

EXISTING RULE

23. Basic Rules and Procedures Governing Student Life

(Revised: 2006)

23.1 The university will endeavor to provide a living and learning environment in which the student can meet his or her academic goals. The university has the responsibility of providing the student with a clear understanding of its academic requirements, which are generally set forth in writing in the university catalogs and *University Student Rules*.

23.2 The university will determine, publish and make known its rules concerning student conduct. The university has the right to determine when its rules are violated and to determine the appropriate course of action. By enrolling in Texas A&M University, the student accepts the responsibility to comply with the university's authority, to respect the rights of others and to protect private and public property.

23.3 Every student has the right to all the advantages, prestige and honors accruing to a student of this university. The student retains the rights guaranteed under the Constitution of the United States, the right of freedom from control by any persons except as may be in accord with published rules of the university, the right to pursue an education and to receive a degree or certificate for the successful completion of its requirements.

23.4 The vice president for student affairs shall be responsible to the president for the supervision and coordination of all parts of the student life program at Texas A&M University.

23.5 Any complaints filed with legal authorities on behalf of the university as a result of violations of the Texas Penal Code will be so filed by the director of Security and University Police.

23.6 Student conduct rules as outlined in *University Student Rules* shall be administered by the vice president for student affairs or his or her appointed agent. Violations of military rules that are specified in [The Standard of the Corps of Cadets](#) will be within the jurisdiction of the Office of the Commandant. Violations of Department of Residence Life rules that are specified in the [Residence Hall or University Apartments Handbook](#) will be within the jurisdiction of the Department of Residence Life.

23.7 Disciplinary action will be administered by:

23.7.1 [Student Conflict Resolution Services](#) in the [Department of Student Life](#)

23.7.2 the [Department of Residence Life](#)

23.7.3 the Office of the Commandant

23.7.4 or other judicial bodies established with the advice and consent of the vice president for student affairs.

RULE CHANGES:

<http://student-rules.tamu.edu/rule23>

JUSTIFICATION FOR PROPOSED CHANGE:

1. The changes to content of the Student Rules being proposed are a reflection of national best practices, most notably referencing the *21st Century Model Student Conduct Code* (Stoner, E. & Lowery, J., 2004) and the *General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline in Tax Supported Institutions of Higher Education* (45 F.R.D. 133). This General order is recommended reading to anyone seeking to understand the relationship between judicial systems and campus systems regulating student conduct

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Student Rules and Regulations Committee

Proposal to Revise Rules

Page 2 of 2



2. Texas A&M University was involved in litigation over the University's Student Rules in one particular case until appeals were exhausted at the Supreme Court level in spring 2010. The Student Rules were not to be altered in any way until this litigation was resolved.
3. The U.S. Department of Education, through its Office of Civil Rights, issued a "Dear Colleague Letter" on April 4, 2011 providing guidance in procedures in dealing with cases of sexual harassment and sexual violence throughout institutions of education (this includes K-12).
4. There were a number of grammatical and punctuation changes made as well as changes made for consistency of language used in higher education conduct proceedings versus legal system language.

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Approved by Faculty Senate: 11/12/12

Approved by President: 12/21/12