual Misconduct***

1. *Actual Knowledge*: Notice of Title IX Sexual Misconduct or allegations thereof to the University's Title IX Coordinator or Deputy Coordinator.
2. *Advisor*: An advisor is a person who may provide support and advice throughout the Sexual Misconduct and Title IX process. An advisor does not take an active role in the process and may not speak on behalf of the student.

In a case involving Title IX Sexual Misconduct, each Complainant and Respondent shall have an advisor present at the hearing. Each party must inform the Title IX Coordinator of their intention to select and bring an advisor of their choice to the hearing at least ten (10) days prior to the hearing. Each party may select an advisor of their choice however, if a party does not have an Advisor the University will provide one of the University's choice without fee or charge to the party. The advisors' only permissible role at the live hearing are to advise the party and to conduct cross examination on behalf of their party.

3. *Complainant* – A person who is the subject of an alleged violation to these policies.
4. *Consent* – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.
5. Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity. *See Appendix B for a more expansive definition of consent.*
6. *Education Program or Activity* – Includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Title IX Sexual Misconduct allegedly occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
7. *Employee* – Any person who receives a W-2 or 1042-S from the University, including full and part-time faculty, staff, and students. An Employee is working in the course and scope of their employment if the Employee is performing duties in the furtherance of the University's interest.
8. *Formal Complaint* – Document filed by a Complainant or signed by the University's Title IX Coordinator alleging Title IX Sexual Misconduct against a Respondent and requesting that the University investigate the allegation(s) of Title IX Sexual Misconduct. Provided, however, where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this regulation.
9. *Grievance Process* - The process of addressing Formal Complaints of Sexual Misconduct before the imposition of any disciplinary or other actions that are not Supportive Measures against a Respondent.
10. *Incapacitation* – A state of being that prevents an individual from having capacity to give consent. For example, incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability.
11. *Informal Resolution* – An alternative to the Grievance Process that may be offered and facilitated by the University following the filing of a Formal Complaint and upon the voluntary, written consent of the parties.
12. *Investigative Report* - A report that summarizes the relevant evidence based upon the completion of a prehearing investigation conducted under the Grievance Process.

13. *Reporting Party* – A person or entity (in the case of the University) other than the Complainant who reports an alleged violation of this policy.
 14. *Respondent* – Generally, the Respondent is the person or organization that is alleged to be responsible for the prohibited conduct alleged in a formal complaint.
 15. *Responsible Employee* - All Employees, except as provided in Section 10.e, below, are Responsible Employees who must report allegations of Sexual Misconduct, including all known information concerning the incident, to the Title IX Coordinator.
 16. *Sexual Misconduct* – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and other misconduct based on sex.
 17. *Supportive Measures* - Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.
 18. *University Community* – All faculty, staff, and students of and visitors to any University premises or University-affiliated activity.
- b. ***Title IX Sexual Misconduct***
1. *Title IX Sexual Misconduct* – Conduct that allegedly occurred against a person in the United States, in University’s Education Program or Activity, on the basis of sex, and that satisfies one or more of the following:
 - a. *Quid Pro Quo*. A University employee conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;
 - b. *Severe, Pervasive, and Objectively Offensive Conduct*. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s Education Program or Activity. The following incidents are deemed to meet the Severe, Pervasive, and Objectively Offensive standard:
 1. Sexual Assault- An offense classified as a forcible or nonforcible sex offense.
 - a. Forcible sex offense- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, including Rape, Sodomy (oral or anal sexual intercourse), Sexual Assault with an Object, and Fondling

- b. Nonforcible sex offense- Unlawful, nonforcible sexual intercourse including incest and statutory rape.
 - c. .(For complete definitions of forcible and nonforcible sex offenses, please see [System Regulation 07.06.A](#))
- 2. Dating Violence- Violence committed by a person who is or has been in a social relationship of a romantic nature with the victim, and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relations, and the frequency of interaction between the persons involved in the relationship.
- 3. Domestic Violence- Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person cohabitation with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- 4. Stalking- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

c. *Non- Title IX Sexual Misconduct*

- 1. *Interpersonal Violence* – For the purposes of this policy, Interpersonal Violence is:
 - a. *Dating Violence* – Physical, sexual, or verbal abuse or violence, or threat of abuse or violence committed by an individual who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship. This definition does not include acts covered under Domestic or Family Violence.
 - b. *Domestic Violence or Family Violence* – Physical, sexual, or verbal abuse, or threat of abuse or violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person with whom the Complainant is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the Domestic or Family Violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.

2. *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:

- a. Exposing one's genitals or private areas;
- b. Public urination;
- c. Public defecation; and/or
- d. Public sex acts.

3. *Sexual Assault* – Sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. Sexual assault includes:

- a. *Non-Consensual Sexual Contact* – Intentional sexual touching, however slight, with any object or part of one's body of another's private areas without consent. Sexual Contact includes:
 - Intentional contact with the breasts, buttock, groin, or genitals;
 - Touching another with any of these body parts;
 - Making another touch you or themselves with or on any of these body parts; or
 - Any other intentional bodily contact in a sexual manner.
- b. *Non-Consensual Sexual Intercourse* – Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.

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

- *Rape* – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- *Incest* – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- *Statutory Rape* – Sexual intercourse with a person who is under the statutory age of consent.

4. *Sex Discrimination* – An act that deprives a member of the University Community

of their right of access to campuses and facilities and/or of participation in education, services, programs, operations, employment, benefits or opportunities with the University on the basis of the person's sex.

5. *Sexual Exploitation* – Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:
- a. Purposeful recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's full knowledge or consent;
 - b. Sexual voyeurism;
 - c. Inducing another to expose one's genitals or private areas;
 - d. Prostituting another; or
 - e. Knowingly exposing someone to or transmitting a sexually transmitted disease without the person's full knowledge and consent.
6. *Sexual Harassment* – Means unwelcome sex-based verbal or physical conduct that:
- a. In the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or
 - b. In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from education programs or activities.

To constitute an intimidating, hostile, or offensive working environment, the complained of conduct must be severe, persistent, or pervasive.

Examples of inappropriate behavior that may constitute Sexual Harassment or Sexual Misconduct include, but are not limited to:

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

- Domestic or dating violence;
- Non-consensual sexual intercourse, sexual assault, or rape; or
- Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

7. *Stalking* – A course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s own safety or the safety of others or would cause that person to suffer substantial emotional distress. A “course of conduct” means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person’s property. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

3. Reporting Allegations of Sexual Misconduct or Title IX Violations to the Title IX Coordinator

a. How to Submit a Report

Students and third parties are strongly encouraged to promptly report Sexual Misconduct to the Title IX Coordinator. Any person may make a report in person, by mail, by phone, by email or by utilizing the online reporting form, or by any other means that results in the Title IX Coordinator receiving the verbal or written report. Such a report may be made at any time (including during non-business hours) by utilizing the contact information below or via the online reporting form: <http://angelo.edu/incident-form>. When submitting the report, please include as many details as possible.

Note that while you may submit an anonymous report it will greatly limit the ability for the Office of Title IX Compliance to investigate an alleged incident, collect evidence, and/or take action or otherwise address concerns.

Reports may be made in person to:

| CONTACT | PHONE | ADDRESS | EMAIL |
|---|--------------|---|----------------------------|
| ASU Title IX Coordinator Michelle Miller | 325-486-6357 | Mayer Administration Building, 210 Office of Title IX Compliance | michelle.miller@angelo.edu |

| | | | |
|--|--|--|--|
| | | ASU Station #11044 San Angelo, TX 76909 | |
|--|--|--|--|

b. After Submitting a Report

After receiving an inquiry or report, the Office of Title IX Compliance will contact the Complainant to discuss how the report will be responded to and/or addressed. Supportive Measures will be provided as deemed necessary. The Reporting Party will be contacted only if additional information is needed.

c. Employee's Obligation to Report

University Employees (including student Employees) that, in the course and scope of their employment, witness or receive information regarding the occurrence of an incident that the Employee reasonably believes constitutes Sexual Misconduct must promptly report such incident and information to the University Title IX Coordinator or System Office of Equal Opportunity in accordance with Texas law.

d. Separate Reporting to Law Enforcement

Students may also report incidents of Sexual Misconduct to law enforcement, including University and local police. Complainants may choose to notify law enforcement and will be provided the assistance of the Office of Title IX Compliance in contacting the authorities if the individual wishes. To contact the University Police Department, call 325-942-2071. Complainants may also decline to notify law enforcement of incidents of Sexual Misconduct.

e. Victims Encouraged to seek Medical Care

An individual who experiences Sexual Misconduct is encouraged to seek medical care for treatment and preservation of evidence, if applicable, as soon as practicable after the incident. Preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims can undergo a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, a SANE may still collect evidence several days following a sexual assault. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation. To undergo a SAFE, go directly to the nearest emergency department that provides SAFE services.

f. Preservation of Evidence

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

g. Amnesty for Good Faith Actors

If a student enrolled at the University makes a report or Formal Complaint of sexual misconduct in good faith, the University may not take disciplinary action against that student for violation(s) of the University's student conduct policy occurring at or near the time of the incident. This subsection does not apply to an individual who perpetrates or assists in the perpetration of the incident reported under these policies.

h. Non-Disclosure of Private Information to Medical Providers

Absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy. These Employees are encouraged to provide Complainants with information and guidance regarding University reporting options and available resources. This subsection does not affect the Employee's duty to report an incident under any other law or regulation under which they maintain their licensure.

i. Deadline for Reporting

While employees must promptly fulfill their mandatory reporting obligations, for other individuals, there is no deadline for reporting incidents of Sexual Misconduct. However, to promote prompt and equitable review, the University encourages individuals with reports of Sexual Misconduct to come forward as soon as possible. Delays in reporting limit the ability to respond to Sexual Misconduct, collect evidence, and take effective action against persons accused of violating this regulation.

Note: If a Respondent has left campus, either by withdrawing or graduating, prior to a report being filed, the university's ability to investigate and/or adjudicate may be limited.

4. Reporting Allegations of Sexual Misconduct or Title IX Violations to Confidential Resources

Students may make confidential reports to the University Counseling Center or to any of the resources outlined below.

Information may be shared by the clinical and/or medical provider only with the Complainant's or Respondent's consent.

The following Confidential Resources are available to Angelo State Students:

| CONTACT | PHONE | Website |
|--|--------------|---|
| University Counseling Center | 325-942-2371 | https://www.angelo.edu/services/counseling/ |
| University Health Clinic | 325-942-2171 | https://www.angelo.edu/services/health_clinic_counseling/ |
| University Crisis Helpline | 325-486-6345 | https://www.angelo.edu/services/counseling/crisishelpline.php |
| Open Arms - Concho Valley Rape Crisis Center | 325-655-2000 | http://openarmscv.com |

5. Confidentiality

Angelo State University is committed to ensuring confidentiality during all stages of the Grievance Process. Confidentiality protections provided in this section apply to:

- The Complainant;
- The Reporting Party;
- An individual who sought guidance from the University concerning an incident;
- An individual who participated in the University's investigation of an incident; or
- The Respondent, if after completing an investigation, the University determines the report to be unsubstantiated or without merit.

Unless waived in writing by the individual, the identity of aforementioned individuals:

- a. Is confidential and not subject to disclosure under Chapter 552, Government Code; and
- b. May be disclosed only to:
 1. University Employees or individuals under contract with the University to which the report is made who are necessary for an investigation of the report or other related hearings;

2. a law enforcement officer as necessary to conduct a criminal investigation of the report;
3. a health care provider in an emergency, as determined necessary by the University;
4. the Respondent, to the extent required by other law or regulation; and
5. potential witnesses to the incident as necessary to investigate of the report and to the extent required by other law or regulation.

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

Absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy. These Employees are encouraged to provide the Complainant, with information and guidance regarding University reporting options and available resources.

6. Student Rights and Responsibilities

Prior to a formal investigation a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview with the Investigator(s). The Students Rights and Responsibilities document informs the student of their rights to be exercised before and during the Grievance Process. Information gathered during the course of the investigation and hearing process may be shared only with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

a. Rights and Responsibilities of a Complainant or Respondent

b. Rights and Responsibilities of a Witness

c. . Amnesty

The University may provide educational options in lieu of conduct proceedings in certain situations.

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

1. Complainants, Reporting Parties, and/or Witnesses to misconduct who were engaging in policy violations, such as underage drinking or drug use at the time of the incident.

- In investigations into matter of Sexual Misconduct, all involved parties may fall under this amnesty provision.

2. Students who offer assistance to others by calling medical personnel or law enforcement.

3. Students who bring their own use, addiction, or dependency to alcohol, drugs, or other addictions to the attention of the University prior to any conduct incidents or reports.

The University will not take any disciplinary action against a student who, in good faith, reports experiencing or witnessing an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation of the *Code of Student Conduct* occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the Grievance Process regarding the incident.

The University reserves the right to investigate to determine whether a report related to Sexual Misconduct was made in good faith. After such investigation, the Title IX Coordinator or designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.

Abuse of amnesty provisions can result in a violation of the *Code of Student Conduct*. Amnesty does not preclude students from being charged with allegations of misconduct related to Part II, section B.2. (Actions Against Members of the University Community and Others). The *Code of Student Conduct* amnesty provisions do not impact criminal proceedings or charges. Amnesty does not preclude students from being required to meet with University staff and to participate in conditions such as counseling and alcohol assessments, but the final determination regarding amnesty will be made by the Executive Director of Student Affairs, Title IX Coordinator, or designee.

d. Non- Retaliation

Retaliation against a person who reports a potential violation under these policies, assists someone with a report of a violation, or participates or refuses to participate in any manner in an investigation, proceeding, hearing, or other resolution of a complaint made under these policies is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. In addition, charges against an individual for the *Code of Student Conduct* violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Title IX Sexual

Misconduct, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this regulation.

The University will take appropriate steps to ensure that a person who, in good faith, reports, complains about, participates or refuses to participate in an investigation, proceeding, hearing, or other resolution pursuant to these policies will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report the incident to Office of Title IX Compliance.

Individuals who are found to have retaliated under this policy will be subject to disciplinary action, up to and including termination of employment, expulsion from the university, or being barred from university premises and events.

e. False Information

An individual found to have knowingly and in bad faith provided materially false information may be subject to disciplinary action up to and including dismissal or separation from the University. A determination regarding responsibility alone is not sufficient to conclude that any party or witness made a materially false statement in bad faith.

7. Interim and Supportive Actions

The University will offer Supportive Measures to the parties in order to maintain an environment free from harassment, discrimination, or retaliation; protect the safety and well-being of the parties and the University Community; or restore or preserve equal access to the University's Education Program or Activity.

Additionally, the University may pursue emergency removal, altering the University status of the Respondent. Other Supportive Measures may be implemented and will be evaluated on a case- by-case basis. Supportive Measures may be kept in place through the conclusion of any review, investigation, resolution, or appeal process. Supportive Measures can be implemented regardless of whether or not the Complainant pursues a Formal Complaint or criminal action. The Office of Title IX Compliance is available to help students understand the Grievance Process and identify resources.

Remedies may be implemented after a determination of responsibility in Grievance Proceedings to restore and preserve equal educational opportunities to the Complainant.

The University will maintain confidentiality of any Supportive Measures provided to the parties to the extent that maintaining such confidentiality would not impair the ability of the University to provide Supportive Measures.

a. Resources and General Supportive Measures

Resources include, but are not limited to, assistance from the Office of Title IX Compliance in reporting criminal behavior to the University Police Department or the San Angelo Police Department, referrals to the University Counseling Center, medical assistance, assistance in changing or modifying work situations, accessing campus escort services, increased monitoring of certain areas on campus, and other support services based on the individual student's needs. The Office of Title IX Compliance is available to help students understand the Sexual Misconduct and Title IX process and identify resources regardless of the student's desire to share details of the misconduct.

Local resources may be found by visiting <http://www.angelo.edu/title-ix>.

b. Academic Supportive Measures

The Office of Title IX Compliance can assist the Complainant or Respondent in modifying their academic situation including permissive withdrawal from or retake of a class without penalty; extensions of deadlines or other course related adjustments. Consistent with Texas law, a Complainant or Respondent who is the subject of an alleged incident of Sexual Misconduct will be allowed to drop a course in which they are both enrolled without any academic penalty.

c. No Contact Orders

When initial inquiry indicates persistent and potentially escalating conflict between two members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Title IX Coordinator or designee via the student's official Angelo State University e-mail or during a face-to-face meeting. The notice serves as an official directive that the student(s) have no contact with the other listed party or parties. Contact cannot occur in person, by telephone, e-mail, text message, or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Title IX Coordinator or designee. This notice may also come with a Notice of Formal Complaint or other information related to changes in class schedule or other interim actions or restrictions to facilitate the No Contact Order. Failure to comply with the No Contact Order may result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in Emergency Removal pending the completion of the investigation and resolution of the report. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

d. Interim Actions

In the event that the physical or emotional well-being of a student, other students, or members of the University Community could be endangered, or if the presence of the student could significantly disrupt the normal operations of the University, interim actions may be taken to protect the educational environment. These actions include, but are not limited to, temporary removal from Housing and Residential Programs, temporary changes in a student's academic schedule, and temporary restrictions from the University campus/facilities/events. Interim action is not a sanction and is preliminary in nature utilized in an effort to protect the University Community. Interim action is in effect only until the investigation and resolution of a complaint is complete. Students will be notified of interim actions through the official notice procedures outlined in Part I, Section A.3. in the *Code of Student Conduct*. However, a violation of an interim action may result in additional allegations of the *Code of Student Conduct*.

e. Emergency Removal

Where the University finds that a Respondent poses an immediate threat to the physical health or safety of any student or individual, the University may remove the Respondent prior to the conclusion of the Grievance Process to protect the safety of the University Community where an immediate threat exists. The University shall conduct an individualized safety and risk analysis to determine if an individual poses such an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct that justifies removal. The University shall provide the Respondent with notice utilizing the official notice procedures outlined in Part I, Section A.3. in the *Code of Student Conduct*. Respondents will be given an immediate opportunity to challenge the decision in writing to the Title IX Coordinator immediately following the removal. Regardless of the status of the student's removal, the University may proceed with the Grievance Process.

Conduct, on or off-campus, that may result in Emergency Removal include:

- A significant and articulable threat to the health or safety of a student or other member(s) of the University community that is deemed a continuous threat;
- Sexual assault, other forms of Sexual Misconduct, stalking, and relationship violence that are creating a hostile environment for the Complainant and the remedy for the behavior requires temporary separation;
- Criminal felony charges related to weapons, drugs, aggravated assault, and /or terroristic threats;
- Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests;

- Violation of a No Contact Order;
- Retaliatory harm, discrimination, or harassment.

