

**Rules and Regulations Committee Meeting**  
**March 21, 2014**  
**Meeting Minutes**

- I. Attendance
  - a. Voting members present: Jerry Brown, Melinda Grant, Laura Hammons, Venesa Heidick, Dave Parrott, Maxine Harrington, Rita Moyes, Fernando Sosa, Leonard Bright, Bridgette Ingram (for Delisa Falks), Bob Strawser, Judy Sandlin
  - b. Nonvoting members present: Tim Powers, Todd Sutherland, Linda Brannon, Matt Fry, Therese Kucera, Anne Reber, Ingrid Woods, Cindy Smith
- II. The meeting was called to order at 3:05 pm by Dave Parrott.
- III. Approval of minutes from meeting on January 17, 2014  
Approved—Unanimously
- IV. Old Business - None
- V. New Business
  - a. Rule 7 Attendance (see attached): Three proposals were brought to committee on Rule 7.
    - i. Proposal 1 by Maxine Harrington is to bring rule in line with Law School attendance policies. Committee accepted rule with the following wording changes: Law students to be changed to Juris Doctorate (JD) students and withdrawn changed to dropped.  
Motion – M. Harrington; Second – R. Moyes; Approved - Unanimously
    - ii. Proposal 2 by Linda Brannon seeks to change specific wording to include the Health Science Center’s instructor policies.  
Motion – V. Heidick; Second – J. Sandlin; Approved - Unanimously
    - iii. Proposal 3 by Cynthia Hernandez is in response to the DOE/OCR dear Colleague Letter concerning pregnant and parenting students. Committee accepted the rule as written with no changes.  
Motion – M. Grant; Second – V. Heidick; Approved - Unanimously  
Effective – upon approval of President
  - b. Rule 10.5 Grades (see attached): Three proposals were brought to the committee on Rule 10.5.
    - i. Proposal 1 by Linda Brannon is to bring rule in line with Health Science Center grading policies.  
Proposal is tabled until it can be brought before the Graduate Council for review.
    - ii. Proposal 2 by Cynthia Hernandez is in response to the DOE/OCR dear Colleague Letter concerning pregnant and parenting students. Committee accepted the rule as written with no changes.  
Motion – V. Heidick; Second – R. Moyes; Approved - Unanimously
    - iii. Proposal 3 by Sara Bednarz concerns grades of I (Incomplete)

Proposal is tabled until Sarah Bednarz can attend and explain justification behind rule.

- c. Rule 30 Dangerous or Disruptive Behavior Caused by Manifestations of a Serious Psychological Problem (see attached): Two proposals were brought to the committee on Rule 30.
  - i. Proposal 1 by Linda Brannon is to clarify the rule for a campus located outside of Brazos County.
  - ii. Proposal 2 by Cynthia Hernandez is to align rule to requirements/recommendations to the change in Title II regulations regarding “direct threat” from the Department of Justice.  
Committee accepted both proposals as written with no changes.  
Motion – R. Moyes; Second – M. Grant; Approved – Unanimously
- d. Rule 40 Lost, Found, Stolen or Abandoned Property (see attached): Proposal brought by Linda Brannon is to clarify the rule for a campus located outside of Brazos County. Committee accepted the rule as written with no changes.  
Motion – R. Moyes; Second – M. Harrington; Approved – Unanimously
- e. Rule 41.2.1.2 Student Organizations (see attached): Proposal was brought to committee by Kenita Rogers to address GPR requirements for professional students in the College of Veterinary Medicine. Discussion concerning changing wording to include all first professional students. Committee accepted the rule with the following changes: professional-level students to be changed to first professional students.  
Motion – F. Sosa; Second – M. Grant; Approved – Unanimously
- f. Rule 55 Parking Citations (see attached): Proposal brought by Linda Brannon is to clarify the rule for a campus located outside of Brazos County. Committee accepted the rule as written with no changes.  
Motion – R. Moyes; Second – M. Harrington; Approved – Unanimously
- g. Rule 57 Undergraduate Academic Appeals Panel (see attached): Proposal brought by Ann Kenimer. Revised language for SR57 Undergraduate Academic Appeals Panel was recently reviewed by Rules and Regs. Faculty Senate action on that revised language was tabled at the February meeting pending input from a Senator. The Office of Undergraduate Studies has since received suggestions from this Senator. This newest version of the revised SR57 is substantially equivalent to that recently reviewed by Rules and Regs, but has been edited to address the Senator’s feedback.  
Motion – M. Grant; Seond – J. Sandlin; Approved - Unanimously
- h. Rule 60 Parking Citation Appeals Panel (see attached): Proposal brought by Linda Brannon is to clarify the rule for a campus located outside of Brazos County. Committee accepted the rule as written with no changes.  
Motion – R. Moyes; Second – M. Harrington; Approved – Unanimously

VI. Meeting adjourned at 4:50 pm

*Present Rule 7 with Proposed Changes in **bold** and underlined.*

7. Attendance

(Revised: 2013)

Introduction

The university views class attendance as an individual student responsibility. Students are expected to attend class and to complete all assignments. Instructors **or equivalent** are expected to provide notice of the dates on which major exams will be given and assignments will be due on the course syllabus, which must be made available by the first class period. Graduate students are expected to attend all examinations required by departments or advisory committees as scheduled formally.

**The School of Law requires regular and punctual attendance of students in all courses. Juris Doctorate (JD) students are not required to seek an excused absence from an instructor or equivalent, but students will be administratively dropped from a class for excessive absences as defined in the [School of Law Academic Standards](#). JD students are expected to take examinations as scheduled. Requests to reschedule an examination must be submitted to the Associate Dean for Academic Affairs in accordance with the process set forth in the [School of Law Academic Standards](#).**

Students who are requesting an excused absence are expected to uphold the Aggie Honor Code and Student Conduct Code ([See Rule 24](#)).

Excused Absences

7.1 The student is responsible for providing satisfactory evidence to the instructor **or equivalent** to substantiate the reason for absence. Among the reasons absences are considered excused by the university are the following: (<sup>1</sup>Muster)

7.1.1 Participation in an activity appearing on the university authorized activity list. ([see List of Authorized and Sponsored Activities](#))

7.1.2 Death or major illness in a student's immediate family. Immediate family may include: mother, father, sister, brother, grandparents, spouse, child, spouse's child, spouse's parents, spouse's grandparents, stepmother, step-father, step-sister, step-brother, step-grandparents, grandchild, step-grandchild, legal guardian, and others as deemed appropriate by faculty member or student's academic Dean or designee.

7.1.3 Illness of a dependent family member.

7.1.4 Participation in legal proceedings or administrative procedures that require a student's presence.

7.1.5 Religious holy day. ([See Appendix IV.](#))

7.1.6 Injury or Illness that is too severe or contagious for the student to attend class.

7.1.6.1 Injury or illness of three or more days. For injury or illness that requires a student to be absent from classes for three or more business days (to include classes on Saturday), the student should obtain a medical confirmation note from his or her medical provider. The Student Health Center or an off-campus medical professional can provide a medical confirmation note only if medical professionals are involved in the medical care of the student. The medical confirmation note must contain the date and time of the illness and medical professional's confirmation of needed absence.

