

Dr. Anne Reber
Dean of Student Life

MEMORANDUM

DATE: December 13, 2018

TO: Dr. Julie Harlin
Speaker, Faculty Senate

FROM: Dr. Anne Reber
Chair, Rules and Regulations Committee

SUBJECT: Proposed Revisions to the Texas A&M Student Rules

Attached please find proposed revisions to the Texas A&M University Student Rules as approved by the Rules and Regulations Committee. These changes are for the following section:

Change to Rule 27.5. Sanctions

Approved by the Student Rules and Regulations Committee on December 7, 2018.

Approved by the Faculty Senate on January 14, 2019

Approved by the President on February 26, 2019

PROPOSAL

Please see attached rule for extensive changes

JUSTIFICATION

This would put the student rules in alignment with the directions of the University President following summer reviews of Title IX processes.

PROPOSED BY:

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Date: November 2, 2018

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Present Rule 27 with additions in **bold red font** and deletions ~~struck~~

27. Sanctions

(Revised: 2018)

One and/or any combination of sanctions may be imposed for any single student conduct code violation.

27.1 University Sanctions:

27.1.1 *Expulsion*: Separation of the student from the University whereby the student is not eligible for readmission to this University.

27.1.2. *Suspension*: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission. The suspension takes effect when the appeal for the offense is exhausted, waived or time limit has passed. Suspensions may be implemented in one of two ways: immediate implementation of suspension or deferred implementation of suspension. The sanction of suspension may be placed in deferred status. If the student is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be applied. A student who has been issued a deferred suspension sanction is deemed “not in good standing” with the University.

Not in good standing: A student who is not in good standing is subject to the following restrictions:

- Ineligibility to hold an office in any student organization recognized by the University or to hold any elected or appointed office of the University.
- Ineligibility to represent the University in any way, including representing the University at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation. This includes events taking place both on and off of the University campus.
- Ineligibility to receive a University administered scholarship when the length of the period of not in good standing is greater than one semester. Some scholarships adhere to more strict guidelines, and, therefore, ineligibility may result from a lesser length of not in good standing. This sanction implies a serious offense and must be uniformly applied by the office administering the scholarship upon notification by the University Conduct Administrator.
- Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

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At the end of the suspension period, the student is eligible for reenrollment. Actual admission to the University will be determined by the academic rules in place at the time of application for reenrollment.

27.1.3. Conduct Probation: An official warning that the student's conduct is in violation of Texas A&M University Student Rules, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation is deemed "not in good standing" with the University. If there is a finding of responsibility for subsequent violations of the student rules during this period of time, more severe sanctions may be administered.

27.1.4. Conduct Review: An official warning that the student's conduct is in violation of Texas A&M University Student Rules, but is not sufficiently serious to warrant expulsion, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student rules. Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct. Students placed on this sanction remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the Student Rules during this period of time, more severe sanctions may be administered.

27.1.5. Restrictions: The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of a sanction which results in a student being not in good standing. The restrictions involved will be clearly defined.

27.1.6. Restitution: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

27.1.7. Community/University Service: A student may be offered an opportunity to complete a specified number of hours of Community/University Service. The type of Community/University Service must be approved by the Student Conduct Administrator.

27.1.8. Educational Requirements: A provision to complete a specific educational requirement. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, reflective writing assignments, etc.

27.1.9. Letter of Enrollment Block: A letter stating that the student may not reenter Texas A&M University without prior approval through the Offices of the Dean of Student Life or the Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem or for medical reasons.

27.1.10. Letter of Reprimand: A letter that makes a matter of record any incident that reflects unfavorably on the student or the University.

27.2. Campus Housing Sanctions:

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The occupants of each residence hall, by majority vote, have the power to establish additional “in house” rules as approved by the Department of Residence Life. Generally, “in house” rule infractions are handled by residence life staff or the Residence Life Staff.

27.2.1. *Loss of Campus Housing Privilege*: Removal from university housing for conduct reasons.

27.2.2. *Deferred Loss of Campus Housing Privilege*: The sanction of Loss of Campus Housing Privilege may be placed in deferred status. If a student is found in violation of any University rule during the time of the deferred sanction, removal from housing takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. In addition, a student is ineligible to hold an elected or appointed office in any affiliated housing organization. This includes but is not limited to the following offices/positions: president, vice president, secretary, treasurer, RHA delegate.

27.2.3. *Campus Housing Probation*: An official notice that the student’s conduct is in violation of residence hall rules, University Apartments rules and/or University rules and that more stringent student conduct sanctions, including removal from housing, may result if future violations occur. In addition, a student is ineligible to hold an elected or appointed office in any affiliated housing organization. This includes but is not limited to the following offices/positions: president, vice president, secretary, treasurer, RHA delegate.

27.3. In addition to any of the sanctions listed in this section, members of the Corps of Cadets are subject to disciplinary action in accordance with *The Standard*.

27.4. Interim Suspension

A student may not be expelled or suspended prior to a student conduct proceeding except when the Dean of Student Life believes that an interim suspension should be imposed.

Interim suspension may be imposed only to ensure the safety and well-being of members of the University community or guest, 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. A student conduct proceeding will be scheduled as soon thereafter as practicable.

27.4.1. During the interim suspension, a student may be denied access to campus housing and/or the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible.

27.4.2. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a student conduct conference, if required. However, the student should be notified in writing of this action and the reasons for the interim suspension. The notice should include the time, date, and place of a subsequent conference at which the student may show cause as to why his/her continued presence on the campus does not constitute a threat and at which the student may contest whether the facts of the initial report are accurate.

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27.5 Interim Restrictions

Interim restrictions include, but are not limited to, contact restrictions; representation of the university; and/or participation in university affiliated organization meetings, events, and/or activities.

Interim restrictions may be imposed (1) when a student has been interim suspended; (2) when a determination is made to implement a transcript hold under TAMUS Policy 11.99.02; and/or (3) in instances when the student's participation or representation would threaten or negatively impact other students who are participating and/or representing an organization or the university. When interim restrictions are imposed, a student will be notified in writing of the specifics of the restrictions and why the restrictions are being implemented. Restrictions will remain in place through a designated time period and/or, if not indicated, until the student is notified that the restriction has ended.

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