An Emergency Removal may prohibit the student from one or more of the following: attending class(es), using University services and/or resources, and/ or not being allowed on campus until the Grievance Process has concluded. At the discretion of the Title IX Coordinator or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent. .

f. Non-Student Supportive Measures

Any guest to the University who is alleged to have violated University policies and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members or the University community and/or the presence of an individual could significantly disrupt the normal operations of the University, the Title IX Coordinator or designee, in conjunction with the University Police Department, may issue a Criminal Trespass Warning to that individual(s).

g. Withdraw

Subject to Federal Law the Complainant or Respondent who are working with the Office of Title IX Compliance to address an allegation of Sexual Misconduct will be allowed to drop a course in which they are both enrolled without any academic penalty.

If a student withdraws or graduates from the University pending a disciplinary charge alleging the student violated the University's *Code of Student Conduct* by committing sexual harassment, sexual assault, dating violence or stalking, the institution:

1. May not end the disciplinary process or issue a transcript to the student until the institution makes a final determination of responsibility; and
2. Shall expedite the institution's disciplinary process as necessary to accommodate both the Complainant's and Respondent's interest in a speedy resolution.
3. On request by another institution, the University shall provide to the requesting institution information relating to a determination that a student enrolled violated the institution's code of conduct by committing sexual harassment, sexual assault, dating violence, or stalking.

8. Options in Addressing Reports of Title IX and Non-Title IX Sexual Misconduct

After receiving a report, the Office of Title IX Compliance will reach out to the individual deemed the Complainant via their official Angelo State email to request that the student

schedule an appointment with the Office of Title IX Compliance to further discuss the report received. This meeting will allow the Office of Title IX Compliance to discuss the student's options in addressing the report and discuss the availability and implementation of Supportive Measures. When health and safety of the student is potentially at risk, the Office of Title IX Compliance may call the student on the phone number listed in their student record. In the event that the student does not respond, the Office of Title IX Compliance will send a second email in an attempt to connect with the student.

The Complainant is not required to respond or participate in any meetings with the Office of Title IX Compliance. If the Complainant does not return contact or requests to not meet with the Office of Title IX Compliance, the case may be closed.

If the Complainant requests only Supportive Measures, the Office of Title IX Compliance will contact the appropriate campus parties to address the student's needs. If a Complainant wishes to make a statement, file a formal complaint or otherwise utilize a process to address Sexual Misconduct the Office of Title IX Compliance will schedule an intake meeting with the Complainant. At this time the Title IX Coordinator will evaluate the information provided by the student and determine if the report involves Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct.

If the Complainant requests the institution not to investigate the incident reported to the University, the University may investigate the incident in the same manner that an anonymous complaint may be investigated. In determining whether to investigate the incident, the institution shall consider:

- The seriousness of the incident;
- Whether the University has received other reports of Sexual Misconduct committed by the alleged perpetrator or perpetrators;
- Whether the incident poses a risk of harm to others;
- Whether the allegations involved violence, use of weapons, or other similar factors; and
- Any other factors the University determines relevant.

If the University decides not to investigate an incident of Sexual Misconduct based on the Complainant's request not to investigate, the University shall take any steps the University determines necessary to protect the health and safety of the University Community in relation to the alleged incident.

The University shall inform a Complainant whether the University will conduct an investigation into the incident.

In implementing the processes outlined in this section, the University will, to the greatest extent practicable, ensure equal access for students enrolled at or employees of the institution who are persons with disabilities. The Office of Title IX Compliance will make reasonable efforts to consult with Student Disability Services to assist students with any particular needs.

Note: The Title IX Coordinator or designee may proceed with the Grievance Process (even if the Complainant(s) chooses not to participate) on a case-by-case basis if the alleged behavior involves pattern, predation, threat, or violence (PPTV) that may significantly impact the campus community and others.

The options to address a reported violation of this policy include:

a. Referral Meeting

The Office of Title IX Compliance may request a meeting with a student in order to discuss a referral made to the Office of Title IX Compliance when the referral may not include information that indicates there is reasonable belief a violation of the *Code of Student Conduct* occurred, but when the Office of Title IX Compliance determines the referral warrants a discussion. The purpose of the discussion is to clarify concerns of the involved parties, to offer assistance to all involved parties, and to explain to the student that repeated referrals may warrant a Formal Investigation which may warrant adjudication. This meeting may also include a Policy Clarification, which is written notice provided to a student when it is determined that the information reported does not warrant an allegation but may warrant notice to the involved parties to clarify the policy in question.

b. *Formal Complaint (Initiation of Grievance Process)*

A Formal Complaint is a document signed by a Complainant or the Title IX Coordinator alleging Sexual Misconduct against a Respondent requesting that the University investigate the allegation(s) of Sexual Misconduct. While incidents may be reported by any third party, only the Complainant or Title IX Coordinator may initiate the Grievance Process by filling the Formal Complaint. A Formal Complaint is also required for any individuals wishing to pursue an Informal Resolution.

When a Formal Complaint is filed, the Office of Title IX Compliance will provide written notice to the Respondent with sufficient time for the Respondent to prepare a response before an initial interview. The Notice of Formal Complaint includes information about the Grievance Process, the Informal Resolution Process, the allegations and any details known at the time, such as the name of the Complainant, and the location, date and time of the alleged incident(s), and the specific section(s) of the *Code of Student Conduct* the Respondent is alleged to have violated. The Complainant also receives a copy of the Notice of Formal Complaint.

1. Review of Formal Complaint

When a Formal Complaint is received, Office of Title IX Compliance will evaluate jurisdiction and mandatory and discretionary dismissal described below, assess

appropriate Supportive Measures for both parties, evaluate the need for Emergency Removal, and initiate the Grievance Process.

a. **Mandatory Dismissal** – The Title IX Coordinator shall dismiss a Formal Complaint in the following situations:

1. For Title IX Sexual Misconduct:

- The allegation does not describe conduct that would constitute Title IX Sexual Misconduct as defined, even if proven;
- The Title IX Sexual Misconduct did not occur in the University's Education Program or Activity; or
- The Title IX Sexual Misconduct did not occur against a person in the United States.

2. For Non-Title IX Sexual Misconduct

- The allegation does not describe conduct that would constitute Non-Title IX Sexual Misconduct as defined, even if proven.
- The Respondent is not a member of the University Community

b. *Permissive Dismissal* – The Title IX Coordinator may dismiss a Formal Complaint in the following situations:

1. The Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or some allegations in the Formal Complaint;
2. The Respondent is no longer enrolled in or employed by the University; or
3. Circumstances exist that prevent the University from gathering sufficient evidence to reach a determination as to the Formal Complaint or the allegations.

c. **Application of other Policies Upon Dismissal** – If the Title IX Coordinator dismisses a Formal Complaint or any of the allegations in the Complaint, the office must promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the Complainant and Respondent. Dismissal of a Title IX Sexual Misconduct Formal Complaint does not preclude utilizing the Grievance Process to address Non-Title IX Sexual Misconduct.

d. **Appeal of Dismissal Decision** – Any party can appeal the dismissal decision following the criteria and procedures listed below under *Appeals*.

e. **Right to Consolidate Complaints** – The University may consolidate Formal Complaints as to the allegations of Title IX Sexual Misconduct:

1. Against more than one Respondent;
2. By more than one Complainant against one or more Respondents; or

3. By one party against another party where the allegations of Title IX Sexual Misconduct arise out of the same facts.
4. If one or more of the consolidated Formal Complaints involve allegations of Title IX Sexual Misconduct, then the consolidated Complaint must proceed under the Title IX Sexual Misconduct Grievance Process.

Formal Investigation

c. Options in Resolving Formal Complaint

1. Informal Resolution

After the Complainant and Respondent have been provided written notice of a Formal Complaint, the Office of Title IX Compliance may offer and facilitate the Informal Resolution Process. The procedures utilized in the Informal Resolution process must be agreed upon by obtaining the parties' voluntary, written consent, with concurrence from the Title IX Coordinator or designee. The parties must agree in writing to all aspects of any resolution reached through the Informal Resolution process including any restrictions, sanctions, or conditions as may be agreed upon by the parties with concurrence from the Title IX Coordinator or designee, and any such resolution will be binding and final with no opportunity to appeal. Either party may withdraw from the Informal Resolution process at any time prior to the final resolution and resume the Grievance Process with respect to the Formal Complaint. Informal Resolution agreements will be maintained in accordance with University policies. Should either party violate the terms of the resolution, the matter may be referred to the Office of Student Conduct.

The University will not require any person to participate in the Informal Resolution Process and will not condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to the Informal Resolution Process. Any party may withdraw from the Informal Resolution Process at any time prior to agreeing to a resolution and resume the Grievance Process with respect to the Formal Complaint.

2. Informal Conference

An Informal Conference is a form of Informal Resolution. If after the Investigation, the Respondent accepts responsibility for the allegations of the *Code of Student Conduct* which may be outlined in an Investigation Report, the student can choose to resolve the issue informally. Should the student wish to participate in the Informal Conference process, the Complainant and the Respondent must accept both the finding and the sanctions as recommended by the Office of Title IX Compliance. If accepted, the process ends, the finding is final, and there is no appeal. The case will only be reopened if new material, previously unavailable, is presented.

Written notification of the outcomes and sanctions, if applicable, of the Informal Conference will be provided simultaneously to the student(s) and appropriate University Administrators within five (5) university working days of the effectuation of the Informal Conference.

3. Hearings:

There are two processes for a formal Hearing, one will be utilized for Title IX Sexual Misconduct the other will be utilized for Non-Title IX Sexual Misconduct. For either type of Hearing, students will first complete the Pre-Hearing Process.

a. Pre-Hearing Process

In cases involving a Hearing, the Pre-Hearing Process will be followed. Once the investigation process is complete, the Complainant and Respondent will be given notice of a Pre-Hearing Meeting. Should students choose not to participate in the Pre-Hearing, the Grievance Process may continue without their participation, including the completion of a Hearing. During this meeting, students will be given equitable access to review various documents including the Hearing Panel composition, Hearing Script, Opening, Closing, and Impact Statements, and Appeal Procedures. Following the Pre-Hearing, students and their advisors will be notified of a date, time, and location of the Hearing via written Notification of Hearing sent to the student's official assigned Angelo State University email address, delivered via Certified Mail to the student's last known address, or personally delivered to the student. University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address.

While students may identify errors in their own statements during the Pre-Hearing, they are not able to add additional information to the Investigation Report unless that information, in the judgment of the Investigator(s), was unavailable during the investigative process and is pertinent to the consideration of the case. If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Hearing, the student should inform the Investigator(s) immediately. If the new information is pertinent to the consideration of the case, the Investigator(s) will determine whether the new information should be included in the Investigation Report or presented verbally during the Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Panel Hearing.

If the Respondent voluntarily accepts responsibility for the charges issued in the Investigation Report, the Respondent may request a Sanction Only Hearing. However, the Investigator(s) has the sole discretion in all cases to designate whether a Hearing Panel or Sanction Only Hearing will be held notwithstanding the student's preference.

In cases requiring a Hearing Panel, the Investigator(s) will share the list of Panel members from the Title IX and Sexual Misconduct Response Team. One member of a

Hearing for Title IX Sexual Misconduct will be the Title IX Hearing Officer. The Title IX Hearing Officer will oversee and conduct the hearing and chair the Hearing Panel. (See [System Regulation 07.06.A Attachment 2](#) for more information). Students will be given the opportunity to request to strike any member of the Hearing Panel whose impartiality may be in question. In order to strike a member of the Hearing Panel, the student must provide the Investigator(s) with a reasonable and substantiated rationale for the request. Once the composition of the Hearing Panel is set, the Title IX Coordinator or designee will schedule the Panel Hearing.

At the discretion of the Title IX Coordinator or designee, a review of the investigation may occur at any point during the investigation process for clarification of procedural processes and may remand for further investigation or adjudication if deemed necessary.

The Grievance Process is designed to be non-adversarial. Students will be permitted to question the statements and evidence presented by the other involved parties. In Title IX Hearings, the Title IX Advisor will conduct cross-examination on behalf of the party. In Non-Title IX Hearings, the student will pose the questions and supplement the Investigation Report via the Investigator.

Note: Questions that are deemed objectionable, inappropriate, and/or irrelevant may be rejected.

b.. Title IX Sexual Misconduct Hearing

[System Regulation 07.06.A Attachment 2](#) outlines the full Title IX Sexual Misconduct Hearing Procedures.

The University will appoint a four-member Hearing Panel. The Title IX Hearing Officer will be one of the four members and will serve as the Hearing Panel Chair. The Hearing Panel will be the decision-maker that objectively evaluates all relevant evidence and renders a determination regarding responsibility after the live hearing. The determination regarding responsibility will be made by a majority vote of the Hearing Panel. The Hearing Panel will not include the Title IX Coordinator or an Investigator involved in the matters considered at the Hearing. The Hearing Panel has the right and responsibility to ask questions and elicit information from parties and witnesses on its own initiative to aid in obtaining relevant evidence both inculpatory and exculpatory.

All parties, witnesses, and other participants in a Hearing must be physically or virtually present in a manner where all participants can simultaneously see and hear each other. Statements of a party or witness that is not present and subject to cross-examination at the Hearing will not be relied on in making a

determination of responsibility.

Each Complainant and Respondent shall have an advisor of their choice present at the Hearing. Each party must notify the Office of Title IX Compliance at least ten (10) days prior to the Hearing whether the party intends to select and bring an advisor of their choice to the Hearing. If a Complainant or Respondent does not have an advisor of their choice present at the Hearing, the University will provide without fee or charge an advisor of the University's choice. The advisors' only permissible roles at the Hearing are to advise the party and to conduct cross-examination on behalf of the party.

The University will adopt rules of order and decorum provided for and enforced by the Title IX Hearing Officer. Such rules will include, but are not limited to, time limits, hearing order, and requirements that participants not badger a witness, and repetition of the same question may be deemed irrelevant by the Hearing Officer; no party be asked questions in an abusive or intimidating manner; and questioning shall be relevant, respectful, and non-abusive. Each Hearing shall be no more than four (4) hours in length, unless the Hearing Officer determines that exceptional circumstances exist justifying a longer Hearing.

The University will create a record of the Hearing and make it available to the parties for inspection and review upon request.

At the direction of the Hearing Officer, Complainants and Respondents will have an opportunity to offer their own opening and closing statement, subject to time limits set by the Hearing Officer.

Each party will have an opportunity to present evidence to the Hearing Panel. The Hearing Officer will be responsible for making determinations regarding evidence, including relevance. Information that will be deemed not relevant includes, without limitation, information protected by a legally recognized privilege; questions or evidence about the Complainant's sexual predisposition or prior sexual behavior (unless offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent); any party's medical, psychological, or similar records (unless the party has given voluntary, written consent); and party or witness statements that have not been subjected to cross-examination at the Hearing. If a party or witness does not attend or refuses to answer cross-examination, the Hearing

Panel cannot draw an inference regarding responsibility based solely on that absence or refusal to answer.

Direct Examination may be conducted by the Title IX Hearing Officer or the Hearing Panel. Cross-examination must be conducted directly orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions, including those challenging credibility, may be asked of a party or witness. Before a participant answers a cross-examination or other question, the Title IX Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

After a determination regarding responsibility and before a decision regarding Sanctions, the Hearing Panel may request, and the parties may provide impact statements for consideration.

After the Hearing, the Hearing Panel will issue a written determination regarding responsibility that will include: (1) identification of the allegations potentially constituting Title IX Sexual Misconduct; (2) a description of the procedural steps taken throughout the Grievance Process; (3) findings of fact supporting the determination regarding responsibility; (4) conclusions regarding the application of the University's applicable conduct policy to the facts of the alleged conduct; (5) a statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary Sanctions imposed on the Respondent, and whether Remedies designed to restore or preserve equal access to the University's Education Program or Activity will be provided by the University to the Complainant; (6) a statement that the University's procedures are permissible bases to for the Complainant and Respondent to appeal; and (7) a statement that the determination may be appealed by the parties following the procedures listed below. The written determination of responsibility becomes final when the time period to file an appeal has expired, or when the appeal decision has been sent to the parties.

c. Non-Title IX Sexual Misconduct Hearings

In cases involving Non-Title IX Sexual Misconduct the University may proceed to conduct a Hearing Panel and issue a finding and accompanying sanctions, if applicable.

For a Hearing Panel a panel of three (3) members of the Sexual Misconduct and Title IX Response Team will be chosen from the available pool by the Title IX Coordinator or designee. One additional member of the team will be chosen as an alternate and be prepared to serve if needed.

Members of the Sexual Misconduct and Title IX Response Team who served as Investigator(s) for the case being heard by a Hearing Panel may not serve as either a voting member of the Hearing Panel or as the non-voting Resource Person and will only participate as the Investigator in the Panel Hearing.

All Hearing proceedings, excluding deliberations of the Hearing Panel, will be recorded by the University.

During the Panel Hearing, a designated Resource Person will facilitate the Hearing process.

The Title IX Coordinator or designee will appoint a Resource Person to serve as a non-voting participant in the Panel Hearing. The Resource Person will be a trained University staff member who may:

- Prepare the Panel Hearing materials;
- Record the Panel Hearing proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the Panel Hearing;
- Ensure the procedural soundness of the Panel Hearing;
- Provide student conduct history as well as any documented Policy Clarifications issued to the Respondent, during the sanctioning phase, if necessary;
- Transcribe the findings of the Hearing Panel;
- Compile the post-Hearing documentation;
- Deliver notification to the parties.

Hearings are closed to the public. Both the Complainant and Respondent have the right to be present at the Hearing; however, they do not have the right to be present during deliberations. Arrangements can be made so that the Complainant and Respondent do not have to physically be in the Hearing room at the same time, arrangements can be made for the parties to participate electronically, from another room, etc. To request changes in the scheduled Hearing time or other accommodations students should contact the Office of Title IX Compliance prior to the scheduled Hearing.

During the Hearing, the Investigator(s) presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. Both the Complainant and Respondent have the right to add or make additional comments about the facts of the case. The Hearing Panel may question the Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent may not question each other or witnesses directly, but may pose questions through the Investigator or Resource Person. Should new evidence be presented without prior discussion with the Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the

sanctioning phase of the Hearing. In the event the Resource Person removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct.