7.1.6.2 Injury or illness less than three days. Faculty members may require confirmation of student injury or illness that is serious enough for a student to be absent from class for a period less than three business days (to include classes on Saturday). At the discretion of the faculty member and/or academic department standard, as outlined in the course syllabus, illness confirmation may be obtained by one or both of the following methods:

- a. Texas A&M University Explanatory Statement for Absence from Class form available at <http://attendance.tamu.edu>.
- b. Confirmation of visit to a health care professional affirming date and time of visit.

7.1.6.3 An absence for a non acute medical service does not constitute an excused absence.

7.1.7 Required participation in military duties.

7.1.8 Mandatory admission interviews for professional or graduate school which cannot be rescheduled.

7.1.9 Mandatory participation as a student-athlete in NCAA-sanctioned competition.

**7.1.10 In accordance with Title IX of the Educational Amendments of 1972, Texas A&M University shall treat pregnancy (childbirth, false pregnancy, termination of pregnancy and recovery therefrom) and related conditions as a justification for an excused absence for so long a period of time as is deemed medically necessary by the student's physician. Requests for excused absence related to pregnancy should be directed to the instructor or equivalent ;questions about Title IX should be directed to the Title IX Coordinator.**

7.2 The associate dean for undergraduate programs, or the dean's designee, of the student's college may provide a letter for the student to take to the instructor **or equivalent** stating that the dean has verified the student's absence as excused.

7.3 Students may be excused from attending class on the day of a graded activity or when attendance contributes to a student's grade, for the reasons stated in Section 7.1, or other reason deemed appropriate by the student's instructor **or equivalent**. Except in the case of the observance of a religious holiday, to be excused the student must notify his or her instructor **or equivalent** in writing (acknowledged e-mail message is acceptable) prior to the date of absence if such notification is feasible. In cases where advance notification is not feasible (e.g. accident, or emergency) the student must provide notification by the end of the second working day after the absence. This notification should include an explanation of why notice could not be sent prior to the class. Accommodations sought for absences due to the observance of a religious holiday can be sought either prior or after the absence, but not later than two working days after the absence.

If needed, the student must provide additional documentation substantiating the reason for the absence, that is satisfactory to the instructor **or equivalent**, within one week of the last date of the absence.

If the absence is excused, the instructor **or equivalent** must either provide the student an opportunity to make up any quiz, exam or other work that contributes to the final grade or provide a satisfactory alternative by a date agreed upon by the student and instructor **or equivalent**. If an instructor **or equivalent** has a regularly scheduled make up exam, students are expected to attend unless they have a university approved excuse. The make-up work must be completed in a timeframe not to exceed 30 calendar days from the last day of the initial absence.

7.4 The instructor **or equivalent** is under no obligation to provide an opportunity for the student to make up work missed because of an unexcused absence.

7.5 See [Part III, Grievance Procedures: 49. Unexcused Absences](#), for information on appealing an instructor **or equivalent's** decision.

7.6 If the student is absent for excused reasons for an unreasonable amount of time during the semester, the academic Dean or designee of the student's college may consider giving the student a grade of W during the semester enrolled or a NG (no grade) following posting of final grades.

7.7 Whenever a student is absent for unknown reasons for an extended period of time, the instructor **or equivalent** should initiate a check on the welfare of the student by reporting through the head of the student's major department to the Dean or designee of the student's college.

---

<sup>1</sup> In accordance with Faculty Senate Resolution FS.14.101 (see Faculty Senate meeting minutes of Feb. 10, 1997), "faculty members are encouraged not to hold exams on the day of Muster. Any absence from classes beginning after 5 p.m. to attend Muster will be considered a university excused absence."

*EXISTING RULE 10 WITH CHANGES IN BOLD AND UNDERLINED.*

10. Grading

(Revised: 2013)

10.1 The course instructor must make available the following information to the class by the first class period:

- A statement of the nature, scope and content of the subject matter to be covered in the course.
- All course prerequisites as listed in the catalog.
- All required course text(s) and material.
- The grading rule, including weights as applicable for exams, laboratory assignments, field student work, projects, papers, homework, class attendance and participation and other graded activities in the calculation of the course grade. If more than 10% of any grading scheme is based on participation, the course instructor should explicitly define and outline how this grade is determined. No such rule should be in contradiction to other provisions of the University Student Rules.

This requirement can be met by posting on the Howdy Portal.

10.2 The student's semester grade shall be based upon the grading rule statement in 10.1 (above). No such rule should be in contradiction to other provisions of the University Student Rules.

For information on contesting an assigned grade, see [Part III, Student Grievance Procedures, 48. Grade Disputes](#).

10.3 There are twelve grades. The five passing grades at the undergraduate level are, A, B, C, D and S, representing varying degrees of achievement; these letters carry grade points and significance as follows:

Assigned by the instructor:

- A: Excellent, 4 grade points per semester hour
- B: Good, 3 grade points per semester hour
- C: Satisfactory, 2 grade points per semester hour
- D: Passing, 1 grade point per semester hour
- F: Failing, no grade points, hours included in GPR
- I: Incomplete, no grade points (hours not included in GPR)

Grades assigned if student is taking an undergraduate course S/U:

- S: Satisfactory (C or above), hours not included in GPR
- U: Unsatisfactory (D or F), no grade points, hours included in GPR)

Other:

- X: No grade submitted, see 10.6
- Q: Dropped course with no penalty, requires Dean or designee's permission, see [1.16](#)
- W: Dropped course(s) with no penalty during the semester enrolled, hours not included in GPR, requires Dean or designee's permission, see (1.7, 1.18, 7.8, and 17)

- NG: No Grade. Administrative removal of posted grades requires approval by the Dean or designee of the college in which the student was enrolled during the semester in which the courses were taken. A NG requires extensive documentation of the extraordinary circumstances justifying the No Grade. The instructor of record, or the instructor's department head if the instructor is unavailable, will be consulted during the process. The registrar will, if possible, notify the instructor of record, and in any event will notify the instructor's department head, whenever a NG is issued.

10.4 Passing grades for graduate students are A, B, C and S.

10.4.1 Grades of S or U may be assigned in certain officially designated courses. Graduate courses on the degree plan may not be taken on an S/U basis, except for courses bearing the numbers 681, 684, 690, 691, 692, 693 695 and 697. Graduate courses not on the degree plan may be taken on an S/U basis.

10.4.2 Only grades of A, B, C and S are acceptable for graduate credit. Grades of D, F or Unsatisfactory (U) for courses on the degree plan must be absolved by repeating the courses and achieving grades of C or above or Satisfactory (S). A course in which the final grade is C may be repeated for a higher grade.

10.4.3 Graduate students must maintain a grade point (GPR) of 3.000 (B average based on a 4.000 scale) for all courses which are listed on the degree plan and for all graded graduate and advanced undergraduate coursework (300- and 400-level) completed at Texas A&M and eligible to be applied toward a graduate degree. Those involving grades of W-drop (W), Satisfactory (S), Unsatisfactory (U) and Q-drop (Q) shall be excluded.

