MEMORANDUM

DATE: March 26, 2014

TO: Dr. Walter Daugherity
Speaker, Faculty Senate

FROM: Dr. David W. Parrott
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 are two proposals for changes in Rule 30. Both proposals have been incorporated in the main body of the rule. Separate justifications and submission information has been provided for each proposed change, following the main body of the rule.
PROPOSAL 1

Substantive changes: please see additions in rule.

JUSTIFICATION 1

Align existing rule to requirements/recommendations to the change in Title II regulations regarding “direct threat” from the Department of Justice.

RULE 30 PROPOSAL 1 CHANGES SUBMITTED BY:

Name: Dr. Cynthia Hernandez
Phone: 979-845-4728
E-Mail Address: Cynthia.hernandez@tamu.edu
Department: Office of the Vice President for Student Affairs
Mail Stop: 1256

PROPOSAL 2

Campuses outside of Brazos County will comply with the intent of the rules given available resources. These processes will be articulated in Memoranda of Understanding (MOUs) between the campuses and the Office of the Vice President for Student Affairs.

JUSTIFICATION 2

Rule 30: The current rule is not feasible for campuses outside of Brazos County given the geographic distant between the TAMU main campus and Texas A&M Health Science Center distant campuses. Additionally, students outside of Brazos County are not paying for services offered by TAMU such as Student Counseling or Student Health. These kinds of services are provided through partnerships with other Texas A&M institutions like Texas A&M Kingsville for the College of Pharmacy or through a contract with another health science center for students at Temple, Houston, or Round Rock.

RULE 30 PROPOSAL 2 CHANGES SUBMITTED BY:

Name: Ms. Linda Brannon
Phone: 979-436-0184
E-Mail Address: Brannon@tamhsc.edu
Department: HSC Division of Student Services
Mail Stop: 1359

Approved by the Student Rules and Regulations Committee on 3/21/2014
EXISTING RULE WITH CHANGES IN BOLD AND UNDERLINED. DELETIONS HAVE BEEN STRUCK.

30. Administrative Response To Dangerous or Disruptive Behavior Which May Be Caused by Manifestations of a Serious Psychological Problem

(Revised: 2005)

The university is committed to the success of all students, including those with depression or other mental health conditions. The University recognizes that students may experience medical/mental health situations that significantly limit their ability to function successfully or safely in their role as students. Texas A&M University shall, through the Student Counseling Service (primarily) or Student Health Services (secondarily), provide evaluation, referral, and appropriate treatment, within the available resources of the institution, for students manifesting serious psychological problems. The personnel of all departments of the University are expected to refer students with apparent psychological problems to the Student Counseling Service (primarily) or Student Health Services (secondarily).

Students who display dangerous or disruptive behavior which may be caused by manifestations of a serious psychological problem may be: 1) referred for an individual evaluation and/or 2) administratively withdrawn from the university; in some instances, this withdrawal may be involuntary. Voluntary or involuntary administrative withdrawals permit students to take a break from the University’s rigorous academic environment. The Vice President for Student Affairs or designee is charged with responsibility for decision making related to Rule 30.

Dangerous or disruptive behavior caused by manifestations of a serious psychological problem includes, but are not limited to:

- instances where a student engages in, or threatens to engage in, inappropriate behavior which poses a danger of causing physical harm to self or others, or inappropriate behavior that demonstrates a student’s inability to care for self, and/or
- instances of inappropriate behavior, which would cause significant property damage, or would directly and substantially impede the lawful activities of others, or that substantially interferes with or impedes the educational experiences of others, or would interfere with the educational process and the orderly operation of the University, and/or
- instances where a student engages in inappropriate behavior where a contributing factor is failure to follow a prescribed medical or psychological treatment plan, and/or
- instances of inappropriate behavior that causes a chronic, inordinate use of university resources including, but not limited to, staff time, psychological services, medical services, and/or emergency services, thereby resulting in an undue burden to the University.

30.1. Involuntary Referral for Evaluation

When it is determined by the Vice President for Student Affairs or his/her designee that a student has allegedly participated in one or more of these behaviors, the student will be required to present himself or herself
within one business day, to the Director of the Student Counseling Service or his/her designee, for an individual evaluation. The student will be notified in writing of this by the Vice President for Student Affairs or his/her designee.

30.2. Withdrawal

Under this rule, students may be voluntarily or involuntarily withdrawn from the University. The decision for an involuntary withdrawal shall be made by a committee.

The Department Offices of the Dean of Student Life, or the Office of the Commandant for members of the Corps of Cadets, is responsible for the University disciplinary process. This policy does not preclude a student’s removal from the University, or any unit, class, or program, for disciplinary reasons in accordance with Texas A&M University Student Rules. The Department of Student Life, or the Office of the Commandant for Corps members, and the Student Counseling Service and Student Health Services, with appropriate releases, may consult to determine whether a student accused of violating the Student Rules should be diverted from the disciplinary process to the Rule 30 procedures. Conversely, these departments, with appropriate releases, may consult to determine whether a student referred for consideration for an administrative withdrawal under Rule 30 might be more appropriately handled through the student disciplinary process. A student who is withdrawn from the university, under the provisions of this rule, has the opportunity for one appeal.

Campuses outside of Brazos County will comply with the intent of the rules given available resources. These processes will be articulated in Memoranda of Understanding (MOUs) between the campuses and the Office of the Vice President for Student Affairs.

**PROPOSED RULE 30 WITH ALL CHANGES**

30. Administrative Response To Dangerous or Disruptive Behavior Which May Be Caused by Manifestations of a Serious Psychological Problem

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- instances of inappropriate behavior, which would cause significant property damage, or would directly and substantially impede the lawful activities of others, or that substantially interferes with or impedes the educational experiences of others, or would interfere with the educational process and the orderly operation of the University, and/or
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