MEMORANDUM

DATE: January 13, 2005

TO: Dr. Martyn Gunn
Speaker, Faculty Senate

FROM: David Parrott, Ed. D.
Chair, Rules and Regulations Committee

SUBJECT: Proposed Revisions to 2005 Student Rules

Attached please find proposed revisions to the 2005 Texas A&M University Student Rules as approved by the Rules and Regulations Committee. These changes are for the following sections:

Section 1.1.4
Section 1.16.2
Section 3
Student’s Rights & Responsibilities, Article V
Section 10.10
Section 10.12.2
Section 10.15
Section 11
Section 13

Section 14.1
Section 14.6
Section 14.8
Section 15
Section 18
Appendix IV
Section 36.1

xc: Dr. David B. Prior, Executive Vice President and Provost
Dr. Dean Bresciani, Vice President for Student Affairs
Ms. K. Sue Redman, Vice President for Finance and Controller
Mr. Charles Sippial, Vice President for Administration
Section 1.1.4 Existing Rule:

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 or court issued name change document or marriage license, common-law certificate are acceptable.

Proposed Change:

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, or court issued name change document, or marriage license, or common-law certificate are acceptable.

Justification for Proposed Change:

Clean up the sentence grammatically, add clarity, and correct punctuation.

Submitted by: Gary E. Briers, Agricultural Education

Approved by the Rules and Regulations Committee on 10/22/04
Section 1.16.2 Existing Rule

1.16.2 A student may drop a course with no record during the first four class days of a fall or spring semester and during the first three class days of a summer term or a 10-week summer semester. Following this period, if approved by the dean of the student’s college, a student may drop a course without penalty through the 50th 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 penalty. Undergraduate students will normally be permitted three Q-drops during their undergraduate studies; however:

Proposed Change:

1.16.2 A student may drop a course with no record during the first four five class days of a fall or spring semester and during the first three four class days of a summer term or a 10-week summer semester. Following this period, if approved by the dean of the student’s college, a student may drop a course without academic penalty through the 50th 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 three Q-drops during their undergraduate studies; however:

Justification for Proposed Change:

AOC voted to change the drop deadline from four to five days. With web registration, students assume that if they can add a class they can drop a class.

Submitted by: Kriss Boyd, Ph. D.; AOC Vote

Approved by the Rules and Regulations Committee on 10/22/04
Section 3 Existing Rule:


A college may allow a maximum combination of 18 hours of 481, 482, 485 and/or 491 courses in a curriculum. Letter grades (A, B, C, . . .) will be assigned in 481, 482 and 485 courses.

Proposed Changes:


A college may allow a maximum combination of 18 hours of 481, 482, 485 and/or 491 courses in a curriculum. Letter grades (A, B, C, . . .) will be assigned in 481, 482 and 485 courses.

Justification for Proposed Change:

The title of the rule should be changed because 485 courses are no longer “problems” courses but rather are named “directed studies.” Similarly, the description of the rule does not refer to “Special Topics” courses; thus, THAT part of the title should be eliminated.

The new wording eliminates the number “482” because there are no courses numbered 482 that I could find.

Submitted by: Gary E. Briers, Agricultural Education

Approved by the Rules and Regulations Committee 10/22/04
Students’ Rights & Responsibilities, Article V Existing Rule:

Article V
Each student subject to disciplinary action arising from violations of university student rules shall be assured procedural due process. At all student conduct hearings, an accused student shall be assumed not responsible until proven responsible, and, in initial student conduct hearings, the burden of proof shall rest with those bringing the charges. In all proceedings, the student shall be guaranteed substantive and procedural due process.

Proposed Changes:

Article V
Each student subject to disciplinary action arising from violations of university student rules shall be assured fundamentally fair process. At all student conduct hearings, an accused student shall be assumed not responsible until proven responsible, and, in initial student conduct hearings, the burden of proof shall rest with those bringing the charges. In all proceedings, the student shall be guaranteed substantive and procedural due process, a fundamentally fair process.

Justification for Proposed Change:

Based on advice of the Office of General Counsel to comport with current case law and professional standards in student conduct. The removal of words that have legal meanings such as substantive and procedural due process is necessary to insure a code of conduct that will withstand court tests.

Submitted by: David W. Parrott, Office of the Vice President for Student Affairs

Approved by the Rules and Regulations Committee on 1/11/05.
Section 10.10 Existing Rule:

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.

