DATE: April 12, 2005

TO: Dr. Martyn Gunn
    Speaker, Faculty Senate

FROM: Dr. David W. Parrott
      Chair, Rules and Regulations Committee

SUBJECT: Proposed Revisions to the 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 10.20
Section 11
Section 14.16
Section 18.1
Section 45

Section 10.20 – Existing Rule:

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 may be used toward degree requirements. However, the grades for all courses taken in residence at Texas A&M University will remain on the student's permanent record and will be used in computing the cumulative GPR. 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 and the department offering the course.

Proposed Change:

10. Grading (Revised: 2003 2005)

Section 10.20

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 may be used toward degree requirements. However, the grades for all courses taken in residence at Texas A&M University will remain on the student's permanent record and will be used in computing the cumulative GPR. 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 and the department offering the course.

Justification for Proposed Change:

To avoid misunderstandings among the rules about repeating a course (3peat rules, course descriptions which allow more than 3 repeats, multiple failure of same course or repeating courses which were graded Q, W, or NG).

Submitted by: Donald D. Carter, Admissions and Records

Approved by the Rules and Regulations Committee on 4/8/05.
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:

### 11. Distinguished Students (Revised: 1992 2005)

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 3.5 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 15 hours with no grade lower than a “C,” no Q-drops and with a grade point ratio of not less than 3.25 3.5 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.” Students who use grade exclusion must still meet the minimum of requirements in hours and grades to qualify for the appropriate honors. Grades of Q, W, and NG may not be included in the 15 graded hours. Only undergraduate courses or graduate courses used for the undergraduate degree will be used in either honors calculation.

Justification for Proposed Change:

Recommended by the AOC to comply with the First Year Grade Exclusion Policy and the Flat Tuition Rate Program.
Submitted by: Dr. Mark Weichold, Dean of Undergraduate Programs and Associate Provost for Academic Services

Approved by the Rules and Regulations Committee on 4/8/05.
Section 14.16 – Existing Rule:

14.16 Posthumous Bachelor’s Degrees. If a candidate for a bachelor’s degree, at the time of death, is enrolled in courses that would complete the degree requirements, the appropriate degree may be awarded posthumously on the recommendation of the student’s academic department, on the approval of the student’s college, by the Faculty Senate and by the president of the university. Exceptional cases will be referred to the Executive Committee of the Faculty Senate for review and recommendation to the president.

14.17 Posthumous Graduate Degrees. Any request for a posthumous degree must be initiated by the chair of the student’s advisory committee and may be awarded on the recommendation of the student’s academic department, on the approval of the student’s college, by the Faculty Senate and by the president of the university. For all degrees, the student’s advisory committee must certify that it believes that all requirements for the degree would have been completed by the anticipated graduation date under normal circumstances.

14.17.1 For degrees requiring a research product (dissertation, record of study, thesis or research paper) the research proposal, at the time of the student’s death, must have been signed by each committee member and a significant portion of the dissertation, record of study, thesis or research paper must have been reviewed by the committee and found to be acceptable. Ph.D. students must have been admitted to candidacy.

14.17.2 For degrees not requiring a research product, the student must have been, at the time of death, enrolled in courses that would have completed the degree requirements. Exceptional cases will be referred to the Executive Committee of the Faculty Senate for review and recommendation to the president.

14.18 Petitions requesting exemption from or substitution for courses outlined in undergraduate student degree plans shall be submitted in writing to the dean of the student’s college through the departmental advisor on forms available in the offices of the deans and department heads.

14.19 A minimum of 36 hours of 300-and/or 400-level course work must be successfully completed in residence at Texas A&M University to obtain a baccalaureate degree. In all cases, a minimum of 12 of these 36 semester hours must be in the major.

A student participating in TAMU off-campus study programs approved by the student’s college may apply upper division credits earned in the programs toward the residence requirement up to a maximum of 18 semester hours, including hours transferred from another institution as part of one of these programs. These TAMU off-campus study programs may involve domestic or international institutions and may be taught by TAMU faculty or faculty from other institutions. Students choosing to participate in such programs and wishing to apply credits earned from the programs toward the residence requirement must receive college approval prior to the student’s participation in the off-
campus study program. Student participating in international programs must contact the Study Abroad Programs Office for details on how to obtain approval for courses taken outside the United States. Students participating in domestic off-campus programs must contact the Dean’s office of their college for approval procedures.

14.20 As an exception to 14.5, a student may qualify for the bachelor of science degree in zoology from Texas A&M by completing the three-year pre-medical/pre-dental curriculum and at least one full year of acceptable work at an accredited American medical or dental school.