If either of a student's cumulative GPR or the GPR for courses listed on the degree plan falls below the minimum of 3.00, he or she will be considered to be scholastically deficient. If the minimum GPR is not attained in a reasonable length of time, the student may be dropped from graduate studies. The procedures for dismissal are explained in the Texas A&M University Student Rules, Scholastic Deficiency/Probation, rule 12. Departments or colleges may adopt specific guidelines pertaining to scholastic deficiency or dismissal.

10.5 A temporary grade of I (Incomplete) at the end of a semester or summer term indicates that the student (graduate or undergraduate) has completed the course with the exception of a major quiz, final examination or other work. The instructor shall give this grade only when the deficiency is due to an authorized absence or other cause beyond the control of the student. When an instructor reports an incomplete grade to the registrar, he or she will fill out an "Incomplete Grade Report," which is filed with the department head. Copies are sent to the student and to the student's academic Dean or designee. This report includes (1) a statement of the instructor's reason for awarding the incomplete grade and (2) a statement concerning the remaining work to be completed before the last day of scheduled classes of the next fall or spring semester in which the student enrolls in the university unless the student's academic Dean or designee, with the consent of the instructor (in the absence of the instructor, the department head), grants an extension of time for good reason. If the incomplete work is not completed within this time or if the student registers for the same course again, the I will be changed to an F by the registrar. Grades of I assigned to 684 (Professional Internship), 691 (Research), 692 (Professional Study) or 693 (Professional Study) are excluded from this rule.

**In accordance with Title IX of the Educational Amendments of 1972, Texas A&M University shall treat pregnancy (childbirth, false pregnancy, termination of pregnancy and recovery therefrom) and related conditions as a justification for an excused absence for so long a period of time as is deemed medically**

**necessary by the student's physician. Requests for leave of absence related to pregnancy should be directed to the instructor; questions about Title IX should be directed to the Title IX Coordinator.**

10.6 The X notation is assigned to a course by the registrar at the end of a semester or summer term only when a grade is not submitted by the instructor. The registrar will notify the Dean or designee of the college in which the course is taught that an X notation has been made. The Dean or designee of the college offering the course will request, through the department head, that the instructor, at the beginning of the succeeding semester or summer term, remove the X notation and assign a letter grade with a Grade Change Report. The instructor will have 30 days from the beginning of the succeeding semester or summer term to report a change of grade to the registrar. If a Change of Grade Report is not received during this time period, the registrar will automatically remove the X notation and assign a grade of F. Grades of X assigned to 684 (Professional Internship), 691 (Research), or 692 (Professional Study) are excluded from this rule.

10.7 An instructor may change a student's grade by submitting a Grade Change Report to the registrar.

10.7.1 A grade may be changed up to one year after the submission of the final grades for a given semester. This change requires the approval and signature of the department head as well as the instructor.

10.7.2 After one year, a grade change must have the approval and signature of the student's Dean or designee in addition to the signatures of the instructor and department head.

10.7.3 Anytime a grade is lowered, the Grade Change Report must have the approval and signature of the student's Dean or designee in addition to the instructor and department head.

10.7.4 Grade changes for faculty members who are unavailable, or are no longer employed at Texas A&M University, require the approval of the department head and the Dean or designee of the college.

10.8 All grades shall be reported to the registrar promptly on the date specified in the call for grades. Except for grades for graduating students, all other final grades shall be due not less than 72 hours after the end of the examination period.

10.9 Only the grade made in course work for which the student was registered in this institution shall be used in determining his or her grade point ratio.

10.10 An undergraduate student's cumulative grade point ratio for any period shall be computed by dividing the total number of semester hours for which he or she received grades into the total number of grade points earned in that period. Semester credit hours to which grades of F or U are assigned shall be included; those involving grades of W, Q, S, X, I and NG are excluded.

10.10.1 (Removed May 2013)

10.11 Students registered for KINE 198 and KINE 199, wishing to change the grade type from a graded course to S/U or from S/U to a graded course may do so by selecting the "My Record" tab on the Howdy website at <http://howdy.tamu.edu>, then by selecting "Change Kine 198/199 Grade Type" in the "Registration" box. All requests for KINE 198 and KINE 199 changes must be accomplished on or before the Q-drop deadline for the fall, spring or summer semester.

10.12 Undergraduate students:

10.12.1 Undergraduate students may be permitted to take courses in their degree programs at Texas A&M University on a satisfactory/unsatisfactory (S/U) basis consistent with the requirements of the student's college.

10.12.2 The hours for which a student receives a grade of "satisfactory" shall not be included in the computation of the student's semester or cumulative grade point ratio; a grade of "unsatisfactory" shall be included in the computation of the student's grade points per credit hour as an F. A grade of "satisfactory" will be given only for grades of C and above; a grade of "unsatisfactory" will be given for grades D and F.

10.12.3 Students on probationary standing may be required to take KINE 199 or electives on an S/U basis as determined by published college rules.

#### 10.13 Graduate students:

10.13.1 Graduate students will not receive graduate degree credit for undergraduate degree courses taken on a satisfactory/unsatisfactory basis. Graduate students may take any graduate courses that are not used on their degree plans on an S/U basis.

10.13.2 A grade of "satisfactory" (S) will be given only for grades of A and B in graduate courses and for grades of C and above in undergraduate and professional courses; a grade of "unsatisfactory" (U) will be given for grades of C and below in graduate courses and for D and F grades in undergraduate and professional courses.

10.13.3 S/U grades are not included in the grade point ratio calculation for graduate students.

10.13.4 Courses numbered 681, 684, 690, 691, 692, 693, 695 and 697 are graded on an S/U basis only.

10.14 Near the middle of the fall and spring semesters, a preliminary report, showing the current progress of all undergraduate students who have completed less than 30 semester credit hours of course work at Texas A&M University, will be made available. Preliminary grades are not recorded on the student's permanent record.

10.15 At the close of each semester, a final report of the student's semester grades will be made available to the student at <http://howdy.tamu.edu>. Students may create a parent password which enables parents or guardians to access grade information.

10.16 No student grade that is personally identifiable may be posted unless the student has given written consent in advance.

10.17 An undergraduate student is making satisfactory academic progress when he or she is meeting university, college and major field of study grade point requirements.

10.18 Unless otherwise stated, students in graduate degree programs and post-baccalaureate non-degree students (G6 classification) must maintain a 3.00 cumulative GPR (computed as specified in section 10.4.3). Degree-seeking students also must maintain a GPR of at least 3.00 on all courses listed on the degree plan. Departments and colleges may establish higher GPR requirements for their students in graduate degree programs and for post-baccalaureate non-degree students (G6 classification).

10.19 Any undergraduate student who wishes to repeat a course must do so before he or she completes a more advanced course in the same subject. What constitutes a more advanced course will be determined by the head of the department offering the course.

10.20 When a course is repeated by an undergraduate student in an attempt to earn a grade higher than C, D, F, or U, only the highest grade will be used for the degree audit. However, the grades for all courses taken in residence at Texas A&M University will remain on the student's permanent record. A student's cumulative GPR will include all graded courses except courses excluded under the First Year Grade Exclusion Policy. An undergraduate student may attempt a course no more than three times, including courses graded Q or W but excluding these graded NG, unless approval has been received from both the student's Dean or designee and the department offering the course.