Proposed Change:

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 First Year Grade Exclusion Policy

A fully admitted, currently enrolled Texas A&M undergraduate student as defined by the Texas Higher Education Coordinating Board as "first time in college"* may elect to exclude from his/her undergraduate degree and cumulative GPR calculation grades of D, F, or U. This exclusion shall be permitted for up to a maximum of three courses taken for credit at Texas A&M University during the twelve month period beginning with the student's initial enrollment at Texas A&M.

The first year grade exclusion option may be used by current "first time in college" freshmen for courses taken in the twelve months beginning with their initial enrollment at A&M. Sophomores, juniors and seniors also may use the exclusions for courses taken in their first twelve months as "first time in college" freshmen, dating from initial enrollment.

- All courses chosen for first year grade exclusion shall remain on the official transcript and be designated on the transcript as excluded.

- First year grade exclusion cannot be invoked after a baccalaureate degree has been conferred upon the student. If the student chooses to exercise the first year grade exclusion, that option must be exercised before the official deadline for application for the baccalaureate degree in the student's final semester.

- First year grade exclusion will affect student classification if excluding a course lowers total completed hours below 95, 60, or 30 hours.
- Grades for courses in which the student was found to have committed academic dishonesty will not be excluded from the GPR calculation, regardless whether or not the student completed remediation.

- A course for which the grade has been excluded will not be used to satisfy degree requirements unless it is repeated by the student for an acceptable grade.

- Once a grade in a course has been excluded from the GPR calculation, the student will not later be permitted to have the exclusion removed or otherwise changed.

- Courses for which grades have been excluded will be counted as attempted hours when determining eligibility for tuition rebates, calculating excess credit hours, and determining third-time repeats.

- Courses for which grades have been excluded will not be taken into account when determining eligibility for a change of major, scholarships, or achievement based awards.

- Courses excluded under this policy are NOT excluded when determining whether the student is meeting satisfactory academic progress requirements (hours completed) for federal and state financial aid programs.

- While excluded courses will not be factored into Texas A&M University GPR, students should be aware that employers, professional schools, and graduate schools may recalculate the GPR to include such grades.

- University rules regarding Q drops remain unaffected, but students should consult with their undergraduate associate dean or his/her designee.

- First year grade exclusion will become available as an option for undergraduate students who are enrolled in the Spring 2005 semester and thereafter.

- Students are directed to contact their academic advisor or the office of the undergraduate dean of his/her college to obtain the necessary form.

* First time in college: an undergraduate, degree seeking, student who applied and enrolled in college for the first time regardless of whether the student has acquired college level credit through testing, advanced placement or summer enrollment.
Justification for Proposed Change:

To include the grade exclusion policy in the official TAMU Student Rules.

Submitted by: Dr. Mark H. Weichold, Department of Academic Affairs

Approved by the Rules and Regulations Committee on 1/11/05.
Section 10.12.2 Existing Rule

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. The hours earned on a satisfactory/unsatisfactory basis shall not be included in the designation of “distinguished student” or “dean’s honor roll.”

Proposed Change:

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. The hours earned on a satisfactory/unsatisfactory basis shall not be included in the designation of “distinguished student” or “dean’s honor roll.”

Justification for Proposed Change:

Unsatisfactory grades are calculated as an F. The statement isn’t true.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee on 1/11/05.
Section 10.15 Existing Rule:

10.15 At the close of each semester, a final report of the student’s semester grades will be made available to the student. Parents or guardians may receive grade reports if they certify that the student is carried as a dependent on their current federal income tax return.

Proposed Change:

10.15 At the close of each semester, a final report of the student’s semester grades will be made available to the student. Parents or guardians may receive grade reports if they certify that the student is carried as a dependent on their current federal income tax return.