14.21 Graduate students are referred to the residence statements in the Graduate Catalog that are appropriate to their degree objective.

**Proposed Change:**

14.16 Undergraduate Minors:

A minor is a concentration of courses that focus on a single area or an interdisciplinary perspective developed by the department or program that offers the minor. The department or program offering the minor is responsible for setting enrollment limits and deciding which courses are used to meet the minor. Coursework consists of 15-18 hours with a minimum of 6 in residence at the 300-400 level.

14.16.1 If a minor is offered by a department or academic unit, then the minor is considered to be available to all students as resources permit. The academic advisor in the major-granting department will add the minor for the student on SIMS. In some cases, approval by the advisor of the minor-granting department is required before the minor is added by the advisor in the student’s major.

14.16.2 Substitutions in a minor can be initiated by either the major- or minor-granting department, but must be approved by both departments.

14.16.3 Students must declare a minor no later than the date on which they apply for graduation.

14.16.4 A maximum of two minors can be completed by students.

14.16.5 A minor is displayed on the transcript after graduation but is not displayed on the diploma.

14.16 Posthumous Bachelor’s Degrees. If a candidate for a bachelor’s degree, at the time of death, is enrolled in courses that would complete the degree requirements, the appropriate degree may be awarded posthumously on the recommendation of the student’s academic department, on the approval of the student’s college, by the Faculty Senate and by the president of the university. Exceptional cases will be referred to the Executive Committee of the Faculty Senate for review and recommendation to the president.
14.17 Posthumous Graduate Degrees. Any request for a posthumous degree must be initiated by the chair of the student’s advisory committee and may be awarded on the recommendation of the student’s academic department, on the approval of the student’s college, by the Faculty Senate and by the president of the university. For all degrees, the student’s advisory committee must certify that it believes that all requirements for the degree would have been completed by the anticipated graduation date under normal circumstances.

14.17.1 For degrees requiring a research product (dissertation, record of study, thesis or research paper) the research proposal, at the time of the student’s death, must have been signed by each committee member and a significant portion of the dissertation, record of study, thesis or research paper must have been reviewed by the committee and found to be acceptable. Ph.D. students must have been admitted to candidacy.

14.17.2 For degrees not requiring a research product, the student must have been, at the time of death, enrolled in courses that would have completed the degree requirements. Exceptional cases will be referred to the Executive Committee of the Faculty Senate for review and recommendation to the president.

14.18 Petitions requesting exemption from or substitution for courses outlined in undergraduate student degree plans shall be submitted in writing to the dean of the student’s college through the departmental advisor on forms available in the offices of the deans and department heads.

14.19 A minimum of 36 hours of 300-and/or 400-level course work must be successfully completed in residence at Texas A&M University to obtain a baccalaureate degree. In all cases, a minimum of 12 of these 36 semester hours must be in the major.

A student participating in TAMU off-campus study programs approved by the student’s college may apply upper division credits earned in the programs toward the residence requirement up to a maximum of 18 semester hours, including hours transferred from another institution as part of one of these programs. These TAMU off-campus study programs may involve domestic or international institutions and may be taught by TAMU faculty or faculty from other institutions. Students choosing to participate in such programs and wishing to apply credits earned from the programs toward the residence requirement must receive college approval prior to the student’s participation in the off-campus study program. Student participating in international programs must contact the Study Abroad Programs Office for details on how to obtain approval for courses taken outside the United States. Students participating in domestic off-campus programs must contact the Dean’s office of their college for approval procedures.

14.20 As an exception to 14.5, a student may qualify for the bachelor of science degree in zoology from Texas A&M by completing the three-year pre-medical/pre-dental curriculum and at least one full year of acceptable work at an accredited American medical or dental school.
14.22 Graduate students are referred to the residence statements in the Graduate Catalog that are appropriate to their degree objective.

**Justification for Proposed Change:**

These rules and procedures were approved by AOC, and need to be accessible for students.

**Submitted by:** Kriss Boyd, Academic Operations Committee

**Approved by the Rules and Regulations Committee on 4/8/05.**
Section 18.1 – 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.

Proposed Change:

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

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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.

18.1.7 Disclosure of the delinquent debt to any credit bureau, collection agency or attorney.
18.1.8 Assessment of amounts actually incurred by the university as court costs, attorneys’ fees, and reasonable cost for collection.

Justification for Proposed Changes:

Change to Sections 18.1.2 and 18.1.3:
Specific amounts are being removed from Rules and Regulations and are published on the web and other locations as appropriate.