10.21 A student repeating a course completed at Texas A&M University in which a grade of B or better has been earned will not receive grade points for the repeated course, unless the catalog states the course may be repeated for credit.

10.22 For graduate students, grades of D, F or Unsatisfactory (U) for courses on the degree plan must be absolved by repeating the course(s) and achieving grades of C or above or Satisfactory (S). A course in which the final grade is a C may be repeated for a higher grade. Those involving grades of W, Q, S, U, X, I or NG are excluded.

EXISTING RULE 30 WITH CHANGES IN BOLD AND UNDERLINED, DELETIONS HAVE BEEN STRUCK.

**30. Administrative Response To** Dangerous or Disruptive Behavior **Which May Be** Caused by Manifestations of a Serious Psychological Problem

(Revised: 2005)

The university is committed to the success of all students, including those with depression or other mental health conditions. The University recognizes that students may experience medical/mental health situations that significantly limit their ability to function successfully or safely in their role as students. Texas A&M University shall, through the Student Counseling Service (primarily) or Student Health Services (secondarily), provide evaluation, referral, and appropriate treatment, within the available resources of the institution, for students manifesting serious psychological problems. ~~The personnel of all departments of the University are expected to refer students with apparent psychological problems to the Student Counseling Service (primarily) or Student Health Services (secondarily).~~ **If a member of the University community observes any behavior that is concerning, individuals may report the behavior to the Special Situations Team (<http://tellsomebody.tamu.edu>) or other appropriate university resources including, but not limited to, the Student Counseling Service.**

Students who display dangerous or disruptive behavior **which may be** caused by manifestations of a serious psychological problem may be: **1) referred for an individual evaluation and/or 2) administratively** withdrawn from the university; **in some instances,** this withdrawal may be involuntary. **Voluntary or involuntary administrative withdrawals permit students to take a break from the University's rigorous academic environment. The Vice President for Student Affairs or designee is charged with responsibility for decision making related to Rule 30.**

Dangerous or disruptive behavior caused by manifestations of a serious psychological problem includes, but are not limited to:

- instances where a student engages in, or threatens to engage in, inappropriate behavior which poses a danger of causing physical harm to self or others, or inappropriate behavior that demonstrates a student's inability to care for self, and/or
- instances of inappropriate behavior, which would cause significant property damage, or would directly and substantially impede the lawful activities of others, or that substantially interferes with or impedes the educational experiences of others, or would interfere with the educational process and the orderly operation of the University, and/or
- ~~instances where a student engages in inappropriate behavior where a contributing factor is failure to follow a prescribed medical or psychological treatment plan, and/or~~

- instances of inappropriate behavior that causes a chronic, inordinate use of university resources including, but not limited to, staff time, psychological services, medical services, and/or emergency services, thereby resulting in an undue burden to the University.

### **30.1. Involuntary Referral for Evaluation**

When it is determined by the Vice President for Student Affairs or his/her designee that a student has allegedly participated in one or more of these behaviors, the student will be required to present himself or herself within one business day, to the Director of the Student Counseling Service or his/her designee, [for an individual evaluation](#). The student will be notified in writing of this by the Vice President for Student Affairs or his/her designee.

### **30.2. [Withdrawal](#)**

**Under this rule, students may be voluntarily or involuntarily withdrawn from the University. The decision for an involuntary withdrawal shall be made by a committee.**

The Department [Offices of the Dean](#) of Student Life, ~~or the Office of the Commandant for members of the Corps of Cadets,~~ is responsible for the University disciplinary process. This policy does not preclude a student's removal from the University, or any unit, class, or program, for disciplinary reasons in accordance with Texas A&M University Student Rules. ~~The Department of Student Life, or the Office of the Commandant for Corps members, and the Student Counseling Service and Student Health Services~~ [The Vice President for Student Affairs or designee](#), with appropriate releases, may consult to determine whether a student accused of violating the [Student](#) Rules should be diverted from the disciplinary process to [the Rule 30 procedures](#). Conversely, ~~these departments~~ [the Vice President for Student Affairs or designee](#), with appropriate releases, may consult to determine whether a student referred for consideration for an ~~medical~~ [administrative](#) withdrawal [under Rule 30](#) might be more appropriately handled through the student disciplinary process. ~~A student who is withdrawn from the university, under the provisions of this rule, has the opportunity for one appeal.~~

**Campuses outside of Brazos County will comply with the intent of the rules given available resources. These processes will be articulated in Memoranda of Understanding (MOUs) between the campuses and the Office of the Vice President for Student Affairs.**

### **PROPOSED RULE 30 WITH ALL CHANGES**

#### **30. Administrative Response To Dangerous or Disruptive Behavior Which May Be Caused by Manifestations of a Serious Psychological Problem**

The university is committed to the success of all students, including those with depression or other mental health conditions. The University recognizes that students may experience medical/mental health situations that significantly limit their ability to function successfully or safely in their role as students. Texas A&M University shall, through the Student Counseling Service (primarily) or

Student Health Services (secondarily), provide evaluation, referral, and appropriate treatment, within the available resources of the institution, for students manifesting serious psychological problems. If a member of the University community observes any behavior that is concerning, individuals may report the behavior to the Special Situations Team (<http://tellsomebody.tamu.edu>) or other appropriate university resources including, but not limited to, the Student Counseling Service.

Campuses outside of Brazos County will comply with the intent of the rules given available resources. These processes will be articulated in Memoranda of Understanding (MOUs) between the campuses and the Office of the Vice President for Student Affairs.

Students who display dangerous or disruptive behavior which may be caused by manifestations of a serious psychological problem may be: 1) referred for an individual evaluation and/or 2) administratively withdrawn from the university; in some instances, this withdrawal may be involuntary. Voluntary or involuntary administrative withdrawals permit students to take a break from the University's rigorous academic environment. The Vice President for Student Affairs or designee is charged with responsibility for decision making related to Rule 30.

Dangerous or disruptive behavior caused by manifestations of a serious psychological problem includes, but are not limited to:

- instances where a student engages in, or threatens to engage in, inappropriate behavior which poses a danger of causing physical harm to self or others, or inappropriate behavior that demonstrates a student's inability to care for self, and/or
- instances of inappropriate behavior, which would cause significant property damage, or would directly and substantially impede the lawful activities of others, or that substantially interferes with or impedes the educational experiences of others, or would interfere with the educational process and the orderly operation of the University, and/or
- instances of inappropriate behavior that causes a chronic, inordinate use of university resources including, but not limited to, staff time, psychological services, medical services, and/or emergency services, thereby resulting in an undue burden to the University.

#### 30.1. Involuntary Referral for Evaluation

When it is determined by the Vice President for Student Affairs or his/her designee that a student has allegedly participated in one or more of these behaviors, the student will be required to present himself or herself within one business day, to the Director of the Student Counseling Service or his/her designee, for an individual evaluation. The student will be notified in writing of this by the Vice President for Student Affairs or his/her designee.