Justification for Proposed Change:

With the implementation of the parent password in myrecord.tamu.edu, parents/guardians do not have to file paperwork with the Office of the Registrar.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee on 1/11/05
Section 11 Existing Rule:

11. Distinguished Students (Revised: 1992)

An undergraduate student who completes a semester schedule of at least 15 hours or a summer session schedule of at least 12 hours with no grade lower than C and with a grade point ratio of not less than 3.25 for the semester or for a summer session shall be designated “distinguished student.” A student who, under the same circumstances, achieves a grade point ratio of at least 3.75 also shall be designated as a member of the “dean’s honor roll.” First semester freshmen must complete a semester schedule of at least 12 hours with no grade lower than a “C,” no Q-drops and with a grade point ratio of not less than 3.25 for “distinguished student” designation and a 3.75 for “dean’s honor roll.” Official notification of these designations will be issued to the student by the dean of the student’s college. The hours earned on a satisfactory/unsatisfactory basis shall not be included in determining minimum hours required for the designation of “distinguished student” or “dean’s honor roll.” A grade of I disqualifies a student from being considered as a “distinguished student” or for the “dean’s honor roll.” Only undergraduate courses or graduate courses used for the undergraduate degree will be used in either honors calculation.

Proposed Change:


An undergraduate student who completes a semester schedule of at least 15 hours or a summer session schedule of at least 12 hours with no grade lower than C and with a grade point ratio of not less than 3.25 for the semester or for a summer session shall be designated “distinguished student.” A student who, under the same circumstances, achieves a grade point ratio of at least 3.75 also shall be designated as a member of the “dean’s honor roll.” First semester freshmen must complete a semester schedule of at least 12 hours with no grade lower than a “C,” no Q-drops and with a grade point ratio of not less than 3.25 for “distinguished student” designation and a 3.75 for “dean’s honor roll.” Official notification of these designations will be issued to the student by the dean of the student’s college. The hours earned on a satisfactory/unsatisfactory basis with a grade of S shall not be included in determining minimum hours required for the designation of “distinguished student” or “dean’s honor roll.” A grade of I or U disqualifies a student from being considered as a “distinguished student” or for the “dean’s honor roll.” Only undergraduate courses or graduate courses used for the undergraduate degree will be used in either honors calculation.

Justification for Proposed Change:

To clarify which grades are included to determine distinguished student lists and dean’s honor roll.
Submitted by:  Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committed on 1/11/05.
Section 13 Existing Rule:

13. Classification

13.1 Classification for academic purposes shall be based solely on scholastic progress as shown by the official records in the registrar’s office.

13.2 Sophomore, junior and senior classification will be granted students who have passed 30, 60 and 95 semester hours respectively.

Proposed Change:

13. Classification (Revised: 2005)

13.1 Classification for academic purposes shall be based solely on scholastic progress as shown by the official records in the registrar’s office.

13.2 Sophomore, junior and senior classification will be granted students who have passed 30, 60 and 95 semester hours respectively.

13.3 First year grade exclusion will affect student classification if excluding a course lowers total completed hours below 30, 60, or 95 hours.

Justification for Proposed Change:

Because classification may affect registration, ordering a senior ring, and other functions; this rule needs to be repeated in this section.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee on 1/11/05
Section 14.1 Existing Rule

**14. Degree Requirements (Revised: 2004)**

14.1 Formal application for degrees must be completed at [https://degreeapp.tamu.edu](https://degreeapp.tamu.edu) and submitted to the Office of the Registrar no later than the Friday of the second week of the fall or spring semester or the Friday of the first week of the summer term in which the student expects to complete his or her requirements for graduation. Under unusual circumstances, an application for a degree may be accepted after the stated deadline, but no application will be accepted after grade sheets on graduating students have been produced for the faculty.

**Proposed Change:**

**14. Degree Requirements (Revised: 2004 2005)**

14.1 Formal application for degrees must be completed at [https://degreeapp.tamu.edu](https://degreeapp.tamu.edu) and submitted to the Office of the Registrar no later than the Friday of the second week of the fall or spring semester or the Friday of the first week of the summer term in which the student expects to complete his or her requirements for graduation. Under unusual circumstances, an application for a degree may be accepted after the stated deadline, but no application will be accepted after grade sheets on graduating students have been produced for the faculty.

14.1.1 If a student chooses to exercise the first year grade exclusion, that option must be exercised before the official deadline for application for the baccalaureate degree in the student’s final semester.

**Justification for Proposed Change:**

To inform potential undergraduate degree candidates who wish to exercise the first year grade exclusion rule of the deadline.

**Submitted by:** Donald D. Carter, Office of Admissions and Records

**Approved by the Rules and Regulations Committee on 1/11/05.**
Section 14.6 Existing Rule:

14.6 A curriculum leading to a baccalaureate degree shall contain a minimum of 128 credit hours including the required physical education courses.