Additions of Sections 18.1.7 and 18.1.8:
Current recommendations by Texas A&M University System Attorneys to report delinquent student account balances to credit bureaus and pass on costs incurred by the university for placing delinquent accounts with an external collection agency for debt recovery have been revisited and the need to document this process in student rules has become evident as class schedules are no longer printed and given to students to register. When students register, for classes, they agree to adhere to university rules and regulations and to meet their obligations.

Delinquent student account balances are reported to a national credit bureau and placed with an external collection agency for debt recovery only after the student has failed to respond to internal collection efforts.

Submitted by: Peggy Carrey, Student Business Services

Approved by the Rules and Regulations Committee on 4/8/05.
Section 45 – Existing Rule:

45. Discrimination (Revised: 2000)

Texas A&M University, in accordance with applicable federal and state law, prohibits discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status. The following procedures should be followed when a student alleges that he or she has been subjected to an act, practice, rule or procedure described above.

Grievances regarding disability accommodations in academic programs should follow the procedures outlined in Rule 46, Disability Accommodations in Academic Programs.

45.1 Informal Grievance Procedures

Students believing that they have been subjected to discrimination may use one of the following procedures to resolve their grievance:

45.1.1 The student may seek a resolution of the matter through discussions with the alleged offender or person responsible for enforcing the rule or procedure (hereafter known as respondent). Before following this procedure, however, students may choose to seek advice about how best to approach this individual. Students are encouraged to seek assistance from the Office of the Dean of Student Life.

45.1.2 If no resolution is forthcoming or if direct confrontation is deemed inappropriate, the student may report the incident or incidents to the respondent’s immediate or general supervisor. The supervisor should attempt to resolve the complaint and will maintain the student’s confidentiality to the extent provided by law.

45.1.3 The student may report the incident or incidents to the Office of the Dean of Student Life and request assistance in attempting to reach an informal resolution of the matter. The Office of the Dean of Student Life may then contact the respondent’s immediate or general supervisor, who should attempt to resolve the complaint and will maintain the student’s confidentiality to the extent provided by law.

Under these informal procedures, the student may, at any time, elect to stop further administrative action by withdrawing the complaint. The student can also decide to file a formal grievance according to the procedures outlined below.

45.2 Formal Grievance Procedures

Assistance with these procedures may be provided by the Office of the Dean of Student Life (Refer to Rule 24, Student Conduct Code, if the grievance concerns student harassment of another student, faculty or staff member).

45.2.1 A student who feels that he or she has been subjected to discrimination may file a written grievance to the administrative head of the college, department or office in which
the alleged discrimination took place. The grievance should normally be filed within 20 working days of the incident or incidents.

45.2.2 The administrative head will investigate and attempt to resolve the complaint using the following steps:

- Review the grievance report from the student.
- Gather any additional information from the student that is needed.
- Gather a response and any additional information from the respondent.
- Document and assess the finding of facts, including those agreed upon and those disputed.
- Attempt a resolution of the grievance between the student and the respondent, if appropriate.
- Determine final decision regarding the complaint.

45.2.3 The administrative head should complete the investigation and produce a written report outlining the steps in 45.2.2 within 10 working days. A copy of the report should be provided to the student, also within 10 working days.

45.2.4 To appeal the decision of the administrative head, the student must file a written request for an appeal hearing with the chair of the Discrimination Appeals Panel within 10 working days of the receipt of the written decision from the administrative head.

45.2.5 Within five working days after receiving a request for a hearing, the chair and an attorney from the Office of General Counsel shall conduct an initial review of the request to determine if the complaint:

- alleges facts, which, if true, would demonstrate a violation of an anti-discrimination statute, or rule;
- contains allegations that appear to be substantially credible;
- addresses a violation, which, if true, results in a personal wrong to the grievant;
- was filed in a timely manner; and
- is not frivolous.

If both the chair and the attorney find that the complaint does not meet all of the above conditions, the chair must terminate the grievance and so notify the student. If the chair and the attorney find the complaint meets all of the conditions, then the chair shall set a hearing date for the Discrimination Appeals Panel. The date should be the earliest available time at which all parties and panelists are available.
Proposed Change:

**45. Discrimination (Revised: 2000)**

Texas A&M University, in accordance with applicable federal and state law, prohibits discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status. The following procedures should be followed when a student alleges that he or she has been subjected to an act, practice, rule or procedure described above.

Grievances regarding disability accommodations in academic programs should follow the procedures outlined in Rule 46, Disability Accommodations in Academic Programs.

45.1 Informal Grievance Procedures

Students believing that they have been subjected to discrimination may use one of the following procedures to resolve their grievance:

45.1.1 The student may seek a resolution of the matter through discussions with the alleged offender or person responsible for enforcing the rule or procedure (hereafter known as respondent). Before following this procedure, however, students may choose to seek advice about how best to approach this individual. Students are encouraged to seek assistance from the Office of the Dean of Student Life.