Following the Hearing, the Hearing Panel will deliberate and will render a decision in regard to the alleged misconduct. After a determination regarding responsibility and before a decision regarding Sanctions, the Hearing Panel may request, and the parties may provide impact statements for consideration. Should the Hearing Panel have any questions for the Investigator, The Office of Title IX Compliance, the Complainant and/or the Respondent, the Hearing Panel will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the Hearing Panel will be provided to the student(s) simultaneously in writing within five (5) University business days of the conclusion of the Panel Hearing. Decisions made through the Hearing Panel may be appealed by students by utilizing the Appeal Procedures outlined below.

d. Sanction Only Hearing

If the student accepts responsibility for the charges issued in the Investigation Report, the student may request a Sanction Only Hearing, by the Hearing Panel. During a Sanction Only Hearing, the Investigation Report and finding are presented to the Hearing Panel by the Investigator(s). During presentation of the Investigation Report and finding, the Complainant and Respondent are not allowed to dispute the facts or details of the case. Both the Complainant and Respondent be present and both the Complainant and Respondent may provide impact statements prior to sanctioning. Written notification of the outcome of the Sanction Only Hearing will be provided simultaneously to the students within five (5) University working days of the conclusion of the Sanction Only Hearing. Decisions made through the Sanction Only Hearing may be appealed by the students by utilizing the Disciplinary Appeal Procedures outlined in Part I, Section E.9. In Sanction Only Hearings, students may appeal the sanction(s), and can only appeal on the following grounds, "the sanction imposed substantially varies from the range of sanctions normally imposed for similar infractions." *A student may only choose a Hearing Panel for Sanction Only Hearings for potentially separable offenses.*

9. Sanctions

When a student is found responsible of a violation of the *Code of Student Conduct* sanctions may be imposed. The potential sanctions are listed in the *Code of Student Conduct* grid in Appendix B. The grid is provided only as a guideline for administering sanctions by the Investigator or Hearing Panel. The Investigator or Hearing Panel may deviate from the grid for sufficient reason.

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process

is exhausted. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Upon the judgment of the Title IX Coordinator or designee, some cases resulting in sanctioning of Suspension and Expulsion may begin prior to the completion of the disciplinary appeal process. Findings and sanctions agreed upon through the Voluntary Resolution Process are final and cannot be appealed.

All records related to the disciplinary process will remain on file for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, a Hearing Panel, Sanction Only Hearing, and/or Disciplinary Appeal Procedures in Part I, Section E.9. All records related to the disciplinary process resulting in Suspension and/or Expulsion will remain on file indefinitely.

If a student is found responsible for violating the *Code of Student Conduct*, sanctions may be imposed and can include, but are not limited to, the following:

a. Disciplinary Reprimand

The Disciplinary Reprimand is an official written notification using the notice procedures outlined to the student that the action in question was misconduct.

b. Disciplinary Probation

Disciplinary Probation is a period of time which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional conditions, restrictions, and/or sanctions.

c. *Deferred Disciplinary Suspension*

Deferred Disciplinary Suspension is a period of time where a Disciplinary Suspension may be deferred for a period of observation and review, but in no case will the Deferred Disciplinary Suspension be less than the remainder of the semester. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.

d. *Time-Limited Disciplinary Suspension*

Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student's academic record, including the transcript. Time-Limited Disciplinary Suspension is noted on the student's transcript by the phrase "Disciplinary Suspension" and will include the period of time in which the student is/was suspended from the University. In most cases, the notation of disciplinary suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the

institution or 2) the Title IX Coordinator, or designee determines that a good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Title IX Coordinator or designee may deny a student's readmission, if the student's misconduct during the suspension would have warranted additional disciplinary action or if the student has failed to satisfy any sanction that was imposed prior to application for readmission. On denial of a student's readmission, the Title IX Coordinator or designee will set a date when another application for readmission may again be made. An administrative hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

e. Disciplinary Expulsion

Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. The status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase "Disciplinary Expulsion" and the date in which the student's expulsion was effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student may petition in writing to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good causes exists to remove the notation. An administrative hold will be placed on the student record by the Title IX Coordinator or designee to prevent future registration.

f. Conditions

A condition is an educational or personal element that is assigned by the Investigator(s) or Hearing Panel. Costs associated with conditions may be the responsibility of the student and will be billed to the student's account. Some examples of conditions include, but are not limited to:

- Personal and/or academic assessment/counseling intake session.
- Discretionary educational conditions and/or programs of educational service to the University and/or community.
- Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities.
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement.
- Monetary assessment owed to the University.
- Completion of an alcohol or drug education program.
- Referral to the Alcohol & Drug Abuse Council for the Concho Valley (ADACCV) for assessment, <http://www.adaccv.org/>.

7. Restrictions

A restriction is an additional component of a disciplinary sanction. A restriction is usually an educational component that is to occur in conjunction with the sanctions and will usually be time specific. Some examples of restrictions include, but are not limited to:

- Revocation of parking privileges.
- Denial of eligibility for holding office in registered student organizations.
- Denial of participation in extracurricular activities.
- Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University community.
- Loss of privileges on a temporary or permanent basis.

10. Appeal Procedures for Sexual Misconduct

In Sexual Misconduct cases, either the Complainant or Respondent may appeal the finding or the sanction(s) imposed in a Panel Hearing by submitting a written petition to the designated appeal officer, within three (3) University business days after the delivery of the written decision regarding responsibility. The written appeal must be filed with the University's Title IX Coordinator, as directed in the written determination regarding responsibility, and the party's written appeal must set forth the grounds for the appeal and any supporting information.

An appeal may not be filed on behalf of the student by a third party.

Upon the filing of written appeal, the University will give written notice of the appeal to the other party. That party will have three (3) University working days to respond to the appeal.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- A procedural or substantive error that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- The discovery of new evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter. A summary of this new evidence and its potential impact must be included;
- The Title IX Coordinator, Investigator(s), or decision maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- The sanctions imposed substantially varies from the range of sanctions normally imposed for similar infractions.

NOTE: Lack of participation at any part of the Grievance Process does not constitute new evidence.

The designated Appeal Officer is a trained University staff or faculty member who did not serve as the Investigator or an Administrative Hearing Officer in the original Title IX Hearing Process and will render a neutral, impartial, and unbiased decision.

The Appeal Officer may submit the written appeal and response to the original Hearing Body, and that Body may submit its response in support of the appeal or original decision to the Title IX Coordinator or designee within three (3) University working days.

The Appeal Officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.

If the Appeal Officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error, or new evidence that was unavailable at the original Hearing, the Appeal Officer will then determine whether the error or new evidence would have substantially impacted the decision of the Hearing Panel. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, he or she may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- Remand the case to the original Hearing Panel;
- Remand the case to a new Hearing Panel.

The Office of Title IX Compliance shall make all reasonable efforts to notify the student(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) of the result of their appeal using the written notification procedures within five (5) University working days from receipt of all responses. If necessary, the Appeal Officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

If the Appeal Officer remands the decision to a new Hearing Panel, the decision of that Hearing Panel is final and may not be appealed.

10. Interference with an Investigation

Any person who knowingly and intentionally interferes with the Grievance Process conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the university. Interference with the Grievance Process may include, but is not limited to:

- Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
- Divulging confidential information;
- Removing, destroying, or altering documentation relevant to the investigation; or
- Providing false or misleading information to the investigator, or encouraging others to do so.

11. Training Requirements from the Office of Title IX Compliance

Angelo State's commitment to preventing and raising awareness of the harm resulting from conduct prohibited in these policies include providing primary prevention and awareness programs for all incoming students and new Employees, ongoing education to both Employees and students, and emailing information regarding this policy to students at the beginning of each academic semester. This policy is published on the University's website and information regarding this policy and related policies is included in orientation materials for new students, faculty, and staff.

All incoming students (including transfer students) at Angelo State University are required to attend an orientation session and take an online training module related to Sexual Assault Prevention.

Undergraduate students must take two, two-part trainings called AlcoholEDU and Sexual Assault Prevention for Undergraduates.

- *AlcoholEDU* provides detailed information about alcohol and the effects it has on the mind and body. While many students choose not to drink while in college, the training assists students in developing skills to handle situations involving their peers and their use of alcohol.
- *Sexual Assault Prevention for Undergraduates* is intended to educate students about healthy relationships, affirmative consent, good communication, and empowers students to be active bystanders.

Graduate students are required to take one, two-part training called Sexual Assault Prevention for Graduate Students. This training is intended to educate students about healthy relationships, affirmative consent, good communication, and empowers students to be active bystanders.

In addition to these trainings above, student athletes are required to take an additional two-part training online about sexual assault prevention.

Students will receive emails with information about how to access these trainings and relative due dates. Trainings may be accessed through the student's Rampart. Additional information can be found at: <https://www.angelo.edu/services/title-ix/alcoholedu-and-haven.php>.

Failure to complete these trainings by the due date may result in a hold being placed on the student's account.

All employees must attend Equal Opportunity non-discrimination and sex/gender discrimination training including sexual assault, sexual harassment, and campus crime mandated reporter training within the first 30 days of employment and receive supplemental training every two years. Other appropriate compliance training sessions will also be conducted on an ongoing basis. Training sessions will include information on how and where to report incidents of prohibited conduct, resources available, as well as risk reduction and safe and positive options for bystander intervention.

In addition, University Employees and administrators responsible for implementing this policy, including the Title IX Coordinator, Title IX Deputy Coordinators, Investigators, Hearing Officers, and Appeal Officers receive annual training about offenses, investigatory procedures, due process requirements, impartiality, conflicts of interest, informal resolution process, and University policies related to or described in this policy.

Title IX Coordinators, Investigators, Hearing Officers, and Appeal Officers shall receive adequate and unbiased training on the application of the Sexual Misconduct policy, and the Grievance Process, including, where appropriate, how to conduct Hearings, the use of technology, and how to make relevancy decisions. All materials used to train these staff members are publicly available on the [Title IX & Sexual Misconduct website](#).

12. FAQs and Additional Information

Additional information, including information about resources may be found on the Office of Title IX Compliance's website which can be located at:
<https://www.angelo.edu/services/title-ix/>.

An FAQ containing frequently asked questions may be accessed online by visiting
<https://www.angelo.edu/services/title-ix/frequently-asked-questions.php>.

PART II: COMMUNITY POLICIES

SECTION A: ALCOHOL POLICY & INFORMATION

1. Beverage Provisions in the Code of Student Conduct

Alcoholic Beverages violations are outlined in Part I, Section B.1.c. of the *Code of Student Conduct*.

SECTION B: ACADEMIC INTEGRITY

1. Angelo State University Statement of Academic Integrity

Academic integrity is taking responsibility for one's own class and/or course work, being individually accountable, and demonstrating intellectual honesty and ethical behavior. Academic integrity is a personal choice to abide by the standards of intellectual honesty and responsibility. Because education is a shared effort to achieve learning through the exchange of ideas, students, faculty, and staff have the collective responsibility to build mutual trust and respect. Ethical behavior and independent thought are essential for the highest level of academic achievement, which then must be measured. Academic achievement includes scholarship, teaching, and learning, all of which are shared endeavors. Grades are a device used to quantify the successful accumulation of knowledge through learning. Adhering to the standards of academic integrity ensures grades are earned honestly. Academic integrity is the foundation upon which students, faculty, and staff build their educational and professional careers.

2. Academic Dishonesty Definitions

Students must understand the principles of academic integrity and abide by them in all classes and/or course work at the University. Academic Misconduct violations are outlined in Part I, Section B.1.a. of the *Code of Student Conduct*. If there are questions of interpretation of academic integrity policies or about what might constitute an academic integrity violation, students are responsible for seeking guidance from the faculty member teaching the course in question.

3. Instructor Responsibilities

Any person aware of alleged violations of academic integrity should report the allegation to the instructor of record in the course. The instructor in a course is responsible for initiating action in each case of misconduct that occurs in that class. The instructor should contact the Executive Director of Student Affairs or designee to discuss the nature of the violation and the student's record of academic misconduct violations. Instructions for reporting allegations of academic misconduct are available in the *Code of Student Conduct*. The instructor will notify the student of the alleged misconduct and attempt to discuss the matter with the student and receive a response from the student about the allegations. Then, the instructor may notify the student of possible academic sanctions including, but not limited to, assigning a paper or research project related to the academic integrity; assigning a make-up assignment that is different than the original assignment; issuing no credit for the original assignment; reducing the grade for the assignment and/or course; issuing a failing grade on the assignment; and/or issuing a failing

grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Executive Director of Student Affairs or designee as a central clearinghouse of violations. The Executive Director of Student Affairs or designee will review the case and may impose additional sanctions if warranted as outlined in the *Code of Student Conduct*.

4. Withdrawal and Assignment of Grades

- a. Once a student has been notified of an academic integrity allegation, the student may not drop the course until the academic integrity processes are complete. If a student drops or withdraws, the student will be reinstated to the course in question. A student should continue attending class and participating in course work until the disciplinary process is complete. If it is determined that the student was not responsible for academic integrity violations and/or the referring faculty member allows the student to withdraw from the course, the student may file a request with the Provost and Vice President for Academic Affairs for approval to drop the course or withdraw from the University retroactively.
- b. If a referring faculty member must submit a final course grade before an Academic Integrity Violation allegation is resolved, the faculty member should notify the Department Chair and the Academic Dean of the intention to assign a grade of F and/or leave the final grade blank. The involved student may be given a temporary grade of X by the Registrar's Office, which does not affect the student's GPA, until the academic integrity adjudication process is complete. When the academic integrity adjudication process is complete, the final grade will be assigned through the appropriate academic channels and the completion of a grade change form. All appeals related to academic integrity violations should follow the process outlined in Part I, Section B.3.e.8. (Disciplinary Appeals Procedures).

5. Academic and Disciplinary Penalties

The academic and disciplinary penalties will not be implemented until the disciplinary procedure and appeal process has been exhausted. In cases in which a student is found not responsible for academic dishonesty, the student will be entitled to the grade he/she would have received in the absence of an academic integrity violation. In addition, the student will be allowed to continue in the particular course without prejudice.

6. Referrals to the Executive Director of Student Affairs

In addition to the assignment of academic sanctions by the instructor of record, a referral of the academic misconduct violation should also be made to the Executive Director of Student Affairs or designee for the possible assignment of additional disciplinary sanctions. Instructions for reporting academic misconduct violations are available in the *Code of Student Conduct*. A student referred to the Executive Director of Student Affairs or designee for alleged violations of academic misconduct is entitled to all substantive and procedural guarantees provided in the

Code of Student Conduct. Instructors of record of the course where the alleged violation occurred and the Academic Dean of the college where the student is enrolled or of the college housing the course where the alleged violation occurred may participate in the adjudication of the violation and assignment of additional sanctions with the Executive Director of Student Affairs or designee as outlined in the *Code of Student Conduct*.

NOTE: Additional Academic Misconduct information is available from the Office of Student Affairs.

SECTION C: ANTI-DISCRIMINATION POLICY

The University does not tolerate discrimination or harassment based on or related to sex (including pregnancy), age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, race, color, religion, national origin, status as a protected veteran, or other legally protected characteristics. It is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on this basis.

1. Discriminatory Harassment

Conduct based on a student's race, color, religion, national origin, sex (including pregnancy), age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics, when such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's education of creating an intimidating, hostile, abusive, or offensive educational environment. Examples of inappropriate behavior include, but are not limited to, the following, if related to an individual's protected category, class or characteristic:

- a. Derogatory, disparaging, or disrespectful remarks, comments, slurs, or jokes about a particular person or protected category, class, or characteristic of persons based on, about, or because of a protected category, class, or characteristic;
- b. Display of explicit or offensive posters, pictures, drawings, cartoons, calendars, correspondence, digital or broadcast content (including images, videos, or audio), or any other physical, digital, or multimedia materials in any form that reflect disparagingly upon a category, class, or characteristic of persons or a particular person in a protected category or class;
- c. Loud or angry outbursts or obscenities in the workplace directed toward a member of the University Community;
- d. Disparate treatment without a legitimate business reason; or other threats, discrimination, hazing, bullying, stalking, or violence.

For more information on the University's policy and compliant procedures regarding discriminatory harassment, see **Angelo State University Operating Policy 16.02** [Non-](#)

Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws.

2. Title IX and Sexual Misconduct

A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, or other misconduct based on sex. For more information on this policy and compliant procedures see [TTU System Regulation 07.06 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#) and in Angelo State's [Operating Policy 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#).

3. Office for Civil Rights Complaints

Nothing in this policy shall prevent a student from presenting a charge of discrimination or other grievance covered by this policy to an external agency, such as the United States Department of Education: Office for Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100 or Customer Service Hotline (800) 421-3481 or <http://www2.ed.gov/about/offices/list/ocr/index.html>.

SECTION D: CLASS ABSENCES

1. Class Absences

Responsibility for class attendance rests with the student. Regular and punctual attendance at all scheduled classes is expected, and the University reserves the right to deal at any time with individual cases of non-attendance. In case of an illness requiring an absence from class for more than one week, the student should notify his/her academic dean and/or the Executive Director of Student Affairs or designee. Angelo State University Operating Policy 10.04, [Academic Regulations Concerning Student Performance](#) provides complete information regarding class attendance and reporting student illness and emergencies.

2. Religious Holy Day Absences

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. More information is available in University Operating Policy 10.19, [Student Absences for Observance of Religious Holy Days](#).

3. Student Absence due to Sponsorship of Student Activities and Off-Campus Trips

- a. Faculty, department chairpersons, directors, or others responsible for a student representing the University on officially approved trips should notify the student's instructors of the departure and return schedules in advance of the trip. The instructor so notified must not penalize the student, although the student is responsible for material missed. Students absent because of the University business must be given the same privileges as other students (e.g., if other students are given

the choice of dropping one of four tests, then students with excused absences must be given the same privilege).

- b. According to University Operating Policy 10.04, [Academic Regulations Concerning Student Performance](#), students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip.

SECTION E: COMPLAINT PROCESSES

1. Complaints

Angelo State University has various procedures for addressing written student complaints. A written student complaint is any complaint that is written and submitted through the appropriate complaint process outlined in the Operating Policies or the online Incident Reporting Form to the Office of Student Affairs, Office of Title IX Compliance, or appropriate academic unit.

Students may seek assistance from the Executive Director of Student Affairs, Title IX Coordinator, or designee as they go through a written complaint process. The Executive Director of Student Affairs, Title IX Coordinator, or designee help students understand all of the steps of the process as well as what information they may want to include in their written complaint.

2. Academic Status Complaints

- a. Policies and processes related to academic status are found in the Undergraduate/Graduate Academic Catalog as well as in University Operating Policy 10.07, [Undergraduate Academic Status](#), University Operating Policy 10.11, [Grading Procedures](#), and University Operating Policy 10.04, [Academic Regulations Concerning Student Performance](#).
- b. Undergraduate students on academic probation or suspension should refer to University Operating Policy 10.07, [Undergraduate Academic Status](#) for specific instructions regarding returning to good academic standing or reinstatement to the University. Graduate students may appeal to the Graduate School for review.

