

**Rules and Regulations Committee Meeting**  
**June 20, 2014**  
**Meeting Minutes**

- I. Attendance
  - a. Voting members present: Kriss Boyd, Leonard Bright, Jerry Brown, Delisa Falks, Melinda Grant, Laura Hammons, Maxine Harrington (by phone), Venesa Heidick, Rita Moyes, Dave Parrott, Bob Strawser,
  - b. Nonvoting members present: Linda Brannon, Anne Reber, Cindy Smith, Sarah Bednarz (Visitor)
- II. The meeting was called to order at 3:00 pm by Dave Parrott.
- III. Approval of minutes from meeting on March 21, 2014  
Motion – M. Grant; Second – V. Heidick; Approved—Unanimously
- IV. Old Business - None
- V. New Business
  - a. Rule 10.5: Grades (see attached): Two proposals were brought to committee on Rule 10.5
    - i. Proposal 1 by Sarah Bednarz comes from the recommendations of the AOC Deans. Present version of Rule 10 is not clear and the intent of the proposal is to clarify language and procedures in the use of an I (Incomplete) grade.
    - ii. Proposal 2 by Linda Brannon is based on recommendations by both AOC and GOC to include students in medicine, dentistry, pharmacy, nursing, dental hygiene and veterinary medicine in the rule. Wording was revised to include the law school and to clarify the degrees to which the changes referred.

A motion was made to approve these proposals contingent to feedback by Dr. Karen Butler-Purry. If material changes are made to the rule, it will be sent back to the Student Rules & Regulations Committee for approval. If no material changes are made, the proposals will pass as written.

Motion – K. Boyd; Second – M. Grant; Approved – Unanimously
  - b. Rule 1.12: Student Registration (see attached): Proposal brought by Karen Butler-Purry to describe method for graduate students to register for courses beyond the maximum hours allowed. This proposal will bring the student rule in line with the procedures already outlined in the Graduate Catalog.

Committee accepted both proposals as written with no changes.

Motion – K. Boyd; Second – M. Grant; Approved – Unanimously
  - c. Rule 31: Racial and Ethnic Harassment (see attached) and Rule 47: Sexual Harassment and Related Retaliation (see attached): Both rule proposals were brought by Linda Brannon to add contact information for campuses outside of Brazos County.

Committee accepted the rule with the possible refinement of the accuracy of the contact information as explained by Dave Parrott.

Motion – K. Boyd; Second – V. Heidick; Approved – Unanimously

- d. Proposal by Dave Parrott and Linda Brannon to be able to add language to all rules to make them inclusive of TAMU Law School and TAMU HSC. There will be no change in meaning of the rule, the only additions will be to include the Law School and HSC. These changes will not have to be brought to the committee.

Motion – R. Moyes; Second – D. Falks; Approved - Unanimously

VI. Meeting adjourned at 4:30 pm

Present Rule 10 with Proposed Changes in **bold** and underlined, deletions are ~~struck~~.

## 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.~~

**10.5 A temporary grade of I (incomplete) at the end of a semester or summer term indicates that the student has completed the course with the exception of a major quiz, final examination, or single major assignment. The instructor shall give this grade only when the deficiency is due to an approved university excused absence (see Rule 7 of TAMU Student Rules) or based on criteria published in the Law School Handbook.. Each instructor awarding an incomplete grade must complete an "Incomplete Grade Report," which will be filed with the department head or designee of the department offering the course. Copies will also be sent to the student and to the student's academic dean or designee. An incomplete must be removed before the last day of scheduled classes of the next long semester in which the student enrolls in the university unless the student's academic dean or designee, with the consent of the instructor, grants a time extension. Students in law (JD), medicine (MD), dentistry (DDS), pharmacy, nursing (RN), dental hygiene (BS) and veterinary medicine (DVM) may a different deadline for completion of incompletes as published in student handbooks. In the absence of the instructor, the department head may grant a time extension. Failure to complete the required work in the appropriate period of time, or registering for the course again, will result in the I being changed to an F by the registrar. Grades of I assigned to 684 (Professional Internships), 691 (Research), 692 (Professional Study), or 693 (Professional Study) are excluded from this rule.**

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.

