

## Student Rules and Regulations Committee

Approved by the President

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(Additions to rules are bolded and underlined, deletions to rules are indicated by strikethrough)

### **PROPOSAL**

See attached rule for proposed changes to present rule

### **JUSTIFICATION**

To meet requirements in the Violence Against Women Reauthorization Act (VAWA).

### **PROPOSED BY**

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Approved by the Student Rules and Regulations Committee on 2/20/2015.

Approved by the Faculty Senate on 5/11/15

Approved by the President on 7/20/15

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Present rule 51 with all changes in **red font**: additions in **bold and underlined**, deletions are ~~struck~~.

## **51. Student Conduct Separation and Appeal**

(Revised: 201~~3~~**5**)

*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 regarding the University Discipline Code and related actions are listed in Part II, Student Life Rules.

### **Grievance Procedures**

51.1. A student who has been assessed a conduct sanction of expulsion or suspension from the University by the Offices of the Dean of Student Life may file an appeal with the chair of the University Disciplinary Appeals Panel (students enrolled in a college/school on campuses outside of Brazos County (TAMU Law School, TAMU Baylor College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, **and Texas A&M University at Qatar**) shall be directed to the University Disciplinary Appeals Panel for that college/school)(see University Disciplinary Appeals Panel, Sec. 58). Following the notification of intent to appeal and pending the appeal panel, the disciplinary action taken by the University shall be stayed. A Student Conduct Administrator in consultation with the Dean of Student Life or designee (for students enrolled on the campus of the TAMU Law School: the Assistant Dean for Student Affairs at the Law School or the Associate Dean for Academic Affairs at the Law School; for students enrolled in a college/school on other campuses outside of Brazos County (TAMU Baylor College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and **Texas A&M University at Qatar**): the Associate Dean for Student Affairs for each respective college/school) may determine in cases involving suspension or expulsion that the continued presence on campus of the accused student poses a threat to the safety and well-being of members of the University community or preservation of University property; to ensure the student's own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. In such cases, the suspension or expulsion may go into effect immediately.

51.2. A student who has been assessed a conduct sanction other than expulsion or suspension may file an appeal within five (5) University business days of the delivery of that decision with the Offices of the Dean of Student Life, the Office of the Commandant, or the Department of Residence Life, dependent upon which office imposed the sanction (for students enrolled on the campus of the TAMU Law School: the Assistant Dean for Student Affairs at the Law School or the Associate Dean for Academic Affairs at the Law School; for students enrolled in a college/school on other campuses outside of Brazos County (TAMU Baylor College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and **Texas A&M University at Qatar**): the Associate Dean for Student Affairs for each respective college/school.) The

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appeal will be heard administratively by the appropriate official or panel. (This appeal process does not apply for cases of alleged or determined sexual harassment or sexual misconduct. See Sec 51.3.)

51.3. A student who has been assessed any conduct sanction in cases of alleged or determined sexual harassment, ~~or~~ sexual misconduct, **domestic violence, dating violence, or stalking** or a complainant may file an appeal within five (5) University business days with the chair of the University Disciplinary Appeals Panel (students enrolled in a college/school on campuses outside of Brazos County (TAMU Law School, TAMU Baylor College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and **Texas A&M University at Qatar**) shall be directed to the University Disciplinary Appeals Panel for that college/school.) Should the appeal be filed by a student who has been assessed a conduct sanction, following the notification of intent to appeal and pending the appeal panel, the disciplinary action taken by the University shall be stayed. A Student Conduct Administrator in consultation with the Dean of Student Life or designee (for students enrolled on the campus of the TAMU Law School: the Assistant Dean for Student Affairs at the Law School or the Associate Dean for Academic Affairs at the Law School; for students enrolled in a college/school on other campuses outside of Brazos County (TAMU Baylor College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and **Texas A&M University at Qatar**): the Associate Dean for Student Affairs for each respective college/school) may determine in a case involving suspension or expulsion that the continued presence on campus of the accused student poses a threat to the safety and well-being of members of the University community or preservation of University property; to ensure the student's own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. In such cases, the suspension or expulsion may go into effect immediately.