3. Complaints Against Faculty (Non-Grading and Non-Discrimination)

Conduct of University Faculty is outlined in University Operating Policy 06.05, [Conduct of University Faculty](#). The processes for complaints against faculty are outlined in the policy and in the Undergraduate/Graduate Academic Catalog. Students should direct complaints to the supervisor of the department or organization housing the faculty member, typically the Department Chair.

4. Conduct Complaints against Other Students and Student Organizations

The *Code of Student Conduct* Part I, Section C and Section D of the Angelo State University Student Handbook outlines the process for filing a conduct complaint against a student or student organization.

5. Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure

The University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. In accordance with Title VII, Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Texas Education Code and other federal and state laws, the University prohibits discrimination based on sex and other types of Sexual Misconduct. The University has established policies and a Grievance Process providing for prompt and equitable and impartial resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of Sexual Misconduct. In the event a student believes their rights under Title IX or other laws have been violated, Angelo State University Operating Policies set forth procedures for filing, investigating, and resolving complaints of harassment and discrimination. These policies and complaint procedures are available in **Angelo State University Operating Policies: [OP 16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#) and [TTU System Regulation 07.06 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#)** and in **Angelo State's [Operating Policy 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#)**.

a. Faculty/Staff and Student Relationships:

Angelo State University is committed to maintaining positive work and educational environments free from abuse of authority, favoritism, and conflicts of interest. Dating, amorous, romantic, and/or sexual relationships that, although consensual, may create actual or perceived conflicts of interest or the possibility for unethical, discriminatory, and/or harassing situation disruptive to the ASU community are prohibited. **[For more information on ASU's policy see OP 52.64 Consensual Relationships.](#)**

6. Disability-Related Complaints

- a. Complaints related to disabilities are guided by University Operating Policy [10.24 Establishing Reasonable Accommodations for Students with Disabilities](#) and Operating Policy [16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#).
- b. Any students seeking remedy on the basis of a disability must register as an individual with a disability with Student Disability Services and must provide all required documentation of a disability. Students who are denied services or denied a specific accommodation request by Student Disability Services may appeal the decision to the Executive Director of Student Affairs or designee. The ADA Campus Coordinator for Students is the Director of Student Disability Services, located in the

Office of Student Affairs, Suite 112, Houston Harte University Center, (325) 942-2047.

7. Student Record Complaints & FERPA

Guidelines governing student access to personal records and the procedures for challenging information in these records are contained in the student records policy that is detailed in the Angelo State University Student Handbook Part II, Section O. The Registrar's Office provides oversight for student records and student record complaints.

8. Disciplinary Action

The University conduct procedure for students is outlined in the Angelo State University Student Handbook Part I, Section B. The University conduct procedure for student organizations is outlined in Part I, Section C.

9. Employment

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with her or her immediate supervisor or the person in charge of the department may contact the Office of Human Resources in accordance with the grievance procedures outlined in the University Operating Policy 52.17, [Staff Employee Complaint Procedure](#) and University Operating Policy 16.02, [Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#).

10. Grades

The assignment of a grade in a course is the responsibility of the faculty member and is based on the professional judgment of the faculty member. Except for issues of computation, discrimination, equal treatment, or reasonable accommodation when a documented student need is present in accordance with the Americans with Disabilities Act of 1990 (ADA) guidelines, the faculty member's grade determination is final. The complete student grade appeal policy and procedure is listed in University Operating Policy 10.03, [Grade Grievance](#). Also, if Academic Misconduct is involved, refer to the Angelo State University Student Handbook Part I, Section B.1.a. (Academic Misconduct).

11. Parking Citations

Students may appeal a campus parking citation online at: http://www.angelo.edu/services/parking_services/. Parking Services rules and a description of the three-tiered appeals process is described in the links on the Parking Services home page (web address as above).

12. Graduate School Requirements

- a. Graduate student complaints related to academic standing and performance follow processes outlined in University Operating Policy 42.01, [Admission to the College of Graduate Studies and Research](#), University Operating Policy 42.02, [College of Graduate Studies and Research Enrollment Policy](#), University Operating Policy 42.03, [Graduate Students Employed as Teaching Assistants, Graduate Assistants, and Graduate Research Assistants](#), and University Operating Policy 42.04, [Academic](#)

[Status \(Graduate Students\)](#). Such matters include, but are not limited to: disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, and graduate assistantships.

- b. Appeals of course grades are made through the department chair of the college in which the course is offered and are guided by the process in University Operating Policy 10.03, [Grade Grievance](#).

13. Housing Complaints

Housing regulations and processes are outlined in University Operating Policy 60.02, [Housing Policy](#). The Director of Housing and Residential Programs, Centennial Village Residence Hall office, (325) 942-2035 oversees the resolution of complaints related to student housing.

14. Online and Distance Student Complaints

Students enrolled in distance learning courses utilize the same complaint procedures as students enrolled in traditional courses. In accordance with the Higher Education Opportunities Act of 2008, Angelo State University provides a web-link related to enrollment in distributed education courses or programs and complaint processes for filing with the accrediting agency and other appropriate state agencies at the Office of Student Affairs website: http://www.angelo.edu/services/student_services/.

15. University Health Clinic Complaints

Angelo State University has partnered with Shannon Clinic for the operation of the ASU Health Clinic. The Associate Director of Special Events Facilities and Services, (325) 942-2021, oversees the resolution of complaints related to the Health Clinic. Students with Health Clinic complaints may submit concerns to ASU through an online Incident Report Form or directly to Shannon Clinic by visiting <https://shannonhealth.com/contact-us/>.

16. Tuition, Fee, and Financial Aid Complaints

Tuition, fee, and financial complaints are guided by the Student Accounts and Bursar's Office and Student Financial Aid processes. Students with complaints related to tuition and fees may contact the Student Accounts and Bursar's Office at (325) 942-2008. Students with financial aid complaints may submit concerns through an online system found on the Financial Aid website: <http://www.angelo.edu/content/forms/413-feedback-form>.

SECTION F: FINANCIAL RESPONSIBILITY

1. Financial Responsibility of Students

- a. Students must meet all financial responsibilities due to the University. The writing of checks on accounts with insufficient funds, issuance of stop pays, disputed credit card chargebacks, or the nonpayment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University are considered a lack of financial responsibility. Financial irresponsibility may subject the student to additional fees, fines, suspension of check writing, denial of registration,

withholding of grades and transcripts and adjudication under the *Code of Student Conduct*. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, by the due date may be prohibited from registering for classes until full payment is made. Students should understand that consequences may result from not resolving one's financial obligations to the University.

- b. Generally, failure to meet financial obligations to the University may result in:
 - Cancellation of the student's registration if tuition and registration fees are not paid by the dates provided by Student Accounts and Bursar's Office or if a returned check given in payment of tuition and fees is not redeemed by that time.
 - Possible criminal prosecution for writing insufficient fund checks.
 - A student who fails to make full payment prior to the end of the semester or term may be denied credit for the work done that semester or term.
 - A hold preventing future registration placed on a student's academic records.
 - A hold on receiving official University transcripts until the obligation is paid.
- c. The University may report individual student financial obligations to a credit reporting agency or a collection agent. A student is responsible for all collection costs charged to Angelo State University including reasonable attorney's fees.
- d. Before registering or requesting a transcript, students may check for holds by accessing their records at: <http://ramport.angelo.edu/cp/home/displaylogin> (Registration tab, then click on the Check Holds tab at the top of the page).
- e. For more information, please visit the Student Accounts/Bursar's Office website at: http://www.angelo.edu/services/controller/sa_welcome.php

SECTION G: FREEDOM OF EXPRESSION

1. Freedom of Expression

Information related to the freedom of expression policy is available in the Angelo State University Operating Policy 74.07, [Freedom of Expression Activities](#).

SECTION H: HOUSING REQUIREMENTS

1. Housing Information

- a. The Angelo State University residence hall system includes a variety of living options and affordable housing for approximately 2218 students. Living/Learning Communities provide students with the opportunity to live with others of similar interests or major. Our current Living/Learning Communities are housed in Plaza Verde Residence Hall, Texan Hall, and Centennial Village. Centennial Village, which is arranged in two-bedroom/one bath units or four-bedroom/two bath units, offers private bedrooms in a suite-style setting. Likewise, Texan Hall offers private bedrooms with a shared common area in a suite-style setting. Carr Hall offers suite-style accommodations. Most suites are comprised of two double-occupancy rooms

adjoined by a shared bathroom. Vanderventer Apartments offer fully furnished apartment style living with full kitchens and an on-site free laundry room. Plaza Verde, Mary Massie and Robert Massie Residence Halls all house residents in a double-occupancy room with its own bath.

- b. Ethernet computer connections are provided in each room. All halls have WiFi. However, students are encouraged to utilize Ethernet connections for quizzes, homework, etc. Other services include laundry rooms, vending machines, and 24-hour professional staff.
- c. An experienced and trained staff of Area Coordinators, Student Hall Directors, and Resident Assistants manage each residence hall. Each residence hall office provides assistance to residents with concerns, including maintenance requests, room and roommate assignments, and resource information.
- d. The interests of students living on campus are promoted through the Residence Hall Association. The Residence Hall Association sponsors social, cultural, educational, and recreational activities and participation in the activities is a wonderful way for students to be engaged in their community.
- e. Complete information regarding campus housing can be found at: http://www.angelo.edu/dept/residential_programs/. Information regarding residence hall policies can be found at: https://www.angelo.edu/dept/residential_programs/Housing_Requirements/housing_requirements_exemptions.php

2. Housing Policy

In support of the Strategic Plan of Angelo State University, the University requires all first-time students who are not residents of Tom Green County to live in the University residence halls for the first year, two long semesters of enrollment, regardless of total credit hours. Compliance with the University Housing Policy is a condition of enrollment, as set forth in the Angelo State University Student Handbook and the Undergraduate and Graduate Catalog and approved by the Board of Regents.

3. Housing Requirements

- a. Subject to verification and authorization by Housing and Residential Programs, students who meet one or more of the following criteria may be given permission to live off campus prior to moving in:
 - A student who graduated from a Tom Green County high school.
 - A student is residing and continues to reside in the established primary residence of her/his parent(s) (or legal guardian), grandparent(s), or sibling(s), if it is within a 70-mile radius of Angelo State University. The parents must have established their primary San Angelo residency at least one year prior to the request for an exemption. Legal guardianship must have been established by a court of law at least one year prior to the request.
 - A student presents sufficient evidence of an extreme financial hardship condition based on guidelines similar to those required for Financial Aid.
 - A student is married or has dependent children living with the student.

- A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment.
 - A transfer student has successfully completed the equivalent of the one year live on requirement. If the college or university did not require the student to reside on campus, and the student successfully completed two long semesters, they will be exempted.
 - A student has served six months or more in active military service, as verified by a discharge certificate (DD214).
 - A student presents sufficient evidence of an extreme medical condition, as documented by his/her treating physician for which on-campus accommodations cannot be made.
 - A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls.
 - A student is enrolled in on-line classes only.
 - A student is taking less than 12 hours during the academic year.
- b. In conjunction with the University's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement may be grounds for disciplinary action. Violations will be reported through the Office of Student Affairs.
 - c. Students sign a Residence Hall Contract for the summer session or the academic year (fall and spring semesters). Any student wishing to move from the residence halls should consult the Residence Hall Contract for the provisions applicable to cancellation of the contract.
 - d. Signing a lease for off-campus housing does not relieve the student of contractual obligations with the University for housing in the residence halls. The student is responsible for complying with all provisions of the Angelo State University Housing and Residential Programs Contract.
 - e. The student is responsible for updating any incorrect information including place of residence with the Registrar's Office.

4. Room and Dining Plan Fees and Advance Payments

- a. Room and dining plan fees are due and payable by the semester and will be billed by Student Accounts and Bursar's Office. Room and dining plan fees become a part of the student's bill, and as such, payment plans are available. Payments must be made by the scheduled due dates to avoid delays in registration. Additional remedies available to the University for non-payment of room and dining plan fees include withholding the student's transcript of grades, diploma, and other academic records, and cancellation of enrollment.
- b. Students with academic year contracts are charged 50 percent of the academic year room and dining plan rate for the fall semester and 50 percent for spring semester. Students entering the residence halls for the spring semester with an academic year contract are charged 50 percent of the academic year rate.

SECTION I: GENDER-BASED HARASSMENT, SEXUAL MISCONDUCT, DISCRIMINATION AND TITLE IX POLICY AND COMPLAINT PROCEDURE

ASU has established policies and grievance procedures providing for prompt and equitable and impartial resolution of student complaints of discrimination and harassment, including sexual harassment, sexual violence, and other forms of Sexual Misconduct. In the event a student believes their rights under Title IX or other laws have been violated, **Angelo State University Operating Policies [16.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#)** and **[TTU System Regulation 07.06 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#)** and in Angelo State's Procedure. Set forth procedures for filing, investigating, and resolving complaints of harassment, Sexual Misconduct, and discrimination. Additional information regarding gender-based harassment, Sexual Misconduct, discrimination, and Title IX can be found at: <https://www.angelo.edu/services/title-ix/>.

SECTION J: SOLICITATIONS, ADVERTISEMENTS, AND PRINTED MATERIALS

1. General Policy

The primary mission of the University is education. The University is responsible for promoting and protecting the intellectual and cultural growth and development of the institution and the members of its community. Therefore, solicitations or advertisements and sales, displays or distribution of publications on the campus are not permitted, except as provided below or as provided by law.

2. Definitions

- a. Solicitation includes, but is not limited to, requesting money, and/or donations, seeking agreement to pay, taking subscriptions, selling merchandise or tickets or offering other comparable materials and privileges in person or by handbills, posters or similar materials to promote sales.
- b. Advertisements are the displays of any items that have, as an integral part of their design, the identification of a consumer product or service.
- c. Printed materials are publications, handbills, posters, leaflets, and other written matter intended for public distribution, sale or display on campus.

3. University Name, Documents, and Records

- a. The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the Director of Communications and Marketing, or any unauthorized use of University documents, records or seal is prohibited. Information is also available in University Operating Policy 26.07, [University Name Seal and Logo](#).

4. Jurisdiction

- a. All solicitation requests should be directed to the Director of Business Services or designee for review. Requests should be submitted online using the [Solicitation/Sales Request Form](#). Requests must be submitted at least ten (10) University business days before intended use. Solicitation requests regarding food/beverage items on campus are subject to the approval of the Director of Business Services and are submitted via the [Solicitation/Sales Request Form](#).
- b. All regulations pertaining to on-campus solicitations by students and registered organizations shall be administered by the Director of Business Services or designee.
- c. All regulations pertaining to on-campus solicitations by University departments and staff shall be administered by the Vice President for Finance and Administration or designee.
- d. All regulations pertaining to on-campus solicitations by academic departments and faculty shall be administered by the Provost and Vice President for Academic Affairs or designee.
- e. Solicitation of all gifts, donations, and non-contractual grants from private philanthropic sources (e.g., individuals, foundations, and corporations) are administered by the Vice President for External Affairs or designee in accordance with University Operating Policy 32.03, [Solicitation of Gifts and Grants from Private Philanthropic Sources](#).

5. Solicitation Processes

- a. Solicitations by registered student organizations and students are prohibited on Angelo State University grounds and facilities except for:
 - Activities supporting the educational mission of the institution.
 - Promotion of organizational activities consistent with organization mission.
 - Recruitment of members or membership drives.
 - Accepting donations on behalf of altruistic or charitable projects.
 - Scholarship and/or fundraising projects in support of organization mission.
 - The regulating offices may grant special permission for solicitation purposes or places not listed above in exceptional circumstances.
- b. Permission will not be granted for any activity which promotes the use of alcoholic beverages, infers sponsorship by Angelo State University or violates any federal, state and/or local laws and/or University policies.
- c. In order to solicit in University buildings, authorization is required via the [Solicitation/Sales Request Form](#).
- d. Registered student organizations may use the University's registered marks when used in connection with a student organization activity, provided items are acquired from a licensed vendor. A sample or drawing needs to be provided showing how the University's registered marks are to be used before production of the merchandise can proceed. This sample will be submitted by the licensed vendor selected by the registered student organization. For additional information on licensing and use of Angelo State University registered names, logos, and trademarks, refer to University Operating Policy 30.07, Licensing and Use of ASU Registered Names, Logos, and

Trademarks on the University website and also to the University Operating Policy 26.07, University Name Seal and Logo.

- e. Requests for permission to solicit are granted for a specified period. To be eligible to solicit, an individual must present current student identification and submit a reservation request online at: <http://reservations.angelo.edu>. Permission to solicit may be revoked if the solicitation violates any of the regulations pertaining to solicitations and advertising or sale, display, or distribution of printed materials.
- f. Decisions by the Executive Director of Student Affairs, the Director of Business Services, or designee rejecting or revoking permission of students or registered student organizations to solicit may be appealed to the Vice President for Student Affairs or designee.
- g. A written appeal describing the objections to the denial addressed to the Vice President for Student Affairs or designee must be filed no later than five (5) University business days after the receipt of notice of denial from the Executive Director of Student Affairs, the Director of Business Services, or designee.
- h. The Vice President of Student Affairs will convey the appeal decision, in writing, to the student or registered student organization or to the Director of Multicultural and Student Activities Programs or the Director of Business Services within five (5) University business days from the receipt of the written appeal.
- i. The student or registered student organization may not appeal beyond the Vice President for Student Affairs.

6. Advertisements

- a. Advertisements by commercial organizations, either as groups or through student representatives, are not allowed on the campus unless they advertise specific registered student organization functions. This implies sponsorship and/or co-sponsorship which minimally includes, but is not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.
- b. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus, or use campus facilities for such activity, will be removed from the campus by the University Police and will be subject to appropriate legal action.
- c. Advertisement is not permitted on the exterior side of residence hall room doors or within public areas of the residence halls.
- d. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless authorized in advance by the Director of Business Services.
- e. The only approved posting location on campus by non-University guests is located within the Houston Harte University Center with the Director of Business Services review and approval for a two (2) week period on approved posting boards.