*Present Rule 1 with Proposed Changes in **bold** and underlined, deletions are ~~struck~~.*

## **1. Student Registration**

(Revised: 2013)

1.1 Student Identification Cards Upon initial registration, each student is issued a student identification card. This card, designed to be a career identification card, is the property of Texas A&M University and is validated each semester upon payment of fees.

1.1.1 Possession, alteration, use or attempted use of an ID card for the purpose of identification or to receive services, by anyone other than the person whose name, ID number and photo appear on the card is considered unauthorized use. The offender will be subject to penalties and confiscation of the ID card by university officials.

1.1.2 A student is required to produce his/her identification card upon the request of a university official.

1.1.3 It is the student's responsibility to report a lost or stolen identification card immediately through <http://myaggiocard.tamu.edu> 24 hours a day, seven days a week or by calling (979) 845-4661, Monday-Friday, 8 a.m.-5 p.m. Students will be assessed a fee to replace lost or stolen cards.

1.1.4 The name as submitted at the time of application to Texas A&M University establishes the official record for the student at the University. This record is considered an official record for the State of Texas. Any change of name request must be accompanied by legal federal or state documentation. A social security card or driver's license cannot be used as documentation to request a change of name; a birth certificate, passport, court issued name change document, marriage license, or common-law certificate are acceptable.

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

1.3 Every student is required to register when entering the university and thereafter as announced by the registrar.

1.4 Registration is not complete until the student has paid his or her fees by the prescribed deadline.

## 1.5 Curriculum Violation: Degree-Seeking Graduate and Undergraduate Students

1.5.1 A student is expected to register for a schedule of courses that follows the program of study for a degree in his or her college. A student who elects not to follow the program of study must obtain approval from his or her academic advisor, department head or college Dean or designee, and the Dean or designee of the college offering the courses. A student who fails to obtain approval may be, by his or her Dean or designee, blocked from registration, removed from the inappropriate course(s) and/or required to register for a prescribed schedule of courses.

1.5.2 A student whose work is unsatisfactory or who is on scholastic probation may be required by his or her college or department to register for a prescribed schedule.

1.5.3 A student who is blocked from registration because of scholastic deficiency in a major and who changes his or her curriculum into a new college may not register for hours in his or her previous major during the next semester without specific approval from the new Dean or designee. Violation of this rule constitutes [scholastic dishonesty](#).

1.6 A student must be enrolled in order to use the facilities of the university or the time of any member of its staff in connection with work for which he or she expects to receive academic credit.

1.7 A full-time undergraduate student is defined as one who is enrolled for at least 12 semester hours during a fall or spring semester or eight hours in a summer semester. Full-time enrollment for federal financial aid is always defined as 12 semester credit hours, including the summer term (all sessions combined). A Q grade or W grade does not count toward the certification of enrollment status. Only hours for which a student is currently enrolled at Texas A&M University can be used toward certification of enrollment. During his or her last semester prior to graduation, if an undergraduate student is enrolled at Texas A&M in all remaining hours needed to complete his or her degree and has applied for graduation, he or she may be certified as a full-time student for that final semester even though he or she may be enrolled in less than 12 semester hours during a fall or spring semester or eight hours in a summer semester. Students participating in student teaching, internships, and cooperative education programs, and study abroad programs who are enrolled in less than 12 hours during a fall or spring semester or eight hours in a summer semester may be eligible to be certified as a full-time student with the approval of the Dean of the College or his or her designee. These certifications based on exceptions might not be used to qualify for Federal Financial Aid.

1.8 A full-time graduate student is defined as one who is registered for nine semester hours during a fall or spring semester or six hours in a summer semester. Full-time enrollment for federal financial aid is always defined as 9 semester credit hours, including the summer term (all sessions combined). A Q grade or W grade does not count toward the certification of enrollment status. During his or her last semester prior to graduation, if a graduate student is enrolled at Texas A&M in all remaining hours needed to complete his or her degree, has applied for graduation and does not hold a graduate assistantship, he or she may be certified as a full-time student for that final semester even though he or she may be enrolled in less than nine semester hours during a fall or spring semester, or six hours in a summer semester. Students participating in student teaching, internships, and cooperative education programs who are enrolled in less than nine semester hours during a fall or spring semester or six hours during a summer semester may be eligible to be certified as a full-time student with the approval of the Dean of the College or his or her designee. These certifications based on exceptions might not be used to qualify for Federal Financial Aid.