45.1.2 If no resolution is forthcoming or if direct confrontation is deemed inappropriate, the student may report the incident or incidents to the respondent’s immediate or general supervisor. The supervisor should attempt to resolve the complaint and will maintain the student’s confidentiality to the extent provided by law.

45.1.3 The student may report the incident or incidents to the Office of the Dean of Student Life and request assistance in attempting to reach an informal resolution of the matter. The Office of the Dean of Student Life may then contact the respondent’s immediate or general supervisor, who should attempt to resolve the complaint and will maintain the student’s confidentiality to the extent provided by law.

Under these informal procedures, the student may, at any time, elect to stop further administrative action by withdrawing the complaint. The student can also decide to file a formal grievance according to the procedures outlined below.

45.2 Formal Grievance Procedures

Assistance with these procedures may be provided by the Office of the Dean of Student Life (Refer to Rule 24, Student Conduct Code, if the grievance concerns student harassment of another student, faculty or staff member).
45.2.1 A student who feels that he or she has been subjected to discrimination may file a written grievance to the administrative head of the college, department or office in which the alleged discrimination took place. The grievance should normally be filed within 20 working days of the incident or incidents.

45.2.2 The administrative head will investigate and attempt to resolve the complaint using the following steps:

- Review the grievance report from the student.
- Gather any additional information from the student that is needed.
- Gather a response and any additional information from the respondent.
- Document and assess the finding of facts, including those agreed upon and those disputed.
- Attempt a resolution of the grievance between the student and the respondent, if appropriate.
- Determine final decision regarding the complaint.

45.2.3 The administrative head should complete the investigation and produce a written report outlining the steps in 45.2.2 within 10 working days. A copy of the report should be provided to the student, also within 10 working days.

45.2.4 To appeal the decision of the administrative head, the student must file a written request for an appeal hearing with the chair of the Discrimination Appeals Panel within 10 working days of the receipt of the written decision from the administrative head.

45.2.5 Within five working days after receiving a request for a hearing, the chair and an attorney from the Office of General Counsel shall conduct an initial review of the request to determine if the complaint:

- alleges facts, which, if true, would demonstrate a violation of an anti-discrimination statute, or rule;
- contains allegations that appear to be substantially credible;
- addresses a violation, which, if true, results in a personal wrong to the grievant;
- was filed in a timely manner, and
- is not frivolous.

If both the chair and the attorney find that the complaint does not meet all of the above conditions, the chair must terminate the grievance and so notify the student. If the chair and the attorney find the complaint meets all of the conditions, then the chair shall set a hearing date for the Discrimination Appeals Panel. The date should be the earliest available time at which all parties and panelists are available.
(Proposed wording for umbrella statement at the beginning of each grievance procedure)

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.

45. Discrimination (Revised: 2005)

This process is designed to respond to allegations involving discriminatory action against a student by an employee of the university system.

Texas A&M University, in accordance with applicable federal and state law, prohibits discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status. (These categories will hereafter be referred to as groups.)

There are a number of processes defined within the Student Rules which are designed to respond to allegations of discrimination and/or harassment. Each of these is described below.

Rule 46. Disability Accommodations in Academic Programs, should be utilized to respond to grievances regarding disability accommodations in academic programs.

Rule 47. Sexual Harassment, should be utilized to respond to allegations regarding sexual harassment when the alleged offender is an employee of the university system.

Rule 24.3.4 Harassment and its subsections apply when there are allegations of harassment and the alleged offender is a student of the university.

The procedures outlined in 45.1 and 45.2 below should be followed when a student alleges that he or she has been subjected to an act, practice, rule or procedure that involves discrimination against the student by an employee of the university system. There are four components that must be present to establish discrimination. The student: 1) must be a member of one of the groups described in the second paragraph above; 2) must have suffered a significant adverse consequence; 3) must show that he/she was treated differently than other students who are not members of the complaining student’s group; and 4) must demonstrate no legitimate nondiscriminatory reason exists for the allegedly unequal treatment complained of (or, the employee’s stated reason was a sham to conceal discrimination).

45.1 Informal Grievance Procedures
Students believing that they have been subjected to discrimination as described above may use one or more of the following informal procedures to resolve their grievance:

45.1.1 The student may seek a resolution of the matter through discussions with the alleged offender (hereafter known as respondent). Before following this procedure, however, students may choose to seek advice about how best to approach this individual. Students are encouraged to seek assistance from the **Office of the Dean of Student Life**.