7. Printed Materials & Digital Signage

The following policies apply to the display and distribution of printed materials and digital signage in all areas of the University campus:

- a. Only individuals affiliated with the University (i.e. students or student organizations) may distribute handbills, leaflets, or any other type of printed materials, except as provided by law.
- b. Students and registered student organizations do not need prior approval concerning the content or distribution of materials such as leaflets and handbills; however, students may be required to provide verification of current student status upon request.
- c. Solicitation and Advertising materials must conform with the provisions stated above.
- d. Student election campaign literature must conform to the procedures outlined in the Student Election Code of the Student Government Association.
- e. Use of the Angelo State University campus that results in the need to utilize University personnel for litter collection, crowd control, repair/replacement of University property, etc., may necessitate repayment to the University by the responsible party.
- f. Printed materials may not be placed on vehicles parked in the University parking lots or on vehicles in motion without permission of the vehicle owners.
- g. Printed materials such as handbills and leaflets may not be distributed within University buildings unless approved in advance by the building manager.
- h. Printed materials and digital signage content shall not violate any local, state, or federal law.
- i. Printed materials shall not include the use of obscenities, libelous statements, or “fighting words” as defined by law.
- j. Registered student organizations and University departments are allowed to hang banners within the Houston Harte University Center at the discretion of the Director of Business Services. A list of requirements regarding the banners is available in the Office of Special Events located in the Houston Harte University Center.
- k. Use of University trademarks, such as the name or logo, on visual materials or digital signage must follow the University’s Visual Identity Guidelines:
<http://www.angelo.edu/collegiate-licensing/identity-guidelines/>.

8. Use of Bulletin Boards & Digital Signage

- a. Posters, signs, and announcements may be displayed only on University announcement bulletin boards and approved digital signage designated specifically for use by students and registered student organizations. The University announcement bulletin boards and approved digital signs may be used only by students, registered student organizations, and University departments. Bulletin boards will be cleared periodically. A list of designated University announcement bulletin boards and digital signs is maintained in the Office of Special Events.
- b. Posters, signs, and announcements shall not exceed a maximum size of 18” x 24” digital signage requirements will differ per location and are available via the coordinator of that signage.
- c. Posters, signs, and announcements shall not promote the use of alcoholic beverages, tobacco, or illegal drugs.
- d. Posters, signs, and announcements shall not promote unauthorized sponsorship by Angelo State University.

- e. Posters, signs, and announcements shall not violate any local, state, or federal law.
- f. Bulletin boards belonging to academic and administrative departments are for official University use only. Posters, signs, and announcements may not be displayed without consent of the appropriate department.
- g. Posters, announcements, banners, cards, or other campaign material for any individuals seeking student government office may be posted in accordance with the rules and regulations of the Student Government Association.
- h. Use of University trademarks, such as the name or logo, on visual materials or digital signage must follow the University's Visual Identity Guidelines:
<http://www.angelo.edu/collegiate-licensing/identity-guidelines/>.

9. Violations

A student or registered student organization violating regulations governing solicitations, advertising, and printed materials is subject to the disciplinary sanctions outlined in the *Code of Student Conduct*.

SECTION K: STUDENT IDENTIFICATION

1. Student Identification

The official Angelo State University ID card, the ASU OneCard, is the key to accessing services throughout the campus and also serves as the campus meal card for students who have purchased a meal plan. The first card is issued at no charge and there is no charge to replace lost or stolen cards. However, if a student wants a temporary card to use on-campus while waiting for a replacement card, there is a \$5.00 fee for the temporary card. Students should carry the ASU OneCard with them at all times.

- a. The ASU OneCard is the property of the University.
- b. Students shall not allow their student identification to be used by other persons.
- c. Students shall not alter their ASU OneCard in any way.
- d. On request, students must present their student identification to any member of the University faculty, staff, administration, or police.

For more information about the features of the ASU OneCard, student should visit the website at: <http://www.angelo.edu/services/asuone/>.

SECTION L: STUDENT INVOLVEMENT & REPRESENTATION

1. Student Government Association

The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the University.

2. Student Media

The major campus publication at Angelo State University is the RAM PAGE, a weekly newspaper containing articles of interest to the University community. General supervision for the University's student campus publication rests with the Publications Council, which is responsible for ensuring that the publication maintains high

professional standards and fulfills the educational objectives for which it has been established. The ten-member council is made up of students, faculty, and staff. One of the chief responsibilities of the council is to appoint the editor each spring for the campus publication, based upon recommendations submitted by the chair of the Publications Council.

Copies of the University publications policies are available in the offices of the chair of the Department of Communication and Mass Media, who serves as Director of Publications, and the Director of Student Life. See University Operating Policy 04.10, [Student Media](#).

Students preparing for careers in the media industry, train as videographers, editors, and on-air personalities by producing content for the campus television and radio stations. RAM TV and RAM RADIO highlight aspects of Angelo State University to the San Angelo Community and beyond.

RAM TV features live productions, symposia, lectureships, administrative forums, performing arts, athletics, exhibitions of student work, and events sponsored by departments on campus as well as local human-interest stories and public service announcements for non-profit organizations in San Angelo. This material is broadcast on the University educational access channel and the San Angelo local FOX affiliate, KIDY.

RAM RADIO is an Internet radio station that streams music, campus news and events, and community stories, 24 hours a day, 7 days a week. RAM RADIO also offers students the opportunity to produce programming for National Public Radio (NPR) through the Texas Tech University Public Radio Station.

3. Affiliated Military and Veterans Services

The Affiliated Military and Veteran Services Center is here to assist veterans, active duty or reserve service members, and their dependents in their pursuit of higher education. To that end, the University works in cooperation with the U.S. Department of Veterans Affairs (VA) and other off-campus resources including the Texas Veterans Commission to ensure top-notch support for service member students. The Affiliated Military and Veteran Services Center acts as a central point of intake and processing for the following educational benefits:

- a. VA Education Benefits (Montgomery GI Bill; Post-9/11 GI Bill, Dependents Educational Assistance, and Vocational Rehabilitation).
- b. Tuition Assistance for all active duty and reserve military personnel.
- c. Texas Veterans Commission Hazlewood Tuition Exemption Program.

The Affiliated Military and Veteran Services Center also helps students transition to campus by offering a stress-free environment with support services such as peer tutoring, counseling, and relaxed social interaction for service member students and staff.

SECTION M: STUDENT ORGANIZATIONS

1. Registered Student Organizations

- a. A registered student organization is a group comprised of at least five (5) students enrolled at Angelo State University who voluntarily come together under a common mission. A president, vice president, and treasurer are the only officers needed. A parliamentarian, risk management officer, and historian are recommended. The purposes and activities of the organization shall be lawful and not in conflict with the policies, rules, regulations and standards of the University and/or federal, state and/or local statutes.
- b. Generally, student groups broadly fall under one of the following categories: Academic/Departmental, Cultural/International/Affinity, Hobby/Recreation, Boards and Councils, Fraternity and Sorority, Social Organizations, Honor, Sport Clubs, Spiritual Life, Philanthropy, and Pre-Professional.
- c. All student organization registration is administered by the Multicultural & Student Activities Programs.

2. Club Sports

- a. The Angelo State University Club Sports program is registered by the Multicultural & Student Activities Programs department and administered by University Recreation. This program is designed to provide opportunities for students to participate in a variety of sports activities. This program exists to promote and develop an interest in sports. Club Sports members learn new skills, engage in competition and enjoy the recreational and social fellowship of sport.
- b. A group seeking Club Sports status must first be a registered student organization, subject to the rules and regulations of the University. Typically, a student organization must be registered with the Office of Multicultural and Student Activities Programs for at least an academic year before full consideration for Club Sports status.
- c. Following the organization registration process, a group should request a meeting with University Recreation to initiate the application process for Club Sports affiliation. After obtaining Club Sports status, groups must also comply with the guidelines of the Multicultural & Student Activities Programs department and University Recreation.

3. Social Fraternities/Sororities

- a. The Center for Multicultural & Student Activities Programs is responsible for the oversight of Angelo State University Fraternity and Sorority Social Organizations. A group seeking social fraternity or sorority status should first contact the Center for Multicultural & Student Activities Programs to discuss their interest and the specific (if any) national organization with which they wish to affiliate. Students should understand that the decision to bring a new sorority or fraternity to campus is a joint decision made by the students, the University, and the national organization. All parties must work in concert for the relationship to be successful. A group seeking social fraternity or sorority status must be recognized by one of the four

governing councils for social fraternities and sororities: Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council.

- b. All student organizations registering as a fraternity or sorority must show proof of their Title IX exemption by attaching to the registration application a letter from their national affiliate with their IRS 501 (c) number.
- c. All student organizations registering as a fraternity or sorority must be a member of a fraternity/sorority governing council to maintain official student organization status.

4. Conditions for Registration of New and Renewing Student Organizations

- a. Membership in the organization shall be open only to students enrolled at Angelo State University. A student organization is eligible for registration if it does not deny membership on based on race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, or gender expression, except that: a registered student organization created primarily for religious purposes may restrict the right to vote or hold office to persons who subscribe to the registered student organization's religious beliefs: a registered student organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972.
- b. Faculty and staff may hold associate memberships to the extent allowed by the student organization's constitution.
- c. The organization shall not duplicate the purposes and functions of a previously or currently registered student organization unless the need for duplication is substantiated with the Center for Multicultural & Student Activities Programs.
- d. All funds allocated to a registered student organization from University- controlled sources must be maintained in a registered student organization bank account. Additional resources acquired by fundraising may be kept in an off-campus organizational account. Funds acquired by the club may be held in non-university or alternate accounts. It is recommended that the advisor either co-sign the organization's checks or be a reviewer of the account. If an account becomes dormant due to an inactive club, it is recommended that the remaining funds be remitted to the ASU Foundation and placed in the Ram Family Student Scholarship Endowment. Please see the Center for Multicultural and Student Activities Programs website for a list of financial best practices.
- e. The student organization shall show initiative in effectively meeting its stated purpose and be lawful and peaceful in its activities. The Center for Multicultural & Student Activities Programs is available to assist in organizational development.
- f. The student organization shall be free from control by any other non-student individual or organization. Alumni and affiliate/associate members should not be granted voting privileges nor can they hold executive officer positions. These privileges are only valid for currently enrolled students at Angelo State University to protect the leadership of the organization.
- g. Only organizations that are an official part of the University and receive direct funding by the University or organizations that are an extension of an academic department may use the name, logo, or symbols of the University as part of its name or in print, online and on social media with approval from the Director of

Communications and Marketing. Registered student organizations may use the complete statement “a registered student organization at Angelo State University.” Approval for the use of logos, symbols, and names protected by Angelo State University is managed by the Office of Communications and Marketing. In addition, the organization shall not advertise or promote events or activities in a manner that suggests sponsorship by the University, unless specifically authorized to do so.

- h. Solicitation is prohibited on campus by registered student organizations that may abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials from the Office of Special Events. Any student organization wishing to solicit on-campus must follow the policies and procedures listed in the current Angelo State University Student Handbook.
- i. All registered student organization resources must be used to advance and support the organization’s purpose, identified goals, and/or mission.
- j. All registered student organizations must comply with University rules, standards, and policies.
- k. Student organization registration does not imply University approval of either the organization or its functions or activities.

5. Registration of New and Renewing Student Organization

- a. New and renewing student groups that desire to become a registered student organization should contact the Center for Multicultural & Student Activities Programs to discuss the process of forming or re-forming an organization.
- b. A student group seeking to form a new organization may file the Student Organization Registration/Renewal Form and a Student Organization constitution with the Student Organizations/Activities Coordinator. The initial constitution must follow the template provided by the Center for Multicultural & Student Activities Programs. Once both forms are filed, a pending student organization is permitted to use University facilities and post notices and flyers per established University posting regulations. A proposed group may apply for registration only once per semester.
- c. Following the submission and review of all required documents and verification of member eligibility, the materials will be sent to the Angelo State University Student Government Association for review and a recommendation on registration. After receiving the advice of the Student Government Association, the Student Organizations/Activities Coordinator will make the final decision on registering the new organization and will notify the organization of the decision.
- d. A group that has been a registered student organization in the past and which became inactive may apply to reinstate the organization by submitting a Student Organization Registration/Renewal form, a proposed constitution that complies with current requirement, and a letter explaining why the organization should be reinstated.

6. Annual Registration and Renewal Process

- a. The Multicultural & Student Activities Programs Center must receive a complete Student Organization Registration/Renewal form by the deadline. The form will include the names and contact information for the organization officers and the

president of the organization must certify that the organization still has at least five (5) students who are in good standing with the University.

- b. The organization must also submit an updated copy of the local constitution and by-laws (if applicable) and the constitution and by-laws of any other local, state, or national affiliate organization (if applicable).
- c. The organization shall also furnish the signature, title, campus address, telephone number, and e-mail address of a full-time Angelo State University faculty or unclassified staff member indicating the person's agreement to serve as the organization's advisor.
- d. The organization must also agree to comply with all University standards, rules, and/or policies as well as all federal, state, and/or local laws.
- e. Executive officers of registered student organizations must have at least a 2.0 cumulative grade point average at the time of election, must earn at least a 2.0 grade point average each semester during their term of office, must maintain full-time student status throughout their term of office, and must remain in good standing (academic and disciplinary) throughout their term of office. Student organizations may establish higher eligibility requirements for their executive officers in their constitutions.

7. Benefits of Registered Student Organizations

- a. Benefits include: Meeting room reservations on campus, organization information published online, posting on campus, leadership training, ready references and access to training materials and resources in the Center for Multicultural & Student Activities Programs. Registered student organizations may apply for funding through the Student Organization Leadership Fund (SOLF) administered through the Center for Multicultural & Student Activities Programs.
- b. Club sports are entitled to all the benefits of a registered student organization. In addition, club sports may receive administrative support and guidance from University Recreation.

8. Faculty or Staff Advisor

- a. Each registered student organization shall have a full-time University faculty or unclassified staff advisor available to the officers and members for consultation regarding the affairs of the organization. Attendance at organizational meetings and functions is encouraged to facilitate incorporating the advisor into the organization's program planning, and decision-making, and the advisor should work directly with the student organization regarding the financial best practices located online within the Center for Multicultural & Student Activities Programs website. The advisor must oversee adherence to University standards, rules and/or policies as well as the organization's constitution and by-laws. Regarding club finances, the advisor should be a co-signer of the organization's account or be a reviewer of the account. If a student organization travels, the advisor is the responsible party for submitting travel requests, for obtaining any travel advances, and for reconciling the travel expenses after the trip in accordance with University procedures. The Center for Multicultural & Student Activities Programs sponsors various advisor-training programs throughout the year to assist advisors in working with their

organizations. State law mandates a training program on risk management and organization advisors must attend this program. Specific information on complying with this training requirement is available in the Center for Multicultural & Student Activities Programs.

- b. Registered student organizations may have additional advisors, i.e., coaches (typical of club sports) or alumni advisors, to the extent permitted by their constitution and/or by-laws; however, one advisor must be a full-time Angelo State University faculty or staff member as required and identified in the registration packet. Only current ASU students can benefit from SOLF funding.
- c. Any individual who is a secondary advisor or coach who is not affiliated with the University or is not a full-time Angelo State University employee should also be included when filling out the registration application complete with names, addresses, telephone numbers and e-mails.
- d. Registered student organizations have ten (10) University business days to formally notify the Center for Multicultural & Student Activities Programs with the name, address, telephone number, and e-mail address of any new or replacement full-time University faculty or staff member appointed as their advisor. Failure to do so may result in suspended privileges. In cases where the club is experiencing difficulty securing a replacement, the club leadership should notify the Center for Multicultural & Student Activities Programs. After review, the Director of the Multicultural & Student Activities Programs or designee may appoint a temporary advisor for the club for no more than an additional thirty (30) University business days while the club secures a replacement advisor. Failure of the club to obtain a replacement advisor by the end of the additional thirty (30) University business days may result in suspended privileges.
- e. Certain student organizations do not choose their advisor(s); rather, they are assigned a full-time faculty or staff person by the academic department to oversee the administration of those areas, groups and resources.
- f. Established full-time University faculty or staff members, who reduce employment hours below full-time status, and maintain an office on-campus, may continue to function as the "Primary" advisor of a student organization with the approval of the Center for Multicultural & Student Activities Programs.
- g. Student organization advisors should complete advisor risk management training set by the Center for Multicultural & Student Activities Programs.

9. Prerequisites for Maintaining Registration

To maintain its active registration status throughout the academic year, a registered student organization must meet or submit the following criteria to the Center for Multicultural and Student Activities Programs:

- a. File a list of its current officers within ten (10) University business days from the day of elections and file notification of the subsequent changes when such occur.
- b. File a list of its current advisor(s) within ten (10) University business days of the acceptance of the full-time faculty or staff advisor to the position. Notification of advisor changes should also be made within ten (10) University business days.
- c. Submit all changes in documents on file relating to the organization (i.e., revisions to the constitution, changes in the statement of purpose, procedures for handling

organization funds or membership requirements). Registered student organizations shall be responsible for updates and revisions to their local and affiliate constitutions. These changes must be registered with the Center for Multicultural & Student Activities Programs within ten (10) business days of any changes. Should an organizational dispute occur that involves University intervention, registered student organizations are bound by their constitution and by-laws on file with the Center for Multicultural & Student Activities Programs.

- d. Conduct its affairs in a lawful manner as a collaborative entity per the constitution and by-laws it has on file, in addition to applicable policies, rules, regulations and standards of the University and/or federal, state, and/or local statutes.
- e. Solicitation on campus by registered student organizations may not abridge any contractual agreements of Angelo State University. To avoid violations, registered student organizations should seek clarification on any solicitation initiatives or materials with the Office of Special Events.
- f. Ensure off-campus individuals or organizations whose appearance on campus is sponsored by the organization observe all applicable policies, rules, regulations and standards of the University.
- g. Attend annual risk management training programs provided by the Center for Multicultural & Student Activities Programs. A minimum of one organization officer, the president, vice president, or chairperson in charge of risk management, is required to attend. The officers are then responsible for conveying the information to their student organization members and completing a Risk Management Statement of Completion.
- h. Ensure off-campus individuals or organizations (whose appearance on campus is sponsored by the organization) observe all applicable policies, rules, regulations and standards of the University.
- i. The Executive Director of Student Affairs, Director of Multicultural & Student Activities Programs, or designee may suspend the registration of an organization for noncompliance with the regulations and/or standards as outlined in the current Angelo State University Student Handbook.

10. Conduct Procedures for Student Organizations

- a. Student organization conduct procedures are outlined in Part I *Code of Student Conduct*, Section C, including processes for the temporary suspension and denial of registration for student organizations.

SECTION N: STUDENT RIGHT TO KNOW

The University Police Department compiles and publishes campus crime and fire data to comply with the Clery Campus Security Act. Information about crimes that have occurred on-campus and in the immediately surrounding community is published annually and a link to the Campus Crime and Safety Report can be found on the Angelo State University Student Affairs web page: http://www.angelo.edu/services/student_services/.

Additionally, the University maintains a consumer information web page with links to data, support services and accreditation information. https://www.angelo.edu/consumer_info/

SECTION O: STUDENT RECORDS

1. General Policy

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained separately from the disciplinary records. (During the time of disciplinary suspension or expulsion, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Angelo State University Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Angelo State University.