#### 30.2. Withdrawal

Under this rule, students may be voluntarily or involuntarily withdrawn from the University. The decision for an involuntary withdrawal shall be made by a committee.

The Offices of the Dean of Student Life is responsible for the University disciplinary process. This policy does not preclude a student's removal from the University, or any unit, class, or program, for disciplinary reasons in accordance with Texas A&M University Student Rules.

The Vice President for Student Affairs or designee, with appropriate releases, may consult to determine whether a student accused of violating the Student Rules should be diverted from the disciplinary process to the Rule 30 procedures. Conversely, the Vice President for Student Affairs or designee, with appropriate releases, may consult to determine whether a student referred for consideration for an administrative withdrawal under Rule 30 might be more appropriately handled through the student disciplinary process.

Campuses outside of Brazos County will comply with the intent of the rules given available resources. These processes will be articulated in Memoranda of Understanding (MOUs) between the campuses and the Office of the Vice President for Student Affairs.

*EXISTING RULE 40 WITH CHANGES IN BOLD AND UNDERLINED.*

#### 40. Lost, Found, Stolen or Abandoned Property

(Revised: 2013)

Lost or found items should be reported to the University Lost and Found Office located in the MSC Student Programs Office Suite 2240. Any item that is presumed stolen should be reported promptly to the [University Police](#). Abandoned property of nominal value or size collected by the University Police will be reported to the Lost and Found Office. Larger items such as bicycles, motorcycles, automobiles and articles of considerable value will be held by the University Police. Within a 90-day period from the date any lost or abandoned property is reported to the Lost and Found Office, the rightful owner must make a claim thereon; upon proper proof, the article will be returned to the owner. A nominal charge may be levied for handling and storage of all property. After said 90-day period, the university may, at public auction, sell any property that has not been claimed, with proceeds derived from the handling, storage or sale of such property to be deposited in the MSC Hospitality programming account, said funds to be used for the benefit of the student body.

**For campuses located outside of Brazos County, a Lost and Found will be established and protocols put in place that are not in conflict with the above.**

EXISTING RULE 41 WITH CHANGES IN BOLD AND UNDERLINED.

## 41. Student Organizations

(Revised: 2013)

41.1. Student organizations may be officially recognized when formed for purposes that are consistent with the philosophy and goals that have been developed for the creation and existence of Texas A&M University. Approval for recognition is granted by the Vice President for Student Affairs through the Director of Student Activities. In order to be recognized and to retain official recognition, student organizations must meet certain requirements. Student organizations complying with the following conditions shall enjoy the privileges associated with the status of being officially recognized by the University including use of University name, University facilities for meetings, University logo and trademarks, and University property for concessions. To be recognized and/or maintain their recognized status, student organizations must:

41.1.1. Have an approved faculty or staff advisor, employed at a level consistent with the categorization of the organization (as defined in the “Acknowledgement of Student Organization Advisor Expectations”), who should disseminate information contained in the Student Rules to the recognized student organization.

41.1.2. File an annual request for official recognition with the Department of Student Activities. An organization’s annual recognition cycle should begin in the month that the organization elects or selects leadership, as defined by the organization’s constitution. Each organization should provide: signatures of the University advisor and the student officers authorized to withdraw money; the names and contact information of all advisors and officers of the group; and a current constitution and by-laws that comply with the provisions outlined in the Student Organization Manual. Any changes to the organization’s constitution and by-laws shall be submitted to the Department of Student Activities in a timely manner.

41.1.3. Deposit and withdraw all funds of the organization in the Student Organization Finance Center and/or with the University Fiscal Department. All

funds must be deposited no later than the next business day after collection. The organization's advisor must approve and sign each expenditure before payment.

41.1.4. Avoid duplication of purposes, goals and activities with other organizations.

41.1.5. Be open in its membership unless otherwise permitted under applicable federal law.

The aforementioned criteria are minimum requirements set for the recognition of student organizations. Organizations may choose to set higher standards for membership including higher officer grade point requirements, higher membership grade point requirements, etc.

41.2. Students selected, elected or appointed as officers (an officer is an individual in a leadership position as defined in the organization's constitution) in officially recognized student organizations shall:

41.2.1. Have a minimum cumulative and semester grade point ratio (GPR) as stated below and meet that minimum cumulative and semester GPR in the semester immediately prior to the election/appointment, the semester of election/appointment and semesters during the term of office.

41.2.1.1. For undergraduate students, the minimum cumulative and semester GPR is 2.00. In order for this provision to be met, at least six hours (half-time credits) must have been taken for the semester under consideration. In one limited circumstance, summer semester hours may be applied to this provision. In order for summer coursework to qualify toward a grade point ratio prior to election/appointment, at least six credit hours must have been taken during the course of either the full or two summer session(s).

41.2.1.2. For graduate level students the minimum cumulative and semester GPR is a 3.00 **and for first professional students the minimum cumulative and semester GPR is 2.50.** In order for this provision to be met, at least four hours (half-time credits) must have been taken for the semester under consideration. In one limited circumstance, summer semester hours may be applied to this provision. In order for summer coursework to qualify toward a grade point ratio prior to election/appointment, at least four credit hours must have been taken during the course of either the full or two summer session(s) unless fewer credits are required as they complete the final stages of their degree.

41.2.2. Be in good standing (see 27.1.2) with the University and enrolled:

41.2.2.1. at least half time (six or more credit hours), if an undergraduate student (unless fewer credits are required to graduate in the spring and fall semesters) during the term of office. Students enrolled in the Blinn TEAM program are also eligible to hold an office, as long as the student is meeting all applicable Blinn TEAM requirements and is in good standing with the program.

41.2.2.2. at least half time (four or more credits), if a graduate level student (unless fewer credits are required in the final stages of their degree as defined by the Continuous Registration Requirement) during their term of office.

41.2.3. Be ineligible to hold an office should the student fail to maintain the requirements as prescribed in 41.2.1 and 41.2.2.

41.3. Student religious organizations desiring to operate on campus are subject to all rules pertaining to other student organizations.

41.4. Student organizations and their advisors are responsible for compliance with University student rules and state and federal laws.

EXISTING RULE 55 WITH CHANGES IN BOLD AND UNDERLINED.

## 55. Parking Citations

(Revised: 2005)

*The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.*

### Rules

Rules pertaining to parking are listed in [Part II, Student Life Rules](#).

### Grievance Procedures

The procedure for appealing a parking citation is documented on the citation and on the Transportation Services website at <http://transport.tamu.edu/parking/appeal.aspx>.

Student and visitor appeals are reviewed by the Student Appeals Board. All other appeals are reviewed by the Faculty/Staff Appeals Board. All decisions are final.

**For campuses located outside of Brazos County, appropriate processes will be articulated, adopted and publicized to students and visitors. Enforcement of these administrative processes is done at the discretion of each campus.**

*Present Rule 57 with proposed changes in bold and underlined. Deletions are struck.*

## **57. Undergraduate Academic Appeals Panel**

(Revised: 2008)

*The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.*

### **Scope**

The Undergraduate Academic Appeals Panel will hear appeals involving suspension or blocks for scholastic deficiency and disputes over an unauthorized absence determination or a final course grade, except for a grade assigned by the instructor of a class partially or entirely on the basis of scholastic dishonesty. Appeals will be heard when the student alleges that an arbitrary, capricious or prejudiced evaluation has occurred. Appeals regarding college requirements will not be heard. Questions and appeals involving scholastic dishonesty are to be directed to the Disciplinary Appeals Panel.