45.1.2 If no resolution is forthcoming or if direct confrontation is deemed inappropriate by both parties, the student may report the incident or incidents to the respondent’s immediate or general supervisor. The supervisor should attempt to resolve the grievance and will maintain the student’s confidentiality to the extent provided by law.

45.1.3 The student may report the incident or incidents to the Office of the Dean of Student Life and request assistance in attempting to reach an informal resolution of the matter. The Office of the Dean of Student Life may then contact the respondent’s immediate or general supervisor, who should attempt to resolve the grievance and will maintain the student’s confidentiality to the extent provided by law.

Under these informal procedures, the student may, at any time, elect to withdraw the grievance which may or may not stop further administrative action. The student may also at any time decide to file a formal grievance according to the procedures outlined below.

45.2 Formal Grievance Procedures

Assistance with these procedures may be provided by the Office of the Dean of Student Life (Refer to **Rule 24, Student Conduct Code**, if the grievance concerns student harassment of another student, faculty or staff member).

45.2.1 A student who feels that he or she has been subjected to discrimination as described above, may file a written grievance to the administrative head of the college, department, or office in which the alleged discrimination took place.

The grievance should normally be filed within 20 working days of the incident or incidents. It is advisable, and to the student’s advantage, to file the grievance as soon as possible to insure that a complete, accurate fact pattern is captured in a timely manner and in close proximity to the time in which the alleged discrimination occurred.

As part of the written grievance, the student should also articulate a desired outcome or remedy to be considered in the event that discrimination is found to have occurred.
45.2.2 The administrative head will investigate and attempt to resolve the grievance using the following steps:

a. Review the grievance.

b. Meet with the student to review the grievance and to gain additional insight.

c. Gather any additional pertinent information that is needed.

d. Share the grievance and any additional pertinent information with the respondent.

e. Provide respondent an opportunity to respond and to provide any additional information.

f. Give the student the opportunity to reply to any response provided by the respondent.

g. Consult with the Office of General Counsel regarding applicable rules and legal requirements, as appropriate.

h. Determine and document the findings of fact, including those agreed upon and those disputed.

i. Attempt a resolution of the grievance between the student and the respondent, if appropriate.

j. Determine final decision regarding the grievance. The final decision shall be one of three outcomes: discrimination occurred; discrimination did not occur; there is insufficient evidence to determine whether or not discrimination occurred.

45.2.3 The administrative head shall complete the investigation and produce a written report describing the actions taken in accordance with the steps outlined in 45.2.2 within 10 working days of the receipt of the grievance. If additional time is needed to complete the investigation and write the report, the reasons shall be documented and included in the report. If the report concludes that discrimination occurred, a description of the remedy provided to the student shall be included in the report. The administrative head shall provide a copy of the report to the student, the respondent, and the direct supervisor of the administrative head.

45.2.4 In the event discrimination is found to have occurred, the administrative head shall take disciplinary and/or additional action as deemed appropriate under system policies and university rules.

45.2.5 To appeal the decision of the administrative head, the student must file a written statement of appeal with the Discrimination Appeals Panel within 10 working days of the receipt of the written decision from the administrative head. The
appeal shall be delivered to the Office of the Dean of Student Life and will be forwarded to the chair of the Discrimination Appeals Panel. The appeal shall clearly identify a basis of appeal and provide a clear rationale for appealing. There are only two acceptable bases of appeal: 1) the administrative head’s conclusion of no discrimination is not reasonable (a lack of reasonableness is defined as no reasonable administrative head, based on the evidence presented, could decide discrimination did not occur); and 2) the remedy to the student, in cases where discrimination occurred, is insufficient.

45.2.6 The Discrimination Appeals Panel shall meet and review the original grievance filed by the student, the final report written by the administrative head, any supporting documentation contained with the original grievance and/or with the final report, and the appeal written by the student. The outcome of the review shall be one of three courses of action:

- Uphold the decision of the administrative head
- Reverse the decision of the administrative head and issue a new conclusion and/or remedy
- Remand the case back to the administrative head with instructions for further review

The date for the review of the file shall be the earliest available time at which all panelists are available. The decision of the Discrimination Appeals Panel shall be final.

If it is determined that a grievance filed under this rule was groundless (no factual basis to believe discrimination occurred) or in bad faith (claim was motivated by a malicious purpose), the student may be subject to disciplinary action.

**Justification for Proposed Change:**

To be consistent with current case law. Input received from General Counsel

**Submitted by:** Dr. Dave Parrott, Associate Vice President of Student Affairs and Dean of Student Life

**Approved by Rules and Regulations Committee on 4/8/05.**