2. Address of Record

Students must maintain an accurate permanent address with the Registrar's Office. The address is used for official notifications including billing and official University requirements. Students should maintain a current local address and telephone number that is used by University officials, and/or student organizations and the campus community. Students may update their contact information at:

http://www.angelo.edu/services/registrars_office/registrar_forms.php.

3. Student Access to Education Records

- All current and former students of the University have the right to access their educational records as provided by law.
- Students may obtain copies of records relating to themselves at their expense. The reproduction charge shall not exceed the actual cost to the University.
- The University will respond to all requests for explanations and interpretations of records or information, if the response does not violate the Family Educational Rights and Privacy Act of 1974, as amended.
- A student may waive the right of access to confidential letters of recommendation in the areas of admissions, job placement and receipt of awards.
- Personal identifiable information such as, personal conduct, class schedule, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the consent of the student.

4. Records Not Accessible to Students

The following are records not accessible to students:

- a. Instructional, supervisory and administrative personnel records and the student's educational personnel records in the sole possession of the author and not revealed to any person other than a substitute (i.e. grade books, notes of observation and notes for recollection purposes).
- b. Employment records of a University employee who is not a student.

- c. Medical records are maintained for students visiting University Health Clinic and Counseling Services. Information contained in the medical record is privileged and will not be released to another person or institution without written permission of the student, unless otherwise authorized by law. Students needing to request a copy of their medical records may contact University Health Clinic and Counseling Services at (325) 942-2171. While not considered “education” records under the Family Educational Rights and Privacy Act of 1974, as amended, the mentioned statute still allows the patient, in most instances, access to his/her records. The general rule of confidentiality contains an exception when the patient or someone authorized to act on his/her behalf submits a written consent. Consent must be in writing and signed by the patient (or a parent or legal guardian if the patient is a minor). A physician shall furnish copies of medical records requested in accordance with the consent provided, except if the physician determines that access to the information would be harmful to the physical, mental, or emotional health of the patient.
- d. Medical and/or psychological information submitted for the purpose of determining eligibility for services are not releasable. Students may obtain the original information from the sources.

5. Authorized Non-Student Access to Student Records

Educational records (or personally identifiable information within a record) may be released without the written consent of the students to:

- a. Officials, faculty, and staff employed by the University if they have a legitimate educational interest.
- b. Officials of other educational institutions in which the student intends or seeks to enroll if the student is notified of what is being released and given a copy if desired.
- c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education and administrative heads of educational agencies or state educational authorities.
- d. Individuals needing this information in connection with a student application for, or receipt of, financial aid;
- e. Federal, state and local officials to whom laws (in effect on or before Nov. 19, 1984) require information to be reported.
- f. Organizations such as Educational Testing Service administering predictive tests, student aid programs and improving instruction. The organizations must not show the personally identifiable information to outsiders and the information must be destroyed when no longer needed for audit, evaluation or compliance with federal requirements.
- g. Accrediting organizations.
- h. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ascertained by the Registrar’s Office.
- i. Appropriate persons, if necessary, to protect the health or safety of the student or other persons.
- j. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena, on condition that the student may be notified by the University of all such orders and subpoenas in advance of compliance.

- k. Emergency contacts as listed in students' educational records may be notified by designated staff upon notice of student hospitalization or transport via emergency personnel.

6. Students Rights to Challenge Records

Students have the right to challenge records and information directly relating to them. This section does not include procedures for students challenging individual grades. Grade appeal procedures are described in the Angelo State University Student Handbook, Part II, Section E.10. The challenge is limited to inaccurate, misleading or otherwise inappropriate records and information. The procedures set forth below shall be followed for an appropriate challenge.

- a. Any student wishing to challenge records or information directly relating to him or her must notify the individual responsible for maintaining the records. The notice must be in writing and specifically identify the item challenged and the basis for the custodian of the challenged records.
- b. All initial meetings will be informal and participants will include: the custodian of the challenged records or information, the student, and the author (if appropriate) of the material.
- c. If any of the participants (record custodian, student or author) are not satisfied with the results of the informal meeting, a formal Hearing will be conducted. The student may present evidence relevant to the content of the educational records to demonstrate how they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. The Hearing also provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the records and for insertion into the records a written explanation by the student requesting the content of the challenged records.

7. Release of Student Directory Information

- a. The following student information is considered Angelo State University Directory Information:
 - Student name
 - Permanent and local addresses
 - Hometown
 - Classification
 - Major and minor fields of study
 - Dates of attendance
 - Degrees, awards, and honors received
 - Specific enrollment status
 - Photograph
 - Team photographs
 - Participation in officially recognized sports and activities
 - Height/weight of member of athletic teams
 - Previous institution(s) attended
 - Degree candidate

- b. This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may request that directory information be withheld in writing in the Registrar's Office, room 200 of the Dorsey B. Hardeman Building.
- c. The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail address or telephone number, is confidential and not subject to disclosure under Section 552.201, Government Code.

8. Destruction of Records

The University constantly reviews the "educational records" it maintains and periodically destroys certain records. The University will not destroy records if prohibited by state or federal law. The student's basic scholastic record is kept and maintained permanently in the Registrar's Office. Disciplinary records are maintained for at least seven (7) years in the Office of Student Affairs. Student Disability Services records are maintained for seven (7) years after the last date of enrollment. In cases resulting in Time-Limited Disciplinary Suspension or Expulsion, records will be kept indefinitely.

9. Letters of Recommendation

- a. Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.
- b. Under the Family Educational Rights and Privacy Act of 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.

10. Proxy

When a student reaches the age of 18 **OR** is attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student. Parents of Angelo State University students may not receive non-directory information unless the student creates a FERPA/Proxy Authorized User from their secure Ramport account. Online FERPA/Proxy information can be found on the Registrar homepage at: <http://www.angelo.edu/ferpa/online-ferpa-proxy.php>

SECTION P: USE OF UNIVERSITY SPACE

1. General Policy

With the exception of free expression activities outlined below, the space and facilities of the University are intended primarily for the support of the instructional programs of the institution. Second priority is given to programs sponsored and conducted by University academic and administrative departments or organizations affiliated with

those departments. Beyond these two priorities, use of campus space and facilities is encouraged for activities that have as their purpose, service or benefit to the Angelo State University community, and that are sponsored by registered student organizations.

University buildings, grounds, or property may be available for use by outside groups in accordance with and subject to the provisions of the University policy, to the extent that the programs and activities of these groups do not conflict or interfere with normal University functions or the activities of campus organizations. An individual who is not a student, faculty, or staff member may attend functions or activities held on University property, but to be eligible for the use of campus facilities, the function or activity must be sponsored by and affiliated with a University department or registered student organization. Sponsorship and/or co-sponsorship minimally include, but are not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations. A department, student or registered student organization may not reserve space or facilities on campus and permit it to be used by a non-registered organization or off-campus group or person. Outside groups desiring use of University facilities must obtain approval for their program or activity from the Director of Business Services. The Director of Business Services is responsible for making certain that the proposed program and activity is within the *Regent's Rules* and University policies. Reservation requests must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>. Appropriate rental charges shall be charged to outside groups using University facilities. State law requires that University facilities and property be used only for state purposes and not for private gain.

2. Reservation Requirements

- a. Reservations must be made for the use of buildings and grounds under the control of the University. Requests for reservations will be granted according to the priorities of the designated area. The procedures for requesting use of the University facilities are available online at: <http://reservations.angelo.edu>. Reservation requests must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>.
- b. If the use of facilities is for programs or activities involving minor children, the sponsoring group must comply with [Texas Education Code, Chapter 51.976](#), which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space of facility will be confirmed.

3. Use of Facilities by Student Organizations

- a. Student organizations must be registered to use University facilities or grounds.
- b. A student organization that has petitioned the Center for Multicultural and Student Activities Programs for registration status may hold up to three meetings in the Houston Harte University Center pending action on the petition. These meetings must be held within a 25 calendar-day time period from the date the petitioning organization filed its intent to register. Other campus facilities or space may be

reserved by “petitioning” student organizations for one meeting only, if their full-time faculty or staff advisor agrees to be present at their event. Additional reservations will not be approved until the student organization is registered.

4. Procedure and Priorities for Designated Facilities

a. Houston Harte University Center

The facilities, services, and programs of the Houston Harte University Center have been designed to support the total educational mission of the University. In addition to recreational and dining facilities, the University Center provides a wide range of facilities and services for ASU students and their registered organizations. The meeting rooms in the University Center may be reserved for departmental/faculty/staff meetings and educational conferences. Co-sponsored conferences and meetings are provided for the cost of expenses incurred (rental fees for said events may be waived by following procedures outlined in the rules and regulations). The Facilities Fee Waiver form is located at: <http://reservations.angelo.edu> (under the Links tab).

b. Academic Buildings

Any registered student organization may request the use of space in academic buildings for specific purposes. These purposes may include, but are not limited to, regular meetings of honorary or professional organizations, lectures, seminars or workshops and special programs and functions. The space must be reserved through the Office of Special Events. All requests must be submitted with the agreement of a full-time faculty or unclassified staff advisor for the student organization using the online request form at: <http://reservations.angelo.edu>. All use of academic space is “as is” (group is responsible for own set-up) and the full-time faculty or staff advisor assumes responsibility for accessing the space, supervising the meeting, and securing the space in same condition it was found. For-credit academic use requests may supersede not-for-credit reservations. Recurring space assignments may be made for one semester only. All space assignments are made on the basis of use consistent with the purposes of the University and of available space. Academic use by departments and colleges has priority over others uses and organizational assignments may be changed or canceled if conflicts with regular academic programs develop.

Academic Space will be assigned on a limited basis if:

- The intended use is in keeping with the educational purposes of the University.
- The intended use does not conflict with the use by academic programs or academic organizations.
- The intended use does not conflict with normal security and maintenance.

c. Residence Halls

Currently enrolled students who live in the residence halls have first priority for use of all residence hall facilities. Facilities may also be provided for individuals or groups whose activities are sponsored by, or affiliated with, Housing and Residential Programs. University departments or registered student organizations may use residence hall facilities during the summer, or at times when space is available, for

workshops, institutes, short courses and conferences. However, space availability is limited, and requests for the use of residence hall space must be made to the Director of Housing and Residential Programs or designee.

d. Intercollegiate Athletic Facilities

The Junell Center/Stephens Arena, LeGrand Stadium at 1st Community Credit Union Field and other athletic fields are owned and maintained by the University for the primary use and benefit of the intercollegiate athletic programs of the University, of allied non-University athletic activities consistent with such programs and of official academic events of the University. The use of these facilities shall be limited to these purposes unless otherwise authorized by the Director of Business Services or designee. Requests for use of all intercollegiate athletic facilities must be made to the Office of Special Events online at: <http://reservations.angelo.edu>.

e. Recreational Facilities

The Ben Kelly Center for Human Performance, intramural fields, tennis courts, racquetball courts and basketball court are intended primarily for student recreational and instructional use on an organized group and individual basis. University Recreation is responsible for scheduling the use of these facilities for University Recreation programs and services. A hammock farm was installed between Robert and Mary Massie Residence Halls and this is the only approved campus location for hammock use. Hammocks are available for check-out in the Ben Kelly Center for Human Performance building. Other University departments, organizations, and off-campus guests may request use of the recreational facilities from the Office of Special Events using an online form located at: <http://reservations.angelo.edu>.

f. Pavilion

The Pavilion is designed to meet the recreational needs of students, faculty and staff and to provide programming opportunities for the University and its registered student organizations. Reservation requests may be submitted to the Office of Special Events online at <http://reservations.angelo.edu>. The Pavilion may also be rented according to University policy governing this privilege.

g. Lake Facility

The Angelo State University Lake Facility, located at 1925 Beaty Road, is open and operated seasonally by University Recreation for general use by Angelo State University students, faculty and staff. The Lake Facility is also available for University department and registered student organization events as well as private rental events (based on date availability). Reservation requests for the Lake Facility must be submitted to the Office of Special Events online at: <http://reservations.angelo.edu>.

5. Use of Campus Grounds

- a. Selected grounds areas (other than those described above) are available for activities that are sponsored and approved by University departments, registered student organizations or individual faculty, staff, and students. Academic use by departments and colleges has priority and assignments may be changed or canceled if conflicts with regular academic programs develop. Reservation requests must be submitted to the Office of Special Events online at <http://reservations.angelo.edu>.

- b. Students or registered organizations using a designated area are subject to the following requirements:
- Use of amplification equipment must comply with the guidelines in Item 8. Use of Amplification Equipment (below).
 - A structure may not be erected on campus grounds without prior written approval that will include arrangements for cleaning up after the event.
 - If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a University account number before the activity can be approved by the Director of Business Services.
 - Violations of these campus grounds use regulations are subject to the disciplinary sanctions and procedures outlined in the *Code of Student Conduct*.
 - Students or registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the Environmental Health, Safety, and Risk Management Office, Senior Executive Assistant to the President and General Counsel, or other University departments as necessary prior to approval from the Director of Business Services.
 - Participants in, and/or sponsors for, events may be required to sign a “Hold Harmless” release.
 - The sponsor should refer to procedures provided by the Environmental Health, Safety, and Risk Management Office to make necessary arrangements for any event that includes food handling or food service on Angelo State University property by anyone other than the contracted campus food service provider.
 - The sponsor should contact Parking Services to make necessary parking arrangements for the event.
 - If the use of University grounds is for programs or activities involving minor children, the sponsoring group must comply with [Texas Education Code 51.976](#), which requires sexual abuse and child molestation training, certification, and reporting for program employees. Documentation of timely reporting to the Texas Department of State Health Services of such training should be received before reservation of space or facility will be confirmed.

6. Appeals of Campus Grounds Use Request Denials

Students or registered student organizations whose requests for the use of University grounds are denied may appeal to the Director of Business Services as follows:

- a. A written appeal describing the objections to the denial presented to the Director of Business Services must be filed no later than five (5) University business days after the receipt of notice of the denial from the Assistant Director for Special Events.
- b. The Director of Business Services will convey the appeal decision, in writing, to the student or registered student organization within a reasonable time from the receipt of the written appeal.

SECTION Q: WITHDRAWALS

1. Voluntary Withdrawal from the University

- a. According to the Undergraduate and Graduate Catalog, students who find it necessary to withdraw from the University during a semester or summer term must apply to the Registrar's Office prior to the term withdrawal deadline. A student wishing to drop to zero hours must withdraw from the institution. If a student withdraws on the 13th class day or after, a W will be recorded for all classes that semester or term, and these W's will not be counted toward the six state-defined permitted drops. International students must receive clearance from the Center for International Studies as a part of the withdrawal procedure. Student athletes must receive clearance from the Director of Athletic Academic Services.
- b. Students considering withdrawal for medical reasons may contact the Office of Student Affairs to discuss additional University resources and services.
- c. There may be financial implications to withdrawal. If a student receives financial aid or is living in Angelo State University student housing, he/she should first contact those offices before applying for the withdrawal.
- d. Refunds
The Undergraduate and Graduate Catalog indicates that students withdrawing to zero hours at their request or those who have been withdrawn due to University action may be eligible to receive a refund of paid tuition and fees. A tuition and fee refund schedule is listed in the Undergraduate and Graduate Catalog and at: [http://www.angelo.edu/services/registrar's office/withdrawals refunds.php](http://www.angelo.edu/services/registrar%20office/withdrawals_refunds.php).
- e. Returning to the University after a Voluntary Withdrawal
Application materials and deadlines for former Angelo State University students are available at: <https://myfuture.angelo.edu>. Official transcripts from all institutions attended subsequent to Angelo State University reenrollment must be submitted by the application deadline. All returning students must have a minimum of a 2.0 GPA on work taken since leaving Angelo State University.

2. Involuntary Withdrawals

- a. Angelo State University seeks to balance the rights of individual students with the rights of the community. In order to maintain the safety of both, some behaviors require consultation among a network of campus professionals to determine the appropriate course of action to address the behavior.
- b. When a student poses a direct threat to the health or safety of others, and the direct threat cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations where required, a student may be involuntarily withdrawn from the University.
- c. Notice regarding students who may be direct threats (both self-reports and third-party reports) should be made to the Executive Director of Student Affairs or designee.
- d. A "direct threat" means:
There is a high probability (not just a slightly increased, speculative, or remote risk)

- of substantial harm and based on observation of a student's conduct, actions, and statements.
- e. The Executive Director of Student Affairs or designee will review the information presented in the notice including what attempts, if any, have been made to reduce or eliminate the direct threat such as the student's voluntary compliance with medical or counseling assistance.
 - f. The Executive Director of Student Affairs or designee will notify the student of the concern.
 - g. The Executive Director of Student Affairs or designee will request a meeting with the student to inform the student that an initial individualized, objective assessment will be scheduled within five (5) University business days in order to determine whether the student poses a direct threat to him/herself or others. The meeting may include, but is not limited to discussion of:
 - Involvement of parents or significant others.
 - Academic progress.
 - Living arrangements.
 - Previously granted accommodations.
 - Confidentiality waivers.
 - Other possible accommodations, care and support resources including medical or counseling assistance.
 - Withdrawal implications such as financial aid, health insurance, visas, and academic timelines.
 - h. If the student does not respond to the request for a meeting or does not attend the meeting, written notice of the pending assessment will be sent via Certified Mail to the student's last known official, local address as provided by the student to the Registrar's Office and/or electronically to the student's University e-mail account. Students not responding to requests for meetings or assessments may be referred to the Executive Director of Student Affairs or designee for allegations of failure to comply with reasonable directive and/or requests of a University official acting in the performance of his or her duties.
 - i. Temporary Suspensions
During the involuntary withdrawal process, if the for Student Affairs or designee determines that an immediate direct threat exists or an overt disruption of the campus community has occurred, the student may be temporarily suspended pending a final decision on the involuntary withdrawal as long as the student has received notice of the concern, had an opportunity to address the concern, and the student was afforded a Hearing and right to appeal the final decision. During a temporary suspension, the student may not attend classes, use University services and/or resources (except those expressly permitted by the Executive Director of Student Affairs or designee), and may not be on campus until the proceedings have been resolved. If the student needs to return to campus, the visit must be coordinated through the Executive Director of Student Affairs or designee and the University Police Department.
 - j. Involuntary Withdrawal Assessment

An individualized, objective assessment will be completed to determine whether a direct threat exists, and if so, whether the student should be permitted to remain enrolled at the University. The assessment will be based on reasonable medical judgment, using current medical knowledge, or the best available objective information, to assess the student's ability to safely participate in the University's programs. The assessment will be in the form of a written report containing the findings and recommendations of the medical and other professionals performing the assessment.

Within five (5) University business days from the initial meeting with the student or five (5) University business days from the date of notice regarding the meeting, the student will be scheduled for an assessment with a medical doctor, a licensed counseling or clinical psychologist, and other professionals as appropriate. If applicable, this assessment would include a licensed professional counselor from University Counseling Services. The student may provide information from other medical professionals as part of the assessment.