### **Membership**

The Undergraduate Academic Appeals Panel includes the chair, six faculty members and three faculty alternates, five undergraduate student members and two undergraduate student alternates. A quorum consists of three faculty members and two students. Representatives from the Academic Operations Committee (AOC) and the Undergraduate Student Ombudsperson will be available while the panel is in session to serve as resource persons.

### **Procedures**

57.1 Before a hearing can be scheduled before the panel, the student must have complied with the procedures described below.

#### **57.1.1 Suspension or Blocked Enrollment for Academic Deficiency**

The student shall discuss an academic suspension or blocked enrollment with their academic Dean or designee or his or her designee. If no change in status results from the discussion and the rationale for suspension or blocked enrollment still seems arbitrary, capricious or prejudiced to the student, the student may appeal to the Undergraduate Academic Appeals Panel. The panel will have a regularly scheduled meeting to deal with suspensions during the first week of classes in the fall and spring semesters and during the first two days of the first summer term. To assure consideration of their appeal, students are urged to initiate the

~~appeals process immediately upon suspension or being blocked from enrollment. Appeals must be filed no later than the week immediately preceding the start of the semester. The Undergraduate Student Ombudsperson who independently and impartially reviews student grievances is an additional resource available to students.~~

~~57.1.2 Dispute Over Final Course Grade or Unauthorized Absences~~A student wishing to appeal an unauthorized absence or a final grade makes the initial appeal to the instructor or with the head of the department offering the course if the instructor is no longer with the university. If no resolution is possible, the student may appeal to the head of the department

~~that offered the course and then, if necessary, to the Dean or designee of the college in which the course was offered. If at this point the problem has not been resolved to the satisfaction of the student, he or she may file an appeal with the chair of the appropriate appeals panel. If the final course grade being appealed is based partially or entirely on scholastic dishonesty, the appeal is made to the [Disciplinary Appeals Panel](#); all other grade appeals are made to the Undergraduate Academic Appeals Panel. The Undergraduate Academic Appeals Panel will act at called meetings to hear grade appeals, unauthorized absence appeals and unusual academic suspension appeals.~~

~~57.2~~ A student desiring a hearing before the Undergraduate Academic Appeals Panel must file a written request for an appeal hearing with the chair. Any academic appeal must be filed within one semester (long term) after the decision being appealed was made. In the case of scheduled panel meetings, appeals must be filed at least five working days before the scheduled dates. At the time the request for a hearing is made, the student should arrange for a preliminary interview with the chair and complete a preliminary questionnaire. The act of filing the questionnaire is construed as authorizing all panel members to have full access to all records, including academic, civil and medical records that may have a bearing on deliberations.

~~57.3~~ The written request for an appeal hearing should be accompanied by all evidence and supporting documents that will be introduced at the hearing, including short statements summarizing the testimony that may be presented by witnesses. The request for appeal should also be accompanied by a statement outlining the student's justification for the appeal.

~~57.4~~ The chair, after receiving all the required documentation and materials, shall set the hearing for the earliest possible date and inform the student of the time and place for the hearing. The failure of the student to appear without justifiable cause shall terminate the right to appeal. For a suspension or blocked enrollment appeal hearing, the concerned Dean or designee or his or her designee shall be present if considered appropriate by the chair. For grade and/or absence appeal hearing, the instructor and/or his or her department head shall be present if deemed necessary by the chair.

~~57.5~~ The chair shall sit as a hearing officer and shall not take part in the vote or otherwise participate in the deliberations of the panel, except to cast a tie-breaking vote. It shall be the duty of the chair to rule on procedural matters and the admissibility of evidence. The chair may deny admission of any evidence that did not accompany the student's request for a hearing.

~~57.6~~ The burden of proof shall be upon the student to prove his or her case by a preponderance of evidence.

~~57.7~~ The student shall have the right to be represented by counsel of his or her own choosing, to present such witnesses and documentary evidence as may be pertinent and to cross-examine witnesses.

~~57.8 All parties shall be afforded the opportunity for reasonable oral argument.~~

~~57.9 Upon request, sufficiently in advance by either party, the chair shall cause the testimony presented at the hearing to be recorded. A copy of the recording may be obtained from the chair at the expense of the requesting party.~~

~~57.10 Immediately after hearing an appeal, the panel will go into closed session to deliberate. The student will be informed of the panel's decision orally at the conclusion of the deliberations. A formal letter to all interested parties, with a copy to the president, will confirm the panel's decision.~~

*Proposed Changes:*

### **57. Undergraduate Academic Appeals Panel**

***The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.***

**57.1 Scope. The Undergraduate Academic Appeals Panel (UAAP) will hear appeals stemming from adverse academic decisions involving: a) disputes over an unauthorized absence determination, b) disputes over final course grades, c) dismissal from a college or major for scholastic deficiency, or d) suspension from the university for scholastic deficiency.**

**The UAAP does not hear appeals involving:**

**57.1.1 Scholastic Dishonesty. Actions stemming from scholastic dishonesty, and any appeal of that action, will be dealt with through the Aggie Honor System Office.**

**57.1.2 Discrimination. Student Rule 45 (Discrimination and Discrimination Appeals) should be used for grievances concerning race, color, national or ethnic origin, religion, age, sexual orientation, or veteran status.**

**57.1.3 Sexual Harassment. Student Rule 47 (Sexual Harassment) should be used for grievances concerning sexual harassment when the alleged offender is a current student or employee of the university.**

**57.1.4 Disability Accommodations in Academic Programs. Student Rule 46 (Disability Accommodations in Academic Programs) should be used for grievances concerning disability accommodations in academic programs.**

**57.1.5 Extenuating Circumstances. Students seeking academic accommodation for extenuating circumstances should consult with their dean (or designee) as described in Student Rules 10 (Grading) and 17 (Withdrawal Procedures).**

**57.1.6 Eligibility. The eligibility to obtain a hearing before the UAAP means that the student seeking a hearing has complied with all prerequisites as set forth in this rule.**

**57.2 Definitions. In this rule, the following words have the following definitions and no other:**

**“Adverse decision” means a decision by a faculty member or administrator that negatively impacts the student and for which the student wishes to pursue a grievance under this rule.**

**“Arbitrary” means no reasonable factual basis for reaching the conclusion or taking the action.**

“Assertion” means a contention or theory about the existence of some state of being. An assertion is established or disproved by evidence.

“Capricious” means unpredictable and subject to whim.

“Credible” means believable by a reasonable person.

“Evidence” means information by which an alleged fact is established or disproved. Evidence establishes or disproves an assertion.

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

“Final Grade” means a grade assigned by the instructor at the end of an academic term as defined in Student Rule 10 (Grading). This does not include other grade designations of I, X, Q, W, and NG.