Proposed Change:

14.6 A curriculum leading to a baccalaureate degree shall contain a minimum of 120 credit hours including the required physical education courses.

Justification for Proposed Change:

Some baccalaureate degrees have been revised to 120 semester credit hours.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee 1/11/05
Section 14.8 Existing Rule:

14.8 The total number of grade points earned at this institution in courses must be at least twice the number of hours that the student carried in courses at this institution. Grades of F, WF and U shall be included.

14.8.1 The number of credit hours associated with grades of S in courses taken on a Satisfactory/Unsatisfactory basis is not included in this computation.

14.8.2 The number of credit hours associated with grades of U in courses taken on a Satisfactory/Unsatisfactory basis is included in this computation.

14.8.3 For undergraduate students only, grades in courses not applying to the degree may be waived for the purposes of graduation only by the student’s dean.

14.8.4 The waiver of grades in courses as indicated in section 14.8.3 will not affect the student’s official grade point ratio or entitlement to graduation with honors.

14.8.5 The provisions of section 14.8.3 will not affect a student’s probationary status prior to graduation.

Proposed Change:

14.8 The total number of grade points earned at this institution in courses must be at least twice the number of hours that the student carried in courses at this institution. Grades of F, WF and U shall be included.

14.8.1 The number of credit hours associated with grades of S in courses taken on a Satisfactory/Unsatisfactory basis is not included in this computation.

14.8.2 The number of credit hours associated with grades of U in courses taken on a Satisfactory/Unsatisfactory basis is included in this computation.

14.8.3 For undergraduate students only, grades in courses not applying to the degree may be waived for the purposes of graduation only by the student’s dean.

14.8.4 The waiver of grades in courses as indicated in section 14.8.3 will not affect the student’s official grade point ratio or entitlement to graduation with honors.

14.8.5 The provisions of section 14.8.3 will not affect a student’s probationary status prior to graduation.

14.8.6 Grade(s) excluded under the First Year Grade Exclusion Policy may affect the grade point ratio (GPR) calculation and the number of semester credit hours applied to a degree plan. Please refer to section 10.10.1.
Justification for Proposed Change:

To remind students that exercising grade exclusion may change their GPR and the number of credit hours which may be applied to a degree plan.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee 1/11/05.
Section 15 Existing Rule:

**15. Graduation with Honors (Revised: 2003)**

To be eligible for graduation with honors, a student seeking a baccalaureate degree must enroll in and complete a minimum of 75 semester hours at Texas A&M University preceding graduation and have a grade point ratio at this institution equal to or greater than that required for the appropriate category of honors. Course credit received by examination, and courses reserved for graduate credit only, are excluded from the calculation of the number of hours and the grade point ratio for graduation with honors.

Categories for honors shall be designated as follows:

- **Summa Cum Laude**: A student may be graduated “Summa Cum Laude” with a grade point ratio of 3.90 or above.

- **Magna Cum Laude**: A student may be graduated “Magna Cum Laude” with a grade point ratio range of 3.70 through 3.899.

- **Cum Laude**: A student may be graduated “Cum Laude” with a grade point ratio range of 3.50 through 3.699.

**Proposed Change:**


**Effective for December 2005 degree candidates.** To be eligible for graduation with honors, a student seeking a baccalaureate degree must enroll in and complete a minimum of 60 semester hours at Texas A&M University preceding graduation and have a grade point ratio at this institution equal to or greater than that required for the appropriate category of honors. Course credit received by examination, and courses reserved for graduate credit only, are excluded from the calculation of the number of hours and the grade point ratio for graduation with honors.

Categories for honors shall be designated as follows:

- **Summa Cum Laude**: A student may be graduated “Summa Cum Laude” with a grade point ratio of 3.90 or above.

- **Magna Cum Laude**: A student may be graduated “Magna Cum Laude” with a grade point ratio range of 3.70 through 3.899.

- **Cum Laude**: A student may be graduated “Cum Laude” with a grade point ratio range of 3.50 through 3.699.
Justification for Proposed Change:

Changing the required number of semester hours in residence for Latin honors was approved by the administration.

Submitted by: Donald D. Carter, Office of Admissions and Records

Approved by the Rules and Regulations Committee 1/11/05.
Section 18 Existing Rule:

18. Payment of Fees and Charges (Revised: 1996)

18.1 Students are required to pay tuition, fees and charges to the university when due. Failure to do so may result in:

18.1.1 The student’s being administratively withdrawn and removed from the rolls of the university with loss of credit for academic work performed that semester.