If a student elects not to participate in this assessment, the process will continue with the information that is otherwise available to consider. The assessment will determine:

- The nature, duration, and severity of the risk.
- The probability that the potentially threatening injury will actually occur.
- Whether reasonable modifications of policies, practices, or procedures will sufficiently mitigate the risk.

k. Involuntary Withdrawal Committee

The assessment report will be forwarded to the Involuntary Withdrawal Committee for review. The Involuntary Withdrawal Committee is comprised of the following voting members: the student's Academic Dean, Director of the Student Counseling Services, Assistant Director of Student Conduct, Senior Executive Assistant to the President and General Counsel, and the Executive Director of Student Affairs. If the student resides in campus housing, the Director of Housing and Residential Programs will also serve as a voting member of the committee. If the student is receiving disability accommodations the Director of Disability Services will also serve as voting member of the committee. The Executive Director of Student Affairs will chair the committee. A non-voting resource person may be assigned by the Executive Director of Student Affairs to present information and assist the committee. The Involuntary Withdrawal Committee will meet with the student in an informal, non-adversarial Hearing to review the information collected throughout the process, and discuss the assessment with the student. The student will be permitted an opportunity to attend the Hearing, address the evidence being considered by the Involuntary Withdrawal Committee, and present information on his or her behalf. The student may be accompanied by one or more advisors. The Hearing will be scheduled by the Executive Director of Student Affairs or designee within five (5) University business days of the completion of the individualized assessment. The student will be provided the information to be considered at the

Hearing by the Executive Director of Student Affairs or designee in advance of the Hearing. When deliberating a decision, the Involuntary Withdrawal Committee will meet in closed session with only voting members and the resource person present. Following the Hearing, the Executive Director of Student Affairs or designee will determine one of the following:

- The student may remain enrolled at the University with no restrictions.
- The student may remain enrolled at the University subject to specific conditions and/or restrictions as defined by the Involuntary Withdrawal Committee.
- The student should be involuntarily withdrawn from the University upon a specific date.

l. Review of Committee Recommendation

The Executive Director of Student Affairs or designee will notify the student in writing of the decision within five (5) University business days.

m. Appeals Process

The student may appeal the decision of the Executive Director of Student Affairs by submitting a written appeal to the Vice President for Student Affairs within five (5) University business days. The student will be notified in writing of the final decision within five (5) University business days of receipt of the appeal.

n. Final Decision

Upon completion of the appeal process or with no receipt of an appeal, the student who is involuntarily withdrawn may not attend class or use University facilities, must vacate University housing within 24 hours and may not return to campus unless approved by the Executive Director of Student Affairs. Referrals will be made for the student upon request to appropriate community resources, i.e. medical care and housing. The student may be entitled to refunds or prorated tuition, fees, and room and board charges as a result of involuntary withdrawal. A registration hold will be placed on the student's record at the direction of the Executive Director of Student Affairs or designee, limiting any subsequent registration until approval is given by the Executive Director of Student Affairs.

o. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year from the withdrawal date. At that time, the student should present documentation to the Executive Director of Student Affairs or designee for review. Documentation may include, but is not limited to, current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon re-enrollment. Readmission requests and documentation must be presented at least 30 University business days prior to the beginning of the semester that the student wishes to attend. Readmission will be contingent upon demonstration or documentation that the student is no longer a direct threat, and upon meeting admission deadlines and requirements.

APPENDIX A: DEFINITIONS

Academic Work, Test, Quiz, or Other Assignment

The terms “academic work, test, quiz, or other assignment” includes any required or optional academic work that is assigned. Examples include, but are not limited to: exams, quizzes, tests, homework, case studies, essays, research papers, group work, extra credit assignments, class attendance, experiential learning activities, internship or externship components, resumes, comprehensive exams, and thesis and dissertation drafts and submissions.

Administrative Hold

The term “administrative hold” refers to the indicator placed on a student’s record preventing access to such University procedures as registration, release of transcripts, and course add/drops until the student meets the requirements of the University office placing the indicator as described in the Undergraduate/Graduate Catalogs.

Conduct History

The term “conduct history” is a compilation of documents related to any student or student organization’s behavior that resulted in a finding of Responsible through the University conduct process outlined in the *Code of Student Conduct*. The student’s academic progress may be considered in the sanctioning phase of an Informal Resolution, Informal Conference, or Formal Hearing.

Consent

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

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

One partner can revoke consent at any time, so long as it is clearly communicated to the other partner. Revocation of consent may be communicated verbally and/or non-verbally. Once a partner has revoked his or her consent, the sexual activity must stop. If one partner continues the sexual activity after the other partner has revoked his or her consent, a sexual assault has occurred.

Coercion

Sexual coercion is defined as the use of violence or threats of violence against a person or the person's family or property; depriving or hindering a person by any means, substance, object, or clothing; attempting to intimidate a person by threats or force; or when committed with the intent to compel a person to do or abstain from doing an act that the person has the right to do or abstain from doing. Coercion is more than an effort to persuade, entice, or attract another person to have sex. In evaluating whether coercion

was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

Disciplinary Good Standing

The term “disciplinary good standing” is defined as a student not currently on disciplinary probation, deferred disciplinary suspension, or any level of disciplinary suspension/expulsion.

Hearing Body

A “hearing body” is the individual or individuals that make the determination of responsible or not responsible and issue sanctions upon a responsible finding in an Administrative Hearing or Panel Hearing.

Investigation Report

An “investigation report” is a formal or informal report that summarizes the relevant evidence based upon the completion of a prehearing investigation conducted by the Student Conduct Officer/Investigator.

Member of the University Community

The term “member of the University community” includes any person who is a student, faculty or staff member, University official, any person employed by the University, or a campus visitor.

Official Academic Record

The term “official academic record” includes, but is not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials grade change forms, and reporting forms used by the Registrar’s Office.

Policy

The term “policy” is defined as the written regulations, standards and/or rules of the University.

Policy Clarification

The term “Policy Clarification” refers to written notice to a student when it is determined that the information reported does not warrant an allegation but may warrant notice to the involved parties to clarify the policy in question.

Preponderance of Evidence

The term of “preponderance of evidence” is the standard of proof used by Student Conduct Hearing Officers, Office of Title IX Compliance, Office of Student Affairs, and the Office of Housing and Residential Programs. It is defined as a circumstance in which the evidence as a whole show that the fact(s) for which proof is being sought are more likely than not.

Religious Holy Day

The term “religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under [Texas Tax Code §11.20](#).

Retaliation

“Retaliation” is defined as any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in an investigation and/or conduct process, civil rights grievance proceeding, or other protected activity.

Sponsorship and/or Co-sponsorship

The term “sponsorship and/or co-sponsorship” is defined as minimally including, but not limited to, direct participation in planning, coordination and implementation by members of the sponsoring organizations.

Student

The term “student” includes all persons admitted to or enrolled in courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies, and/or those who attend postsecondary educational institutions other than Angelo State University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students”.

Student Conduct Officer/Investigator

The term “Student Conduct Officer/Investigator” means a University designee authorized by the Vice President for Student Affairs, Executive Director of Student Affairs, Title IX Coordinator, and/or Director of Housing and Residential Programs pursuant to the *Code of Student Conduct* to adjudicate alleged violations of the *Code of Student Conduct*.

Student Organization

The term “student organization” means any number of students who have complied with the formal requirements for University registration.

University

The term “University” means Angelo State University.

University Official

The term “University official” includes any person employed by Angelo State University while performing assigned administrative or professional responsibilities.

University Premises

The term “University premises” includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the University (including adjacent streets and sidewalks).

APPENDIX B: CONSENT AT ANGELO STATE

- Community members engaging in sexual activity must have clear, knowing, and voluntary consent from their sexual partner prior to and during each sexual activity.
- Consent is defined as mutually understandable words or actions, clearly communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.
- It is the responsibility of the initiator of any sexual activity to obtain their partner's verbal or non-verbal consent for each sexual activity.
- To obtain valid consent:
 - It must be expressed by each partner through words or actions.
 - It must be actively expressed by both partners. Consent is not passive or implied.
 - Each partner must be informed about each sexual activity and knowingly consent to participate in each sexual activity.
 - Consent is given voluntarily and freely by each partner for each sexual activity.
 - Each partner must have capacity to consent to sexual activities.
- Silence cannot be assumed to express consent.
- A partner may use non-verbal cues to indicate their *lack* of consent for sexual activity. Some examples of non-verbal communication that demonstrate lack of consent include:
 - Resistance: Pushing hands away, pulling away from partner;
 - Body going limp or freezing up;
 - Crying;
 - Wincing
- Revocation of Consent: One partner can revoke their consent at any time, so long as it's clearly communicated to the other partner. Revocation of consent may be communicated verbally and/or non-verbally. Once a partner has revoked his or her consent, the sexual activity must stop. If one partner continues the sexual activity after the other partner has revoked his or her consent, a sexual assault has occurred.
- A prior existing sexual relationship between consenting adults does not imply future consent to engage in sexual activities. At any time in a relationship, one partner may revoke his or her consent to sexual activities with the other partner. This is true even in marriage or other long-term sexual relationships. Consent for one sexual activity does not equal consent for other sexual activities.
- Consent cannot be compelled. Compelled sexual activity is by definition non-consensual. Compelling someone into engaging in sexual activities by the use of physical force, threats, intimidation, or coercion invalidates consent, even if it's

eventually given, and thus constitutes a violation of the ASU Sexual Misconduct policies.

- A person cannot consent to sexual activity when they are incapacitated. Engaging in sexual activity with someone you know or reasonably should know is incapacitated is a violation of the Code of Conduct. Incapacitation occurs when a person lacks the ability to make informed, rational decisions due to impairment, which may be temporary or permanent.
- The question of whether the Respondent should have known that the Complainant was incapacitated is objectively based on what a reasonable person, sober and exercising good judgment, would have known about the condition of the Complainant.
- There are three types of incapacitation:
 - Age: A minor, in Texas is defined as under the age of 17 cannot consent to sexual activity.
 - Mental Disability: A person with a mental disorder or other cognitive issue which prohibits them from making an informed decision lacks capacity to engage in sexual activity.
 - Physical Incapacitation: A person who is asleep, unconscious, and/or intoxicated to the point of no longer understanding or controlling their actions cannot consent to engage in sexual activity.

APPENDIX C: SANCTIONING GRID

| Violation | <i>Code of Student Conduct</i> Sections | Possible Sanctions Finding |
|---|--|-----------------------------------|
| Academic Misconduct | Subsection 1. | |
| <i>Cheating</i> | | Possible Sanctions |
| Copying from another student's academic work, test, quiz, or other assignment. | B.1.a.1.a. | Reprimand-Expulsion |
| Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority. | B.1.a.1.b. | Reprimand-Expulsion |
| The use or possession of materials or devices during academic work, test, quiz, or other assignment which are not authorized by the person administering the academic work, test, quiz, or other assignment. | B.1.a.1.c. | Reprimand-Expulsion |
| Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an un-administered test, test key, homework solution, or computer program/software. | B.1.a.1.d. | Reprimand-Expulsion |
| Possession, at any time, of current or previous tests materials without the instructor's permission. | B.1.a.1.e. | Reprimand-Expulsion |
| Obtaining by any means, or coercing another person to obtain items including, but not limited to, an un-administered test, test key, homework solution or computer program/software, or information about an un-administered test, test key, homework solution or computer program. | B.1.a.1.f. | Reprimand-Expulsion |
| Transmitting or receiving information about the contents of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority. | B.1.a.1.g. | Reprimand-Expulsion |
| Substituting for another person, or permitting another person to substitute for oneself in order to take a course, take a test, quiz, or other assignment or sign in/register attendance. | B.1.a.1.h. | Reprimand-Expulsion |
| Taking, keeping, misplacing, damaging, or altering the property of the University or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct. | B.1.a.1.i. | Reprimand-Expulsion |
| Falsifying research data, laboratory reports, and/or other academic work offered for credit. | B.1.a.1.j. | Reprimand-Expulsion |
| Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment. | B.1.a.1.k. | Reprimand-Expulsion |

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| <i>Plagiarism</i> | | |
| The representation of words, ideas, illustrations, structure, computer code, other expression or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials. | B.1.a.2.a. | Reprimand-Expulsion |
| The submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student. | B.1.a.2.b. | Reprimand-Expulsion |
| <i>Collusion</i> | | |
| Any unauthorized collaboration or attempted collaboration with another individual to complete academic work, test, quiz, or other assignment that results in similarities in the work, including but not limited to, providing unauthorized assistance to another student and/or allowing another student access to completed academic work. | B.1.a.3. | Reprimand-Expulsion |
| <i>Falsifying Academic Records</i> | | |
| Altering or assisting in the altering of any official record of the University and/or submitting false information. | B.1.a.4.a. | Reprimand-Expulsion |
| Omitting requested information that is required for, or related to, any academic record of the University. | B.1.a.4.b. | Reprimand-Expulsion |
| <i>Misrepresenting Facts</i> | | |
| Providing false grades, falsifying information on a resumé, or falsifying other academic information. | B.1.a.5.a. | Reprimand-Expulsion |
| Providing false or misleading information in an effort to injure another student academically or financially. | B.1.a.5.b. | Reprimand-Expulsion |
| Providing false or misleading information or official documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, credit for attendance and/or obtain an academic or financial benefit for oneself or another individual. Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses family and personal emergencies, and signing into class and failing to remain the entire time. | B.1.a.5.c. | Reprimand-Expulsion |
| <i>Violation of Professional Standards</i> | | |
| Any act or attempted act that violates specific Professional Standards or a published Code of Ethics. Students are held accountable under this policy based on their college or school of enrollment, declared major, degree program, and/or pre-professional program. | B.1.a.6. | Reprimand-Expulsion |
| <i>Unfair Academic Advantage</i> | | |
| Any other action or attempted action that may result in creating an unfair academic advantage for oneself or may result in creating an unfair academic | B.1.a.7. | Reprimand-Expulsion |

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| advantage or disadvantage for another student that is not enumerated in items 1-6 above. | | |
| Actions against Members of the University Community and Others | Subsection 2. | Possible Sanctions |
| Any act, or attempted act, perpetrated against another person or persons including, but not limited to: | | |
| <i>Disruptive and/or Obstructive Conduct</i> | | |
| Intentional or reckless behavior that disrupts or obstructs the University operations, including the cessation or temporary cessation of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus. | B.1.b.1. | Reprimand-Expulsion |
| <i>Harmful, Threatening, or Endangering Conduct</i> | | |
| Intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of others, including but not limited to: | B.1.b.2. | Reprimand-Expulsion |
| <i>Assault</i> | | |
| Intentionally, recklessly, or knowingly causing physical harm to another individual. | B.1.b.3.a. | Reprimand-Expulsion |
| Intentionally, recklessly, or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or harmful. | B.1.b.3.b. | Reprimand-Expulsion |
| <i>Threats</i> | | |
| Any act or communication (written, oral, or otherwise) a reasonable person would interpret as a serious expression of intent to injure the health, safety, or property of a person(s) and/or inflict bodily harm upon a person(s). | B.1.b.4. | Reprimand-Expulsion |
| <i>Intimidation</i> | | |
| An implied threat or act that causes a reasonable fear of harm. | B.1.b.5. | Reprimand-Expulsion |
| <i>Bullying/Cyber Bullying</i> | | |
| Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally. Activities protected by freedom of speech will not be considered violations of the <i>Code of Student Conduct</i> . | B.1.b.6. | Reprimand-Expulsion |
| <i>Mutual Combat</i> | | |
| Any incident between two or more individuals in which violence or the threat of violence is mutual. | B.1.b.7. | Reprimand-Expulsion |
| <i>Hazing</i> | | |
| Intentional, knowing, or reckless act, occurring on or off the campus of the University, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, | B.1.b.8. | Reprimand-Expulsion |

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| affiliating with, holding office in, or maintaining membership in any organization whose membership consists primarily of students. Consent and/or acquiescence by a student or students subjected to hazing is not a reasonable defense in a disciplinary proceeding. Hazing includes but is not limited to: | | |
| 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.1.b.8.a. | Reprimand-Expulsion |
| Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of a student, such as humiliation, sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity. | B.1.b.8.b. | Reprimand-Expulsion |
| Any activity that involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by item 4 below, which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student. | B.1.b.8.c. | Reprimand-Expulsion |
| Any activity that induces, causes, or requires the student to perform a duty or task that involves coercing a student to consume a drug, an alcoholic beverage, or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated. | B.1.b.8.d. | Reprimand-Expulsion |
| Any activity in which a person solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; intentionally, knowingly or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred or may occur; witnesses or participates in a specific hazing incident, and knowingly fails to report the incident in writing to the Office of Student Affairs. | B.1.b.8.e. | Reprimand-Expulsion |
| Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates, or alumni of the organization of committing or assisting in the commission of hazing. | B.1.b.8.f. | Reprimand-Expulsion |
| Any activity that involves coercing a student to consume an alcoholic beverage, liquor, or drug, or creates an environment in which the student reasonably feels coerced to consume any of those substances. See Texas Education Code , Sections 37.151-37.155 and Section 51.936. | B.1.b.8.g. | Reprimand-Expulsion |
| <i>Discriminatory Harassment</i> | | |

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| Conduct based on a student's sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive that is adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities. | B.1.b.9. | Reprimand-Expulsion |
| <i>Retaliatory Discrimination or Harassment</i> | | |
| Any intentional, adverse action taken by an individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant (or supporter of a participant) in a conduct process, civil rights grievance proceeding, or other protected activity. | B.1.b.10. | Reprimand-Expulsion |
| <i>Complicity or Knowingly Present</i> | | |
| Assisting, via acts or omission, another student, individual, or group in committing or attempting to commit a violation of the <i>Code of Student Conduct</i> , specifically violations that constitute Actions Against Members of the University Community. | B.1.b.11.a. | Reprimand-Expulsion |
| Complicity with or failure of any organized group to address known or obvious violations of the <i>Code of Student Conduct</i> by its members, specifically Actions Against Members of the University Community. | B.1.b.11.b. | Reprimand-Expulsion |
| Any person who is knowingly present for the commission of a violation of the <i>Code of Student Conduct</i> and does not take steps to remove themselves from the location of the violation. | B.1.b.11.c. | Reprimand-Expulsion |
| Alcoholic Beverages | Subsection 3. | Possible Sanctions |
| Use, possession, sale, delivery, manufacture or distribution of alcoholic beverages that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. | B.1.c.1. | Reprimand-Expulsion |
| Being under the influence of alcohol and/or intoxication as defined by federal, state, local law, and/or Angelo State University policy. | B.1.c.2. | Reprimand-Expulsion |
| Narcotics or Drugs | Subsection 4. | Possible Sanctions |
| Use, possession, sharing, furnishing, sale, delivery, manufacture or distribution of any narcotic, drug, and/or prescription medications contrary to a valid prescription, chemical compound or other controlled substance or drug paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. | B.1.d.1. | Reprimand-Expulsion |
| Possession of drug-related paraphernalia that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. | B.1.d.2. | Reprimand-Expulsion |