## 1.9 Undergraduates Registering for Graduate Courses

1.9.1 A senior undergraduate student with a cumulative grade point ratio of at least 3.0 or approval of his/her academic Dean or designee, is eligible to enroll in a graduate course and reserve it for graduate credit by filing a petition obtained from the student's undergraduate college and approved by the course instructor, the student's major department head, the Dean or designee of the college offering the course and the Dean or designee of the student's undergraduate college.

1.9.2 An academically superior undergraduate student with a cumulative grade point ratio of at least 3.25 or approval of his/her academic Dean or designee, is eligible to apply graduate credit hours toward his or her undergraduate degree program by filing a petition obtained from the student's undergraduate college and approved by the course instructor, the student's major department head, the Dean or designee of the college offering the course and the Dean or designee of the student's undergraduate college. Graduate credit hours used to meet the requirements for a baccalaureate degree may not be used to meet the requirements for a graduate degree.

## 1.10 Registration Blocks

1.10.1 A student may be blocked from registering for future semesters by the following offices for the following reasons. This list is not inclusive of all offices that can block students or all types of blocks.

- [Office of Graduate Studies](#), academic departments or colleges—for scholastic deficiency or for disciplinary reasons related to scholastic dishonesty.
- [Transportation Services](#)—for an accumulation of overdue, unpaid parking violation citations.
- [Student Business Services](#)—for an outstanding bill owed to the university.
- [Office of Admissions and Records](#), [Office of Graduate Studies](#), academic departments and colleges—for students admitted provisionally or on probation or for information lacking to complete the admission process and for enrolled students who have submitted questionable records (such as transcripts or residency documents) to the registrar's office.
- [Offices of the Dean of Student Life](#) and [Department of Residence Life](#)—for disciplinary reasons.
- [Athletic Academic Affairs Office](#)—to assure compliance with NCAA regulations.
- [International Student Services](#)—to ensure compliance with university procedures and I.N.S. regulations.
- [Student Learning Center](#)—to ensure compliance with Texas Success Initiative mandate.

1.10.2 A student who wishes to resolve the problem that resulted in the block or wishes to appeal the placing of the block should go to the department that placed the block on his or her record.

## 1.11 Maximum Schedule

1.11.1 An undergraduate student with an overall grade point ratio of 3.00 or better may register for a course load in excess of 19 hours in a fall or spring semester or six hours (seven if part is laboratory) in a summer term with the approval of his or her advisor.

1.11.2 An undergraduate student with an overall grade point ratio of less than 3.00 must obtain approval of his or her Dean or designee before registering for a course load in excess of 19 hours in a fall or spring semester or six hours (seven if part is laboratory) in a summer term.

~~1.12 Graduate students may enroll for a maximum of 15 hours during a regular semester, six hours for a five-week summer term and 10 hours for a 10-week summer semester.~~

## **1.12 Maximum Schedule for Graduate Students**

**1.12.1 Graduate students may enroll for a maximum of 15 hours during a regular semester, 6 hours for a 5-week summer session and 12 hours for a 10-week summer session. A graduate student may enroll for up to 18 hours during a regular semester, up to 9 hours during a 5-week summer session, and up to 15 hours during a 10-week summer session with approval of his or her college Dean or designee. A graduate student may enroll in more than 18 hours (regular semester), 9 hours (5-week summer session), or 15 hours (10-week summer session) with approval of the Office of Graduate and Professional Studies.**

1.13 Prerequisites It is the responsibility of the student to be sure that course prerequisites are met. All prerequisites must be listed in the appropriate catalog or schedule of classes. A student may register for a course for which he or she has not met the prerequisites only with the consent of the head of the department in which the course is offered. Failure to meet course prerequisites could result in a student's being dropped from the class.