18.1.2 Assessment of a $50 reinstatement fee.

18.1.3 Assessment of a $10 late fee.

18.1.4 Denial of future registration in the university until all past due balances including late charges and reinstatement fees are paid.

18.1.5 Denial of an official Texas A&M transcript until all past due balances, including late charges and reinstatement fees, are paid.

18.1.6 Removal from on-campus housing.

18.2 If a check accepted by the university is returned by the bank on which it is drawn, the person presenting it will be required to pay a returned check service charge. If the check is for tuition or fees, the student’s registration for that semester or term may be canceled.

18.3 A student whose registration is canceled for failure to redeem an unpaid check or checks within a specified grace period will be assessed a $50 reinstatement fee prior to being reinstated.

18.4 Students whose fees are billed to a third party sponsor, including, but not limited to a government agency, will be held responsible for those fees should the sponsor fail to pay.

18.5 Tuition, most required fees, residence hall room rent, meal plans and parking permits are payable in full or in three installments. The three-installment plan requires payment of all non-deferrable and one-half of deferrable fees prior to the first day of classes with the remainder of deferrable fees payable in two equal installments. The cost of student ID’s and some optional charges such as bus passes, athletic tickets and yearbooks are not deferrable and must be paid in full prior to the beginning of the semester. A $15 service charge to cover the cost of handling is assessed each student who chooses to use the installment plan. All scholarships, grants and loans are applied to any outstanding charges before installments are calculated. If a student receives a scholarship, grant or loan, no cash refunds will be made until all fee obligations are satisfied, regardless of the payment plan selected. Students may pay their accounts in full anytime during a semester; the service fee is not refundable, however, once a payment is made under the three-
payment installment plan. Installment due dates are included on all billing statements and in the respective class schedules. Statements to remind students of installments are mailed before each due date; failure to receive billing statements because of incorrect addresses or mail delays will not, however, exempt students from cancellation deadlines or late charges. A $10 late penalty will be assessed for each installment not paid by its specified due date.

**Proposed Change:**

**18. Payment of Fees and Charges (Revised: 1996 2005)**

18.1 Students are required to pay tuition, fees and charges to the university when due. Failure to do so may result in:

18.1.1 The student’s being administratively withdrawn and removed from the rolls of the university with loss of credit for academic work performed that semester.

18.1.2 Assessment of a $50 reinstatement fee.

18.1.3 Assessment of a $10 late fee.

18.1.4 Denial of future registration in the university until all past due balances including late charges and reinstatement fees are paid.

18.1.5 Denial of an official Texas A&M transcript until all past due balances, including late charges and reinstatement fees, are paid.

18.1.6 Removal from on-campus housing.

18.2 If a check accepted by the university is returned by the bank on which it is drawn, the person presenting it will be required to pay a returned check service charge. If the check is for tuition or fees, the student’s registration for that semester or term may be canceled.

18.3 A student whose registration is canceled for failure to redeem an unpaid check or checks within a specified grace period will be assessed a $50 reinstatement fee prior to being reinstated.

18.4 Students whose fees are billed to a third party sponsor, including, but not limited to a government agency, will be held responsible for those fees should the sponsor fail to pay.

18.5 Tuition, most required fees, residence hall room rent, meal plans and parking permits are payable in full or in three installments. The three-installment plan requires payment of all non-deferrable and one half of deferrable fees prior to the first day of classes with the remainder of deferrable fees payable in two equal installments. The cost of student ID’s and some optional charges such as bus passes, athletic tickets and yearbooks are not deferrable and must be paid in full prior to the beginning of the semester. A $15 service charge to cover the cost of handling is assessed each student who chooses to use
the installment plan. All scholarships, grants and loans are applied to any outstanding charges before installments are calculated. If a student receives a scholarship, grant or loan, no cash refunds will be made until all fee obligations are satisfied, regardless of the payment plan selected. Students may pay their accounts in full anytime during a semester; the service fee is not refundable, however, once a payment is made under the three-payment installment plan. Installment due dates are included on all billing statements and in the respective class schedules. Statements to remind students of installments are mailed before each due date; failure to receive billing statements because of incorrect addresses or mail delays will not, however, exempt students from cancellation deadlines or late charges. A $10 late penalty will be assessed for each installment not paid by its specified due date.