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| Being under the influence of narcotics, drugs, prescription medications contrary to a valid prescription, chemical compound or other controlled substance that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. | B.1.d.3. | Reprimand-Expulsion |
| Smoking/Vaping/Tobacco | Subsection 5. | Possible Sanctions |
| Smoking, vaping, or the use of smokeless tobacco products in unauthorized areas on University property as designated by the Angelo State University Smoke/Tobacco-Free Environment policy. | B.1.e. | Reprimand-Expulsion |
| Firearms, Weapons, and Explosives | Subsection 6. | Possible Sanctions |
| Use or possession of any items used as weapons, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, BB guns, knives, Tasers, or explosive or noxious materials on University premises that would constitute a violation of any federal, state, local law, and/or Angelo State University policy. See <i>RESIDENCE HALL HANDBOOK (Housing and Residential Programs webpage/Living on Campus/Current Students/Documents/Rates)</i> for specific approved devices allowed in the residence halls. | B.1.f. | Reprimand-Expulsion |
| Flammable Materials/Arson | Subsection 7. | Possible Sanctions |
| Use of items or materials to ignite, spread, or intensify flames for fire, or the attempt to ignite, spread, or intensify flames for fire, except as expressly permitted by University officials. | B.1.g.1. | Reprimand-Expulsion |
| Attempting to ignite and/or the action of igniting University and/or personal property on fire either by intent or through reckless behavior that results, or could result, in personal injury or property damage of University premises. | B.1.g.2. | Reprimand-Expulsion |
| Theft, Damage, Littering, or Unauthorized Use | Subsection 8. | Possible Sanctions |
| Attempted or actual theft of property or services of the University or of another. | B.1.h.1. | Reprimand-Expulsion |
| Possession of property known to be stolen or belonging to another person without the owner's permission. | B.1.h.2. | Reprimand-Expulsion |
| Attempted or actual damage to property owned or leased by the University, by other University students, other members of the University community, or campus visitors. | B.1.h.3. | Reprimand-Expulsion |
| Littering (as defined by the State of Texas Health and Safety Code, Section 365.011.6) on grounds owned or leased by the University by other University students, other members of the University community, or campus visitors. | B.1.h.4. | Reprimand-Expulsion |

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| Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, OneCard account information and/or personal check, or other unauthorized use of personal property or information of another. | B.1.h.5. | Reprimand-Expulsion |
| Altercation, forgery or misrepresentation of any form of identification. | B.1.h.6. | Reprimand-Expulsion |
| Possession or use of any form of false identification, not belonging to the student or used for the purposed originally issued. | B.1.h.7. | Reprimand-Expulsion |
| Failure to meet financial obligations owed to the University, or components owned or operated by the University, including but not limited to, issuing payment to the student's financial account from accounts with insufficient funds. | B.1.h.8. | Reprimand-Expulsion |
| Selling items including but not limited to: stolen items, student identification cards, and/or any item which may be used as a form of false identification | B.1.h.9. | Reprimand-Expulsion |
| Gambling, Wagering, Gaming, and /or Bookmaking | Subsection 9. | Possible Sanctions |
| Gambling, wagering, gaming, and bookmaking as defined by federal, state, local laws, and/or Angelo State University policy are prohibited on University premises involving the use of University equipment or services. | B.1.i. | Reprimand-Expulsion |
| False Alarms, Emergency Equipment, or Terroristic Threats | Subsection 10. | Possible Sanctions |
| Intentional sounding of a false alarm, falsely reporting an emergency in any form, and/or filing false police reports. | B.1.j.1. | Reprimand-Expulsion |
| Destruction or activation of fire sprinklers or improperly possessing, tampering with, or destroying fire equipment or emergency signs on University premises. | B.1.j.2. | Reprimand-Expulsion |
| Threats to commit any offense involving violence to any person or property with intent to: <ul style="list-style-type: none"> • Cause a reaction of any type to the threat by an official or volunteer agency organized to deal with emergencies; • Place any person in fear of imminent serious bodily injury; • Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the University Community has access, place of employment or occupation, University automobile, or other place of use to the University Community; | B.1.j.3. | Reprimand-Expulsion |

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| <ul style="list-style-type: none"> • Cause impairment or interruption of University communications, University transportation, or other University service; or • Place the University in fear of serious bodily injury. | | |
| Unauthorized Entry, Possession, and Use | Subsection 11. | Possible Sanctions |
| Unauthorized entry into or use of University premises or equipment including another student's room. | B.1.k.1. | Reprimand-Expulsion |
| Unauthorized possession, use, duplication, production, or manufacture of any key or unlocking device, University identification card or access code for use on University premises or equipment. | B.1.k.2. | Reprimand-Expulsion |
| Unauthorized use of the University name, logo, registered marks, symbols; however, registered student organizations are permitted to use the complete statement "a registered student organization at Angelo State University." | B.1.k.3. | Reprimand-Expulsion |
| Unauthorized use of the University name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the University. | B.1.k.4. | Reprimand-Expulsion |
| Failure to Comply | Subsection 12. | Possible Sanctions |
| Failure to comply with reasonable directives and/or requests of a University official acting in the performance of his or her duties. | B.1.l.1. | Reprimand-Expulsion |
| Failure to present student identification on request or identify oneself to any University official acting in the performance of his or her duties. | B.1.l.2. | Reprimand-Expulsion |
| Failure to comply with the sanctions imposed by the University under the <i>Code of Student Conduct</i> or the Student Handbook. | B.1.l.3. | Reprimand-Expulsion |
| Abuse, Misuse, or Theft of University Information Systems | Subsection 13. | Possible Sanctions |
| Unauthorized use of University information systems is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions pursuant to the <i>Code of Student Conduct</i> . Use of Angelo State University information systems may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws. Use of information systems is also subject to Information Technology policies (OP Section 44.00), University Operating Policies, and other applicable laws. Abuse, misuse, or theft of University information systems includes, but is not limited to, the following: | B.1.m. | Reprimand-Expulsion |
| Unauthorized use of University information systems including, but not limited to, private information and | B.1.m.1. | Reprimand-Expulsion |

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| passwords, including the unauthorized sharing of private information or passwords with individuals who otherwise have no authority to access University information systems. | | |
| Use of University information systems for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media). | B.1.m.2. | Reprimand-Expulsion |
| Using University information systems to violate Part I, Section B.2. (Actions Against Members of the University Community and Others). | B.1.m.3. | Reprimand-Expulsion |
| Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Angelo State University information systems, compromising the privacy of another user or disrupting the intended use of Angelo State University information systems. | B.1.m.4. | Reprimand-Expulsion |
| Attempted or actual use of the Angelo State University information systems for unauthorized political or commercial purposes, or for personal gain. | B.1.m.5. | Reprimand-Expulsion |
| Access, creation, storage, or transmission of material deemed obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency or other applicable laws). Exceptions may be made for academic research where this aspect of the research has the written consent of the Department Chair. Discovery of obscene material, including child pornography, on any Angelo State University information system must be reported to the Chief Information Officer immediately. | B.1.m.6. | Reprimand-Expulsion |
| Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University or another user or destruction of the integrity of computer-based information using Angelo State University information systems. | B.1.m.7. | Reprimand-Expulsion |
| Attempted or actual use of Angelo State University information systems to interfere with the normal operation of the University. | B.1.m.8. | Reprimand-Expulsion |
| Intentional "spamming" of students, faculty or staff (defined as the sending of unsolicited and unwanted electronic communications including, but not limited to, e-mails and text messages to parties with whom the sender has no existing business, professional or | B.1.m.9. | Reprimand-Expulsion |

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| personal acquaintance) using Angelo State University information systems. | | |
| Providing False Information or Misuse of Records | Subsection 14. | Possible Sanctions |
| Knowingly furnishing false information to the University, to a University official in the performance of his or her duties, or to an affiliate of the University, either verbally or through forgery, alteration or misuse of any document, record, or instrument of identification. | B.1.n. | Reprimand-Expulsion |
| Skateboards, Rollerblades, Scooters, Bicycles, or Similar Modes of Transportation | Subsection 15. | Possible Sanctions |
| Use of skateboards, rollerblades, scooters, bicycles, or other similar modes of transportation in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property. Refer to University Parking Services regulations at: http://www.angelo.edu/services/parking_services/ | B.1.o. | Reprimand-Expulsion |
| Interference with Expressive Activities | Subsection 16. | Possible Sanctions |
| Unduly interfering with the expressive activities of others on campus resulting in the inability for expressive activities to occur or to continue. Consistent with TTUS Regulation 07.04, students who unduly interfere with the expressive activities of others on campus will be subject to the disciplinary policies and procedures outlined in the <i>Code of Student Conduct</i> . The terms of such Regulation shall control in the event of any conflict between the provisions set forth in this Handbook and the terms of such Regulation. NOTE: See also Code of Student Conduct Part II, Section G – Freedom of Expression Activities. | B.1.p. | Reprimand-Expulsion |
| Violation of Published University Policies, Rules, or Regulations | Subsection 17. | Possible Sanctions |
| Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, violations of the following: | B.1.q. | Reprimand-Expulsion |
| University Parking Services | B.1.q.1. | Reprimand-Expulsion |
| Housing and Residential Programs | B.1.q.2. | Reprimand-Expulsion |
| Student Life | B.1.q.3. | Reprimand-Expulsion |
| Multicultural and Student Activities Programs | B.1.q.4. | Reprimand-Expulsion |
| University Recreation | B.1.q.5. | Reprimand-Expulsion |
| ASU Student-Athlete Handbook | B.1.q.6. | Reprimand-Expulsion |
| Texas Tech University System Board of Regents' Rules | B.1.q.7. | Reprimand-Expulsion |
| Angelo State University Operating Policies and Procedures | B.1.q.8. | Reprimand-Expulsion |

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| Community Policies of the Student Handbook (Part II) | B.1.q.9. | Reprimand-Expulsion |
| Violation of Federal, State, and/or Local Laws, | Subsection 18. | Possible Sanctions |
| Misconduct which may constitute a violation of federal, state, and/or local laws may be considered a violation of University policy and may 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 or resolve a University conduct proceeding. | B.1.r. | Reprimand-Expulsion |
| Abuse of the Discipline System | Subsection 19. | Possible Sanctions |
| Falsification, distortion, or misrepresentation of information in disciplinary proceedings. | B.1.s.1. | Reprimand-Expulsion |
| Disruption or interference with the orderly conduct of a disciplinary proceeding. | B.1.s.2. | Reprimand-Expulsion |
| Filing an allegation known to be without merit or cause. | B.1.s.3. | Reprimand-Expulsion |
| Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system. | B.1.s.4. | Reprimand-Expulsion |
| Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during and/or after the disciplinary proceeding. | B.1.s.5. | Reprimand-Expulsion |
| Influencing or attempting to influence another person to commit an abuse of the discipline system. | B.1.s.6. | Reprimand-Expulsion |
| Sexual Misconduct | Section D | Possible Sanctions |
| <p><i>Title IX Sexual Misconduct</i> – Conduct that allegedly occurred against a person in the United States, in University's Education Program or Activity, on the basis of sex, and that satisfies one or more of the following:</p> <p><i>a. Quid Pro Quo.</i> A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;</p> <p><i>b. Severe, Pervasive, and Objectively Offensive Conduct.</i> Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity.</p> <p>The following incidents are deemed to meet</p> | D.2.b. | Reprimand-Expulsion |

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| <p>the Severe, Pervasive, and Objectively Offensive standard:</p> <ol style="list-style-type: none"> 1. Sexual Assault- An offense classified as a forcible or nonforcible sex offense. <ol style="list-style-type: none"> a. Forcible sex offense- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, including Rape, Sodomy (oral or anal sexual intercourse), Sexual Assault with an Object, and Fondling b. Nonforcible sex offense- Unlawful, nonforcible sexual intercourse including incest and statutory rape. c. (For complete definitions of forcible and nonforcible sex offenses, please see System Regulation 07.06.A) 2. Dating Violence- Violence committed by a person who is or has been in a social relationship of a romantic nature with the victim, and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relations, and the frequency of interaction between the persons involved in the relationship. 3. Domestic Violence- Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person cohabitation with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. | | |
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| 4. Stalking- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. | | |
| <i>Non-Title IX Sexual Misconduct</i> is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and any other misconduct based on sex. | D.2.c. | |
| <i>Interpersonal Violence</i> | | |
| An offense that meets the definition of domestic violence or dating violence: | D.2.c.1. | |
| <i>Domestic Violence or Family Violence</i> | | |
| Physical, sexual, or verbal abuse, or threat of abuse or violence, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person with whom the Complainant is cohabitating (or has cohabitated) with a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas. Verbal abuse must be sufficiently severe, persistent, or pervasive that it adversely affects the victim's education or creates an intimidating, hostile, abusive or offensive educational environment which interferes with the student's ability to realize the intended benefits of the University's resources and opportunities. | D. 2.c.1.b. | Probation-Expulsion |
| <i>Dating Violence</i> | | |
| Physical, sexual, or verbal abuse, or threat of abuse or violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary socialization between two individuals does not | D.2.c.1.a. | Probation-Expulsion |

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| constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence or family violence. | | |
| 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. | D.2.c.2. | Probation-Expulsion |
| Sexual Assault | | |
| Sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. | D.2.c.3. | |
| Non-Consensual Sexual Contact | | |
| Intentional sexual touching, however slight and with any object or part of one's body, of another's private areas without consent. Sexual Contact includes: intentional contact with the breasts, buttock, groin, or genitals; touching another with any of these body parts; making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner. | D.2.c.3.a. | Deferred Suspension-Expulsion |
| Non-Consensual Sexual Intercourse | | |
| Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal. | D.2.c.3.b. | Suspension-Expulsion |
| Sex Discrimination | | |
| An act that deprives a member of the University Community of their right of access to campuses and facilities and/or of participation in education, services, programs, operations, employment, benefits or opportunities with the University on the basis of the person's sex. | D.2.c.4 | Reprimand-Expulsion |
| Sexual Exploitation | | |
| Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to: a. Purposeful photography, video recording, of another person in a sexual, intimate, or private act without the person's full knowledge and consent. b. Purposeful distribution, or dissemination of sexual or intimate images or recordings of another person without that person's knowledge or consent; c. Sexual voyeurism; | D.2.c.5. | Reprimand-Expulsion |

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| d. Inducing another to expose one's genitals or private areas; e. Prostituting another; or f. Knowingly exposing someone to or transmitting a sexually transmitted disease without the person's full knowledge and consent. | | |
| Sexual Harassment | | |
| Unwelcome verbal, written, or physical conduct of a sexual nature when: a. In the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or b. In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from education programs or activities. | B.2.c.6. | Reprimand-Expulsion |
| Stalking | | |
| A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's own safety or the safety of others or would cause that person to suffer substantial emotional distress. A "course of conduct" means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and similarly situated to the Complainant. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. | B.2.c.7. | Reprimand-Expulsion |

APPENDIX D: CAMPUS RESOURCES

Office of Academic Affairs

Provost and Vice President for Academic Affairs..... AD 204

College of Arts and Humanities

Dean of the College of Arts and Humanities.....CARR 146
 Department of Communication and Mass Media..... LIB B306
 Department of English and Modern Languages..... A 010
 Department of History A 210
 Department of Political Science and PhilosophyRAS 213
 Department of Security Studies and Criminal Justice N 164
 Department of Visual and Performing Arts.....CARR 139

Norris-Vincent College of Business

Dean of the Norris-Vincent College of BusinessRAS 262
 Department of Accounting, Economics, and Finance... RAS 258
 Department of Aerospace StudiesRAS 227
 Department of Management and Marketing RAS 212

College of Education

Dean of the College of Education.....CARR 104
 Department of Curriculum and Instruction.....CARR 154
 Department of Teacher Education... ..CARR 145

College of Graduate Studies and Research..... AD 107

Archer College of Health and Human Services

Dean of the Archer College of Health and Human Services..... HHS 202
 Department of Health Science Professions HHS 222
 Department of Kinesiology.....Ben Kelly CHP 201
 Department of Nursing HHS 318
 Department of Physical Therapy..... HHS 224
 Department of Psychology and Sociology... ..A 204
 Department of Social Work..... HHS 224

College of Science and Engineering

Dean of the College of Science and Engineering.....N 175
 Department of Agriculture..... N 212
 Department of Biology... ..CAV 101
 Department of Chemistry and Biochemistry... ..CAV 102L
 Department of Computer Science.....MCS 205
 David L. Hirschfeld Department of Engineering..... N 268
 Department of Mathematics.....MCS 220
 Department of Physics and Geosciences..... N 114

Administrative Staff

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| Athletic Director (Academic, Athletic, and Health Records of Student Athletes)..... | Junell Center 222 |
| Chief of University Police (Incident Reports and Police Investigations)..... | Reidy Building |
| Clinic Director (Medical Records)..... | Jackson St. Clinic |
| Director of Admissions (Admissions Files) | HAR 101 |
| Director of Affiliated Military & Veteran Services..... | UC 113 |
| Director of Career Development (Career Files)..... | UC 107 |
| Director of Counseling Services (Counseling Records)..... | Counseling Services |
| Director of Financial Aid (Financial Aid and Scholarship Records)..... | HAR 101 |
| Director of Housing and Residential Programs (Housing Records)..... | Centennial Village |
| Director of Multicultural Programs/Student Activities Center (Student Organization Records)..... | UC 114 |
| Director of Registrar Services (Permanent Academic Record Files) | HAR 200 |
| Director of Risk and Emergency management..... | FM 119 |
| Director of Scholarship Programs (Scholarship Records)..... | HAR 215 |
| Director of Student Disability Services (Student ADA Records) | UC 112 |
| Director of Student Life... .. | UC 001 |
| Director of University Recreation..... | Ben Kelly CHP 113 |
| Executive Director of Enrollment Management | HAR 100A |
| Executive Director of Student Affairs (Discipline and Conduct Records)..... | UC 112 |
| Senior Executive Assistant to the President and General Counsel... .. | AD 213 |
| Title IX Coordinator (Title IX Records)..... | AD 210 |
| Vice President for External Relations | AD 102 |
| Vice President for Finance & Administration. | AD 103 |
| Vice President for Student Affairs..... | AD 205 |