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

1.15. Scheduling of Courses In case a section is dropped because of insufficient enrollment, a student may substitute other courses approved by his or her advisor.

## 1.16 Change in Schedule

1.16.1 A student may enroll in a class during the first five class days of the fall or spring semesters or during the first four class days of the summer terms or a 10-week summer semester. A student requesting to add a course after these deadlines must have the approval of the student's Dean or designee and department.

1.16.2 A student may drop a course with no record during the first twelve class days of a fall or spring semester and during the first four class days of a summer term or a 10-week summer semester. Following this period, if approved by the Dean or designee of the College or his or her designee, a student may drop a course without academic penalty through the 60th class day of a fall or spring semester, the 15th class day of summer term or the 35th class day of a 10-week summer semester. The symbol Q shall be given to indicate a drop without academic penalty. Undergraduate students will normally be permitted four Q-drops during their undergraduate studies at Texas A&M University, regardless of transfer status. State law prohibits students from having more than six dropped courses from all state institutions attended during their undergraduate career if they entered higher education as first-time enrolled freshman beginning the 2007 fall semester and thereafter. For exceptions see Rule 1.18.

1.16.3 Courses Q-dropped must have approval of the student's Dean or designee or department as determined by the respective College.

1.16.4 Undergraduate students will normally be permitted four Q-drops during their undergraduate studies; however: State law prohibits students from having more than six dropped

courses from all state institutions attended during their undergraduate career if they entered higher education as a first-time enrolled freshman beginning the 2007 fall semester and thereafter. Q-drops in one-hour courses will not count in the Texas A&M limit of four but will be included in the State-mandated limit of six dropped courses. If a lecture and companion lab are dropped at the same time, this will count as one Q-drop rather than two.

1.17 Any course taught on a shortened format or between regularly scheduled terms will have add/drop, Q-grade and withdrawal dates proportionally the same as if the course were offered in a regular term. These dates will be determined by the registrar's office.

1.18 A "W" may be approved by the Dean of the College or his or her designee if a student is allowed to drop a course anytime during the semester due to unusual or extenuating circumstances. These circumstances include:

- a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete the course;
- the student's responsibility for the care of a sick, injured, or needy person if the provision of that care affects the student's ability to satisfactorily complete the course;
- the death of a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's death is considered to be a showing of good cause;
- the active duty service as a member of the Texas National Guard or the armed forces of the United States of either the student or a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's active military service is considered to be a showing of good cause;
- the change of the student's work schedule that is beyond the control of the student, and that affects the student's ability to satisfactorily complete the course; or
- other good cause as determined by the Dean of the College or his or her designee.

Students who no longer participate in the University's ROTC program may drop military, naval or air science courses with a designation of "W".

A student seeking to drop a course due to unusual or extenuating circumstances should initiate this request with the Dean of the College or his or her designee. Requests should include appropriate documentation of the student's unusual or extenuating circumstances. The Dean of the College or his or her designee may determine whether a student has demonstrated such good cause as to warrant a drop with a grade of "W". Requests for "W" drops must be made on or before the last class day, as defined by the academic calendar, of the semester in which the course is being taken.

Present Rule 31 with Proposed Changes in **bold** and underlined, deletions are ~~struck~~.

### 31. Racial and Ethnic Harassment

(Revised: 2008)

31.1 Texas A&M University respects the right of free speech guaranteed by the First Amendment of the Constitution and of academic freedom. Constitutionally protected expression cannot be considered harassment under this policy. Each faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches. (See Committee A on Academic Freedom and Tenure in the Report on Freedom in the Classroom as stated in the AAUP Policy Documents and Reports.) However, the right to free speech and academic freedom are not absolute. The First Amendment has been interpreted by the U.S. Supreme Court to permit restrictions on the content of speech and expression when such speech and expression is of such slight social value as a step toward truth that any benefit that may be derived from it is clearly outweighed by the social interest in order and morality. This includes: a) words which by their very utterance tend to incite an immediate breach of the peace; b) threats which express an intention to commit violence to a particular individual or group of individuals; c) threatening or harassing speech that is communicated via “common carriers,” including telephones and the internet; d) speech that is accompanied by illegal conduct which reveals a racially discriminatory motivation for the conduct; and e) advocating the use of force to incite or produce imminent lawless action and it is likely to incite or produce the lawless action. Such forms of speech, when used to engage in racial and/or ethnic discrimination or harassment, will be punishable by this rule as described below.