Justification for Proposed Change:

Bob Piwonka said these areas are now covered in other literature given to students and do not belong in the Student Rules.

Submitted by: Bob Piwonka, Department of Student Financial Services

Approved by the Rules and Regulations Committee 12/3/04.
Appendix IV Existing Rule:

**Appendix IV: Excused Absences for Religious Holy Days**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Chapter 51, Education Code, is amended by adding Section 51.911 to read as follows:

SECTION 51.911. RELIGIOUS HOLY DAYS.

(a) In this section:

1. “Institution of higher education” has the meaning assigned by Subdivision (7) of Section 61.003 of this code, but includes the Southwest Collegiate Institute for the Deaf and Texas State Technical Institute.

2. “Religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code.

(b) An institution of higher education shall allow a student who is absent from classes for the observance of a religious holy day to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence if, not later than the 15th day after the first day of the semester, the student notified the instructor of each class the student had scheduled on that date that the student would be absent for a religious holy day.

(c) The notification provided by Subsection (b) of this section shall be in writing and shall be delivered by the student personally to the instructor of each class, with receipt of the notification acknowledged and dated by the instructor or by certified mail, return receipt requested, addressed to the instructor of each class.

(d) A student who is excused under this section may not be penalized for the absence, but the instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination.

Proposed Change:

**Appendix IV: Excused Absences for Religious Holy Days (Revised 2005)**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Chapter 51, Education Code, is amended by adding Section 51.911 to read as follows:

SECTION 51.911. RELIGIOUS HOLY DAYS.

(a) In this section:
1. “Institution of higher education” has the meaning assigned by Subdivision (7) of Section 61.003 of this code, but includes the Southwest Collegiate Institute for the Deaf and Texas State Technical Institute.

2. “Religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code.

(b) An institution of higher education shall excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused scheduled for that day within a reasonable time after the absence. If, not later than the 15th day after the first day of the semester, the student notified the instructor of each class the student had scheduled on that date that the student would be absent for a religious holy day.

(c) The notification provided by Subsection (b) of this section shall be in writing and shall be delivered by the student personally to the instructor of each class, with receipt of the notification acknowledged and dated by the instructor or by certified mail, return receipt requested, addressed to the instructor of each class.

(c)(d) A student who is excused under this section may not be penalized for the absence, but the instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination.

Justification for Proposed Change:

House Bill 256 (Hochberb/ Shapiro) – Religious holy days amends current statutes to require institutions of higher education to excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day. The student shall also be excused for time necessary to travel. It prohibits an institution from penalizing the student for the absence and allows for the student to take an exam or complete an assignment from which the student was excused. The bill also repeals Section 51.911 (c) “The notification provided by Subsection (b) of this section shall be in writing…”.

The 78th Texas Legislature passed House Bill 256 which amends Religious Holy Days statute. Texas A&M Student Rule Appendix IV has not been updated to meet the state statute established in House Bill 256. The above changes are reflective of the changes to the statute.

Submitted by: Laura Boren, Department of Student Life

Approved by the Rules and Regulations Committee 12/3/04.
Section 36.1 Existing Rule:

36.1 With the exception of seeing eye dogs, fish for aquaria and the official university mascot, animals are not permitted in residence halls, university food service areas, university-owned apartments or other university buildings except where authorized. Such authorization must be obtained in writing from the particular building proctor. When a classroom situation is involved, the pet owner must also obtain additional authorization from the instructor of the class.

Proposed Change:

36.1 With the exception of seeing eye dogs, service animals, fish for aquaria and the official university mascot, animals are not permitted in residence halls, university food service areas, university-owned apartments or other university buildings except where authorized. Such authorization must be obtained in writing from the particular building proctor. When a classroom situation is involved, the pet owner must also obtain additional authorization from the instructor of the class.

Justification for Proposed Change:

Under the Americans with Disabilities Act (ADA), the ADA requires business to allow people with disabilities to bring their service animals onto business premises.

The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. “Seeing eye dogs” are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

- Alerting persons with hearing impairments to sounds.
- Pulling wheelchairs or carrying and picking up things for persons with mobility impairments.
- Assisting persons with mobility impairments with balance.

Information was taken from the following website:
http://www.usdoj.gov/crt/ada/qasrvc.htm

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