“May” means a condition that is not required to be met; it is discretionary. Contrast “shall.”

“Parties” means the student or the respondent.

“Prejudicial” means irrational attitude of hostility directed against an individual. This does not include hostility on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status.

“Preponderance of evidence” means the greater weight of credible evidence submitted in the hearing. For a fact to be established by a preponderance of the evidence the UAAP must find the fact is more likely true than not true.

“Respondent” means the faculty member, instructor, or administrator that made the decision.

“Shall” means a condition that must be met. Contrast “may.”

“Some credible evidence” means a quantity of evidence that is believable by a reasonable person.

“Student” means an individual undergraduate student enrolled at the university that is the subject of an adverse academic decision.

“Unauthorized absence” means an absence from a class or required class activity that is not considered excused as defined in Student Rule 7 (Attendance).

57.3 Membership. The pool of faculty and undergraduate students from which a UAAP will be formed shall be appointed by the President or designee. A quorum consists of a faculty chair, three (3) faculty members, and two (2) undergraduate students. See section 57.5.5.1 regarding the voting rights of the chair.

57.4 Preliminary Resolution Procedures. To be eligible for a hearing before the UAAP, the student shall first complete in its entirety the applicable preliminary resolution procedure described below.

**57.4.1 Preliminary Resolution Procedure—Disputes Over an Unauthorized Absence Determination or Disputes over Final Grades.**

**57.4.1.1 Respondent Conference.** The student shall request in writing a review by the respondent informing the respondent of his/her concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The respondent must fully inform the student about the grounds for and process used in reaching the decision. The aim of this review is for: (1) the student to communicate how and why the decision is arbitrary, capricious, or prejudicial; (2) the respondent to communicate how and why the decision is not arbitrary, capricious, or prejudicial; and (3) the respondent to correct errors, if any, in the decision. The respondent shall provide a written response to the student as soon as practicable. This step does not apply to students that have already completed the process set forth in Student Rule 48 (Grade Disputes) or 49 (Unexcused Absences).

**57.4.1.2 Department Review.** If the student does not receive a satisfactory outcome at the conclusion of the respondent conference, the student may request in writing a review by the department head (or designee) of the department offering the course informing the department head (or designee) of his/her concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The department head (or designee) shall provide a written response to the student as soon as practicable. This step does not apply to students that have already completed the process set forth in Student Rule 48 (Grade Disputes) or 49 (Unexcused Absences).

**57.4.1.3 College Review.** If the student does not receive a satisfactory outcome at the conclusion of the department review, The student shall request in writing a review by the dean (or designee) of the college having administrative oversight of the department offering the course informing the dean (or designee) of his/her concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The dean (or designee) shall provide a written response to the student as soon as practicable. This step does not apply to students that have already completed the process set forth in Student Rule 48 (Grade Disputes) or 49 (Unexcused Absences).

**57.4.2 Preliminary Resolution Procedure—Dismissal from a College or Major for Scholastic Deficiency.**

**57.4.2.1 College Review.** The student shall request in writing a review by their dean (or designee) informing the dean (or designee) of his/her concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The dean (or designee) shall provide a response in writing to the student as soon as practicable addressing the grounds for and process used in reaching the decision; how and why the decision is not arbitrary, capricious, or prejudicial; and describing changes, if any, in the decision.

**57.4.3 Preliminary Resolution Procedure—Suspension from the University for Scholastic Deficiency.** No preliminary resolution procedure is required for appeals of suspension from the university for scholastic deficiency.

**57.5 Formal Resolution Procedure.** If, after completing all required steps in the applicable preliminary resolution procedures section, the student believes the outcome is unsatisfactory, the student may seek a hearing before the UAAP. To be eligible to receive a hearing before the UAAP, a student must complete

and file an Undergraduate Academic Appeals Panel Hearing Request Form (this form is provided at the end of this rule) with the Office of Undergraduate Studies.

57.5.1 Chair Review. Upon receipt of an Undergraduate Academic Appeals Panel Hearing Request Form, the Office of Undergraduate Studies shall deliver a copy of the form and all attachments to the chair of the UAAP. The chair shall review the materials to determine if the student has provided some credible evidence that, if left uncontested in the UAAP hearing, convinces the chair that the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial.

57.5.1.1 If the student has not provided some credible evidence that, if left uncontested in the UAAP hearing, convinces the chair that the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial, the chair shall notify the student and Office of Undergraduate Studies in writing that the student's request for a UAAP hearing is rejected. The chair's decision is final.

57.5.1.2 If the student has provided some credible evidence that, if left uncontested in the UAAP hearing, convinces the chair the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial, the chair shall notify the student and Office of Undergraduate Studies in writing that the student's request for a UAAP hearing is granted and request scheduling of a hearing.

#### 57.5.2 Pre-Hearing Procedures.

57.5.2.1 If the chair grants a hearing, he or she shall forward a copy of the student's Undergraduate Academic Appeals Panel Hearing Request Form and all attachments to the respondent and, as appropriate, the respondent's department head and dean (or designee).

57.5.2.2 The chair shall notify the student and respondent of the time, date, and location of the hearing. The hearing should not be scheduled less than five (5) university business days after the hearing request form and attachments are sent to the respondent. The notice of hearing should include a list of potential panel members. At the chair's discretion, if a potential panel member cannot be a fair and impartial panelist, the panel member may be removed.

57.5.2.3 The respondent shall submit to the chair and student a list of all witnesses to be called by the respondent. The respondent shall also provide to the chair and the student copies of all documents to be submitted for consideration by the UAAP. The witness list and documents shall be submitted no later than three (3) university business days prior to the hearing. The failure to meet this deadline may result in the witnesses and documents being excluded from the hearing.

57.5.2.4 If, after receiving the witness list and documents of the respondent, the student wants to add additional witnesses or documents to those already submitted with his or her hearing request form, the student shall submit to the chair and respondent the additional documents and witness names not less than two (2) university business days prior to the hearing. The failure to meet this deadline shall result in the witnesses and documents being excluded from the hearing unless the respondent agrees to waive the deadline or the chair decides the additional documents and witnesses will be allowed.

#### 57.5.3 Appeal Hearing.

57.5.3.1 The chair shall assemble to hear the student's appeal a quorum of panelists. Prior to the hearing the panel may be briefed about the identity of the parties to the hearing (student and respondent), the general subject matter of the hearing, and the potential witnesses. However, the panel may not be given any documentary evidence or witnesses statements prior to the hearing. The panel must make its decision based solely on the evidence presented by the parties during the hearing. The panel members shall neither engage in any independent investigation outside of the hearing nor consider any evidence obtained outside of the hearing.

57.5.3.2 The hearing will be conducted in a manner conducive to ascertaining the facts of the case. The student and respondent shall be provided a reasonable opportunity to: (a) be present and hear all arguments and oral statements made to the panel during the hearing; (b) make arguments, present oral statements and written documents, and call witnesses to testify—so long as the presentation of material is relevant (as determined by the chair) to the stated grounds for the appeal; and (c) ask questions of the other party's witnesses.