31.2 Racial and Ethnic Harassment is discrimination based on race, color, or national origin and involves behavior that is so severe and pervasive and objectively offensive so as to interfere with or limit the ability of a student to participate in or benefit from the services, activities or privileges provided by Texas A&M University.

31.2.1 To rise to the level of Racial and Ethnic Harassment, behaviors must include something beyond the mere expression of views, words, symbols or thoughts that some person finds offensive. The conduct must also be sufficiently serious to deny or limit a student’s ability to participate in or benefit from the educational program and/or experience.

31.2.2 In order for the Texas A&M University to have authority to take action under section 31.2 of this rule, two conditions must be met. First the complaint must be alleged in an “operation” of the University; that is, a program, activity, or event under the control of the University. Second, the complaint must be filed in a timely manner with the Official Contact of the University as listed below.

Official Contact of the University:

If the Alleged Offender is a:	Then the Official Contact is:
Student	<a href="#">Dean of Student Life</a>
Student Employee	<a href="#">Dean of Student Life</a>

Graduate Student or Postdoctoral Student working in academic affairs	<a href="#">Dean of Faculties</a> *
Graduate Student or Postdoctoral Students working in other areas	<a href="#">Employee Relations Manager-Human Resources</a> *
Non-Faculty Employee	<a href="#">Employee Relations Manager-Human Resources</a> *
Faculty	<a href="#">Dean of Faculties</a> *

\* Note: Students may contact the Offices of the Dean of Student Life for assistance in arranging the official contact with the Dean of Faculties or the Employee Relations Manager. Incidents occurring with individuals across these areas of responsibility will be coordinated among the appropriate official contacts depending on the circumstances.

31.3 In some instances offensive conduct might not be severe and pervasive and objectively offensive to rise to the level of interfering or limiting an individual’s participation in services, activities or privileges provided by Texas A&M University. Nevertheless, the offensive conduct could still be a violation of the Student Conduct Code or other published rules of the university. As stated in the Student Conduct Code, violations of the Student Conduct Code that are motivated by prejudice toward a person or group because of factors such as race, religion, ethnicity, disability, national origin, age, gender or sexual orientation may be assessed an enhanced sanction. (see rule 24.4)

31.3.1 In order for the Texas A&M University to have authority to take action under section 31.3 of this rule, the alleged perpetrator must be a student and the alleged rule violation must take place on University premises or (see rule 24.5 of the Student Conduct Code) if the alleged rule violation takes place off University premises there must be student misconduct demonstrating flagrant disregard for any person or persons or a student’s or student organization’s behavior must be judged to threaten the health safety, and/or property of any individual or group; or any other activity which adversely affects the University community and/or the pursuit of its objectives. Additionally, the complaint must be filed in a timely manner with the Offices of the Dean of Student Life.

31.4 The offensive conduct underlying some incidents might be protected speech, but may still be in contradiction to Texas A&M University’s commitment to civility, diversity, academic freedom, equality of opportunity and the valuing of human dignity. In these instances, constitutional rights will continue to be protected, but University staff will also exercise their right to speak and engage in educational dialogue with those engaged in these types of behaviors.

31.4.1 In order for the Texas A&M University to have authority to take action under section 31.4 of this rule, two conditions must be met. First the alleged offender must be a member of the university community (faculty, staff, or student). Second, the complaint must be filed in a timely manner with the Official Contact of the University as listed below.