57.5.3.3 Each party may be accompanied at the hearing by one advisor, who may be an attorney. Any student who is involved in the same fact pattern or who is not in good standing with the University is not eligible to serve as an advisor at UAAP hearings. An advisor may not represent the party, direct questions to the chair or panel, participate in the opening or closing statements, engage in argument, or directly question witnesses. The advisor's sole role is to provide advice and counsel to his or her party.

57.5.3.4 At any time, the chair or panel may consult with an appropriate university advisor, call or recall witnesses, or introduce matters and information it deems relevant to the appeal.

57.5.3.5 The chair may establish reasonable time limitations for the oral presentations of the parties.

57.5.3.6 The formal rules of evidence do not apply to UAAP proceedings. The proceedings of the appeal process shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts.

57.5.3.7 A witness that is not a party may not be allowed to attend the hearing before he or she testifies. Hearings will be closed to the public

57.5.3.8 In hearings involving more than one student, at the sole discretion of the chair, a single hearing may be scheduled for all of the students. If any one of the students requests a separate hearing or if the chair determines it is in the best interest of the students, separate hearings may be held. When collective hearings are held, individual findings, decisions, and recommendations will be entered by the UAAP.

57.5.3.9 A record of the hearing (e.g., by audio recording, video recording, or scribe) will be made at the expense of the university. Upon receipt by the chair of a written request, the student may obtain a copy of the record by paying the cost of reproduction or transcription.

57.5.3.10 The chair may dismiss anyone from the hearing, including parties or advisors, whose conduct is inappropriate or disruptive to the hearing process.

**57.5.3.11 The student has the burden of proof to demonstrate by a preponderance of credible evidence that the evaluation of the student's performance was arbitrary, capricious, or prejudicial.**

**57.5.4 Appeal Hearing-Order of the Proceedings.**

**57.7.4.1 The chair will begin the hearing with opening remarks. The chair will summarize the issues, describe the role of the UAAP, and explain the procedures to be followed. The chair will then ask individuals in the room to identify themselves for the record.**

**57.5.4.2 Unless otherwise determined by the chair, the order of presentation will be as follows, with the allocation of time for each segment to be determined by the chair in advance of the hearing:**

- (a) Opening statement by the student.**
- (b) Opening statement by the respondent.**
- (c) Student presents evidence (documents and witnesses), with opportunity for questioning by the respondent and panel members.**
- (d) Respondent presents evidence (documents and witnesses), with opportunity for questioning by the student and panel members.**
- (e) Recess for closing statement preparation.**
- (f) Closing statement by respondent.**
- (g) Closing statement by student.**
- (h) Chair declares hearing is concluded.**

**57.5.5 Post-Hearing Procedures.**

**57.5.5.1 Upon completion of the hearing the UAAP will meet in closed session for deliberations. If the process requires additional time the UAAP may suspend its deliberations and reconvene at a later day and time. A simple majority vote of the panel is required for findings, decisions, and recommendations. No panel member may abstain from voting. The chair is not a voting member of the UAAP unless for some unexpected reason his/her vote is required to break a tie.**

**57.5.5.2 The chair will prepare, and all members of the panel will sign, a written final decision to the student:**

- (a) Attesting that a majority decision was reached;**
- (b) Describing what the panel's decision was; and**
- (c) Articulating the reasonable, factual basis upon which the UAAP reached its conclusion.**

**57.5.5.3 The chair will provide a copy of the final decision to the respondent, appropriate department head, appropriate dean, the Office of Undergraduate Studies, and the Executive Vice President for Academic Affairs and Provost.**

**57.5.5.4 The decision by the UAAP is the final decision of the university and is not appealable to any university or system person or entity.**

**57.6 Deadlines.**

**57.6.1. Deadlines—Disputes Over an Unauthorized Absence Determination. The student must initiate an preliminary resolution procedure no later than three (3) university business days of the instructor’s decision. Students requesting a hearing before the UAAP must file the hearing request form no later than ten (10) university business days after receiving the dean’s (or designee’s) letter referenced above and in section Student Rule 49 (Unexcused Absences) or the last day of regular classes during the academic term in which the adverse decision was made, whichever comes first.**

**57.6.2 Deadlines—Disputes Over Final Grades. The student must initiate an preliminary resolution procedure within ten (10) university business days of the day final grades are posted for the semester or summer session in which the disputed grade was earned. Students requesting a hearing before the UAAP must file the hearing request form no later than ten (10) university business days after receiving the dean’s (or designee’s) letter referenced above and in section Student Rule 48 (Grade Disputes) or the fifth day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.**

**57.6.3 Deadlines—Dismissal from a College or Major for Scholastic Deficiency. To facilitate continuous enrollment should an appeal result in the modification of an adverse decision, the student is urged to initiate the preliminary resolution process immediately after notification of dismissal. The student must initiate an preliminary resolution procedure within ten (10) university business days of notification of the dismissal. Students requesting a hearing before the UAAP must file the hearing request form no later than ten (10) university business days after receiving the dean’s (or designee’s) letter referenced above in section Student Rule 50 or five (5) university business days before the first day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.**

**57.6.4 Deadlines—Suspension from the University for Scholastic Deficiency. To facilitate continuous enrollment should an appeal result in the modification of an adverse decision, the student is urged to initiate the formal resolution process immediately after notification of suspension. The student must file a hearing request form no later than ten (10) university business days after notification of the suspension or five (5) university business days before the first day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.**

**57.7 The chair may reasonably deviate from the procedures and deadlines detailed in this rule if the particular facts and circumstances of the matter support the change. A reasonable deviation from the procedures shall not be grounds for overturning the outcome of the hearing process set forth in this rule.**

EXISTING RULE 60 WITH CHANGES IN BOLD AND UNDERLINED.

## **60. Parking Citation Appeals Panel**

(Revised: 2005)

*The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.*

### **Scope**

The Parking Citation Appeals Panel exists to hear appeals, as referenced in [Part III, Student Grievance Procedures: 55. Parking Citations](#). **This rule does not apply to campuses located outside of Brazos County.**

### **Membership**

There are two panels. The Student Appeals Panel consists of TAMU students. The Faculty/Staff Appeals Panel consists of both TAMU faculty and staff. A quorum consists of three members. A member of Transportation Services is present to serve as a resource to the panel.

### **Procedures**

60.1 The Parking Citation Appeals Panel meets in accordance with schedules developed by Transportation Services to allow customers to appeal parking citations believed to have been issued in error. Information is to be submitted to the panel either in person or in writing. The appellant may be present and should be prepared to answer any questions that members of the panel may have.

60.2 The chair sits as a hearing officer and does not take part in the vote or otherwise participate in the deliberations of the panel, except to cast the tie breaking vote. It is the duty of the chair to rule on procedural matters and the admissibility of the evidence.

60.3 The burden of proof is upon the appellant.

60.4 The appellant has the right to be represented by counsel of his or her own choosing.

60.5 All parties are afforded the opportunity for reasonable oral argument.

60.6 Immediately after hearing an appeal, the panel will go into closed session to deliberate. At the conclusion of deliberations, the panel informs the appellant of its decision in writing.