Official Contact of the University:

If the Alleged Offender is a:	Then the Official Contact is:
Student	<a href="#">Dean of Student Life</a>
Student Employee	<a href="#">Dean of Student Life</a>
Graduate Student or Postdoctoral Student working in academic affairs	<a href="#">Dean of Faculties</a> *
Graduate Student or Postdoctoral Students working in other areas	<a href="#">Employee Relations Manager-Human Resources</a> *

Non-Faculty Employee	<a href="#">Employee Relations Manager-Human Resources</a> *
Faculty	<a href="#">Dean of Faculties</a> *

\* Note: Students may contact the Offices of the Dean of Student Life for assistance in arranging the official contact with the Dean of Faculties or the Employee Relations Manager. Incidents occurring with individuals across these areas of responsibility will be coordinated among the appropriate official contacts depending on the circumstances.

*Present Rule 47 with Proposed Changes in **bold** and underlined, deletions are ~~struck~~.*

## **47. Sexual Harassment and Related Retaliation**

(Revised: 2013)

*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.*

*NOTE: Faculty, staff, students, or third parties may file a grievance using Student Rule 47.*

Texas A&M University strives to maintain a work and educational environment free from discrimination, sexual harassment, and related retaliation in accordance with applicable federal and State laws. Individuals are encouraged to report all unwelcome conduct of a sexual nature and should not wait to report conduct of concern until it becomes severe, pervasive, or persistent harassment. University officials can take proactive steps to address conduct, perhaps prevent conduct from continuing or escalating, and/or to protect or otherwise assist the recipient of the conduct.

### 47.1 Definitions

#### **Sexual Harassment**

Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature constitutes actionable sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating or hostile work or educational environment. The University will use a reasonable person standard to determine these elements.

Sexual harassment also includes sexual misconduct (non-consensual sexual intercourse and non-consensual sexual contact) and sexual exploitation.

*Non-consensual sexual intercourse* (See student rule 24.4.20.1 - Sexual abuse)

The oral, anal, or vaginal penetration by a sexual organ of another or anal/vaginal penetration by any means against the victim's will or without his/her consent. An individual who is mentally incapacitated, unconscious, or unaware that the sexual abuse is occurring is considered unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim.

*Non-consensual sexual contact* (See student rule 24.4.20.2 – Sexual Contact)

Attempting or making sexual contact, including but not limited to inappropriate touching or fondling, against the person's will, or in circumstances where the person is physically, mentally or legally unable to give consent.

*Sexual exploitation* (See student rule 24.4.2.3 - Stalking and 24.4.18 - Unauthorized recording)

Occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking and invasion of sexual privacy.

Sexual harassment occurs when a person is the recipient of conduct of a sexual nature where:

- Submission to or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's education (including co-curricular activities) or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic, co-curricular, or employment decisions affecting the individual's welfare; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's welfare, academic or work performance, or creates an intimidating, hostile, offensive or demeaning education (including co-curricular activities) or work environment.

## 47.2 Information and Consultation

Staff in the Offices of the Dean of Student Life is available to serve as a resource to any individual who has a sexual harassment inquiry or complaint. These resource persons have information about applicable laws, university rules and procedures, resources (such as counseling, health services, etc.), options available for resolution of complaints, confidentiality requirements, and reporting options including local law enforcement and/or the Title IX Coordinator.

## 47.3 Confidentiality

Persons gathering general information, seeking guidance, or filing a complaint may be concerned about the confidentiality of the information they are sharing. While the university wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the university may be obligated to take action when its officials are informed that sexual harassment may be occurring. Although the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complainant/survivor regarding action by the university cannot be guaranteed, they will be protected to as great a degree as is legally possible. The expressed wishes of the complainant/survivor regarding confidentiality will be considered in the context of the university's obligation to act upon the charge and the right of the charged party to be informed about charges against him/her. If the individual does not disclose any identifying information about him/herself or any other party involved (e.g., names, department or unit) during the inquiry, response on the part of the University may be limited.

47.3.1 Reporting Confidentially Students may report confidentially through the Student Counseling Service. Without the student's consent, counselors in the Student Counseling Service are not required, nor may they report an incident that in any way identifies the student concerned.

#### 47.4 Reporting to Law Enforcement

Individuals have the option of notifying law enforcement authorities including university and local police. An anonymous "Jane/John Doe" report can be filed with the police while deciding whether to pursue criminal charges. A criminal investigation may occur independent from a conduct proceeding on campus.

Law enforcement is able to help individuals understand the process of obtaining orders of protection, no contact orders, restraining orders, or similar lawful orders issued by the courts.

#### 47.5 Filing a Complaint with the University

Once an individual discloses information about possible sexual harassment, sexual discrimination or related retaliation to an Official Contact (see 47.5.1) of the university, he/she will be considered to have filed a complaint with the university.

All employees are responsible for ensuring their work and educational environments are free from illegal discrimination, sexual harassment and related retaliation. When alleged or suspected discrimination, sexual harassment or retaliation is experienced or observed by or made known to an employee, the employee is responsible for reporting that information (TAMU System Regulation 08.01.01, section 2.1).

Students may contact the Dean of Student Life for assistance in arranging the contact with the Dean of Faculties or the Human Resources, Policy & Practice Review Office. Incidents occurring with individuals across these areas of responsibility will be coordinated among the appropriate official contacts depending on the circumstances. The official contact will promptly notify the University's Title IX Coordinator if the complaint alleges sexual harassment, including sexual violence, sex discrimination, or related retaliation.

#### 47.5.1 Official Contact of the University

If the Alleged Offender is a:	Then the Official Contact is:
Student (graduate, undergraduate, professional)	<a href="#">Dean of Student Life</a>
Student Employee (With the exception of the two student categories listed below, all other student employees will be considered students for the purpose of these procedures. )	<a href="#">Dean of Student Life</a>
Graduate Student or Postdoctoral Student working in academic affairs	<a href="#">Dean of Faculties and Associate Provost</a>
Graduate Student or Postdoctoral Students working in other areas	<a href="#">Human Resources, Policy &amp; Practice Review</a>
Non-Faculty Employee	<a href="#">Human Resources, Policy &amp; Practice Review</a>
Faculty Employee	<a href="#">Dean of Faculties and Associate Provost</a>
Third Party (not a student or employee but party's actions occurred on campus or at a university-sponsored activity)	<a href="#">Human Resources, Policy &amp; Practice Review</a>

#### 47.6 Process for Complaint Filing and Resolution Where the Alleged Offender is a Texas A&M Graduate Student Employee, Non-Faculty Employee, Faculty Employee, or Third Party

47.6.1 The process if the alleged offender is a non-teaching or non-research graduate student employee, non-faculty employee, or third party is outlined in the University [Standard Administrative Procedure 08.01.01.M1.01 - Investigation and Resolution of Complaints Against Non-Faculty Employees and Unrelated Third Parties for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges.](#)

47.6.2 The process if the alleged offender is a teaching/research graduate student employee or a faculty employee is outlined in the University [Standard Administrative Procedure 08.01.01.M1.02 - Investigation and Resolution of Complaints Against Faculty Members for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges](#)

#### 47.7 Procedures for Complaint Filing and Resolution Where the Alleged Offender is a Texas A&M Student

##### 47.7.1 Informal Complaint Procedures

47.7.1.1 Informal procedures, including mediation, will not be used to resolve sexual assault complaints.

47.7.1.2 Adopting informal procedures for resolving sexual harassment complaints does not mean that the institution does not take sexual harassment seriously. Informal procedures simply provide an alternative method for stopping sexual harassment.

Mediation may be utilized as a method for resolving the complaint informally. Mediation requires the good faith effort of all involved parties to arrive at a mutual agreement that resolves the complaint to everyone's satisfaction. If a complainant decides to handle the situation her/himself, and the harassment stops, there may not be an investigation. The outcome of informal procedures can range from no action, a simple apology, a promise not to do it again, or a transfer of either or both parties relating to on-campus housing, and/or academics. Generally, under informal procedures, the complainant may, at any time, elect to stop further administrative action by withdrawing the complaint. Staff is available to assist individuals with the informal complaint process.

#### 47.7.2 Formal Complaint Procedures

47.7.2.1 Once an individual discloses information to an Official Contact of the university, he/she will be considered to have filed a complaint with the university. Complaints where the alleged offender is a Texas A&M student should be filed with the Dean of Student Life.

47.7.2.2 Upon receipt of a complaint, the University will exercise due diligence in determining what occurred and further action that may be warranted based on the information provided. The Dean of Student Life will appoint an Investigating Authority. The Title IX Coordinator will be promptly informed if the complaint alleges sexual harassment or another form of sex discrimination.

47.7.2.3 The Investigating Authority, composed of one or more people, is responsible for all administrative activities required to conduct the investigation. The complaint will be investigated and a determination will be made as to whether further investigation or a student conduct conference is warranted. Refer to [Student Rule 26](#) for information about the student conduct process.

47.7.2.4 If further investigation or a conference is warranted, the alleged offender will be informed of the allegations, the identity of the complainant/survivor and the facts surrounding the allegations.

47.7.2.5 A representative from the Offices of the Dean of Student Life shall notify the alleged offender and the complainant/survivor regarding the resolution of the complaint, including any sanctions. Refer to [Student Rule 27](#) for information about possible sanctions.

47.7.2.6 The University will respond to complaints in a prompt and equitable manner. Resolution of complaints will be completed within 60 days from the date of the original complaint. Reasonable extensions can be made for extenuating circumstances. These extensions are granted by the Title IX Coordinator or designee.

#### 47.7.3 Appeals of Sanctions

Sanctions imposed as a result of an individual being found responsible for charges of sexual harassment may be appealed by the survivor and/or the offender.

Students appealing sanctions shall be directed to the University Disciplinary Appeals Panel. Please refer to Student Rules [51](#) and [58](#) for more information about the University Disciplinary Appeals Process and Panel.

#### 47.7.4 Protection of Complainant/Survivor, Alleged Offender, and Others

47.7.4.1 The university will take prompt steps to protect the complainant/survivor as necessary, including taking interim steps before the completion of the investigation (including avoiding contact by allowing a change in class schedule, living arrangements as appropriate), or other actions as appropriate.

47.7.4.2 The university will take reasonable action to assure that the complainant/survivor, the alleged offender, and those providing witness statements on behalf of either party or supporting either party in other ways, are protected from retaliation. This action may come at any time during or following an investigation of a sexual harassment complaint. Instances of retaliation will be investigated and may result in further conduct charges.

47.7.4.3 In the event the allegations are not substantiated, reasonable steps will be taken to restore the reputation of the alleged offender if damaged by the proceedings. Instances where a complainant/survivor intentionally makes dishonest or malicious allegations will be investigated and may result in conduct charges.

47.7.4.4 To the extent possible, university proceedings will be conducted in a manner that protects the confidentiality of all parties involved.

#### 47.7.5 Complainant/Survivor Follow Up

In order to verify that the harassing behavior by a student or student employee remains stopped, the Dean of Student Life or designee will follow up with the survivor.

Texas A&M University respects the right of free speech guaranteed by the First Amendment of the Constitution and the principles of academic freedom. Constitutionally protected expression cannot be considered harassment under this policy. Each faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches (see Committee A on Academic Freedom and Tenure in the Report on Freedom in the Classroom as stated in the AAUP Policy Documents and Reports). However, the right to free speech and principles of academic freedom are not absolute.

The offensive conduct underlying some incidents might be protected speech, but may still be in contradiction to Texas A&M University's commitment to civility, diversity, academic freedom, equality of opportunity and the valuing of human dignity. In these instances, constitutional rights will continue to be protected, but University staff will also exercise their right to speak and engage in educational dialogue with those engaged in these types of behaviors.

#### Incidents not rising to the level of harassment

In some instances offensive conduct might not be severe, persistent or pervasive to rise to the level of reasonably interfering or limiting an individual's participation in services, activities or privileges provided by Texas A&M University. Nevertheless, the offensive conduct could still be a violation of the Student Conduct Code or other published rules of the university. As stated in the Student Conduct Code, violations of the Student Conduct Code that are motivated by prejudice toward a person or group because of factors such as race, religion, ethnicity, disability, national origin, age, gender or sexual orientation may be assessed an enhanced sanction (see rule 24.5)